



APPENDICES

Ordinary Council Meeting

Monday, 16 December 2019

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From:
Sent: Tuesday, 27 August 2019 3:02 PM
To:
Subject: I175509 - AV1 - Lot 25 (19) Monger Street, Lot 3 (88) and Lot 820 (94) Avon Terrace, York - Development Application: Commercial Development: Shops, Restaurant Café & Consulting Room:

Hello Carly,

Please see comments below on the parking and circulation of the proposed development regarding the eastern building use classification, parking calculations and shortfalls, site access, and boundary walls.

Use Classification for Community Purpose Building.

The Schedule 4 Use most suitable to the Community Purpose building in this proposal would be "Health Studio" which requires 5 bays Per 100sqm or 1 bay per 20sqm which will also allow for community Purpose uses such as Art Centre, Dance Studio, Seminar Hall or Exhibition Centre.

The health Studio parking calculation would also be enough to allow for a future use of Allied health and related consulting rooms with enough parking in the current allocation to allow for 5 consulting rooms within the current planning scheme. Under the new LPS#3 the proposed parking would also allow for a café/restaurant with revised parking requirements for café/restaurants being 4 bays per 100sqm or 1 bay per 25sqm.

Unlike the other two buildings, No tenants have been secured for this building to date and it is unlikely to be built at the same time as the other two buildings if a tenant is not secured. This building is included in the current application so that the development of the entire lot can be considered within the current planning framework so the general nature of the community use and Health Studio is the most suitable building use classification.

Parking Bay Allocation

The current development proposal is for 71 car parking bays to service 8 consulting rooms, 1275sqm of shop, and 250 sqm of community use. Under the current Planning Scheme parking requirement nominated in schedule 4, the proposed development requires 108 car bays which is a shortfall of 37 bays.

This would be a significant amount if the development was proposing a single use across the entire site, however the shortfall is mitigated by the various uses of the building having peak parking periods at different times of the day. So the supermarket will be busiest before and after work hours, the medical centre will be busiest during normal work hours, and the community use building will be busiest late night and early morning. This graded peak usage allows for many of the parking bays to be used by different uses at different times of the day, reducing the number of bays required to service the development as a whole.

The Local Planning Scheme #3, that is currently being considered for adoption further acknowledges that the parking numbers required could be reduced with the parking requirements for a shop being reduced by 33% from 6 bays per 100sqm to 4 bays per 100sqm in the Proposed Scheme. If LPS#3 is adopted the Deemed to Satisfy shortfall will be reduced to just 11 car bays which could be considered too many, when considering the multiple building uses of the site.

Site access

The site access and parking is designed in a simple to understand way that conceals the majority of the parking from the Heritage street front, while providing visual cues leading to a large easy to navigate parking area with 6.3m wide access aisles and no dead ends. The majority of the parking will be right in front of the building entrances with peak period overflow parking extending a maximum of fifty metres from any shop front.

Access to the parking area from Monger Street at the rear of the lot would be suitable for low volumes of intermittent traffic expected for a community purpose building. The rear Laneway access will not be the primary access way for people visiting the supermarket or consulting rooms due to the inefficient convoluted access path, but could still be used as an alternate access route if Avon Terrace is ever inaccessible. The rear access could also be restricted with a drop chain or boom gate if control system required.

Access from the carp parking area to the laneway will have a minimal effect on the traffic in the laneway as it is not convenient or obvious to the majority of people accessing the site.

Boundary Walls

The site layout of proposes a number of walls to be built up to the property boundaries. On the street boundary, this facilitates a continuation of the heritage building types that front Avon Terrace, and are an important part of the buildings architectural language resonating with the existing building fabric of Yorks main Street.

The wall built up to the southern boundary is also a continuation of the heritage building fabric that couples the Nil Street setback with Nill side boundary setbacks that typically but up to the adjacent boundary wall. At this stage the adjacent property remains undeveloped, but future development would be expected to reciprocate the boundary wall and nil street setback.

To the rear of the lot the proposed northern boundary wall facilitates an economic use of space, and presents a clean boundary wall with a similar scale as the Heritage building on the adjacent South Street properties. Being a similar height to the existing buildings means the boundary wall it will not be oversized or have an overbearing nature. As the proposed boundary wall is to the south, it will not be overshadowing the adjacent lots.

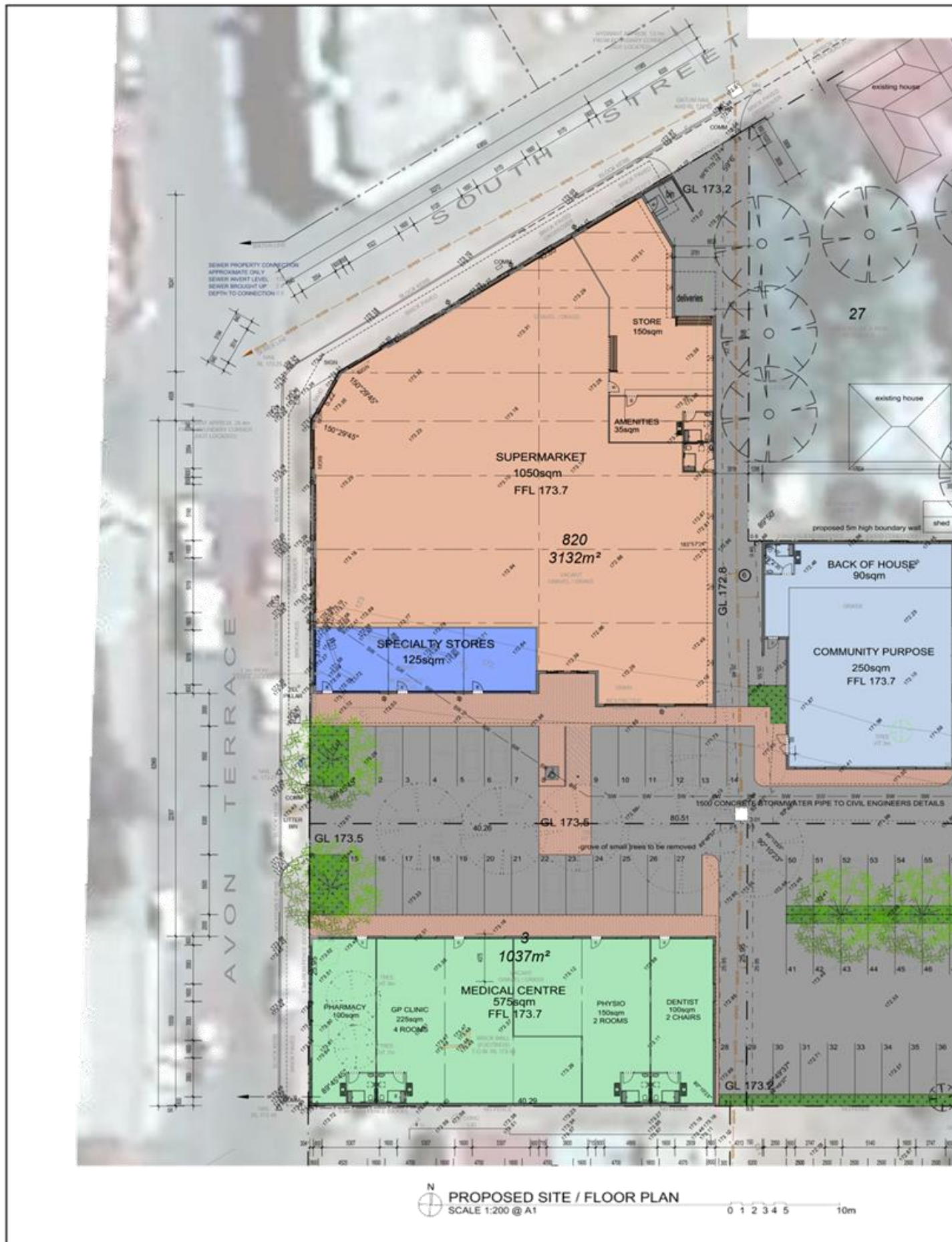
A major advantage of boundary walls on commercial lots is that there are no small service areas such as bins stores and washdowns areas or unassigned nooks on the boundary that can become messy, overgrown or used for nefarious purposes. The roof has been sloped back towards this boundary and the wall has been lowered as much as the commercial building will comfortably allow, presenting the neatest cleanest and lowest impact interface with the adjacent lot.

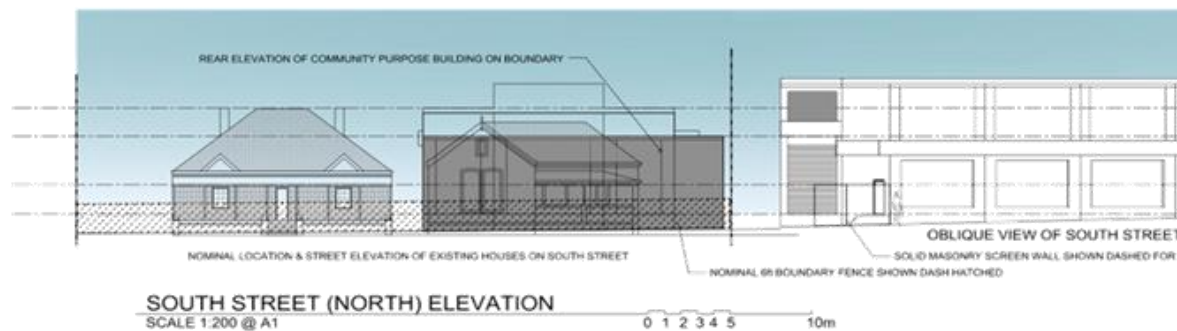
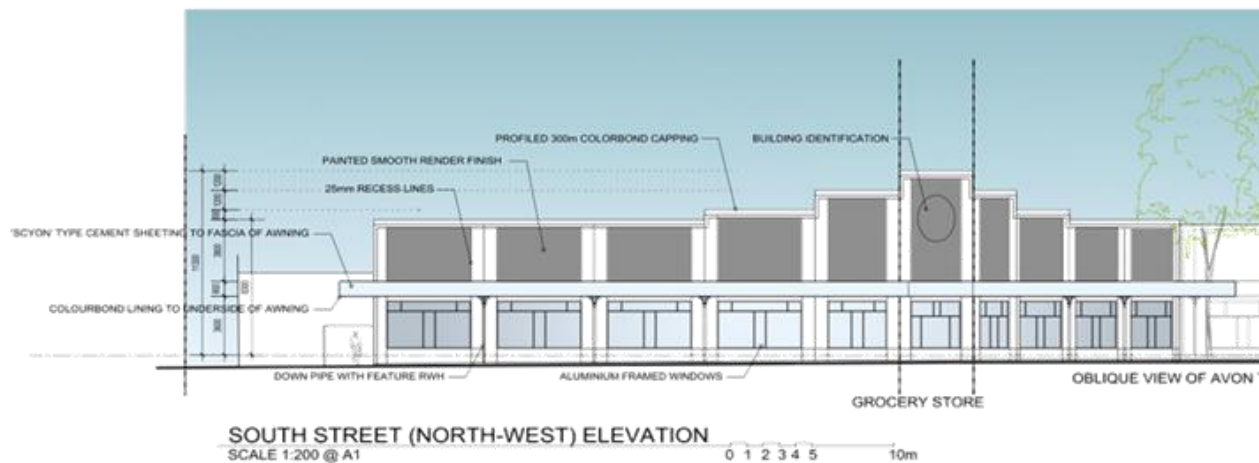
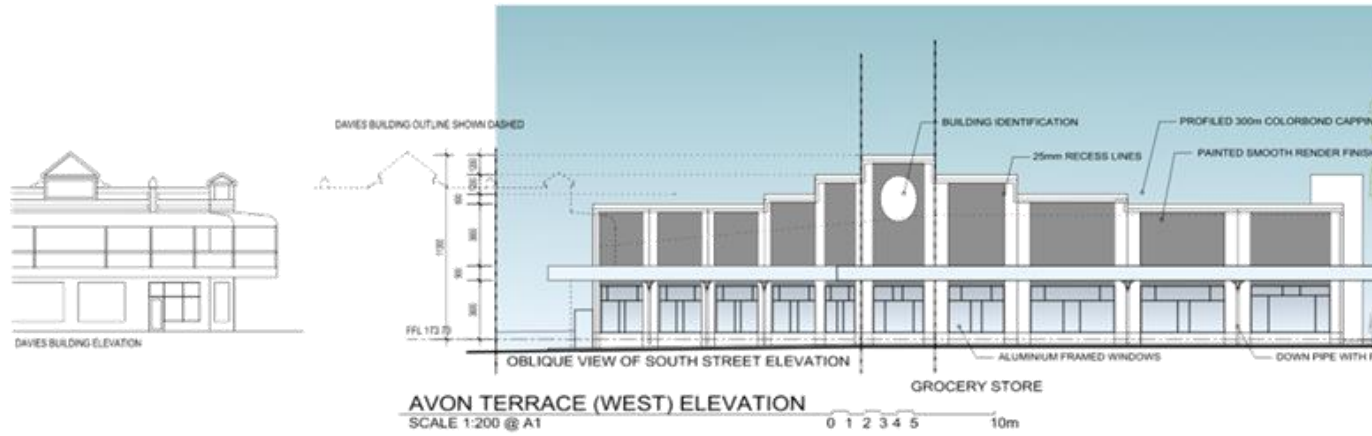
This development has been designed to provide the best architectural outcome for the Shire of York Residents by allowing the maximum development of street level. If there are any matters that you think require more consideration or explanation please let me know. I do ask that the application for approval to commence development be determined under delegated authority to assist with the potential for the development to proceed. Please let me know if there is anything else I can do to assist in the speediest determination possible.

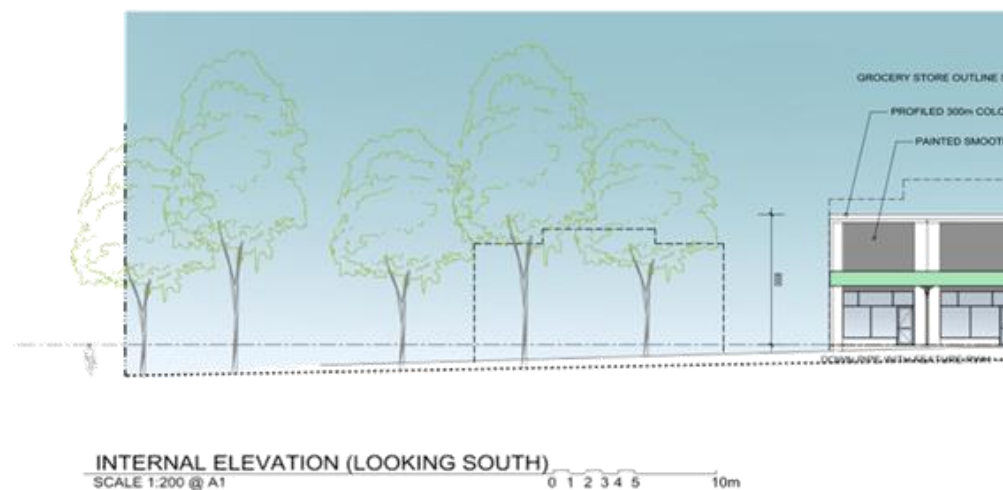


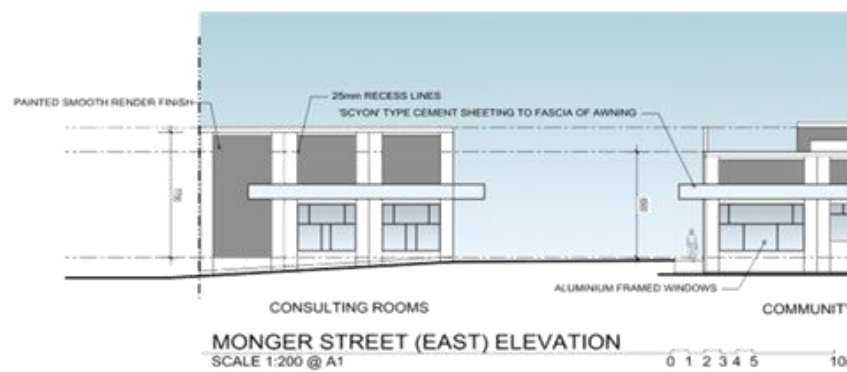
GREATER SITE PLAN
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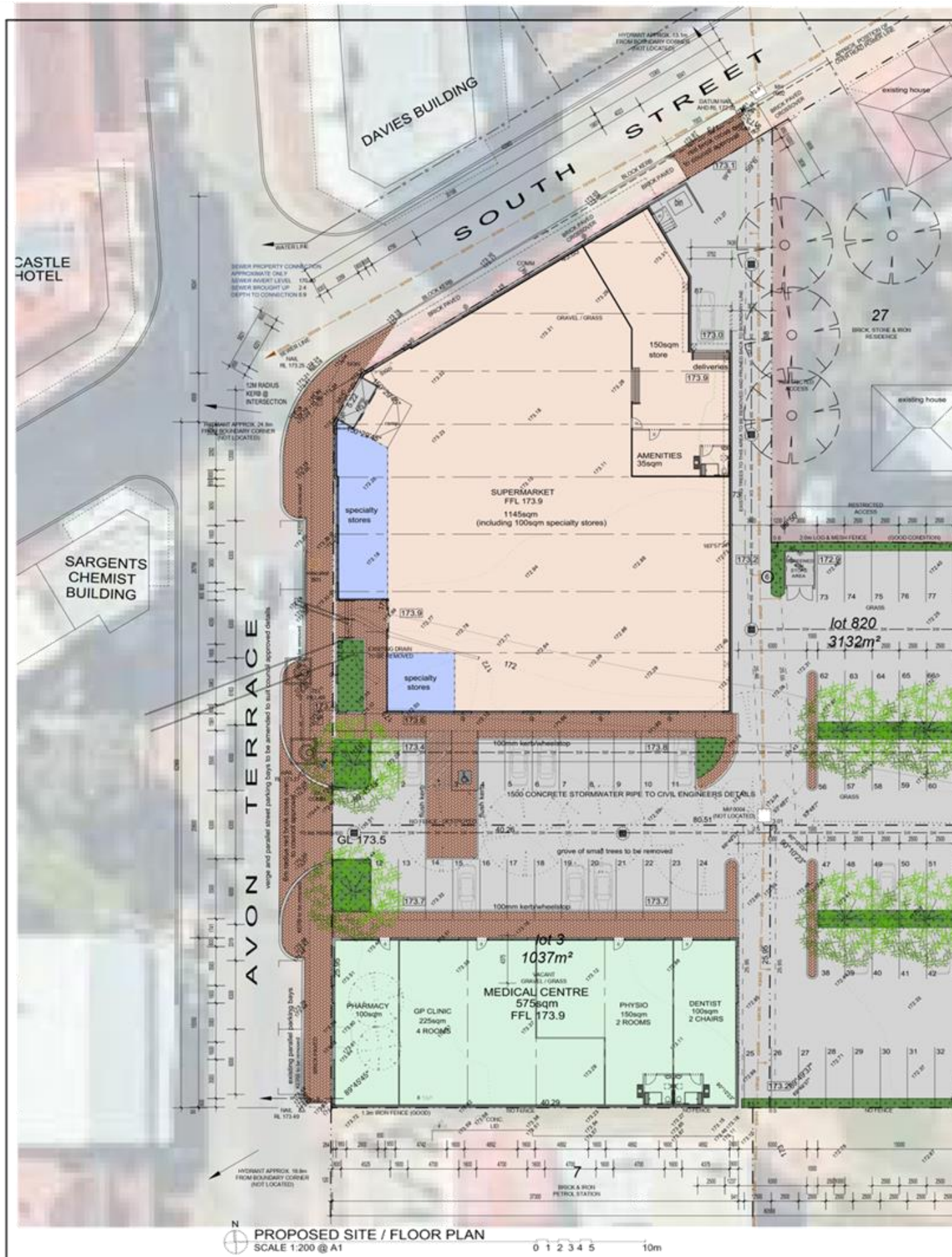


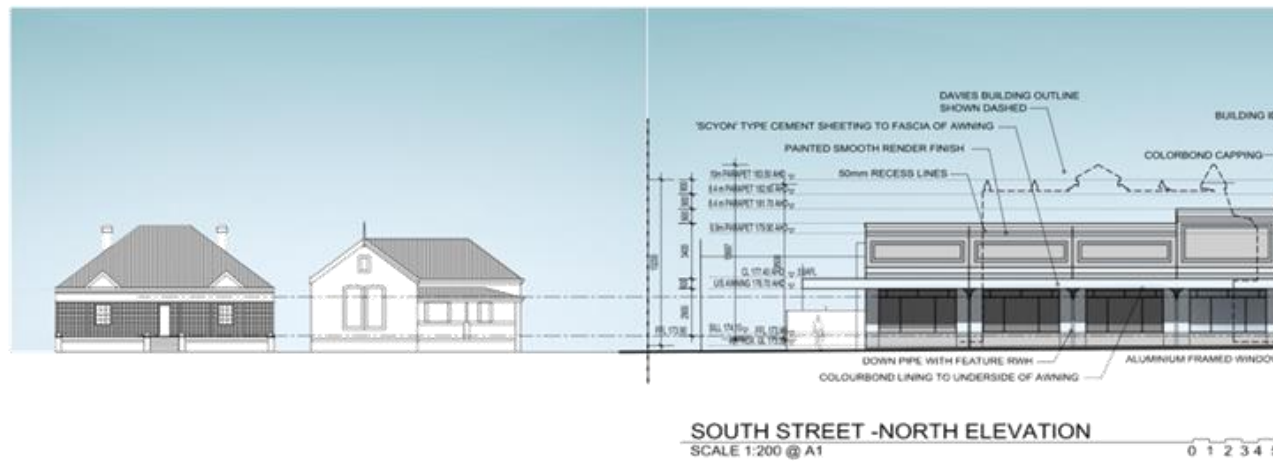
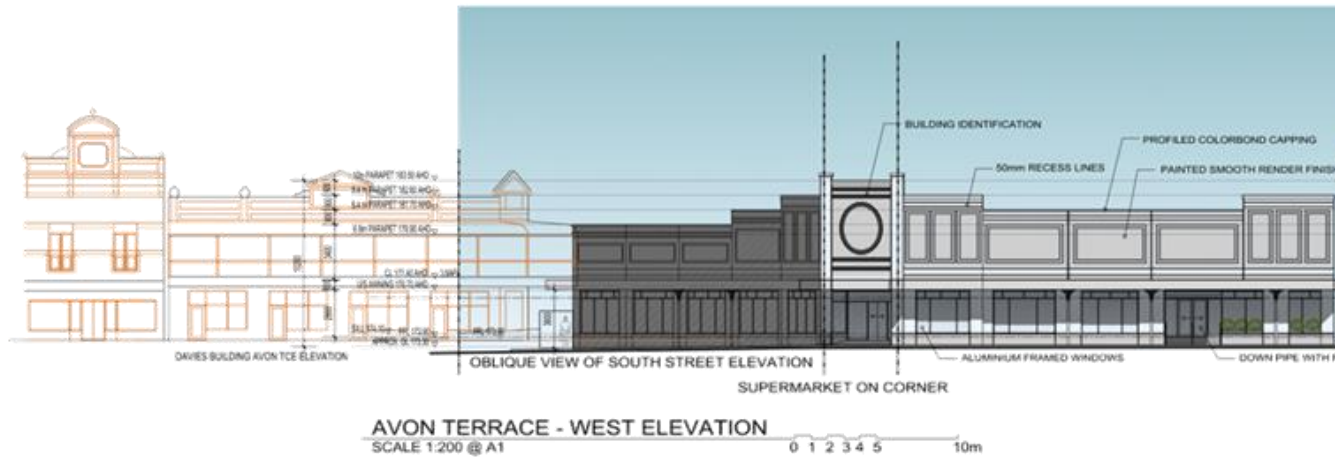
PROPOSAL FOR SUPERMARKET,
CONSULTING ROOMS & PHARMACY
LOT 25 (# 19) MONGER STREET,
LOT 3 (# 88) AVON TERRACE &
LOT 820 (# 94) AVON TERRACE
YORK, WA

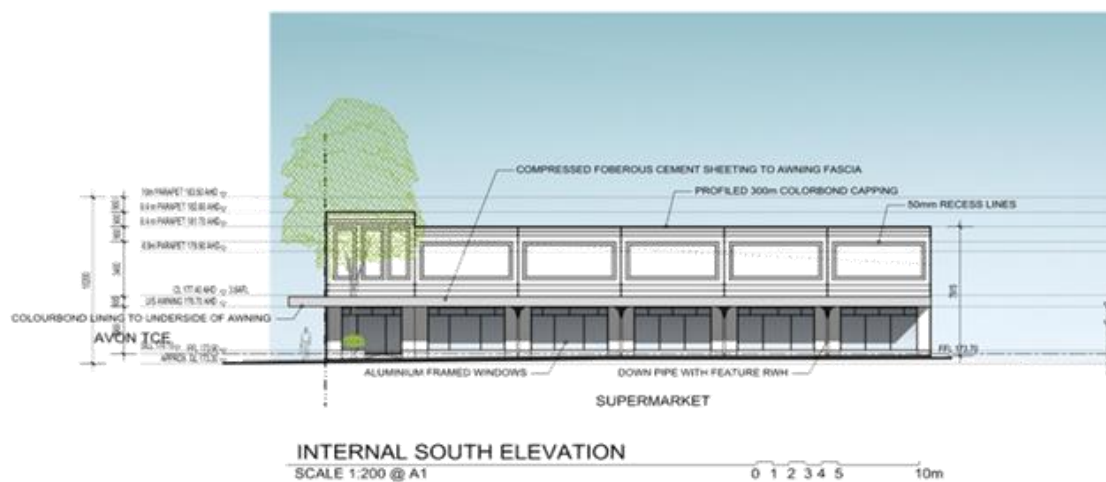
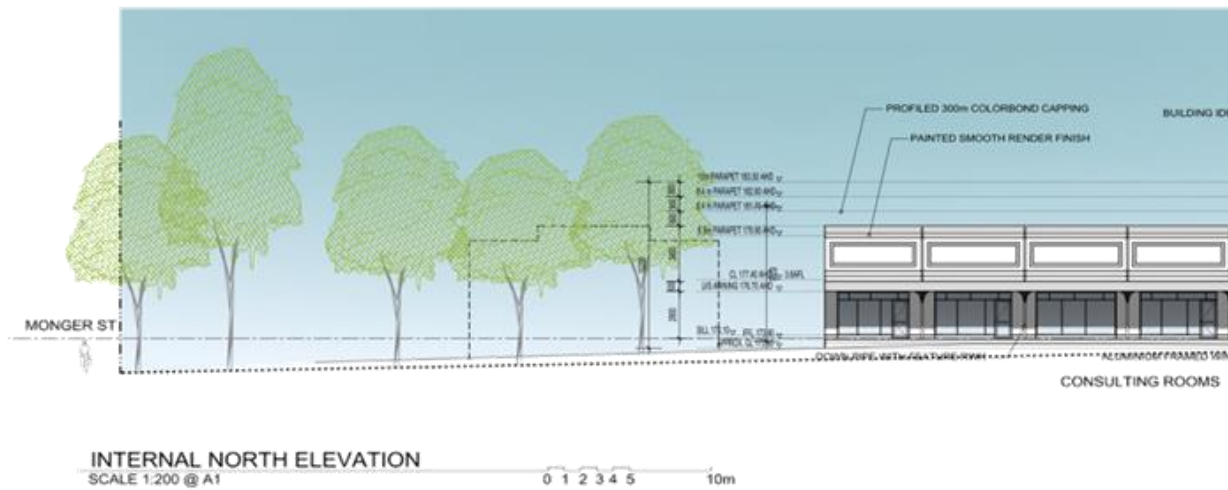


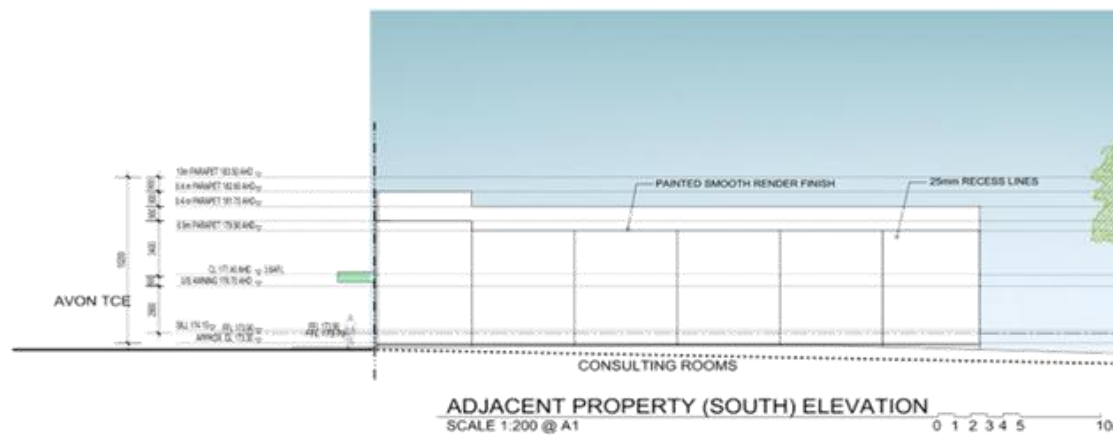
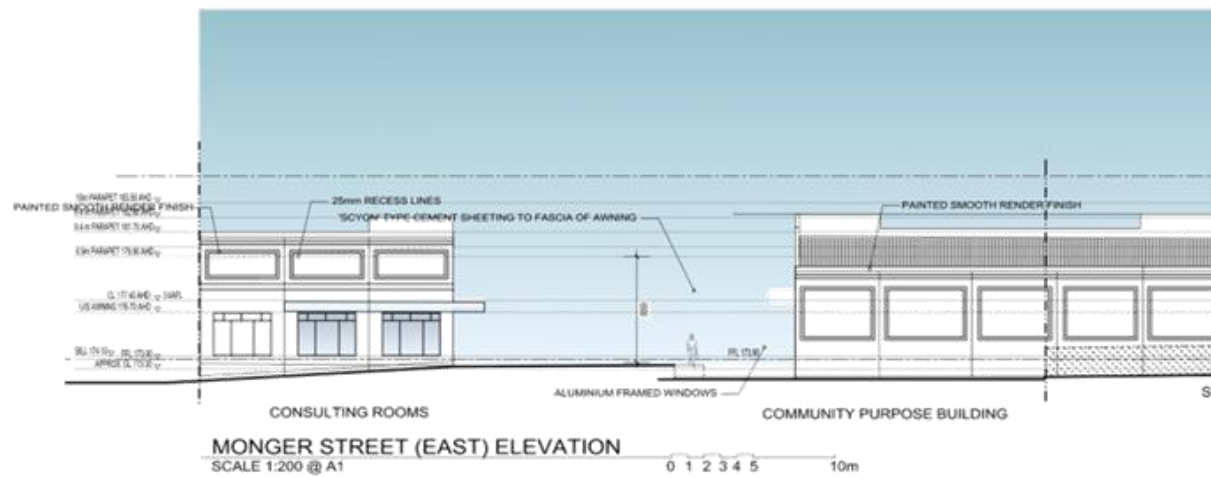
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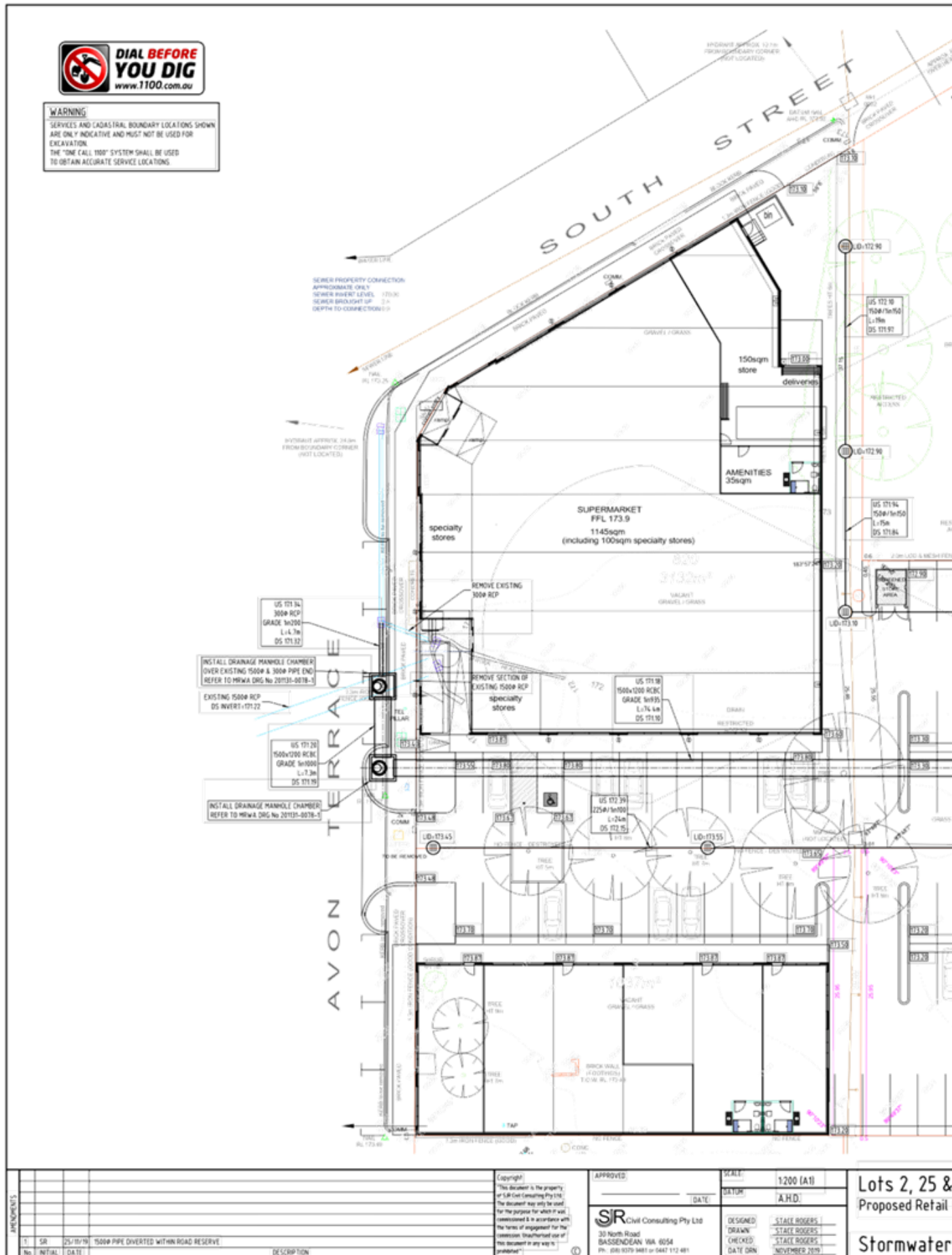
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Proposed Mixed-Use Development

Lots 88 & 94 Avon Terrace, York

Transport Impact Statement

PREPARED FOR:
Vespoli Constructions

November 2019

Document history and status

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Project number: t19.172

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1.0 Introduction

This Transport Impact Statement has been prepared by Transcore on behalf of Vespoli Constructions with regard to the proposed mixed-use development to be located at lots 88 and 94 Avon Terrace in York, Shire of York.

The subject site of approximately 5,206m² total site area is located at the southern side of South Street, between Avon Terrace and Monger Street as shown in **Figure 1**.



Figure 1. Location of the subject site

The subject site is bound by Avon Terrace to the west, South Street to the north, Monger Street to the east and the existing commercial developments to the immediate south. Vehicle access to the site is presently available from Monger Street.

The subject site currently consists of four unoccupied lots. The site is located within an area comprising predominantly residential and commercial developments with some retail developments mostly along South Street and Avon Terrace.

Pedestrians are currently accessing the site directly via existing pedestrian paths along South Street and Avon Terrace.

Key issues that will be addressed in this report include the traffic generation and distribution of the proposed development, parking and access.

2.0 Proposed Development

The Development Application (DA) for the subject site proposes replacement of the existing uses at the site with mixed-use development including supermarket, speciality store, medical centre and associated car park. The breakdown of floorspace for each land use component is detailed in **Table 1**:

Table 1. Land Use Schedule

Facility	Area (m ²)
Supermarket (including speciality stores)	1045
Speciality Store	100
Medical Centre	575

As part of the development proposal, 86 parking bays including one ACROD parking bay are proposed to address the parking demand. The car parking bays can be directly accessed from a proposed crossover at Monger Street and another proposed crossover to be located at Avon Terrace. As such, the access for existing empty lots on Monger Street will be removed and replaced as per the development plan. A total of four additional on-street parking bays is also proposed on Avon Terrace.

The bin storage area is located at the north-east corner of the subject site and is directly accessed via South Street. It is anticipated that waste collection will take place within the site.

Refer to **Appendix A** for plan of the proposed development.

3.0 Vehicle Access and Parking

3.1 Access

According to the plan prepared by Vespoli Constructions, the proposed development will be served by three full-movement crossovers on Avon Terrace, Monger Street and South Street. **Figure 2** illustrates the locations of the proposed crossovers. South Street crossover will be served for the use of service vehicles and waste vehicles.

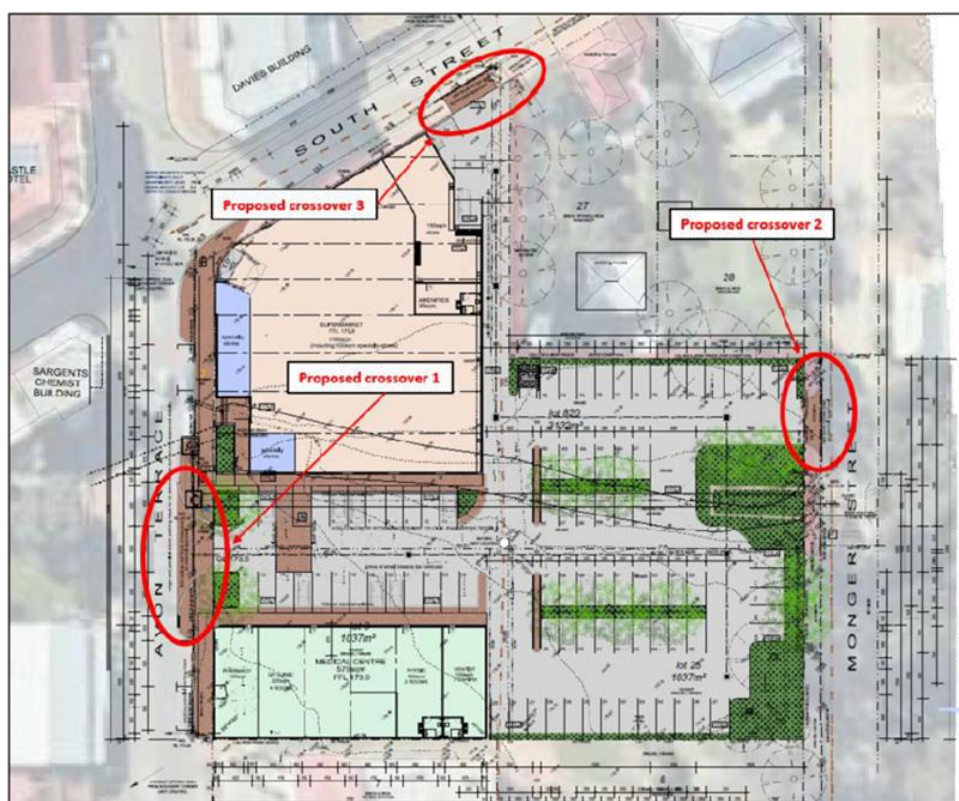


Figure 2: Proposed development crossovers

3.2 Parking Demand and Supply

The total proposed on-site parking provision for the mixed-use development is 86 parking bays, including one ACROD bay. Moreover, four on-street parking bays are also proposed on Avon Terrace, for a total parking provision of 90 bays.

The Site Plan prepared by Vespoli Constructions at **Appendix A** includes parking calculations in accordance with Shire of York Town Planning Scheme (TPS) No 2 and TPS

No 3. It calculates a parking requirement of 95 bays under TPS 2 and 69 bays under TPS 3.

Therefore, it is considered that the proposed parking supply is adequate to meet the needs of the proposed development.

4.0 Provision for Service Vehicles

A bin storage area is proposed at the north-east corner of the subject site and waste collection is anticipated to take place from South Street. The waste collection vehicle would access the laneway from South Street in forward gear and exit via Avon Terrace crossover after waste collection service.

Service area is also proposed to be located at the north-east corner of the site. Service vehicles are anticipated to enter the site from Avon Terrace crossover and exit the site onto South Street. Service vehicles are expected to access the site no more than 3-4 times a week and generally outside the peak road network and peak site activity periods. Therefore, traffic conflicts between customers, employees and service vehicles are not expected as service vehicles are expected to access the site outside of the peak operation period of business.

Based on the information provided to Transcore, it is anticipated that 12.5m single unit service trucks will be used for deliveries and waste collection. Swept path analysis undertaken confirms the satisfactory entry, egress and circulations of 12.5m service trucks. Swept path plans are included in **Appendix C**.

5.0 Daily Traffic Volumes and Vehicle Types

5.1 Existing Development Trip Generation

The subject site currently consists of four vacant lots, so it can be assumed the existing traffic generation is zero.

5.2 Proposed Development Trip Generation

The traffic volumes likely to be generated by the proposed mixed-use development have been estimated based on the proposed land uses in accordance with the *ITE Trip Generation Manual 10th Edition*. The adopted trip rates are conservative resulting in a robust assessment considering the site location, surrounding land uses and adjacent roads traffic.

Accordingly, the trip rates which were used to estimate the proposed development traffic generation are as follows:

Supermarket (850) – 1000 Sq. Ft. GFA

- ✚ Weekday daily: $106.78\text{vpd per }1000\text{sqft GFA} / 0.929 = 114.94\text{vpd} / 100\text{m}^2 \text{ GFA}$;
- ✚ Weekday AM peak hour: $6.67\text{vph per }1000\text{sqft GFA} / 0.929 = 7.18\text{vph} / 100\text{m}^2 \text{ GFA}$; and,
- ✚ Weekday PM peak hour: $7.6\text{vph per }1000\text{sqft GFA} / 0.929 = 8.18\text{vph} / 100\text{m}^2 \text{ GFA}$.

Accordingly, it is estimated that the traffic generations for supermarket including speciality store are:

- ✚ Weekday daily: $[114.94 \times 11.45 \text{ (GFA)}] = 1,316 \text{ vehicles}$;
- ✚ Weekday AM peak hour: $[7.18 \times 11.45 \text{ (GFA)}] = 82 \text{ vph}$; and,
- ✚ Weekday PM peak hour: $[8.18 \times 11.45 \text{ (GFA)}] = 94 \text{ vph}$.

Medical Centre (Clinic 630) – 1000 Sq. Ft. GFA

- ✚ Weekday daily: $38.16\text{vpd per }1000\text{sqft GFA} / 0.929 = 41.07\text{vpd} / 100\text{m}^2 \text{ GFA}$;
- ✚ Weekday AM peak hour: $5.22\text{vph per }1000\text{sqft GFA} / 0.929 = 5.62\text{vph} / 100\text{m}^2 \text{ GFA}$; and,
- ✚ Weekday PM peak hour: $4.64\text{vph per }1000\text{sqft GFA} / 0.929 = 4.99\text{vph} / 100\text{m}^2 \text{ GFA}$.

Accordingly, it is estimated that the traffic generations for medical centre are:

- ✚ Weekday daily: $[41.07 \times 5.75 \text{ (GFA)}] = 236 \text{ vehicles}$;
- ✚ Weekday AM peak hour: $[5.62 \times 5.75 \text{ (GFA)}] = 32 \text{ vph}$; and,

✚ Weekday PM peak hour: $[4.99 \times 5.75 \text{ (GFA)}] = 29 \text{ vph.}$

Accordingly, it is estimated that the proposed development would generate a total of approximate **1,552** vehicular trips per regular weekday with about **114** trips during the typical weekday AM peak hour and **123** trips during the typical weekday PM peak hour. These trips include both inbound and outbound vehicle movements.

The traffic generation and peak hour split detailed in **Table 2** was based on the following directional split assumptions for peak hour periods referenced from ITE Trip Generation Manual:

- ✚ Morning (AM) peak split estimated at 52%/48% for inbound/outbound trips associated with supermarket including speciality store and 58%/42% for inbound/outbound trips associated with medical centre; and,
- ✚ Afternoon (PM) peak split estimated at 52%/48%, for inbound/outbound trips associated with supermarket including speciality store and 46%/54% for inbound/outbound trips associated with medical centre.

Table 2. Estimated peak hour trips for the proposed development

Land Use	AM Peak			PM Peak		
	Traffic Split	In	Out	Traffic Split	In	Out
Supermarket (includes speciality stores)	52% in	43		52% in	49	
	48% out		39	48% out		45
Medical Centre	58% in	19		46% in	13	
	42% out		13	54% out		16
Total		114			123	

With respect to the location of the development, permeability and layout of the surrounding road network and the actual traffic operation conditions at local intersections, the assumed directional split for traffic arriving to the site is assumed as follows:

- ✚ 50% to and from north of Avon Terrace direction;
- ✚ 25% to and from south of Avon Terrace direction;
- ✚ 20% to and from north of Monger Street direction; and,
- ✚ 5% to and from south of Monger Street direction.

The directional morning, afternoon and total daily trip distribution of the development-generated traffic is illustrated in **Figure 3** and **Figure 4**.

Figure 3 shows the existing traffic flows which were used as a base for traffic assessment. The existing traffic volumes for Avon Terrace and South Street were obtained from the data sourced from Main Roads WA. (AM peak hour traffic volumes are shown in black text and PM peak hour traffic is in blue.)

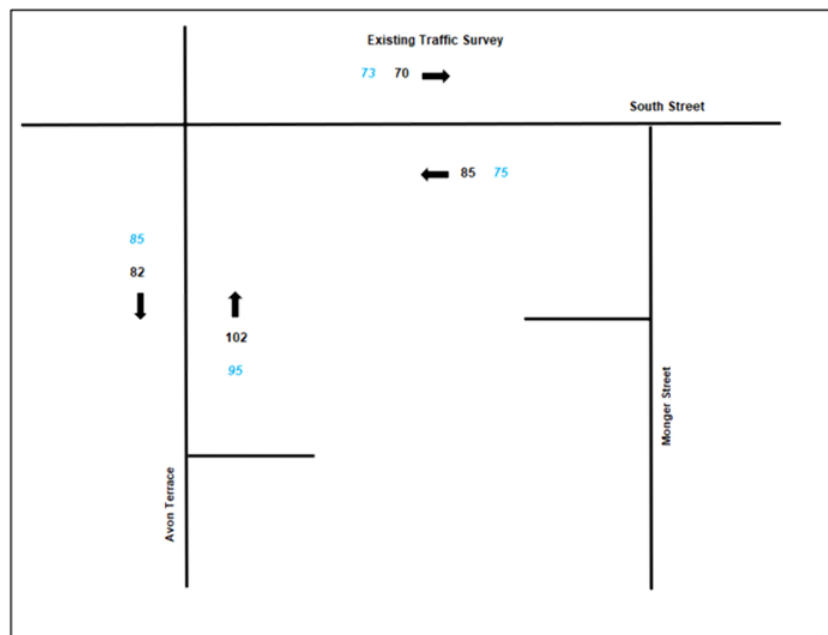


Figure 3. Existing traffic movements

The combined base and the proposed development traffic volumes for post development scenario are presented in Figure 4.

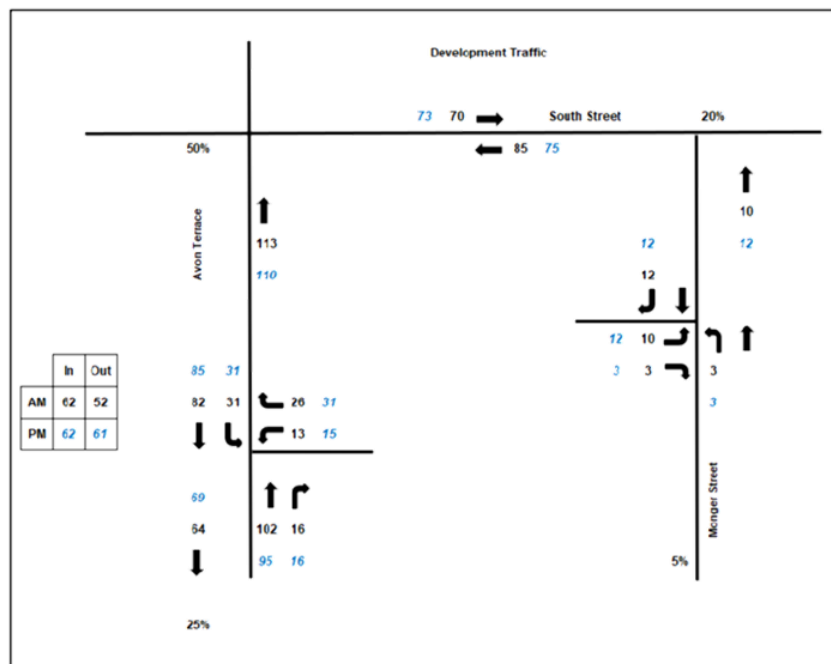


Figure 4. Estimated traffic movements for the subject development – morning and afternoon peak

5.3 Impact on Surrounding Roads Network

The WAPC *Transport Impact Assessment Guidelines for Developments (2016)* provides guidance on the assessment of traffic impacts:

“As a general guide, an increase in traffic of less than 10 percent of capacity would not normally be likely to have a material impact on any particular section of road but increases over 10 percent may. All sections of road with an increase greater than 10 percent of capacity should therefore be included in the analysis. For ease of assessment, an increase of 100 vehicles per hour for any lane can be considered as equating to around 10 percent of capacity. Therefore, any section of road where the development traffic would increase flows by more than 100 vehicles per hour for any lane should be included in the analysis.”

It is clear that the estimated traffic increase from the proposed mixed-use development would be significantly less than the critical threshold (100vph per lane) with the most pronounced traffic increases of 46vph on Avon Terrace (west of the development) and 12vph on Monger Street (east of the development) during the peak hours, hence the impact on the surrounding road network is considered to be insignificant.

6.0 Traffic Management on the Frontage Streets

South Street is constructed as approximately 9m wide single-carriageway two-lane trafficable road with wide pedestrian footpaths on both sides of the road in this vicinity. South Street operates under a default 50km/h built-up area speed limit regime. South Street is classified as an *Access Road* in the Main Roads WA *Functional Road Hierarchy*.

Based on the available SCATS info sourced from Main Roads WA it is estimated that South Street, west of Avon Terrace, carries about 936vpd vehicles on a regular weekday (2018/19). The morning and afternoon peaks are between 8:00am – 9:00am and 2:30 – 3:30pm with traffic volumes of 151vph and 140vph respectively. It is likely that traffic volumes adjacent to the site are somewhat lower. South Street forms a 4-way intersection with Avon Terrace, controlled by Stop signs on South Street. Refer to **Figure 5** for more details.



Figure 5. Westbound view along South Street

Avon Terrace is constructed as a 9 to 12m wide, single-carriageway, two-lane trafficable road with on-street parallel parking bays on the western side of the road in this vicinity. Wide pedestrian footpaths are in place on both sides of the road and Avon Terrace is flanked by office blocks, commercial buildings, restaurants and residential houses.

Avon Terrace is classified as a *Regional Distributor* in the Main Roads WA *Functional Road Hierarchy*. Avon Terrace operates under a 40km/h speed limit regime. Based on the latest available traffic data sourced from Main Roads WA, Avon Terrace, south of Broome Street, carried approximately 2,027vpd during a typical weekday in 2018/ 2019. The morning and afternoon peaks are between 11:00am – 12:00pm and 2:00 – 3:00pm

with traffic volumes of 179vph and 176vph respectively. Refer to **Figure 6** for more details.



Figure 6. Northbound view along Avon Terrace

Monger Street is constructed as approximately 5m wide, single-carriageway, two-lane trafficable road with a pedestrian footpath on the western side of the road. Monger Street is classified as an *Access Road* in the *Main Roads WA Functional Road Hierarchy* and it operates under a default 50km/h built-up area speed limit regime. Monger Street forms a priority-controlled intersection with South Street. Refer to **Figure 7** for details.

Due to the standard (5m in width) and the type of land uses it serves, it is estimated that Monger Street currently carries significantly less than a thousand vehicles per day. The crossover on Monger Street is the proposed development secondary crossover. According to the assumption and the traffic analysis documented in **Section 5.2** of this report Monger Street crossover is anticipated to attract about 25% of the development traffic. Accordingly, the traffic volume on Monger Street will increase about 300 vehicles per day to the north of proposed crossover and about 80 vehicles per day to the south of the proposed crossover. This level of traffic increase can be accommodated by the standard of Monger Street.



Figure 7. Northbound view along Monger Street

7.0 Public Transport Access

The subject site is located in the Shire of York and no public transport or taxis are operated in York. However, Transwa provides train service from Perth to York on every day, except Thursday and York to Perth on every day, except Tuesday. The train service GS2 provide links to East Perth Terminal, Midland Station, Northam Station and Albany Station. York train station is located on Joaquina Street and it is approximately 350m walking distance from the subject site. **Figure 8** provides the available timetables of GS2 service and **Figure 9** illustrates the relevant Transwa system map.

Therefore, it is considered that virtually no public transport access is available for the subject site.

Perth to Albany via Northam and Gnowangerup											GS2					
Perth to Katanning via Narrogin																
	511	473	515	475	531	411					488	450	528	480	522	
From Perth	Sun	Mon	Tue	Wed	Fri	Sat					Sun	Mon	Tue	Fri	Sat	
East Perth Terminal	Dep 1:00	9:00	9:45	9:45	8:00	9:00					Dep 1:15	9:15	9:30	8:05		
Midland Station	Dep 1:25	9:25	10:10	10:10	8:25						Dep 1:56	9:56	8:09	8:46		
Northam Station	Dep 2:30	10:32	11:17	11:17	7:53						Dep 2:10	10:10	8:25	7:00		
York (Joaquina Street)	Dep 3:03	11:05	11:50	11:50	8:06						Dep 2:20	10:20	8:35	7:10		
Bevorley (Great Southern Hwy)	Dep 3:28	11:31	12:15	12:15	8:32						Dep 2:29	10:29	8:44	7:19		
Brookton (BP Roadhouse)	Dep 4:10	12:17	1:01	1:01	9:28						Dep 2:54	10:54	8:59	7:44		
Pingelly (opposite Roadhouse)	Dep 4:25	12:32	1:16	1:16	9:43						Dep 3:08	11:08	9:13	7:58		
Narrogin (Earl Street bus stop)	Dep 5:02	1:13	1:57	1:57	10:24						Dep 3:25	11:25	9:30	8:15		
Wagin (Station bus shelter)	Dep 5:44	1:51	2:35	2:35	11:02						Dep 3:35	11:35	9:40	8:25		
Woodanilling (Shire office)	Dep 6:08	2:13	2:57	2:57	11:24						Dep 3:45	11:45	9:50	8:35		
Katanning (Shire office)	Dep 6:25	2:32	3:17	3:17	11:40						Dep 3:55	11:55	10:00	8:45		
Katanning (BP Roadhouse)	Dep 6:43	2:45	3:30	3:30	1:48						Dep 4:05	12:05	10:10	8:55		
Broomehill (opposite hotel)	Dep 6:56	2:58	3:43	3:43	1:59						Dep 4:15	12:15	10:20	9:05		
Gnowangerup (Ampol Roadhouse)	Dep 7:14	3:16	4:01	4:01	2:17						Dep 4:25	12:25	10:30	9:15		
Tambellup (Railway Station)	Dep 7:39	3:41	4:26	4:26	2:42						Dep 4:35	12:35	10:40	9:25		
Cranbrook (Gateway Stone)	Dep 7:48	3:50	4:35	4:35	2:50						Dep 4:45	12:45	10:50	9:35		
Tentarden (general store)	Dep 7:58	4:00	4:45	4:45	3:00						Dep 4:55	12:55	11:00	9:45		
Kendenup turnoff (4km)*	Dep 8:14	4:16	5:01	5:01	3:17						Dep 5:05	1:05	11:10	9:55		
Mt Barker (Railway Station)	Dep 8:55	4:55	5:40	5:40	3:55						Dep 5:15	1:15	11:20	10:05		
Albany (Railway Station)	Dep 9:10	5:10	5:45	5:45	4:10						Dep 5:25	1:25	11:30	10:15		
From Albany											Dep 5:35	1:35	11:40	10:25		
Albany (Railway Station)											Dep 5:45	1:45	11:50	10:35		
Mt Barker (Railway Station)											Dep 5:55	1:55	12:00	10:45		
Kendenup turnoff (4km)*											Dep 6:05	2:05	12:10	10:55		
Tentarden (opposite general store)											Dep 6:15	2:15	12:20	11:05		
Cranbrook (Gateway Stone)											Dep 6:25	2:25	12:30	11:15		
Tambellup (Railway Station)											Dep 6:35	2:35	12:40	11:25		
Gnowangerup (Ampol Roadhouse)											Dep 6:45	2:45	12:50	11:35		
Broomehill (adjacent to hotel)											Dep 6:55	2:55	1:00	11:45		
Katanning (BP Roadhouse)											Dep 7:05	3:05	1:10	11:55		
Katanning (Shire office)											Dep 7:15	3:15	1:20	12:05		
Woodanilling (Shire office)											Dep 7:25	3:25	1:30	12:15		
Wagin (Station bus shelter)											Dep 7:35	3:35	1:40	12:25		
Narrogin (Earl Street bus stop)											Dep 7:45	3:45	1:50	12:35		
Pingelly (adjacent Roadhouse)											Dep 7:55	3:55	2:00	12:45		
Brookton (BP Roadhouse)											Dep 8:05	4:05	2:10	12:55		
Bevorley (Great Southern Hwy)											Dep 8:15	4:15	2:20	1:05		
York (Joaquina Street)											Dep 8:25	4:25	2:30	1:15		
Northam Station											Dep 8:35	4:35	2:40	1:25		
Midland Station											Dep 8:45	4:45	2:50	1:35		
East Perth Terminal											Dep 8:55	4:55	3:00	1:45		

Figure 8. Available Transwa GS2 train service timetable

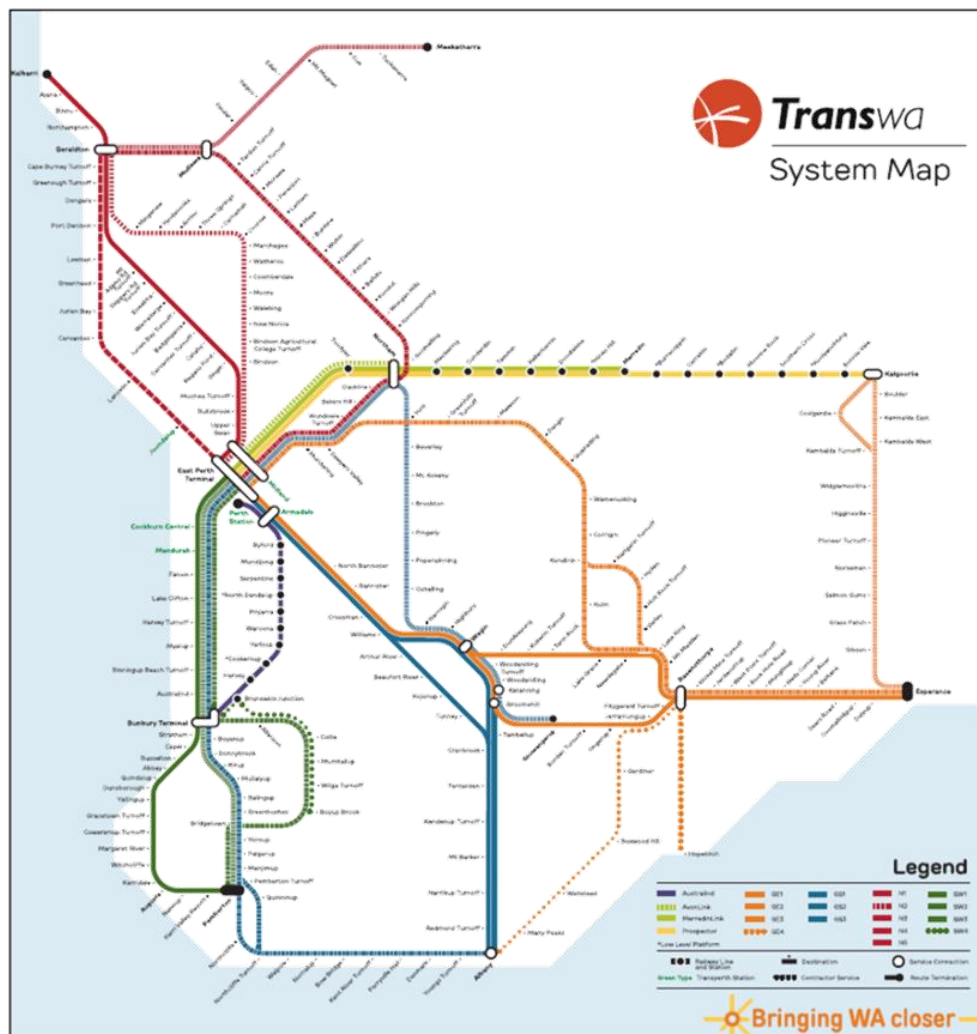


Figure 9. Transwa system map (Source: Transwa)

8.0 Pedestrian Access

Pedestrian access to the proposed development is available directly from the existing extensive and high-quality footpath network on Avon Terrace, South Street and other adjacent streets within the locality.

The existing path network within the locality provides direct and convenient access to and from the key local retail, office, commercial, food and beverage places, recreational and other major local attractors.

9.0 Cycle Access

No specific bike/ cycle facilities are available within the locality of the subject site. However, the relatively low traffic volumes on the surrounding streets means that on-road cycling is an appropriate option for anyone wishing to cycle to the subject site.

10.0 Site Specific Issues

No particular site-specific issues have been identified for this proposed development.

11.0 Safety Issues

In order to ensure the safe operations of the Avon Terrace development crossover a sight line assessment for the proposed crossover was undertaken. In accordance with Figure 3.2 of the *Australian Standards AS/NZS 2890.1: 2004 – Parking Facilities Part 1: Off-street car parking*.

As shown in **Figure 10**, the speed limit for Avon Terrace in the vicinity of the subject site is sign-posted as 40km/h. In order to achieve the sight distance as specified in Australian Standards, the original development site plan was amended by removing two on-street parallel parking bays adjacent to the proposed Avon Terrace crossover. The original site plan is included in **Appendix B**.

As evident from **Figure 11**, the proposed four on-street parallel parking bays in the revised site plan in **Appendix A** do not impact on the sight line for vehicles exiting the development Avon Terrace crossover.

No other traffic related safety issues were identified for the for the proposed development within the scope of this assessment.



Figure 10. Speed limit along Avon Terrace near the subject site

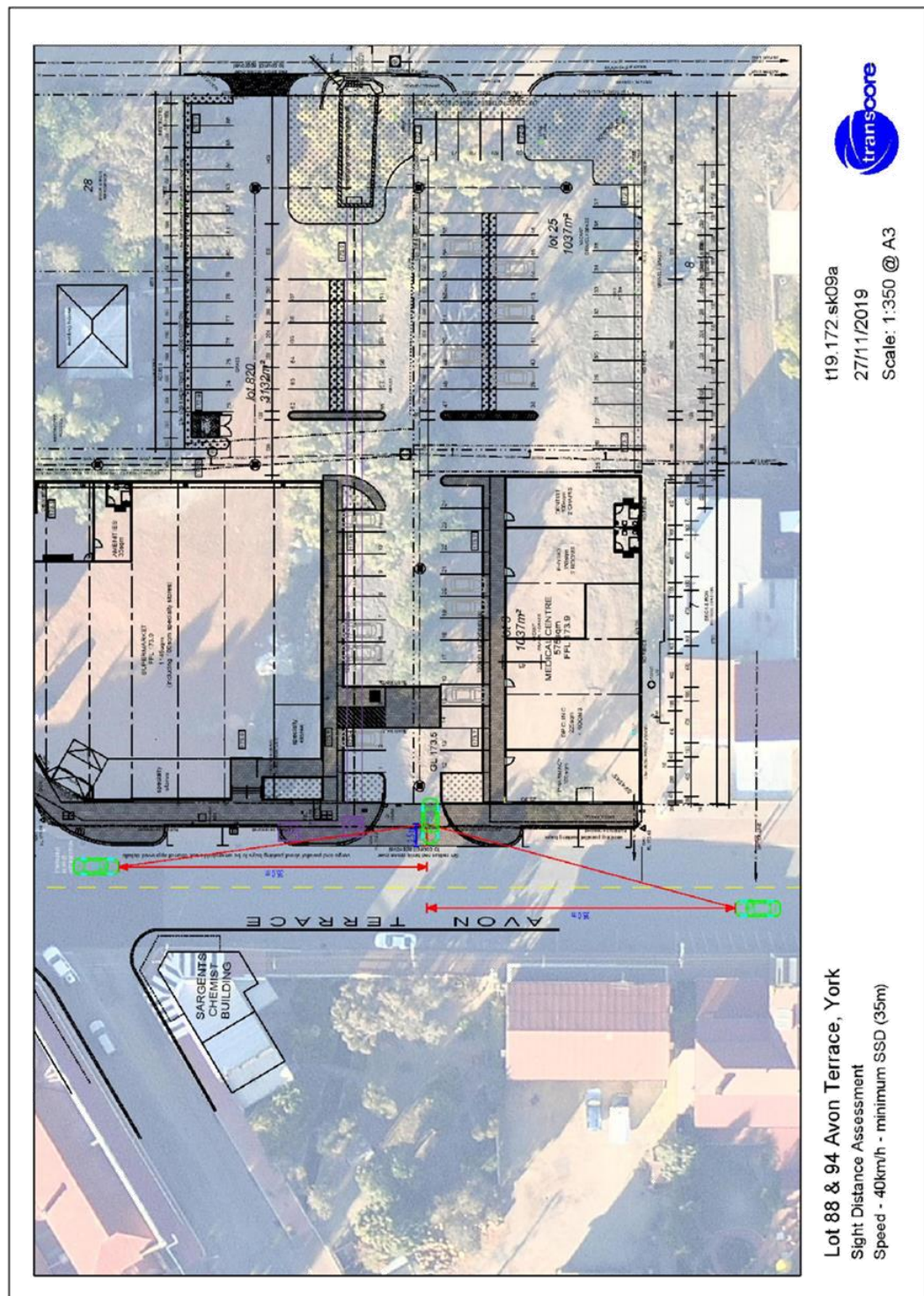


Figure 11. Sightline assessment of the development Avon Terrace crossover

12.0 Conclusions

This Transport Impact Statement provides information on the proposed mixed-use development to be located on Lots 88 and 94 Avon Terrace, York in the Shire of York. The proposed development comprises supermarket, speciality stores and medical centre.

A total of 86 parking bays with four additional on-street parking bays are provided on site for the use of patrons and employees. The car park vehicle access/egress to and from the site will be provided from two proposed crossovers to be located on Avon Terrace and Monger Street. A proposed driveway crossover on South Street will primarily service delivery vehicles and waste collection for the proposed development. The subject site has good accessibility by the existing road and pedestrian paths in close proximity to the subject site.

The traffic analysis undertaken in this report shows that the traffic generation of the proposed development is estimated to be in order of 1,552 daily and 114 and 123 morning and afternoon peak hour trips (total of both inbound and outbound movements), respectively. Due to the location of the proposed development in York and surrounding land uses, it is considered that the actual net traffic footprint of the development will be lower than reported. Accordingly, the traffic impact of the proposal on the surrounding road network will not be significant.

Furthermore, alternative on-street parking opportunities are also available on a number of local streets including Avon Terrace and Joaquina Street in close proximity to the subject site.

Finally, it is concluded that traffic-related issues should not form an impediment to the approval of the proposed development.

Appendix A

PROPOSED DEVELOPMENT PLAN

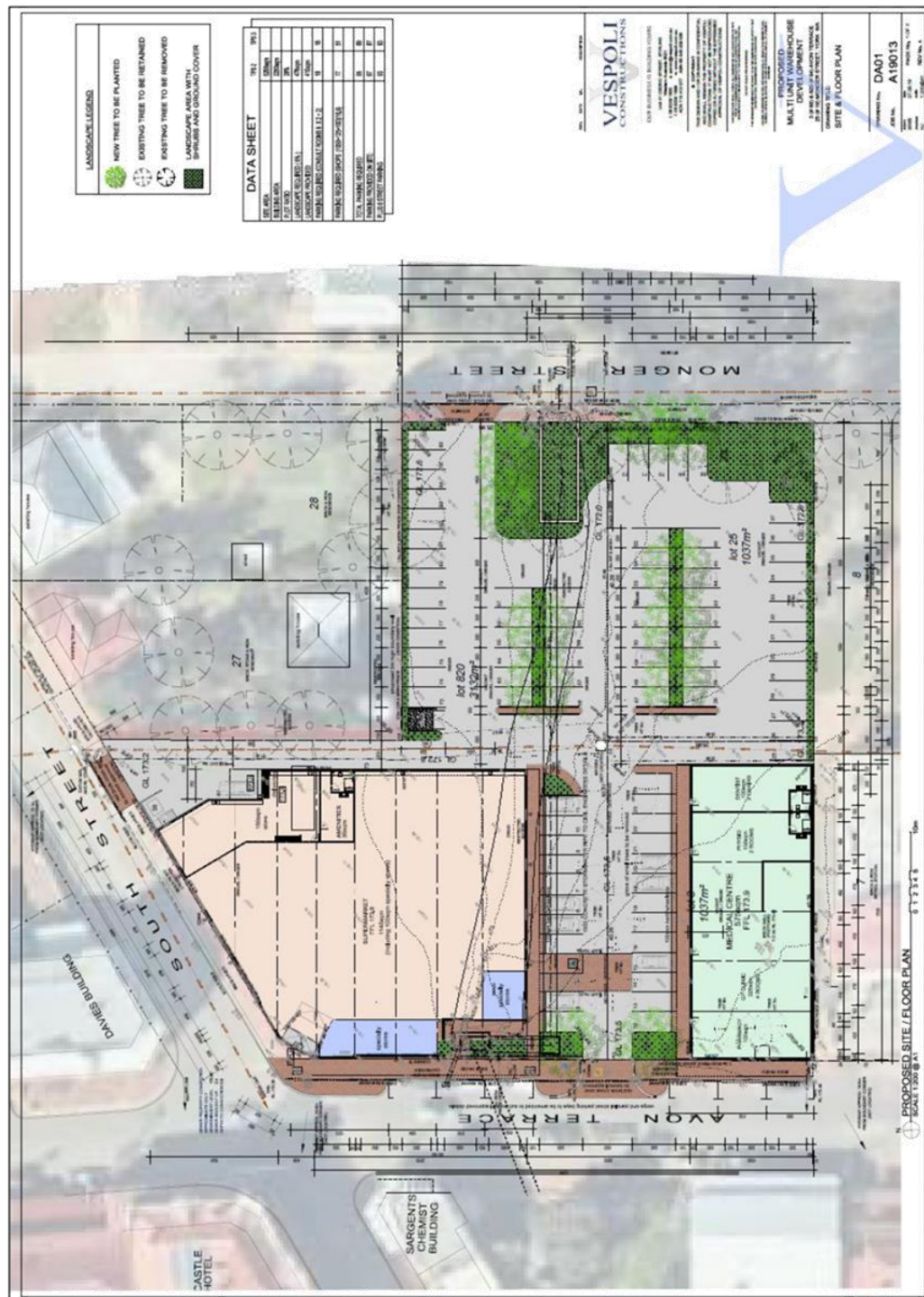


Appendix B

ORIGINAL DEVELOPMENT PLAN

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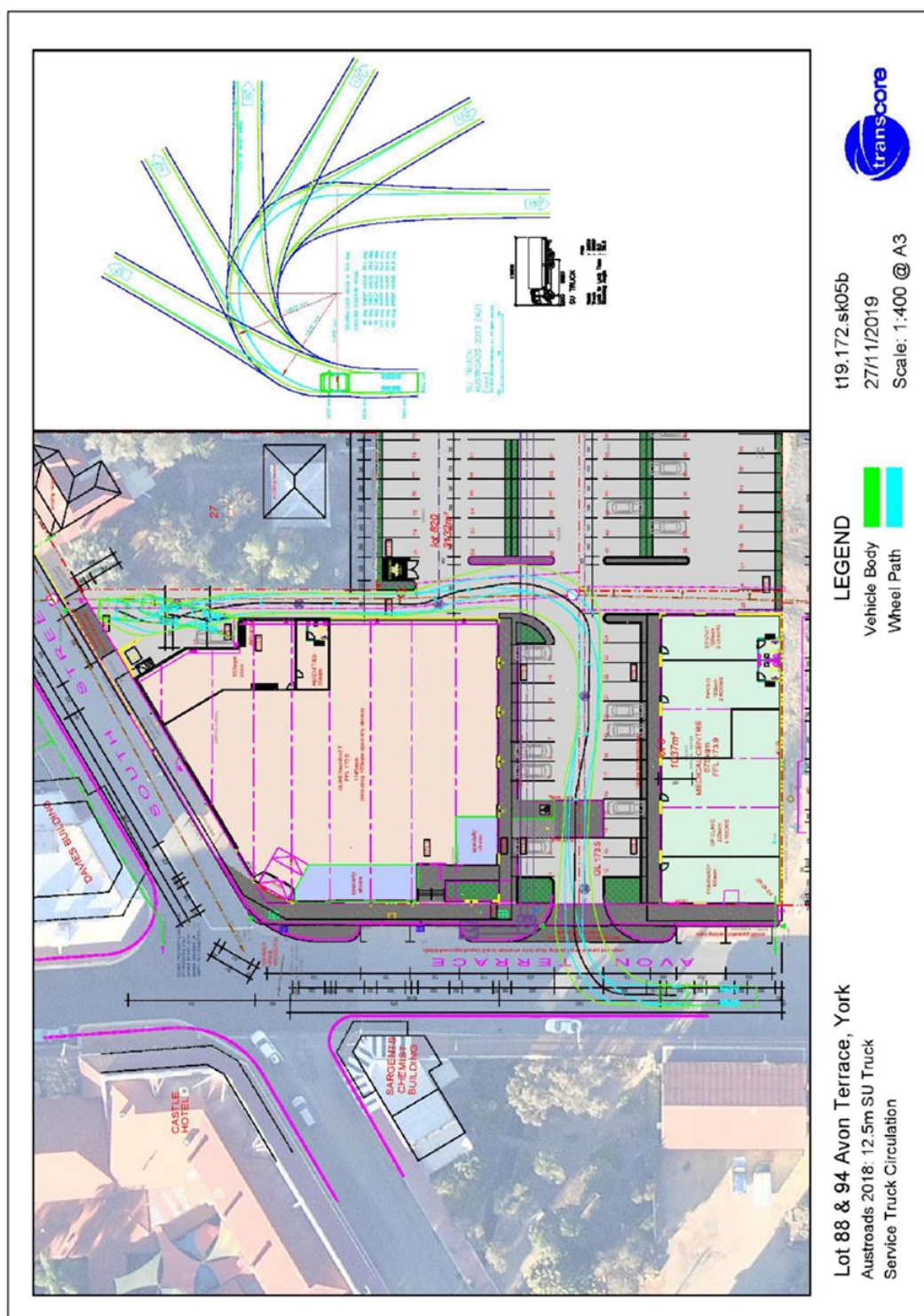


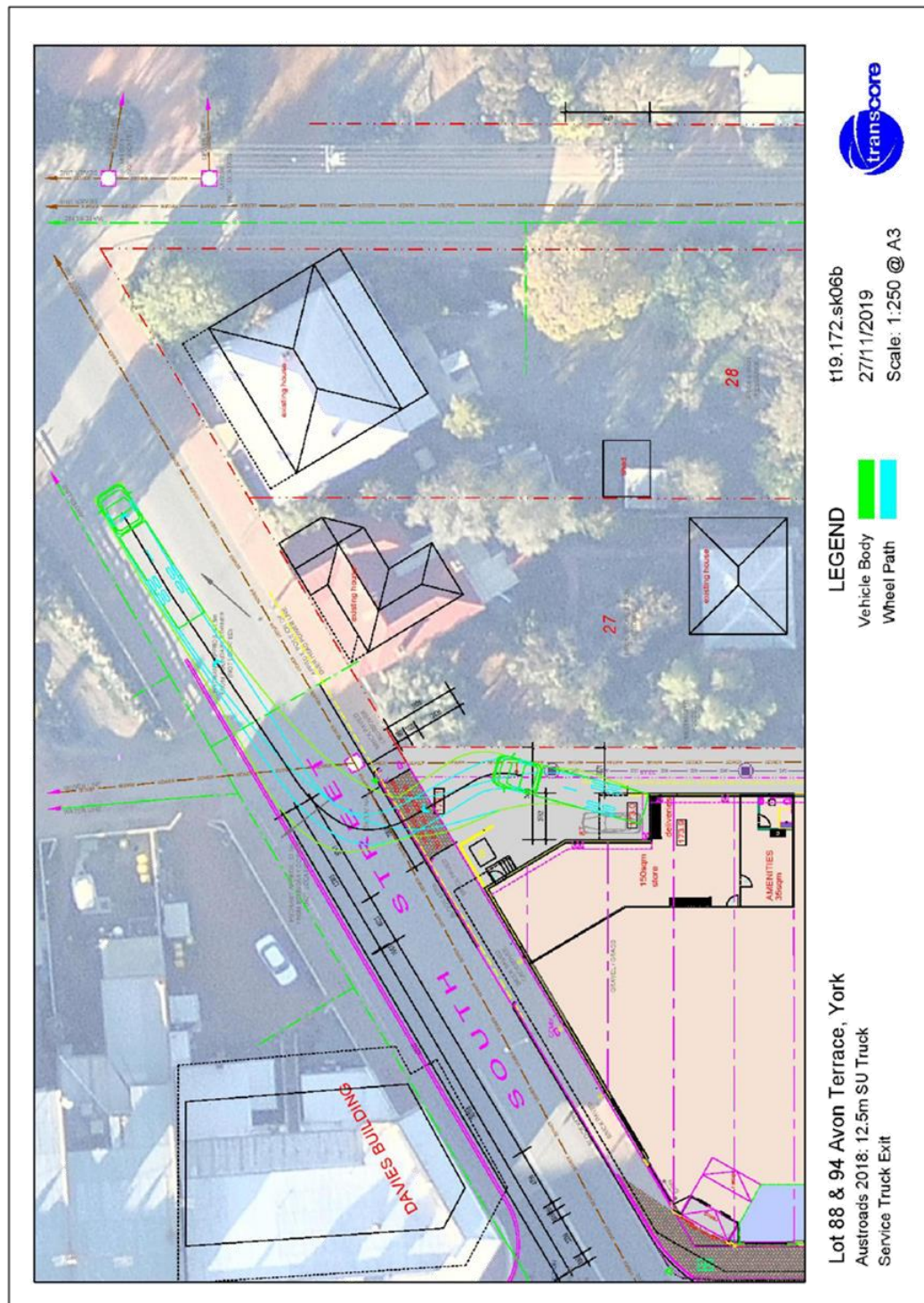
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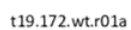
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Appendix C

TURN PATH ASSESSMENTS









Flood Risk Mitigation Plan

From:
Sent:
To:
Cc:
Subject: RE: Submissions - Avon Terrace Development

Good Morning Carly,
We are seeking to submit the following points relating to the mitigation of risks related to flooding of the Avon River.
Can you please provide comment whether you think this will be sufficient for the purposes of planning approval?
I can put this within the body of a formal letter if required.

Building design

The proposed buildings will be constructed of concrete walls and floor with aluminium and glass windows, which are materials unaffected by water flooding.

The proposed internal wall lining is plasterboard and which is cheap and easy to alter in the case of a required change to the layout.

The reinstallation of plasterboard would be a minimal cost if it was affected by flood damage.

The 1in50 year flood risk does not justify the installation of permanent flood protection devices as temporary solutions such as a waterproof sandbag wall would be suitable.

Electrical switch boards will be installed above the 1in 100 year flood level.

Safety,

The commercial nature of the building means that in the event of a flood the building will be empty and no lives will be at risk.

The building finished floor level is 800mm above the street level so any flooding will be evident long before water enters the building allowing enough time for evacuation.

Emergency exits required by the building code to allow for emergency exits in case of fire will be provided and can be utilised in case of flooding.

Cost of Damage

Stock can be managed so in the event of a flood the lower shelves can be emptied, although any procedures required for insurance will also need to be adhered to.

The floor and structural wall will be constructed of concrete which is not damaged by water.

In the event that water rises above the finished floor level and damages plasterboard lining, it is relatively cheap and easy to replace the damaged portions.

This method is preferable because even if water resistant wall linings were used, the lower sheets would still be removed to assess and dry out the affected walls.

Implementation

The flood risk is well known in the area, and any lessees or future purchasers can easily determine the flood risk by visiting the site, or .

Insurers will also notify any lessors of the risks and procedures to mitigate the risk associated with potential flooding of the particular building use.

Kind regards,

Michael Stewart | Architect | Vespoli Constructions
P (08) 9209 1800 | M 0405 845 895

From: Carly Rundle [mailto:planning@york.wa.gov.au]
Sent: Monday, 18 November 2019 4:26 PM

To: Michael Stewart
Subject: RE: Submissions - Avon Terrace Development

Hi Michael,

We would expect that you provide some statements with respect to each of the points raised previously by the Shire (see extract from email previously sent below). If you wish to include insurance ect in response to some of the points below, that is up to you. If you could provide responses on a separate document that would be great, keeping in mind this information will be presented to Council to consider.

- A reduced FFL, lower than that recommended by DWER, should consider alternative means of managing the resulting increase in flood risk. A flood mitigation risk strategy document should be provided demonstrating that risk has been carefully considered and identifying measures that will be taken to minimise the impact and damage to individuals, communities and businesses to an acceptable level. The Shire would expect this could cover aspects such as:
 - Building Design – (i.e may include things like design and choice of building materials which can withstand inundation, location of electrical installations as high as practicable and insulated, flood protection mechanisms to stop water entering buildings)
 - Safety – please note given the building is commercial we do not anticipate a high risk to human life or emergency services, as in the event of a flood we would expect business would cease trading and there would be no persons on site, although should be considered.
 - Cost of Damage – i.e internal measures to reduce cost of damage from inundation.
 - Implementation – how will leasees etc be notified of strategy to minimise damage.

With regards to submissions, it is not a requirement that you provide a response to each submission received.

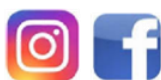
Regards,

Carly Rundle

Senior planner



Shire of York
PO Box 22, York WA 6302
Phone: (08) 9641 0510 / Fax: (08) 9641 2202
Email: planning@york.wa.gov.au
Website: www.york.wa.gov.au



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From: Michael Stewart <michaels@vespoli.com.au>
Sent: Monday, 18 November 2019 12:56 PM
To: Carly Rundle <planning@york.wa.gov.au>
Subject: FW: Submissions - Avon Terrace Development

Hi Carly,

The tenant and building owners have spoken to their respective insurers and they have no problem with the 1 in 50 year flood risk.

The developer and tenant would prefer to just accept the risk as it stands.

Given that the proposal is for a commercial use, concrete structure, with a generally open plan, (besides installing the electrical sub-board as high as practicable) is there any other measures the shire would need to see for approvals?

Kind regards,

Michael Stewart | Architect | Vespoli Constructions

P (08) 9209 1800 | M 0405 845 895

41 Cedric Street | Stirling | WA | 6021 | Australia

Or visit us at www.vespoliconstructions.com.au



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From: Kiran Puttappa [<mailto:kiranpkumar@hotmail.com>]

Sent: Monday, 18 November 2019 11:42 AM

To: Michael Stewart

Cc: hitesh

Subject: Re: Submissions - Avon Terrace Development

Hi Michael

I have spoken to insurance providers and they do not have any issues.

We are happy from our side.

Kind Regards,

Dr Kiran Puttappa

MBBS, FRACGP, Post Grad Diabetes(Cardiff)

Managing Director- GP West

56, Almadine Drive, Carine- 6021

West Australia.



www.gpwest.com.au

Mobile- 0401815587

From: Michael Stewart <michaels@vespoli.com.au>
Sent: Monday, 18 November 2019 9:09 AM
To: kiranpkumar@hotmail.com <kiranpkumar@hotmail.com>
Cc: hitesh <hjethwa@bigpond.com>
Subject: FW: Submissions - Avon Terrace Development

Hi Kiran,
The attached documents were submitted to the shire on Friday for their approvals.

The planner at the shire of York is looking for ways to mitigate flood damage, given that the proposed floor level is at a 1in50 year flood level, rather than the 1:100 year flood level required by design guidelines.

If your insurance company can tell us what measures we need to take to ensure that they will cover the building (with reasonable premiums) then the shire should be happy with the levels.

An example of measures to be taken are installing the electrical sub board above the 1:100 year flood level, and ensuring the structure can withstand a flood.

We may also want to look into separation of the walls linings at a certain height to facilitate replacing in the event of a flood, evacuation procedure and ensuring no dangerous chemicals are stored on the lower shelves of the retail areas.

We should get onto this asap as it is likely to have weight in the determination of the application.

Are you able to talk to your insurers?

Kind regards,

Michael Stewart | Architect | Vespoli Constructions
P (08) 9209 1800 | M 0405 845 895

From: Carly Rundle [mailto:planning@york.wa.gov.au]
Sent: Friday, 15 November 2019 4:03 PM
To: Michael Stewart
Cc: Darren Wallace
Subject: RE: Submissions - Avon Terrace Development

Thanks Michael,

I'll review next week.

Just a reminder re early comments on lower FFL and wanting some additional information on risk mitigation and management.

Carly Rundle

Senior planner



Shire of York

PO Box 22, York WA 6302

Phone: (08) 9641 0510 / Fax: (08) 9641 2202

Email: planning@york.wa.gov.au

Website: www.york.wa.gov.au



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From: Michael Stewart <michaels@vespoli.com.au>
Sent: Friday, 15 November 2019 3:20 PM
To: Carly Rundle <planning@york.wa.gov.au>
Subject: RE: Submissions - Avon Terrace Development

Hi Carly,

Updated elevations and site plan are attached for your reference and approval.

Also attached is the Civil Drainage design and the traffic report

From our discussion the other day it sounded like it was still possible to make the December council meeting,

Your efforts towards this end are appreciated as the property is still conditional to approval and the vendor is keen to finalise the transaction this year.

Please Let me know if there is anything else I can do to assist in the prompt determination of the proposal.

Kind regards,

Michael Stewart | Architect | Vespoli Constructions
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41 Cedric Street | Stirling | WA | 6021 | Australia
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From: Carly Rundle [<mailto:planning@york.wa.gov.au>]
Sent: Thursday, 3 October 2019 3:56 PM
To: Michael Stewart
Subject: RE: Submissions - Avon Terrace Development

Hi Michael,

Please see comments attached from a preliminary assessment.

Regards,

Carly Rundle

Senior planner



Shire of York
PO Box 22, York WA 6302
Phone: (08) 9641 0510 / Fax: (08) 9641 2202
Email: planning@york.wa.gov.au
Website: www.york.wa.gov.au



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From: Michael Stewart <michaels@vespoli.com.au>
Sent: Thursday, 3 October 2019 1:28 PM
To: Carly Rundle <planning@york.wa.gov.au>
Subject: RE: Submissions - Avon Terrace Development

Hi Carly,

My client is wondering when we will get you preliminary comments on this??

Are you still intending to send something?

Kind regards,

Michael Stewart | Architect | Vespoli Constructions
P (08) 9209 1800 | M 0405 845 895

From: Carly Rundle [<mailto:planning@york.wa.gov.au>]
Sent: Thursday, 26 September 2019 3:18 PM
To: Michael Stewart
Subject: Submissions - Avon Terrace Development

Hi Michael,

I'm not likely to be in a position to send any other preliminary comments on the application until tomorrow or early next week.

Therefore as requested please see submissions received from the advertising period attached. Please be advised I have also referred the application to Telstra/NBN because of location of assets appears quite close to the proposed crossover. I have not received a response to this referral.

I've had to blank out personal details of public submissions which resulted in the deletion of some pages on submission 12. The deleted pages contained signatures of approx. 75 persons objecting to the proposal based on the details set out in the submission.

Carly Rundle

Senior planner



Shire of York

PO Box 22, York WA 6302

Phone: (08) 9641 0510 / Fax: (08) 9641 2202

Email: planning@york.wa.gov.au

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Officer Assessment: Local Planning Policy: Heritage Conservation & Development

Assessment against the relevant detailed provisions of the local planning is provided below.

2.1 General Principles for Development

- (a) All development shall enhance and reinforce the historic character of the place and/or area;
- (b) All new development in heritage places and areas shall respect their historic context and respond to the existing character, scale, form, siting, material and colours in accordance with the provisions of the Burra Charter;
- (c) New buildings shall not be direct copies of heritage buildings and should be visually distinguishable from them. It is important to distinguish between heritage and new places so that heritage values are not diminished by replication;
- (d) Buildings should be sited to respect the existing pattern of development of heritage areas, with buildings set squarely on lots and front and side setbacks which mirror the scale of the streets providing that the location takes into consideration energy efficiency standards and requirements under the Building Code of Australia.
- (f) New construction, demolition, intrusions or other changes that would adversely affect the setting or relationships within the heritage area are not appropriate.

Officer Comment:

Subject to conditions being implemented addressing the southern boundary wall parapet the development is considered consistent with general principles of development.

2.2 Significance of Heritage Place and Contribution of Existing Place to Heritage Areas

Section 2.2 refers that the level of significance of a place to the cultural heritage significance of the locality and its contribution to the cultural heritage significance of a Heritage Area is one of the matters considered in determining an application.

Those adjoining or in immediate proximity to the site includes:

- Lot 27 (11) South Street, York (Eaton's Cottage) – Considerable Significance
- Lot 28 (9) South Street, York (Residence) – Considerable Significance
- Lot 75 (22) Monger Street, York (Residence) – Some Significance
- Lot 3 (96-102) Avon Tce, York (Davies Buildings) – Considerable Significance
- Lot 7 (95) Avon Tce, York (Castle Hotel) – Considerable Significance
- Lot 201 (93) Avon Tce (Sargent's Pharmacy fmr) – Considerable Significance

Lot 820 Avon Terrace, subject of this application is identified in the policy as a place which has 'little/no' significance of the precinct, recognising that it was the previous site of the Royal Hotel, demolished in 1968 due to earthquake damage.

A place of little/no significance means the place may have some historical elements but otherwise minimal, where the desired outcome is for development to respond to the immediate historical context and overall heritage significance of the area.

Identification of a place as having considerable or some significance to the heritage area, means that it should be conserved, and development should be sympathetic to conservation of these values.

4.0 Commercial Development**4.2 Objectives**

- (a) To facilitate commercial development that respects the existing character of an area.
- (b) To ensure that the primacy and heritage significance of Avon Terrace is maintained.
- (c) To protect and encourage the conservation of the important heritage places within the Central York and York Town Centre heritage area.
- (d) To ensure that all commercial development, including new development and the modification or extension of existing buildings, respects the scale, form, siting, appearance and general fabric of existing buildings and the streetscape in the Central York Heritage Area and York Town Centre Heritage Area.
- (e) To ensure that new development is of a high architectural quality that contributes to, and enhances, the area as a whole.

Officer Comment:

Development of the site has a number of considerations to balance, being that it is in proximity to numerous buildings which have significance to the heritage area, which are of various scales and form, from single storey buildings with pitched roofs and parapets to double storey substantial landmark buildings on the corner (Castle Hotel, Sargents Pharmacy and Davies building). Development is also required to be sympathetic to broader heritage area and the policy encourages development on corner lots to provide a scale typical of a landmark building, and for commercial development to have a nil setback with awning over the footpath.

Subject to conditions being implemented as discussed below, on balance it is considered that the development has appropriately responded to provisions of the policy regarding scale and form and is appropriate within its context to conserve the heritage values of the heritage area, and places of significance.

4.3.1 Scale and Size

The scale of all commercial development must respect:

- (a) The scale of adjoining and nearby buildings in the street;
- (b) The surrounding landscape.

Commercial development is permitted up to two storeys in height, provided that the development is sympathetic and in scale with the adjoining buildings. New buildings that need to be larger than the buildings in their immediate surroundings can be reduced in scale through architectural design techniques, such as the breaking up of long walls into bays, the appropriate arrangement of openings, the fragmenting of roof forms and the setting back of upper levels.

Officer Comment:

The development proposes a substantial building which involves a nil setback to Avon Tce and South Street. The façade proposes a parapet with contemporary cantilevered awning.

Whilst a single storey building, the height of the building due to the parapet frontage is comparable to a two-storey building, which has been designed into bays with fragmented roof forms which is appropriate in its setting.

The parapet at the highest point (south street/avon tce intersection) is approximately 10.2m above natural ground level, which tapers to a lower heights of approximately 9.3m, 8.4m and 7.5m. Behind the parapet at points the roof is lowered slightly from natural ground level. The heights are substantial, although are generally consistent with majority of horizontal alignments in the streetscape on Avon Terrace and South Street intersection which is considered acceptable in accordance with the policy. The parapet wall facing the residence at Lot 27 South, York is setback over 3.6m from the lot boundary which complies with the scale and size permitted by the R-Codes for residential amenity. The parapet façade on South Street, is slightly higher than the gabled front wall of the residence on Lot 27 South Street, although the parapet façade is setback over 20m from the dwelling on South Street which is considered sufficient separation to ameliorate any impacts to the building identified as having significance to the area.

The parapet wall facing the Shell Service Station is recommended to be reduced to approximately 6m, which is more in line with the gabled parapet of the building on this property and parapet south of the service station (approximately 5.5m in height).

4.3.2 Form

All commercial development shall respect and maintain the traditional pattern and appearance of the commercial buildings in the Central York and York Town Centre Heritage Area and shall achieve the following criteria:

- a) Commercial buildings shall consist of horizontal strips of development broken into a vertical rhythm by the component shops or tenancies and the windows to individual shop fronts or tenancies;
- b) Large, single use buildings must maintain the appearance of articulated, individual frontages to the street through the use of architectural design features;

- c) Monolithic buildings with blank street frontages, large scale panel systems and sheet metal cladding are not acceptable;
- d) Corner sites provide an opportunity for landmark buildings and two storey development on street corners is appropriate; and
- e) New commercial developments should be simply treated, well-proportioned and detailed, though should not endeavour to copy history types in general.

Verandahs & Awnings

New commercial development shall have a verandah or awning over the public footpath of sufficient dimensions so as to provide effective weather protection for pedestrians. The awning should be located at first floor height, and not at any level above. The awning should be simple in design and should line through with any existing awnings on adjacent development. Awnings should preferably extend for the full width of the building to allow continuous weather protection of the footpath below. Awnings supported by verandah posts are acceptable. The requirement for an awning over the public footpath may be waived in locations where there is no continuous current or proposed streetscape.

Compatibility of Building Forms

The design of all commercial development shall consider the horizontal alignments of principal levels for over-pavement awnings, canopies, parapet tops, window heads and sills, wherever practicable, with the adjoining development in a streetscape.

All commercial development shall respond to and reinforce the existing characteristics of rooflines in the Central York and York Town Centre Heritage Areas, as follows:

- (a) Plate and wall heights, roof form, ridge lines, roof slopes and parapet lines shall be consistent with the neighbouring buildings in the streetscape;
- (b) Roof slopes shall achieve a minimum pitch of 25 degrees; and
- (c) All verandahs shall have a minimum pitch of 10 degrees; and
- (d) Commercial buildings may have an articulated front parapet wall as an acceptable alternative to the pitched roof.

Parapets

The decorative details of many original parapets are an important part of the building's original design style and add to the distinctive character of the area. The alignment of parapets is an important component defining the skyline of the heritage area when viewed from the street.

- Parapets shall be retained in the adaptation of an existing building and should remain the main element defining the roof line when viewed from the street;
- A parapet to the primary street façade of a new building should be of comparable height to adjacent buildings; and
- New parapets may be simple or complex in their design and articulation but should be designed in a manner that takes account of the form of parapets on adjacent buildings.

Shopfronts and Windows

New shop fronts should be encouraged to take the form of dado below glazing, with a central or side recessed entry. The entry may be set in a truncated recess. Windows onto the street should not be tinted or treated with reflective film. Views into and out of commercial buildings are to be maximised to create visual interest and to provide for greater security through casual surveillance. A minimum of 80% of all window space of a building facing a public street shall be kept transparent, and not rendered opaque by advertising signage.

Officer Comment:

The proposed development is of significant scale occupying most of the south street and Avon Terrace frontage (with recessed area). The design consists of parapet wall and cantilevered awning over the footpath. The scale of the parapets subject to reduction as mentioned above is considered to appropriately balance the differing scales of buildings in the immediate context. The façade has appropriately been delineated into vertical bays with fragmented roof form (higher at the truncation for a 'landmark feature'), and detail inserted through windows above dado, 50mm recess mouldings and architectural features to break up the bulk of the parapet.

Adjoining and nearby buildings in Avon Terrace and South Street comprise a variety of different scales/forms:

- Avon Terrace, to the South of South Street predominantly consists of parapets with awnings over footpaths, including bullnose and contemporary verandah with slopes and posts over footpath.
- The adjoining shell service station involves a gabled end parapet frontage with a cantilevered awning (albeit setback from the Avon Terrace frontage).
- The Davies and Castle Buildings are of cantilevered (one with posts, one without) balcony and sloped awning above.
- South Street contains verandah type awnings located within the property boundaries and gabled frontages.
- Avon Terrace north of South Street contains numerous cantilevered awnings similar to that proposed for this property (including IGA which is a corner lot).
- Heights of awnings vary from approximately 4-4.2m to the underside of first floor balcony (Davies building) on South street, 3.6m underside first floor Castle Hotel, 3m above kerb to 4m at building for Sargents Pharmacy, 3.6m underside awning (shell service station), and 3.3m above the kerb to the underside of the awning at CRC/87 Avon Terrace.

The development proposes an awning with a height of 3.4m to the underside on Avon Terrace (higher on south street and slightly lower at the point where it adjoins the shell service station where the footpath slopes) with a width of 600mm. The height to the underside is considered appropriate in the context of development south of South Street on Avon Terrace, and because of the length of the building and changing ground levels at the footpath, a height of 3.4m above the kerb results in the awning height being approximately 3.6m above the kerb at the eastern end on South Street

The Heritage Advisor has recommended that the awning be modified to a verandah with slope and posts for consistency with the streetscape. Officers agree that a verandah with slope and posts would 'enhance' the area because it is more consistent with the development south of the Davies and Castle building. Although it is also noted that in proximity to the site there are substantial cantilevered awnings (albeit with balconies above) and numerous cantilevered awnings on Avon Terrace (and corner lots such as IGA). In this regard it is also considered that the cantilevered awning is compatible with the streetscape and policy provisions and is supported by officers.

Should Council consider that an awning with verandah and posts is preferred and 'enhances' the area a condition of approval can require amended plans be submitted addressing this design modification.

The applicant has also provided the following justification for the cantilevered awning Councils consideration:

- *Between the Town Hall and Macartney Street, there are 10 cantilevered awnings with 600mm fascia's, concealed roof and plumbing, 9 bullnose verandah types, 6 buildings with no awning at all, and 5 have balconies over the footpath with big fascias, and there are 3 with verandah style 10 degree awnings with posts, that are objectively the least impressive and quite residential in nature.*
- *A 10-degree slope to the street requires the gutter to be run ack to the building under the awning which is untidy and difficult to achieve a quality finish;*
- *In a verandah structure, the underside of roof sheeting, gutter and downpipe will be either exposed (which can make it difficult to achieve a quality finish) or the awning is lined, which will make it difficult to differentiate from the concealed roof awning.*
- *A colorbond gutter is not the best finish to the front of the building, although a fascia could be installed in front of the gutter, but this would also be difficult to tell apart from a gutter falling back to the building.*
- *So although it would be possible to match the least impressive awnings on the street, in order to conceal the structure and plumbing the awning will end up looking like the most common and impressive awnings. Cantilevered concealed roof awnings have been around for a long time and are still the most common type of awning because they are work better in every way.*

The nature of the development for a supermarket, specialty store and medical centre does not require multiple entries. Entries have been provided at the South St/Avon Tce Intersection, Avon Tce and the southern end of the Supermarket building. The medical centre is proposed to have windows

facing Avon Tce, with entry from the north of the building (internal footpath). Because of the difference in ground level of the FFL the supermarket will have a FFL of approximately 0.6m above the footpath on Avon Terrace and a maximum of 0.7m at the eastern end of the development fronting South Street. Building Code requirements for disability entrance require the provision of a ramp for any primary entrance which is to meet a certain grade, where the applicant has hence limited entrances to potential specialty stores, gaining access internally.

The medical centre has a FFL approximately 300mm higher than the Avon Terrace footpath. The internal footpath is proposed to be constructed to be 200mm lower than the FFL. The pharmacy within the medical centre has proposed access to the north via the internal footpath which provides for disability access to better accommodated. The policy refers that side access for new buildings is appropriate, although should Council consider a front entry is required, the difference in levels is minimal and an access from Avon Terrace could easily be accommodated.

Treatments on windows have not been specified. In accordance with policy provisions, a condition on approval will require windows not be tinted or treated with reflective film, and a minimum of 80% windows are to be kept transparent and not rendered opaque by advertising signage.

4.3.4 Siting

Front Setbacks

All new commercial development, and the extension, addition, alteration or modification of existing commercial buildings, shall maintain a zero setback to the street. Commercial development shall be located parallel to the street and must be built up to the public footpath edge. This shall occur even if the lot is set at an acute angle to the road reserve. Awnings or verandahs on building facades built up to the public footpath edge are permitted to be built over the public footpath.

Car Parking Location

In general terms, no car parking bays and car parking areas shall be provided in front of any building between the building and a public footpath. Car parking areas associated with all commercial development shall comply with provisions of the Town Planning Scheme.

Officer Comment:

Development is proposed to have a 0m setback to Avon Terrace and South Street, with awning over footpath. Car Parking is predominantly located to the rear of the building to the Monger Street frontage which is appropriate. Car Parking is proposed in between the proposed buildings in proximity to the new entry/exit from Avon Terrace, although is setback behind the buildings, and is separated from the footpath by a landscaped area of 3.5m in width which is acceptable.

4.3.4 Materials and Colours

The acceptable materials for new commercial buildings and additions, retaining walls, extensions or modifications to existing commercial buildings are as follows:

Walls

- Red through to orange brick with cream joints. Darker brick accents are acceptable.
- Local stone.
- Smooth render.
- Timber weatherboards, corrugated iron or mini orb profile walls in a galvanised, painted or Colorbond finish are appropriate for side and rear walls and outbuildings.
- Use of limestone materials will generally not be permitted.

Windows and Doors

- Timber framed, especially when visible from the street.
- Commercial quality, box powder-coated aluminium framed, especially when visible from the street.
- Steel framed.
- Timber to match the existing materials being replaced or the period of development for commercial places being restored.

Roofs

Roofing materials are mostly concealed behind parapets, but there are instances of clay tiles and custom orb profile steel sheeting being exposed to view, particularly on corner sites. Preferred roofing materials include:

- Custom orb profile sheeting. Preferred sheeting is galvanised, although zincalume or Colorbond in an appropriate colour are acceptable.
- Clay tiles, if appropriate to the location.

Where roofing can be viewed from the street and surrounding area, large scale and large profile roofing is not acceptable. Roofing materials must not be used in large quantities as façade treatments.

Gutters

- Quad or half round for new places.

Colours

The colours to be used in all commercial development will have regard to the following criteria:

- (a) The colours used in an existing building and in neighbouring properties in the streetscape. Colours should respond to the original colours used or a contemporary interpretation of those colours;
- (b) Colours selected from heritage ranges will be acceptable. Guidance may be taken from the colour palette available for viewing at the Shire of York offices;
- (c) For new buildings, sympathetic modern colours may be acceptable;
- (d) Colours which take their inspiration from local, natural elements such as tree leaves, bark and soils may also be appropriate;
- (e) The use of bright or garish colours in large areas visible from the street is not permitted.
- (g) Colour schemes should include a range of tones of varying intensity to complement and enhance the complexity of architectural detail and decoration of the existing buildings.
- (h) Monochromatic schemes are not appropriate on heritage buildings in the Central York and York Town Centre Heritage Areas and should be avoided.
- (i) The application to new and existing buildings of "Corporate Standard" colour schemes or materials that are not sympathetic to the character of the Central York and York Town Centre Heritage Area will not be supported.

Officer Comment:

The building will be constructed of concrete tilt panel, with external finishes to be smooth concrete render which is consistent with the exterior finish specified by the policy.

Windows and doors are proposed to be aluminium framed, although have not specified it is box powder coated.

The fascia of awning is to be 'scyon' type cement sheeting, where it is not clear what finish is proposed by this. Officers have recommend a condition of approval require modification of the awning type which would likely remove the fascia of the awning. Roof materials , gutters and colours have not been specified.

The materials for majority of the building is supported in principle, although further information is required on both materials, gutter type and colours which will be required as a condition of approval.

4.3.5 Detailing

New development should respond to its context in terms of detailing but may employ contemporary forms of expression. The detailing may draw on the examples of historic buildings in the Central York and York Town Centre Heritage Areas but should not attempt to copy or reproduce them.

Verandahs

In the absence of any documentary evidence regarding the original verandah, a simple replacement verandah without elaborate decoration should be used. Reinstatement of missing decorative detailing on existing buildings is encouraged.

Street Facades

Facades of new buildings, even though they may be of contemporary design and materials, should reflect, or be derived from, the articulation of the facades of the existing significant buildings. There

shall be a visual harmony between the new façade and the existing street elevation. New buildings should never copy traditional decorative elements. If decoration is required, it should be appropriate for the date of construction of the building.

Windows and Doors

Windows should follow similar patterns to those used in existing buildings and the streetscape. Front entries should be central to the façade or offset to one side, facing directly onto the street.

Windows and doors in new buildings should not be copies of traditional styles. Where windows are visible from the street, they should be simple timber framed, or commercial quality, box aluminium framed windows with proportions reflecting traditional openings. Steel windows may also be acceptable. Security to a premise should be provided in a way that is sympathetic to the fabric and character of a building and is not unduly intrusive. Roller doors will not be permitted.

Lighting

External lighting of a commercial building must be designed to be in keeping with the character of the street, to light the building effectively without drawing undue attention to it, and to provide an effective level of public amenity along the footpath. Lighting from the underside of awnings and verandahs is acceptable. Low key lighting to facades from verandahs and canopies is also acceptable.

External Fixtures

Elements fixed to the façade of a heritage building that are not part of the fabric of the building, such as air-conditioners, coolers, satellite dishes, antennas, etc., are inconsistent with the existing streetscape of Avon Terrace, and will not generally be permitted.

Officer Comment:

Detail identified on the building is appropriate and complies with the provisions of the local planning policy.

Windows and Door location and patterns are appropriate.

Lighting has not been shown on the plans. Details of lighting will be conditional on approval to ensure that this is appropriately design and located in accordance with the policy, and to ensure it does not have an adverse effect on adjoining dwellings.

4.3.6 Setting

Paved Areas & Levels

Footpaths and paved areas in commercial projects, other than rear car parks, are to be brick paved, paved in red asphalt with a laterite aggregate or imprinted concrete in appropriate colours & designs. Tessellated tiles may be appropriate for commercial building in-goes (recessed door entries). Rear car parks not visible from Avon Terrace may be laid in normal hot mix with a grey finish.

Every effort should be made in commercial developments to provide a flat (universal) access for pedestrians to and through the front door from the public footpath. Any changes in level should take place inside the building.

All development must be sympathetic to the existing land contours and natural features. No more than 500mm of cut or fill may be permitted as part of any commercial development, unless such cut or fill is to match the height and scale of an existing building. Retaining walls shall not exceed a height of 500mm, unless the natural contours of the land prior to development occurring warrant higher retaining walls.

Fences & Gates

Fences and gates associated with commercial development shall be consistent with the following requirements; where there is conflict with the Shire of York Local Law on Fences, this Policy shall prevail:

(b) For new development, fibre cement sheeting or steel fencing, iron or Colorbond sheeting as a fencing material shall be avoided on any street frontage in front of the building line;

- (c) Fibre cement sheeting or steel fencing, iron or Colorbond sheeting may be used to fence back yards if its visual impact from the street can be limited.
- (d) Limestone fencing is usually inappropriate, but may be permitted where it is proposed to be used to augment existing heritage walls;
- (e) It is preferred that front fencing shall be open in style to allow views to and from the building, however if solid fencing on front and side boundaries in front of the building line is required, it shall not exceed 1200mm in height; and
- (f) Any fencing on front and side boundaries in front of the building line over 750mm shall be truncated a minimum of 1.5 at the entries to driveways and the intersection of streets.

Officer Comment:

The development plans propose new paving on the Avon Terrace frontage which will be carried into the site for internal footpaths. The crossover refers to the use of 'red brick' paving. Further details of materials will be conditional on approval to ensure it is consistent with policy requirements. Car Parking finishes are not specified, although the plans indicate it may be normal hot mix with grey. The car parking area is visible to Avon Terrace and a condition requiring further details shall require finishes to be specified to confirm the car parking is consistent with the policy.

Fencing and gates are not shown in the development plans, although it will be a condition of approval that screen fencing form car parking areas to adjoining dwellings be erected to minimise potential headlight impacts on adjoining dwellings. Colorbond is an appropriate material, although further details of fencing will be confirmed through a condition of approval.

5.0 Signage**Officer Comment:**

Details of advertising signage have not been provided with the application. Given there are multiple tenancies proposed for the site, and signage should be erected in a co-ordinated manner, in accordance with Local Planning Policy – Advertising Signage, a Signage Concept Plan will be conditional on approval. The Signage Concept Plan is to generally identify locations on land, building or premises where advertisements may be affixed, erected or displayed, and will be required to comply with provisions of Local Planning Policy: Heritage Conservation and Development. A Signage Concept Plan is required to show: a sketch, photomontage or other plan that details, indicates or superimposes the proposed advertisements onto the land or building and the dimensions of the areas on the building and the site for advertisements, with height, width and depth clearly indicated.

HERITAGE INTELLIGENCE (WA)*Laura Gray* JP M.ICOMOS B.Arch (hons)**WALGA Preferred Supplier:** Heritage Advisory Services

18 September 2019

MEMO

To: Carly Rundle Planning Officer
Shire of YORK

Subject: Proposed Development: supermarket, shops, medical centre, and community purpose at Lots 3 (88) & 820 (94) Avon Terrace & Lot 25 (19) Monger Street YORK
The Site of the Royal Hotel (aka Railway Hotel)

Hi Carly

Further to the comments referencing the preliminary proposal (July 2019) and a further phone discussion with Michael Stewart (Architect), with reference to email of 27 August 2019 and Drawing No's SK00, SK01, SK02 and SK03, I make the following response:

The site is No 28 in the Local Heritage Survey draft report. It is located in Avon Terrace on the southeast corner of South Street, central within the Central York Heritage Precinct.

The three other corners of the Avon Terrace/South Street intersection comprise two double-storey book-ended buildings (Castle Hotel and Davies Building) at the south end of Avon Terrace in the York Town Centre Heritage Protection Area (proposed in draft report), on the northwest and northeast corners, and the significant double-storey former Sargent's Pharmacy on the southwest corner.

The single-storey proposed building provides a consistent scale, form and rhythm about the corner and to the separate building fronting Avon Terrace. The use of pilasters and parapets forming bays creates a pleasing and relevant definition appropriate to the predominantly small-scale frontages in the context of the commercial, retail and hospitality buildings.

The current application appears to be consistent with the preliminary submission in terms of the heritage considerations that include the streets frontages, scale and bulk. However, a number of preliminary suggestions still need to be considered to address the heritage requirements.

- The street front awnings seem inadequate to provide any protection from the elements. They are not consistent with the predominant verandas in Avon Terrace that extend across the pedestrian pathway, either suspended or preferably supported by posts. Posts around the street-front perimeters of the buildings will provide a visual and physical continuation of the colonnaded footpaths on both sides of Avon Terrace north of this site, and make reference to the hotel that previously occupied the site. The verandas (not bullnose) also serve to encourage pedestrian traffic by providing shelter between the York Town Hall (Tourist Information Centre) and the heart of Avon Terrace (immediately north of the subject site).
- The scale of the buildings will be reinforced by the veranda columns and contribute to further enhancing the 'landmark' corner element.

- Further articulation on the frontage and a street front entry on the corner truncation are necessary with such an extensive frontages to South Street and Avon Terrace, with no openings. The corner is the traditional entrance. A deep recess could address the differences in finished floor levels, and in terms of operational function, it could be a minor entry and/or exit, but it is important that there is an identifiable entry on the truncated corner.
- Contemporary references to the original Royal Hotel should be considered; posted verandas and a corner truncated recessed entry make such references.
- The details of the proposed supermarket roof are not clear; if the three parapets on the South Street frontage closest to the adjacent residence could be stepped lower they would make a more considered response to the scale of the residence.
- The expansive street frontages have been articulated into bays, however there are minimal details although drawings suggest a low dado and glazing above. There are requirements for shop front glazing.

The Shire of York LPP Heritage Precincts and Places

Response to Policy 4.2 states the objectives that include:

- *To facilitate commercial development that respects the existing character of an area.*
- *To ensure that the primacy and heritage significance of Avon Terrace is maintained.*
- *To ensure that all commercial development, including new development and the modification or extension of existing buildings, respects the scale, form, siting, appearance and general fabric of existing buildings and the streetscape in the Central York Precinct.*
- *To ensure that new development is of a high architectural quality that contributes to, and enhances, the Precinct as a whole.*

The relevant section of Policy 4.4.1 (Size and Scale) states:

The scale of all commercial development must respect:

- a) The scale of adjoining and nearby buildings in the street.*

Policy 4.4.2 (Form) states (relevant extracts):

Front Setbacks

Awnings or verandahs on building facades built up to the public footpath edge are permitted to be built over the public footpath.

All commercial development shall respect and maintain the traditional pattern and appearance of the commercial buildings in the Central York Precinct and shall achieve the following criteria:

- a) Commercial buildings shall consist of horizontal strips of development broken into a vertical rhythm by the component shops or tenancies and the windows to individual shop fronts or tenancies;*
- b) Large, single use buildings must maintain the appearance of articulated,*

individual frontages to the street through the use of architectural design features;

c) Monolithic buildings with blank street frontages, large scale panel systems and sheet metal cladding are not acceptable;

d) Corner sites provide an opportunity for landmark buildings and two storey development on street corners is appropriate; and

e) New commercial developments should be simply treated, well proportioned and detailed, though should not endeavour to copy history types in general.

Verandahs and Awnings

New commercial development shall have a verandah or awning over the public footpath of sufficient dimensions so as to provide effective weather protection for pedestrians. The awning should be located at first floor height, and not at any level above. The awning should be simple in design and should line through with any existing awnings on adjacent development.

Awnings should preferably extend for the full width of the building to allow continuous weather protection of the footpath below. Awnings supported by verandah posts are acceptable.

Compatibility of Building Forms

The design of all commercial development shall consider the horizontal alignments of principal levels for over-pavement awnings, canopies, parapet tops, window heads and sills, wherever practicable, with the adjoining development in a streetscape.

All commercial development shall respond to and reinforce the existing characteristics of rooflines in the Central York Precinct, as follows:

a) Plate and wall heights, roof form, ridge lines, roof slopes and parapet lines shall be consistent with the neighbouring buildings in the streetscape;

b) Roof slopes shall achieve a minimum pitch of 25 degrees; and

c) All verandahs shall have a minimum pitch of 10 degrees; and

d) Commercial buildings may have an articulated front parapet wall as an acceptable alternative to the pitched roof.

Parapets

The decorative details of many original parapets are an important part of the building's original design style, and add to the distinctive character of the area. The alignment of parapets is an important component defining the skyline of the Precinct when viewed from the street.

• A parapet to the primary street façade of a new building should be of comparable height to adjacent buildings; and

• New parapets may be simple or complex in their design and articulation, but should be designed in a manner that takes account of the form of parapets on adjacent buildings.

Shopfronts and Windows

New shop fronts should be encouraged to take the form of dado below glazing, with a central or side recessed entry. The entry may be set in a truncated recess.

Windows onto the street should not be tinted or treated with reflective film. Views into and out of commercial buildings are to be maximised to create visual interest and to provide for greater security through casual surveillance. A minimum of 80% of all window space of a building facing a public street shall be kept transparent, and not rendered opaque by advertising signage.

The proposed development generally complies with much of The Shire of York LPP Heritage Precincts and Places Section 4.0 for Commercial Development and the policies within that section.

However, a number of issues do require further consideration to be compliant and satisfy Section 4.0 for Commercial Development.

1. The objectives stated in Policy 4.2 are integral to the intent that there should be a street front entry to any development. The proposal has extensive street frontages about the street corner. An entry is an important element of the streetscape and a significant visual element, particularly on the 'landmark' truncated corner. The possible floor level changes are noted, and likely could be addressed by recessing the entry on that truncation.
2. Policy 4.4.1 makes reference to the scale that must respect the adjoining and nearby buildings. Reduced parapet height adjacent to residences on South Street (3 closest bays) would be preferred.
3. Policy 4.4.2 makes reference to verandas. The proposed street front canopy does not comply. Verandas across pedestrian footpath along the street frontages, with support posts along veranda edge, aligned with bay configurations are strongly recommended.
4. Policy 4.4.2 makes reference to Shopfront and Window requirements. Further details are required pertinent to the proposed frontages; windows, bay walls, and a truncated entry on the dominant street intersection corner.
5. Policy 4.4.4 makes reference to materials, colours. Further details are required pertinent to the proposal.
6. Section 5 Signage. Further details are required pertinent to the proposal.

The proposed development is supported in principle, subject to further consideration and consequent endorsement of the issues as noted (above) numbered 1-6.

Sincerely

HERITAGE INTELLIGENCE (WA)*Laura Gray* JP M.ICOMOS B.Arch (hons)**WALGA Preferred Supplier:** Heritage Advisory Services

Mobile 0408 105 784

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19 November 2019

MEMO

To: Carly Rundle Planning Officer
Shire of YORK

Subject: Proposed Development: supermarket, shops, medical centre, and community purpose at Lots 3 (88) & 820 (94) Avon Terrace & Lot 25 (19) Monger Street YORK
The Site of the Royal Hotel (aka Railway Hotel)

Hi Carly

Further to the comments referencing the preliminary proposal (July 2019), phone discussion with Michael Stewart (Architect), the email of 27 August 2019 and Drawing No's SK00, SK01, SK02 and SK03, and commenting on design development plans (September 2019), I make the following response to the plans received 15 November 2019:

A number of issues were raised in response to the September submission. It was noted that the proposed development generally complied with much of The Shire of York LPP Heritage Precincts and Places Section 4.0 for Commercial Development and the policies within that section. However there were some issues that require further consideration to be compliant and satisfy Section 4.0 for Commercial Development.

In summary those issues were:

- Verandas in preference to the street front awnings
- Reinforce the scale of the buildings with the veranda columns.
 - Policy 4.4.2 makes reference to verandas. The proposed street front canopy does not comply. Verandas across pedestrian footpath along the street frontages, with support posts along veranda edge, aligned with bay configurations are strongly recommended.
- Enhancing the 'landmark' corner element.
- A street front entry on the corner truncation.
 - The objectives stated in Policy 4.2 are integral to the intent that there should be a street front entry to any development. An entry is an important element of the streetscape and a significant visual element, particularly on the 'landmark' truncated corner.
- Lower parapet heights on the South Street frontage to the scale of the residence.
 - Policy 4.4.1 makes reference to the scale that must respect the adjoining and nearby buildings.
- Further articulation of the expansive street frontages.

- Policy 4.4.2 makes reference to Shopfront and Window requirements. Further details are required pertinent to the proposed frontages; windows, bay walls, and a truncated entry on the dominant street intersection corner.
- Policy 4.4.4 makes reference to materials, colours. Further details are required pertinent to the proposal.
- Section 5 Signage. Further details are required pertinent to the proposal.
- A further comment was: Contemporary references to the original Royal Hotel.

In consideration of the 15 November submission, and with reference to the aforementioned issues, I make the following observations;

Entry on corner truncation.

Landmark detailing of the truncated parapet.

Articulation of the front bays and parapets.

Details of the window frontages.

An entry on the Avon Terrace frontage (south end).

Raised parapets flanking the Avon Terrace vehicular entry.

Historical references in the details of rainhead brackets and mullions.

No change to canopies.

No change to South Street parapets.

No change to canopies.

Colours and signage to be further determined.

Overall, I commend the Applicant on the response to the previous comments, particularly the articulation of the frontages, the entry on the truncated corner and truncated parapet landmark detailing.

However, the main issue that remains unresolved is the inadequacy of the canopy to the street frontages, in deference to the preferred outcome of posted verandas; the parapet on the South Street frontage that does not step down to the residence (a roof configuration issue?); no indication of clear or obscure glazing to the street frontages; and, impact of the specialty stores backing onto the Avon Terrace frontage, with internal entries.

The proposed development is supported in principle, subject to further consideration and consequent endorsement of the issues as noted in the paragraph above.

Sincerely

SCHEDULE OF SUBMISSIONS

Development Application: Supermarket (Shop), Shops, Medical Centre and Community Purpose Development: Lots 3 (88) and 820 (94) Avon Terrace and Lot 25 (19) Monger Street, York

No.	Name	Address/ Property Affected (if applicable)	Summary of Submission	Officer's Comment
1	Water Corporation	N/A	No objections. Water and Wastewater servicing requirements to be addressed in more detail at building approval stage when building plans are submitted to Water Corporation. A 150mm diameter gravity sewer runs south to north through the middle of the development site. The development plans attached to your referral letter indicate that the sewer will be accommodated under car parking and along the eastern side of the proposed medical centre and supermarket buildings. The required setback and any special protection requirements pertaining to the sewer as well as maintenance of access to the sewer access chamber will need to be addressed in detail at the building approval stage.	Noted
2	Department of Biodiversity, Conservation and Attractions	N/A	Based on currently available information, this application is unlikely to cause any impact to known significant biodiversity values.	Noted.
3	Department of Primary Industries and Regional Development	Referred to as responsible authority of crown land in proximity to site.	No objections.	Noted.
4	Department of Water and Environmental Regulation	N/A	Refer Council report for detailed summary of comments. Submission relates to recommended FFL and matters to consider should the Shire consider approving a lower FFL.	Refer Council report for response. FFL considered acceptable subject to conditions regarding Flood Risk Mitigation Plan and section 70A notification being included on the title.
5	Heritage Council	N/A	Advised place in close proximity to the York Town Centre Precinct, which the Heritage Council's Register Committee have previously identified as a place warranting assessment for possible entry in the State Register of Heritage Places. However, a full assessment of its cultural heritage significance has not yet been undertaken. We thank you for forwarding information on the proposed development, which will assist with the future assessment of the place for the State Register.	Noted.
6	Western Power	N/A	No objection to proposed development. Installation on the sites is to comply with Western Power requirements.	Noted.
7	NBN	N/A	Nbn does have network infrastructure in proximity to this development, however there does not appear to be any conflict with new access driveways / etc. General information provided for if relocation of services is required.	Noted.

SCHEDULE OF SUBMISSIONS

Development Application: Supermarket (Shop), Shops, Medical Centre and Community Purpose Development: Lots 3 (88) and 820 (94) Avon Terrace and Lot 25 (19) Monger Street, York

8	S. Hasluck	Lot 75 (22) Monger Street, York	<p>Object to the proposed development on the following basis:</p> <ul style="list-style-type: none"> Development is not compatible with objectives and provisions of Town Planning Scheme No. 2 due to heritage and amenity issues; Modernist architectural style, height, building materials and related traffic movements are not consistent with surrounding streetscape and will have a detrimental impact on amenity and heritage value of nearby buildings Development doesn't comply with provisions of the scheme for traffic issues, central watercourse, flood levels and elevations. Replacing the open drain with culverts does not consider environmental improvements in flood fringe area. Modification of Open Drain/Watercourse and concern of increase in volume of water under Monger Street to Lot 75 causing a flood risk. Exit/Entry onto Monger Street: <ul style="list-style-type: none"> Inconsistent with impact residential amenity of area; Entry/Exit should be from South Street/Avon Tce designed for heavier vehicle traffic result in headlight glare from existing vehicles to the residence at 22 Monger Street, York used as a route for gopher access by aged care residents at Balladong Country Estate. Use by Community Purpose Building occupants which may occur outside normal trading hours and have impacts on noise on adjoining residences. <p>Request that if supported access be modified to south side of water course.</p>	<p>Refer Council Report and Attachment 6 for officer assessment against heritage considerations and conditions of approval and flood levels.</p> <p>Transport Impact Statement submitted provides that Avon Terrace and South Street are suitable to accommodate traffic generated by the development. The Shire is of the opinion Monger Street, currently allowing two-way traffic is not of a suitable standard for the additional traffic volumes and has included a condition restricting access onto Monger Street.</p> <p>Enclosing of the open drain is considered a reasonable approach to allow for functional development on the site and maintain the purpose of the drain servicing the wider catchment. The Shire's Executive Manager Infrastructure & Development Services has advised the drainage concept plan is suitable, although requires further detail which will be conditional on approval.</p> <p>Landscaping is proposed on the site, although the site is located primarily within a commercial area, which does not adjoin the Avon River where environmental improvements are considered essential.</p>
9	Kittochside Nominees	105 & 109 Avon Terrace, York	<p>Objection to development on the following basis:</p> <ul style="list-style-type: none"> Not consistent with heritage values of streetscape. Excessive scale will detract from adjoining heritage buildings Development drawings do not show building at required finished floor level for flood fringe areas, which would place the building at 1.1m above the Avon Tce footpath. No disability access from footpath. Object to granting a reduction in required parking. Overshadowing on all four sides. Importance of open drain to western part of York townsite and Forrest Oval. The development does not contribute to triple bottom line requirements – social, environmental or financial. The development has negative environmental impacts on amenity and negative economic impacts as there are already empty 	<p>Refer Council Report and Attachment 6 for officer assessment against heritage considerations and conditions of approval and flood levels which is proposed at a level lower than the 500mm above the 100 year flood fringe.</p> <p>The amended plans have been updated to include disability access to the Supermarket building, and compliance with disability access requirements will occur at the building permit stage.</p> <p>Car Parking has been increased in the amended plans, which is compliant with draft Local Planning Scheme No. 3.</p> <p>Overshadowing to existing adjoining residences using the assessment process of the Residential Design Codes of Western Australia is minimal and compliant with what would be permitted for residential development.</p> <p>Overshadowing to commercial buildings is limited to the</p>

SCHEDULE OF SUBMISSIONS

Development Application: Supermarket (Shop), Shops, Medical Centre and Community Purpose Development: Lots 3 (88) and 820 (94) Avon Terrace and Lot 25 (19) Monger Street, York

			commercial buildings in the town centre.	<p>adjoining service station to the south, where overshadowing is not anticipated to detract from the function of the business.</p> <p>The function of the main drain servicing the wider catchment will be maintained and secured by an easement being placed over the infrastructure as a result of the development.</p> <p>The development has been designed to retain most of the significant trees on site, requiring removal of one significant tree which is considered acceptable to allow for a functional development and replanting of trees will occur onsite. On this basis, and subject to further drainage details being provided as a conditional of approval it is considered that the development will not anticipated to have a negative impact on the environment</p> <p>The Regulations list the potential loss of a community service or benefit resulting from the development, although exclude considering loss that may result from economic competition between new and existing businesses.</p>
10	P Briggs	-	No objections	Noted.
11	York & Districts Co-operative Limited	138 & 142 Avon Tce, York	Objection to development, on the basis of economic (and subsequent social) impacts on the existing IGA.	The Regulations list the potential loss of a community service or benefit resulting from the development, although exclude considering loss that may result from economic competition between new and existing businesses.
12	<p>Emma Spencer</p> <p>Submission also included a schedule at the back which was signed by an additional 74 signatures objecting to the development.</p>	11 South Street	<p>Objection to development within heritage area on the following basis:</p> <ul style="list-style-type: none"> Inconsistent with objectives and development requirements for town centre and heritage area including: <ul style="list-style-type: none"> High parapet walls adjoining residential heritage buildings. Scale and Size of building. Lack of parking & inclusion of street parking in calculations Required landscaping identified in table on plans is lesser than shown. Development is not compatible with character of area. Heritage Impact Statement has not been prepared; Economic impacts on existing businesses. 	<p>Refer Council Report and Attachment 6 for officer assessment against heritage considerations, discussion regarding the heritage impact statement and conditions of approval.</p> <p>Car Parking has been increased in the amended plans, which is compliant with draft Local Planning Scheme No. 3.</p> <p>The Shire's Local Planning Scheme No. 3 does require landscaping be provide, although does not specify a minimum required area. The landscaping proposed is considered sufficient for the development.</p> <p>The Regulations list the potential loss of a community service or benefit resulting from the development, although exclude considering loss that may result from economic competition between new and existing businesses.</p>



Your Ref: O133683 / AV1.60439, AV1.60573 & MO2 60574
Our Ref: 57193521 (DEV363106)
Enquiries:
Direct Tel:
Fax:

10 September 2019

Chief Executive Officer
Shire of York
P.O. BOX 22
YORK WA 6302

Attention: Carly Rundle, Senior Planner

**Proposed Development – Lot 3 & 820 Avon Tce and Lot 25 Monger St, York:
Supermarket, Shops, Medical Centre and Community Purpose Development**

Thank you for your letter of 4 September 2019 inviting comments on the above development proposal.

The Water Corporation has no objections to the proposal. Water and wastewater servicing requirements will need to be addressed in more detail at the building approval stage when the proponents submit the building plans to the Water Corporation's Building Services.

A 150mm diameter gravity sewer runs south to north through the middle of the development site. The development plans attached to your referral letter indicate that the sewer will be accommodated under car parking and along the eastern side of the proposed medical centre and supermarket buildings. The required setback and any special protection requirements pertaining to the sewer as well as maintenance of access to the sewer access chamber will need to be addressed in detail at the building approval stage.

If you have any queries, please contact me on .

A handwritten signature in black ink that reads "B. Coombes".

Brett Coombes
Senior Urban Planner
DEVELOPMENT SERVICES



From:
To:
Cc:
Subject: DBCA Advice - Proposed development - Lots 3 & 820 Avon Tce, and Lot 25 Monger St York
Date: Tuesday, 10 September 2019 8:37:24 AM
Attachments: [image001.jpg](#)

Attention:

The Parks and Wildlife Service of the Department of Biodiversity, Conservation and Attractions advises that, based on currently available information, this application for subdivision is unlikely to cause any impact to known significant biodiversity values.

Please contact Mike Fitzgerald on if you require clarification or further information.

Mike Fitzgerald

Land Use Planning Officer | Wheatbelt Region

Parks and Wildlife Service

Department of Biodiversity, Conservation and Attractions



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From: Greg Doncon ·
Sent: Sunday, 15 September 2019 11:00 PM
To: Records <records@york.wa.gov.au>
Subject: I175782 - AV1 - Proposed development - Lots 3 & 820 Avon Tce & Lot 25 Monger St, York

Your Ref: O133682 / AV1.60439, AV1.60573 & MO0260574
Our Ref: LUP 678

Dear

PROPOSED DEVELOPMENT – LOTS 3 (88) & 820 (94) AVON TCE & LOT 25 (19) MONGER ST, YORK – SUPERMARKET (SHOP), SHOPS, MEDICAL CENTRE AND COMMUNITY PURPOSE DEVELOPMENT.

Thank you for the opportunity to comment on the proposed development on Monger Street, York.

The Department of Primary Industries and Regional Development (DPIRD) does not object to the proposed development.

I trust these comments inform your decision on this matter. If you have any queries regarding the comments, please contact me.

Yours sincerely

Greg Doncon

Greg Doncon | Research Officer
Land & Water Assessment
Fisheries & Agriculture Resource Management
Department of Primary Industries and Regional Development





Government of Western Australia
Department of Water and Environmental Regulation

Your ref: O133683
File ref: RF7596-02
PA ref: 029306
Enquiries: Diana Nussey
Tel:

Shire of York
PO Box 22
YORK WA 6302

Via email – planning@york.wa.gov.au

Attention:

Dear Sir/Madam,

Re: Proposed Development – Lot 3 (88) & 820 (94) Avon Tce & Lot 25 (19) Monger St, York – Supermarket (Shop), Shops, Medical Centre and Community Purpose Development

Thank you for the above referral dated 4 September 2019. The Department of Water and Environmental Regulation (DWER), has assessed the referral and would like to provide the following advice:

The DWER provides advice and recommends guidelines for development on floodplains with the object of minimising flood risk and damage. The DWER uses the following guiding principles to ensure proposed development in flood prone areas is acceptable with regard to major river flooding:

- Proposed development has adequate flood protection from a 1 in 100 (1%) Annual Exceedance Probability (AEP) flood;
- Proposed development does not detrimentally impact on the existing 1% AEP flooding regime of the general area.

The Avon River Flood Study shows the flood extents and levels during major river flows for the 1 in 100 (1%) Annual Exceedance Probability flood (refer attached map). This shows that the location of the subject lots are affected by major flooding with the following flood levels expected to be:

1 in 10 (10%) AEP flood level – 172.7 m AHD
1 in 25 (5%) AEP flood level – 173.4 m AHD
1 in 100 (1%) AEP flood level – 174.48 m AHD

Swan Avon Region
7 Ellam Street Victoria Park WA 6100
Telephone: 08 6250 8000 Facsimile: 08 6250 8050
www.dwer.wa.gov.au

Based on our floodplain management strategy for the area:

- Proposed development (i.e. filling, building, etc.) that is located outside of the floodway is considered acceptable with respect to major flooding, with a requirement of at least 500 mm freeboard (i.e. minimum habitable floor level of 174.98m AHD).

The proposed finished floor level (FFL) of 173.7 m AHD does not meet the DWER's requirement for minimum habitable floor level of 174.98 m AHD. Therefore, the DWER recommends that the plans for the proposed development should be amended and the FFL raised to at least 174.98 m AHD to ensure the development has adequate protection from the 1 in 100 (1%) AEP flood.

Please note that this advice is related to major flooding only and other planning issues, such as environmental and ecological considerations, local stormwater drainage and winter bogginess due to groundwater, may also need to be addressed.

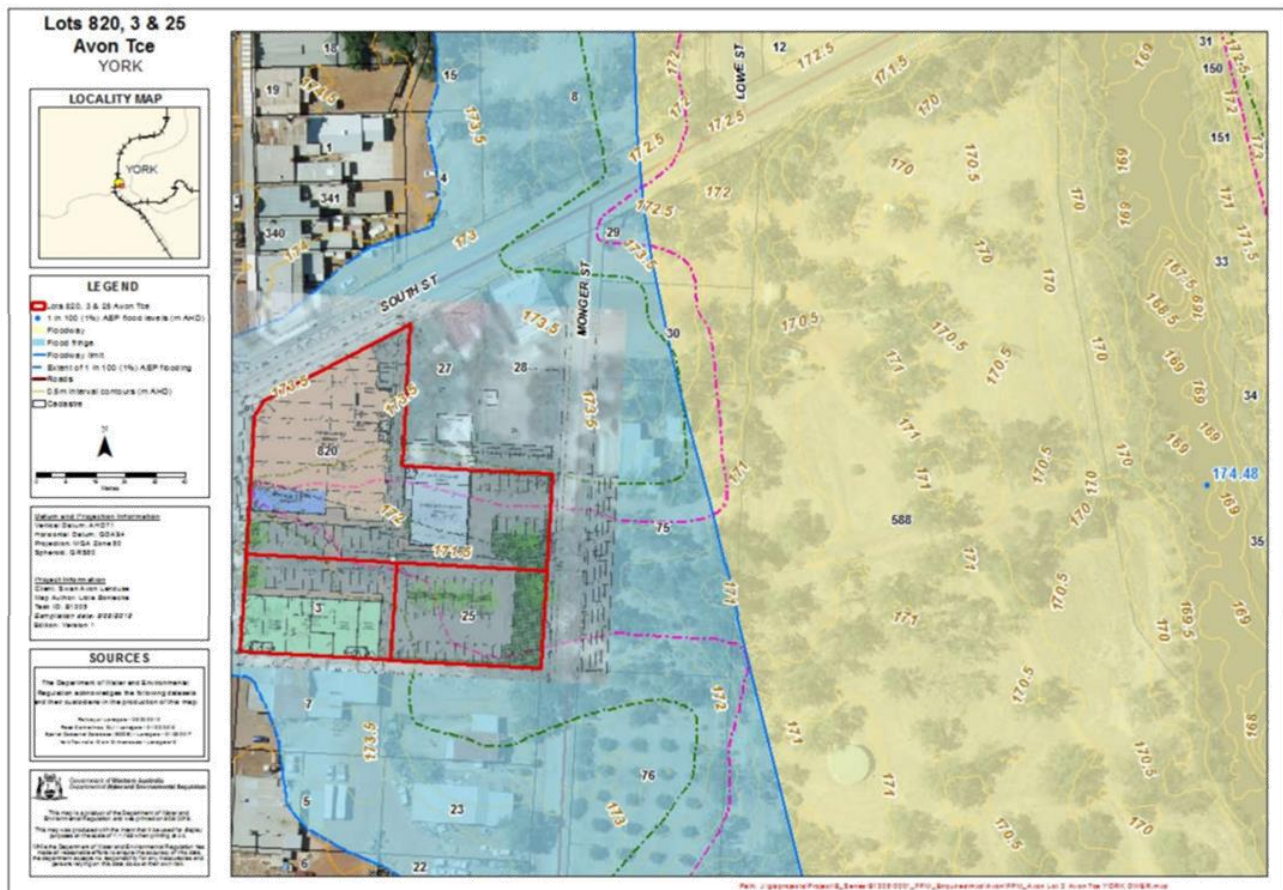
If you would like more information regarding this matter, please contact Diana Nussey on
or .

Yours sincerely,



Bree Lyons
A/Senior Natural Resource Management Officer
Planning Advice
Swan Avon Region

11 September 2019



Carly Rundle

From: Diana Nussey
Sent: Friday, 13 September 2019 8:04 AM
To:
Subject: I175762 - AV1 - FW: Floodplain Management Advice - Lot 3 Avon Terrace, YORK - additional advice - Diana Nussey - 12092019

Hi Carly,

Please see the below for further advice regarding the proposed development.

I hope this helps with your decision and we will keep this in mind for future proposals like this one.

Kind regards,

Diana Nussey
Natural Resource Management Officer
Planning Advice Section

Department of Water and Environmental Regulation
Swan Avon Region

From: Simon Rodgers
Sent: Thursday, 12 September 2019 2:37 PM
To: Diana Nussey Lidia Boniecka
Subject: RE: Floodplain Management Advice - Lot 3 Avon Terrace, YORK - additional advice - Diana Nussey - 12092019

Hi Diana

We acknowledge that our recommended minimum habitable floor recommendation may impact on other planning issues (such as access, privacy, streetscaping, etc) when integrating with existing development. Should these issues be identified a reduction in the 0.5 metre freeboard may be considered. The proposed floor level of 173.7 m AHD is expected to only provide ~ 1 in 30 AEP flood protection.

We note that within its town planning scheme the shire has discretion to approve developments with finished floor levels of 300 mm above the road centreline within a defined heritage streetscape area. Should they consider the proposal acceptable we recommend consideration of alternative means of managing the resultant flood risk be explored. Options may include:

- flood protection to prevent water entering the buildings (ie, sandbagging, flood barriers, etc)
- flood resilient building design (ie, choice of building materials, location of electrical installations as high as practicable, raising stock on shelves, etc)
- flood insurance and
- other options that minimise the impact and/or damages of major flood events.

Regards

Simon Rodgers
Supervising Engineer
Floodplain management

Department of Water and Environmental Regulation

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Carly Rundle

From: Diana Nussey
Sent: Friday, 20 September 2019 12:47 PM
To:
Subject: I175965 - AV1 - FW: Floodplain Management Advice - Lot 3 Avon Terrace, YORK - additional advice - 12092019

Hi

Further to your call, I had another think and read over the advice provided for the above application. I doubt Flood will have any further comments to make, as I have been advised before that they do not have the expertise to advise on more specific flood emergency measures, other than the basic options they included below.

The proponent does not appear to have acknowledged that the site is within the Avon River floodplain in the cover letter provided. Should the Shire approve the development at the lower FFL, including a condition requiring the proponent to prepare a flood emergency plan (or at least some documentation) for the development may be recommended. This would ensure that flood protection and contingency measures have been appropriately considered given the higher flood risk. The layout of the plan could be like any other management plan, for example:

- 1) Introduction on the proposed development
- 2) Identify flood levels and risk for the site, including details of what could be impacted in a major flood event
- 3) Details of flood resilient building design (ie, choice of building materials, location of electrical installations as high as practicable, raising stock on shelves, etc)
- 4) Details of other flood protection to prevent water entering the buildings (ie, sandbagging, flood barriers, etc)
- 5) Emergency evacuation procedures
- 6) Flood insurance, if any

Let me know if you would still like me to forward your contact number onto our Flood branch to discuss further.

Kind regards,

Diana Nussey
Natural Resource Management Officer
Planning Advice Section

Department of Water and Environmental Regulation

From: Diana Nussey
Sent: Friday, 13 September 2019 8:04 AM
To:
Subject: FW: Floodplain Management Advice - Lot 3 Avon Terrace, YORK - additional advice - Diana Nussey - 12092019

Hi

Please see the below for further advice regarding the proposed development.

I hope this helps with your decision and we will keep this in mind for future proposals like this one.

Kind regards,

Diana Nussey

Natural Resource Management Officer
Planning Advice Section

Department of Water and Environmental Regulation

From: Simon Rodgers

Sent: Thursday, 12 September 2019 2:37 PM

To: Diana Nussey

Lidia Boniecka

Subject: RE: Floodplain Management Advice - Lot 3 Avon Terrace, YORK - additional advice - Diana Nussey - 12092019

Hi Diana

We acknowledge that our recommended minimum habitable floor recommendation may impact on other planning issues (such as access, privacy, streetscaping, etc) when integrating with existing development. Should these issues be identified a reduction in the 0.5 metre freeboard may be considered. The proposed floor level of 173.7 m AHD is expected to only provide ~ 1 in 30 AEP flood protection.

We note that within its town planning scheme the shire has discretion to approve developments with finished floor levels of 300 mm above the road centreline within a defined heritage streetscape area. Should they consider the proposal acceptable we recommend consideration of alternative means of managing the resultant flood risk be explored. Options may include:

- flood protection to prevent water entering the buildings (ie, sandbagging, flood barriers, etc)
- flood resilient building design (ie, choice of building materials, location of electrical installations as high as practicable, raising stock on shelves, etc)
- flood insurance and
- other options that minimise the impact and/or damages of major flood events.

Regards

Simon Rodgers

Supervising Engineer
Floodplain management

Department of Water and Environmental Regulation



Department of **Planning,
Lands and Heritage**

Our ref: P2862/45767
Enquiries:

Chief Executive Officer
Shire of York

Attention:

Dear Sir

YORK TOWN CENTRE PRECINCT

Thank you for your letter of 4 September 2019 regarding the proposed development at Lots 3 (88) & 820 (94) Avon Terrace and Lot 25 (19) Monger Street, York. The proposal is in close proximity to the *York Town Centre Precinct*, which the Heritage Council's Register Committee have previously identified as a place warranting assessment for possible entry in the State Register of Heritage Places. However, a full assessment of its cultural heritage significance has not yet been undertaken.

We thank you for forwarding information on the proposed development, which will assist with the future assessment of the place for the State Register. We note the proposal is for a new Supermarket, Shops, Medical Centre and Community Purpose Development. We would appreciate being kept informed of the development proposal as it progresses through the planning stages.

Should you have any queries regarding this advice please contact Nisar Dar at

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Adelyn Siew'.

Adelyn Siew
Director Heritage Development

11 September 2019

CC:

Our Reference: NW014041
Your Reference: 0133683/ AV1.60439, AV1.60573 & MO2.60574
Contact: Jamie Champion

11-Sep-2019

Shire of York

Dear Sir / Madam

RE: Lot 3 (88) & 820 (94) Avon Tce & Lot 25 (19) Monger St, York

Further to your referral of the aforementioned development application, Western Power has reviewed the proposal in the context of its network assets and provides the following comments and recommendation:

Western Power has no objection to the proposed development. The proposed installation on the site is to comply with the following:

- (i) Any development on the subject site shall be designed and constructed to protect Western Power infrastructure and interests from potential land use conflict. Proponents should refer to <https://westernpower.com.au/safety/360-aware/industry-safety/>
- (ii) It is the landowner's responsibility to ensure that the design and construction of any new structure on the land complies with all applicable laws including, without limitation, clearance requirements of electrical infrastructure. We recommend that you engage a suitably qualified independent person (surveyor, architect, engineer) to undertake an assessment of the proposed development to ensure that best methods of construction are utilised and compliance with all applicable laws (including clearance requirements of electrical infrastructure in general and those specified under Occupational Safety and Health Regulations 1996 (WA)).
- (iii) Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an underground electricity supply to the lot(s) shown on the approved plan of development.
 - a. Western Power provides only one point of electricity supply per freehold (green title) lot.



Further information regarding easement, network safety and clearance requirements can be found on Western Power's website at <https://westernpower.com.au/safety/360-aware>.

Should you require further clarification regarding our recommendations, please call

Yours sincerely

Lexie Robson
Customer Service Coordinator
Customer Service



Carly Rundle

From: Lee Rodda
Sent: Tuesday, 1 October 2019 1:28 PM
To: Carly Rundle
Subject: I176053 - AV1 - RE: Proposed Development: Supermarket, Shops, Medical Centre & Community Purpose Development: Lot 25 Monger Street, Lots 3 and 820 Avon Tce, York

NBN Classification - Commercial

Hey Carly,

Thank you for the email.

It appears from desktop review that **nbn** does have network infrastructure in proximity to this development, however there does not appear to be any conflict with new access driveways / etc. Should however there be a requirement to relocate any existing network infrastructure, then the applicant will need to contact our Commercial Works team. Information on our Commercial Works process / policy can be found on our public website (under Modifying **nbn**[™] infrastructure – link below). The applicant may also wish to familiarise themselves with Telstra's relocation policy too, acknowledging that they will also have network infrastructure (pit and pipe) in this area.

As for the provisioning of telecommunications services to this development, and acknowledging that **nbn** does have an existing fixed line network in this area, the applicant should also refer to the information available on our public website.

Link: <https://www.nbnco.com.au/develop-or-plan-with-the-nbn>

Should you wish to discuss, I can be contacted on 0447 918 967.

Kind regards,

Lee

Lee Rodda

State Manager – Land Access and Stakeholder Engagement WA/SA/NT

Power, Land Access and Stakeholder Engagement | Access, Systems & Completions (ASC)



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PLEASE CONSIDER OUR ENVIRONMENT BEFORE PRINTING

From: Carly Rundle <planning@york.wa.gov.au>

Sent: Thursday, 26 September 2019 2:17 PM

To: Lee Rodda

Subject: [External] Proposed Development: Supermarket, Shops, Medical Centre & Community Purpose Development: Lot 25 Monger Street, Lots 3 and 820 Avon Tce, York

This message is from an external sender - be cautious, particularly with links and attachments.

Hi Lee,

The Shire has received an application for the abovementioned development.

Are you able to advise if you have any submission or comments to make on the above proposal?

Regards,

Carly Rundle

Senior planner



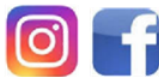
Shire of York

PO Box 22, York WA 6302

Phone: (08) 9641 0510 / Fax: (08) 9641 2202

Email: planning@york.wa.gov.au

Website: www.york.wa.gov.au



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1

Senior Planner
Shire of York
PO Box 22
York, WA 6302

Your ref: 01336821/AV1.60439, AV1.60573 & M0260574

16 September 2019

Dear

Submission re development proposal lots 3 & 820 Avon Tce & Lot 25 Monger Street

I refer to the Shire's letter of 4 September 2019 in which you invite submissions to Council in relation to a development application to construct a supermarket (shop), shops, medical centre and community purpose development at the above address (the proposed development).

I am the owner of the land in the near vicinity of the proposed development; that is 22 Monger Street consisting of a residence and adjoining land on the eastern boundary of Monger Street. As appears in the Shire's Local Heritage Survey 2019 my residence was built c1890 and lies within the Central York Heritage Area.

I object to the proposed development on two principal grounds being, first, it is not compatible with the objectives and provisions of the Shires Town Planning Scheme No 2 (TPS2) due to amenity and heritage issues, and, second, it fails to comply with provisions of the scheme as to traffic issues, central watercourse flood levels and elevations.

I will deal with each of these grounds of objection in greater detail below. In my submission the application should not be granted or otherwise not granted until matters of objection have been remedied by amendments to the application and/or conditions imposed by the Council.

I submit also that, in the light of these objections, the application should not be dealt with under delegated authority but referred to a meeting of the Council.

First ground of Objection: incompatibility due to amenity/heritage issues

I understand that the proposed development falls within 'Town Centre' on the TPS2 zoning table which allows for retail and commercial uses and (by discretionary consent) community purposes. But it lies also within the Town Centre Heritage Area, an area referable to well-known buildings nearby such as the Castle Hotel, the Davies building and former pharmacy on the corners opposite and also two neighbouring residences in South Street (both of 'considerable' significance on the Heritage list) and my residence (of 'some' significance on the list). The heritage values of these properties will be compromised by the building style and height of the proposed development and related traffic movements. My property, which is directly opposite the eastern entry/egress point of the proposed car parking area, will be particularly affected with respect to amenity.

The use allowed by the zoning table is not decisive as to an application of this kind. By clause 1.7 of TPS2 the Shire is obliged to 'secure' matters of amenity and convenience. It must also 'recognise and preserve' the special historic significance of the Town of York.

These general duties are reinforced by later provisions. By 4.9 the Shire is to preserve the unique qualities of the Town Centre and avoid development which will detract from them. Under clause 8 re planning consent, which adopts clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015, the Shire is to have due regard to (e) the effect of the proposal on the cultural heritage significance of the area, (n) the compatibility of the development with its setting, (q) the risk of flooding, (s) the adequacy of access to and egress from the site, (t) and the effect of traffic flow and safety.

In my submission various elements of the proposed development are incompatible with these criteria because the modernist architectural style and building materials do not suit the surrounding streetscape, the style detracts from the unique history of the area, traffic movements in the car parking area (especially associated with the entry/egress point in Monger Street) will prejudice the residential amenity of the area and create safety issues (see further details below).

Second Ground of Objection: Non-compliance with Specific Provisions

Traffic Issues

On the present plan it is proposed to have an entrance/exit on Monger Street. I object on the following basis.

1. Monger Street is a quiet back road parallel to Avon Terrace and is mainly used by residents and visitors taking a walk around the town and enjoying the country atmosphere. It is also a safe access to the town centre for the elderly relying on gofers via Thom Street from the Balladong Country Estate. A vehicle access in Monger Street to this large development will completely change the nature of the road.
2. The preferred entrances and exits should be onto Avon Terrace or South Street both designed and designated to carry a volume of traffic.
3. The application says that the Monger Street access will be mainly used by the proposed Community Purpose Building clients early in the mornings before normal trading hours and after hours until late at night. This means all the noise and therefore the amenities will affect the three residences in this area.
4. With respect to the above all vehicles exiting onto Monger Street will shine their lights into our two front rooms which is not acceptable and affects our living arrangements and there is also the noise of gear changing, engine revving and wheel churning. Our living amenity is greatly reduced.
5. If the Council accepts the plans subject to changes and if there has to be an exit onto Monger Street then moving the entry/egress to the south side of the watercourses is preferable.

Central Watercourse

The proposed development land is presently dissected by an open natural watercourse running from Avon Terrace through the subject land to my land in Monger Street before discharging through Avon Park into the Avon River. Modification of the watercourse is likely to increase the volume of water being channeled into my property creating a risk of consequential flooding.

Flooding and Elevations: TPS2 contains various provisions about flooding which are relevant to the proposed development because it lies within the Avon River Flood Fringe. This is a technical matter but there is no evidence that the application complies with the requirements in question.

The relevant provisions in TPS2 are as follows:

5.3 AVON RIVER FLOOD FRINGE

AMD 9 GG 17/10/03; AMD 35 GG 28/8/09

(g) At the local government's discretion, where proposed non habitable development is in the flood fringe, but within a designated heritage streetscape area, a minimum floor level of 300mm above the centre of the road fronting the property may be approved.

(h) Any developments proposed in the flood fringe should consider potential opportunities for environmental improvements and rehabilitation.

I object to the proposal based on the above sections of Town Planning Scheme 2.

1. The flood fringe requirements clearly state that any new building should have a minimum floor level of 300mm above either Avon Terrace or South Street. This is not part of the application.
2. The intention is to put the waterway within a large pipe. This does not consider environmental improvements and in fact creates an environmental and flooding problem for the next property being the land section of 22 Monger Street. At present when the watercourse floods it spreads over both properties

3

- if the water is restricted to flow through a pipe it will come out at great force the other side of Monger Street doubling the amount of flooding on my land. This brings with it the added rubbish (garden and human debris) that comes with flooding. A pipe may protect the proposed car parks but greatly affects my land. An environmental improvement with rehabilitation would be to retain the watercourse, replant along the edges and provide an internal carpark access bridge to connect the two lots being developed.

Summary

For the various reasons set out above the development application should not be granted because it is not compatible with the relevant amenity/heritage provisions of TPS2 and also does not comply with certain other specific provisions. TPS3 has not yet been finalised but, in any event, it does not negate or undercut any of the objections raised in this submission.

Yours faithfully

Sally Anne Hasluck
22 Monger Street
York WA 6302

SHIRE OF YORK	
FILE NO	AV1 A4-690 4 3130
OFFICER	Carly
INITIALS	
18 SEP 2019	
J115858	
REFERRED TO COUNCIL	
DATE	INITIALS

4608-73
M02 A60

18 September 2019

Senior Planner
Shire of York
1 Joaquina Street
York WA 6302

Dear

RE: Proposed Development – Lots 3 (88) & 820 (94) Avon Terrace & Lot 25 (19) Monger St, York

I and Kitchside Nominees strongly object to the proposed development.

Key points of objection:

1. Detrimental impact upon amenities

- a. The proposed development is not in keeping with the heritage streets scape of Avon Terrace.
The drawings provided by the applicant do not represent the actual street view of the development. Lots 25 Monger Street, Lot 3 and Lot 820 Avon Terrace are substantially below the 100 year flood level with the highest point of the site 700mm BELOW the 100 year flood level. The Australian Build Standards require that the floor level be 600mm above the 100 year flood plan, this would put the finished floor level at 1100mm above the Avon Terrace foot path.
- b. Accessibility
There is no provision for disabled access from the footpath. This is in direct contravention with the Shire of York Accessibility policy.

I have attached

- 100 Year Flood plain map from the department of Water and Environmental Regulation.
- Photo graph showing the 100 year flood level as marked by the Waters and Rivers Commission plaque on the Sargent's Pharmacy Building (91-93 Avon Tce York) situated directly opposite the proposed development. Set at 700mm above Avon Terrace foot path.

2. Shire of York HERITAGE PRECINCTS & PLACES POLICY

2.4.1 Principles of Development All applications within the Precincts shall have regard to and respect the following principles of development:

- a) All development shall enhance and reinforce the historic character of the Precincts;

The proposed development will overshadow and dominate the street scape and expressively **deduct** from significant heritage buildings neighbouring the site and across the road in both Avon terrace and South Street.

2. Need to avoid town cramming

The York Central business district already has a shortage of parking. I strongly object to the granting of a reduction in the required parking.

3. Overshadowing/loss of light

The Development will overshadow its neighbours on all four sides. The drawings supplied by the applicant misrepresent the height of the development as they do not take into account the requirement to set the finished floor level 600mm above the 100 year flood level. When this is taken into account the development will be more than a 1300mm taller than the Davies Building and Sargent's Pharmacy and will tower over the neighbouring property on South street by 2000 to 3000mm.

4. Ground stability and drainage

The major drain for the Western part of the York Town site out to trews road as well as the Forrest Oval water supply dam overflow all flow through the property. The proposed development is built on top of this major drain.

5. Non-compliance with other council planning policies/government planning guidance

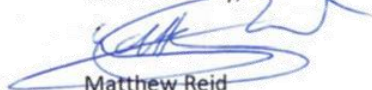
- a. The **triple bottom line** (or otherwise noted as TBL or 3BL) is an accounting framework with three parts: social, environmental (or ecological) and financial.

The town of York is already has a substantial supermarket, pharmacy, medical centre and numerous community purpose buildings.

The development fails to contribute the any of the three triple bottom line requirements

- Social – nil
- Environmental – significant negative impact on amenity
- Financial – significant negative. There are already numerous empty shops, showrooms and community purpose building in the York Central Build District.

Yours sincerely,



Matthew Reid

Director

Kittochside Nominees





From: Robin Briggs
Sent: Friday, 20 September 2019 11:13 AM
To: Records
Subject: I175893 - AV1 - Proposed development Lots 3 etc

Dear Ms Rundle

Thank you for your letter of 4 September 2019

We appreciate you advising us and have no objection to the proposed developments.

Kind regards

Peter Briggs

Ref I175509-AV1-Lot 25(19) Monger St, Lot 3(88) and Lot820(94) Avon Terrace, York

Subject of submission: Comments on proposal of commercial development

To develop an additional supermarket in York is unsustainable and will;

- Reduce sales significantly at existing IGA
- Affect community groups
- Employment of locals
- Affect local small business

Address of property affected by proposal

138 Avon Terrace, 142 Avon Terrace York 6302
Lot 4 and 5
Corner of Macartney Street and Avon Terrace, York 6302.

Submission

Reduced sales at existing IGA

The proposed development of an additional supermarket in York is unsustainable. The population of York has grown from 3484 in 2010 (census) to 3606 in 2016, this is a growth rate of only three and a half percent over six years. In the last twelve months more local businesses have closed down than opened in York.

House prices in York have dropped over two-point seven percent over the last five years (REIWA).

Under current market conditions, the addition of another supermarket would see both the existing IGA cooperative store and the proposed new supermarket struggle to survive. "A major supermarket requires a population of 8000 to 9000 to sustain a viable business in Australia" (Duanne, Wall Street Journal.; theaustralian.com.au 25 March 2010). The York & District Cooperative Limited is not driven to make a profit and surplus funds are presently directed into the community through community funding and employment. This funding and obviously employment would diminish significantly if approval and development of a second supermarket, in an undersized market were to proceed.

Affect community groups

The Co-op York in 2018 contributed over seventy-two cents for every dollar of operating profit directly into the York community through wages, sponsorship, using local suppliers and member rebates that in the financial year 2018 totaled over \$2.3m. With sales split over two supermarkets

(if the proposed application proceeds) the level of contribution to York community would dramatically diminish, affecting community organisations. While every endeavor will be made to support local community groups in the future, if the building of a new supermarket goes ahead, all surplus funds will be utilized to maintain York & District Cooperative Limited's customer base and its competitiveness.

Employment of locals

At present the York & District Cooperative Limited employs sixty people in full time, part time and casual positions. These are local residents, who may not have secure long-term employment if the application for a second supermarket is approved. The population of York is not large enough to sustain two viable supermarkets.

It could be argued, those that lose employment with the cooperative's IGA will be able to gain employment with the new supermarket. However, entitlements for years of service with the cooperative, such as years accrued for long service, are not transferable to a new employer. These local employees of the cooperative are loyal and most have accrued significant years towards entitlements. In a competitive environment operating in an undersized market the Co-operatives ethos of creating employment, not necessarily profit, would reduce employment numbers in our community.

Affect local small business

The new development proposal has planned for additional small business shops. This will affect local outlets that already exist in town, if similar businesses decide to open in this proposed development. We have seen local small business close on Avon Terrace this year leaving shops empty in the main street. We have also seen a new building suitable for retail developed in South Street that has not been able to gain a tenant. Do we need more retail space?

What happens when the new supermarket stocks magazines, books and a full range of stationary, will this impact on the existing locally owned news agency. Competition is good when the market is large enough to cater for expansion, is our population large enough?

Kind regards,

Glen Scott
Chief Executive Officer
York & District Co-operative Ltd



SHIRE OF YORK	
FILE	AV114690 A 31310 A 66573
OFFICER	INITIALS
Carly	
18 SEP 2019	
I 175857	
REFERRED TO COUNCIL	
DATE	INITIALS

M02 A60574

Emma Spencer

11 South St, York, WA 6302

18/09/2019

Attn: Town Planning

Shire of York

PO BOX 22

YORK WA 6302

OBJECTION to the following planning proposal: I175509 – AV1

STREET: Lots 3 (88) & 820 (94) Avon Tce & Lot 25 (19) Monger St, York**PROPOSAL:** Supermarket (Shop), Shops, Medical Centre and Community Purpose Development.

To whom it may concern,

We are writing to you today to state our strong objections to the planning proposal I175509 – AV1 on Lots 3 (88) & 820 (94) Avon Tce & Lot 25 (19) Monger St, in York. The proposed development raises a number of concerns which we have outlined below.

We are all proud to live in York, and our values are also reflected in the Shire of York's planning strategy:

https://www.york.wa.gov.au/Profiles/york/Assets/ClientData/CERTIFIED_draft_Local_Planning_Strategy_P1.pdf

part 1, page 6, Vision and Objectives

A LEADER IN CULTURAL HERITAGE AND ENVIRONMENT: To be a place which is renowned for its cultural heritage and the quality of its natural environment, and for the care taken by the community of both.

part 1, page 7, Vision and Objectives

Facilitate the retention and conservation of historical buildings, features, heritage values and experiences unique to York;

Page 17:

The heritage buildings of York are a key element of the town's character and an important tourist attraction. Heritage in the town centre should be protected and celebrated.

Our main concern is the location of such a development within the 'Central York Heritage Precinct'. We are not against an Aldi or any similar supermarket, we question though why such a development is required within what is considered a heritage precinct and why this development can't be in a different part of York outside of the heritage precinct?

Under the Shire of York's Town Planning Scheme No. 2 it states the following:

<https://www.dplh.wa.gov.au/getmedia/b2be8cd0-2ce7-40be-b639-0846a5d1b2b9/York-Scheme-Text>

Shire of York Town

Town Centre Zone

Page 21, 4.91 Objectives

b) to preserve the unique qualities of the town centre as a heritage place, including the conservation of existing heritage buildings, and to avoid development which will detract from those qualities.

We feel that the proposed current development will detract from the current qualities of the town centre and its existing heritage buildings.

Page 22, 4.93 Development Requirements

(vi) the relationship to surrounding development having particular regard to any impact upon the heritage significance of the York townscape, its streetscapes, and any Heritage Place or Heritage Precinct;

From the current plans, it is difficult to envisage what the proposed development will look like. However, features including 5m high boundary walls onto neighbouring heritage residential properties do not complement the surrounding heritage-listed buildings.

<https://www.dplh.wa.gov.au/getmedia/b2be8cd0-2ce7-40be-b639-0846a5d1b2b9/York-Scheme-Text>

Page 44

The local government in considering an application for planning consent is to have due regard to such of the following matters as are in the opinion of the local government relevant to the use or development the subject of the application:

(o) the relationship of the proposal 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 proposal;

Another major concern is the lack of parking being proposed and an attempt to take advantage of the parking requirements of the local planning scheme no.3, which has not been implemented yet.

In reviewing their parking calculations, we note that the parking for the Medical consulting rooms may have been miscalculated, if consulting rooms then:

Four (4) spaces for every consulting room up to two (2) such rooms and two (2) for every additional consulting room.

The plans show the GP clinic with four rooms, Physio with two rooms and a dentist with two chairs. In our interpretation that is eight consulting rooms, under the town planning scheme, the first two consulting rooms need four bays each, and additional rooms need two bays each. This is a total of 20 parking bays and not 18 as per the plans.

If the community building was to be used as allied health with five consulting rooms, then again it will fall short by one car park bay.

We also don't feel that they should be able to include the six bays on the street as part of their application.

Therefore, under the town planning scheme two they would require 111 bays and are providing 71, which is a shortfall of 40 bays. Under town planning scheme three they would require 85 bays and are providing 71, 14 parking bays short of the required number.

With regards to the developer's argument that there will be different busier times for the supermarket and the medical services/community centre, this doesn't add up in our research and opinion.

They have stated that the busiest time for the supermarket will be outside of working hours. Most working hours are 9 to 5. The closest comparison for the proposed Aldi supermarket is Aldi Northam which opens at 8:30 am and closes at 8 pm Monday to Friday. The below table shows that before 9 am and after 6 pm Aldi Northam is quiet, the 5 pm hour slot is not the busiest hour on any of the days. The closest comparison we could think of for a medical centre is the York General Practice; its hours are 8:30 am to 5:30 pm Monday to Friday (Friday closes at 5 pm) For any new medical centres trading outside of these hours is unlikely due to the challenges of sourcing doctors to work outside of the Perth Metropolitan area. Referring to the below times provided by google both the Aldi and the GP have similar peak periods across most days. Therefore, we feel that the proposed development would need all of the bays as required under the current town planning scheme, TPS 2.



Our research indicates that the proposed supermarket is to be an Aldi. However, most Aldi's require a footprint of 1500sqm and not 1050sqm. Given they haven't sourced a tenant for the community purpose building we feel that any future amended proposals will see the community purpose facility removed and become part of the supermarket's footprint. The proposed community purpose facility to us is a sweetener that will likely be removed at a later stage. The speciality stores will also likely form part of the required space for the supermarket. Also, Aldi's traditionally are in a rectangle format, and the proposal doesn't suit the layout of an Aldi. If it's to be a second IGA, isn't one enough already for York? The footprint is also too small for a traditional Coles or a Woolworths.

Also, the plans show insufficient landscaping. The required landscaping is 476sqm; on the plans they only show 410sqm.

We also share the same views that are outlined below by the Shire of York in its Heritage Precincts document that ties in with the York Town Planning Scheme No 2. We have strong concerns that a number of guidelines have not been met by the proposed development.

Heritage Precincts

https://www.york.wa.gov.au/Profiles/york/Assets/ClientData/HERITAGE_PRECINCTS.pdf

page 24

1.3.2 Central York Precinct

The Central York Precinct mainly comprises single storey residential and commercial buildings as well as a number of substantial two storey commercial buildings. A feature of the precinct is an almost uninterrupted continuum of late 19th and early 20th buildings along both sides of Avon Terrace between Macartney and South Streets. This area presents a collection of places of varying degrees of significance and is culturally important as a whole for the following reasons: It physically reflects broad social and economic changes from the mid nineteenth century and has the potential to contribute significantly to an understanding of the development of York. The cumulative effect of the scale, massing, texture, materials, colour, and detail of individual buildings and their sites provide visual characteristics which have formed in distinctive periods from early town establishment in the 1860's and 1870's, the boom period of the 1890's Federation style, the twentieth century developments of the early 1900's and the prosperous surge in the late 1930's and later decades. The buildings clearly demonstrate the aesthetics of these periods. The collective and individual landmark qualities of the buildings; The continuity of commercial, residential, and cultural functions which operate without detracting from the overall integrity of the precinct and which contribute substantially to the character of the area; and the precinct contributes to the York community's sense of place through its distinctive streetscape.

WHY ARE THE CENTRAL YORK AND BLANDSTOWN PRECINCTS IMPORTANT? The substantial representation of Victorian/Colonial and Federation residential, commercial and civic buildings within the Central York and Blandstown Precinct provides a significant historic environment that informs of the foundation to the background of the town. **Historic character can be devalued and compromised by unsympathetic or non-responsive new development, including additions to existing buildings. Placing new buildings and additions in an historic context requires careful analysis to identify the important elements of the overall heritage character that must be respected.**

Page 25:

The character of an area is influenced by a number of contributing factors including:

- landform;
- distinctive landscape elements;
- the pattern of subdivision;
- date and style of buildings;
- scale and form of buildings;
- building setbacks;
- materials, building techniques and details;
- views, vistas and skylines; and
- the use mix and activities.

Developments that appear most out of character share similar design attributes. This includes buildings that are too large in scale (both height and mass), are "box-like" in appearance, lack sufficient surface articulation, and/or are presented in strong or garish colours that are out of place with their surroundings. It is these characteristics that should be discouraged in future developments. Character is also shaped by the relationship between the proportion of solid to void in walls, or the amount of window contained by a wall, together with the play of light, shadows, and the proportion of openings in walls. The Local Planning Policy for the Central York and Blandstown Precincts is based on the primary elements that comprise the character of an area – scale or size, form, siting, materials and colours, and detailing. Examples are also provided of existing harmonious or sympathetic developments that respond to these primary elements in an acceptable manner.

Page 38 Commercial Development

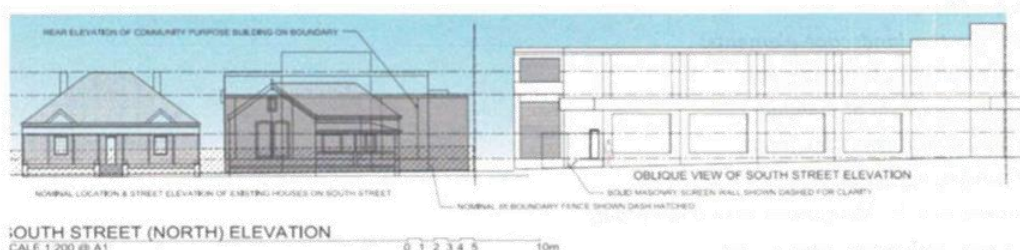
POLICY OBJECTIVES

- To facilitate commercial development that respects the existing character of an area.
- To ensure that the primacy and heritage significance of Avon Terrace is maintained.
- To protect and encourage the conservation of the important heritage places within the Central York Precinct.
- To ensure that all commercial development, including new development and the modification or extension of existing buildings, respects the scale, form, siting, appearance and general fabric of existing buildings and the streetscape in the Central York Precinct.
- To ensure that new development is of a high architectural quality that contributes to, and enhances, the Precinct as a whole.

4.4.1 Scale and Size The scale of a building is its size in relation to an existing commercial building, neighbouring buildings or the surrounding landscape. The resulting development proposal should look as if it belongs to the area in terms of scale. Scale is one of the prime determinants of an area's character and if scale is not correctly determined, there is little prospect of correcting an out of scale development.

The street layout and subdivision pattern provide a strong influence in the scale of development because of the width of the street and the frontage of blocks to the road. New buildings should be appropriate to the immediate surroundings.

Given the below drawings, we feel the proposed development dwarfs neighbouring buildings and is not appropriate to the immediate surroundings.



4.4.2 Form The form of the building is its overall shape, volume and the general arrangement of its main parts. New commercial development and alterations to existing commercial development in the Central York Precinct shall be sympathetic to the predominant form of the neighbouring buildings and/or the existing building, where traditional main street building forms have been followed. Where a building form is highly repetitive, such as in Avon Terrace, significant departures in form will appear at variance to the streetscape. The main design elements of new buildings in the street façade (i.e., proportions, number of openings, ratio of window to wall areas, etc.) will also affect how a new building relates to its neighbours and how an addition relates to an existing building.

We also query has a 'Heritage Impact Statement' been produced?

If so, does it address the below points:

- *How is the impact of the new development on the heritage significance of the place or area to be minimised?*
- *Why is the new development required to be adjacent to a heritage place?*
- *How does the new development affect views to, and from, the heritage place? What has been done to minimise the negative effects?*
- *Is the new development sympathetic to the heritage place? In what way (e.g. form, siting, proportions, design, materials)?*
- *Will the new building(s) visually dominate the heritage place? How has this been minimised?*
- *Will the public and users of the place, still be able to view and appreciate its significance?*

https://www.legislation.wa.gov.au/legislation/statutes.nsf/law_a348.html

Heritage of Western Australia Act 1990 The Heritage of Western Australia Act 1990 (HWA Act) encourages the conservation of places of cultural heritage significance. "Cultural heritage significance" is defined in section 3 of the HWA Act as "the relative value which that place has in terms of its aesthetic, historic, scientific or social significance, for the present community and future generations".

In closing, we also feel that our existing small shops are finding things difficult enough, and there are already several vacant tenancies throughout Central York. Smaller independent shops will struggle to compete with the supermarkets. Money is siphoned away from local communities and towards shareholders and distant corporations. Local jobs are also lost. Supermarket claims that new stores bring in jobs fail to consider the wider picture of independent retailer bankruptcies. A 1998 study by the National Retailer Planning Forum (NRPF) examining the employment impacts of 93 superstore openings between 1991 and 1994 found that they resulted in a net loss of more than 25,000 jobs or 276 per store opened.

We hope our concerns are reviewed as any development within a heritage precinct should be considered very carefully.

Yours faithfully,



Emma Spencer

On behalf of the undersigned

Date: 18/9/19

OBJECTION to the following planning proposal: I175509 – AV1

STREET: Lots 3 (88) & 820 (94) Avon Tce & Lot 25 (19) Monger St, York


PROPOSAL: Supermarket (Shop), Shops, Medical Centre and Community Purpose Development.

First Name	Last Name	Address	Signature
EMMA	^{nee Spencer} DANKS	11 SOUTH ST YORK 6302	
YVONNE	JARVINEN	17 TENTH RD YORK 6302	
Mick	Russo	100 VICTORIA RD YORK 6302	
Kim	Wood	28 Carter Rd YORK 6302	
Earl	Sargent	53 York Road Cold Harbour 6302	
Jennifer	Baker	16 Fifth Rd YORK 6302	
Jan	Connolly	106 Avon Terrace York 6302	
LYNETTE	SMITH	86 AVON TERRACE YORK 6302	
BARRY	SMITH	86 AVON TERRACE YORK 6302	
Brenda	Evans	13 Glass Cart York 6302	
Rebecca	Cormack	34 Clifford St York WA 6302	
Rob-Melody	Pampling	4 Crawford Ct York 6302	

OBJECTION to the following planning proposal: I175509 – AV1

STREET: Lots 3 (88) & 820 (94) Avon Tce & Lot 25 (19) Monger St, York

PROPOSAL: Supermarket (Shop), Shops, Medical Centre and Community Purpose Development.

First Name	Last Name	Address	Signature
MATT	LARSEN	6 KNIGHT ST	
Christine	Warwick	135 Talbot Hall Road	
ANDREW	BLOH	139 FRANKLIN RIVER	
LILLIAN	Selleck	22 Georgiana St	
Margaret	York	Avon Tce	
Eva	Sinn	560 Market Rd York	
David	Abell	123 Herbert Road York	
Ann	Wood	23 CARRER ROAD YORK	
OLIVER	HAYNES	3 REVETT PL YORK	
Burt	Buller	14 EVERT RD YORK	
Diana	HAYNESLEY	P.O. Box YORK	
San	HAYNES	3 Revett Pl York 6302	

OBJECTION to the following planning proposal: I175509 – AV1

STREET: Lots 3 (88) & 820 (94) Avon Tce & Lot 25 (19) Monger St, York

PROPOSAL: Supermarket (Shop), Shops, Medical Centre and Community Purpose Development.

First Name	Last Name	Address	Signature
Sarah	Penny	Box 321 York 6302	
Shannon	Robinson	Box 61 - 101	
Sharon	Bishop	Box 171 York 6302	
Louven	Ewars	32 Fraser St York	
Jennifer	Woodbridge	61 Concan rd York	
Kieran	Wallace	61 Concan rd York	
Lynnette	Sorlak	"	
Melissa	Belsh	5 Chamberlin Street York WA	
Verity	White	28 Bland Road, York WA	
Susan	Britza	Box York	
Murray	Britza	"	
Brendy Smith & Lyn		6 NEW St. York.	

OBJECTION to the following planning proposal: I175509 – AV1

STREET: Lots 3 (88) & 820 (94) Avon Tce & Lot 25 (19) Monger St, York

PROPOSAL: Supermarket (Shop), Shops, Medical Centre and Community Purpose Development.

First Name	Last Name	Address	Signature
Maex	APPELTON	26 FRASER STREET, YORK	
Tanya	Maxwell	Greenhills York	
TERRY	BUCKET	GT STAN HWY	
Philp	Bakeman	56 Henway RD Year 12	
Joy	BUCKET	GT STAN HWY	
JOE P	PANAIA	15 CARDWELL RD	
Dani	Sana's	15 Pool ST	
Joy	Savage	30 Forrest St	
Lex	HUMPHREY	174 Knotts Rd	
Chaeane	Hickman	3 little st York	
Donal	Melton	13 main camp Rd	
leone	Ball	Lot 120 Scott St Mount Hawden	
Donal	BALL	Lot 120 Scott St Mount Hawden	

OBJECTION to the following planning proposal: 1175509 – AV1

STREET: Lots 3 (88) & 820 (94) Avon Tce & Lot 25 (19) Monger St, York

PROPOSAL: Supermarket (Shop), Shops, Medical Centre and Community Purpose Development.

First Name	Last Name	Address	Signature
Judith	WPORE	22 Bird St York	
Paula	KINGEY	1458 GREAT STN HWY BALDING	
LINDA	FOSTER	32 CARTER RD, YORK	
TIM	NUNN	4/13 JOAQUINA ST. YORK	
MATTHEW	READ	63 FRED ST YORK	
TERRY	WILLIAMS	43 CARTER ROAD YORK	
FIONA	LANE	6 KNOTTS RD	
GARRETT	SPADLON	PENNY FIGHTING SPORTS	
SANDRA	BROOKS	40 FOX YORK	
Jaelyn	Terry	136 knots Rd York	
Rachel Hayes	Hayes.	69 Cowan Rd York	

SHIRE OF YORK	
FILE	AV144966 A31310 A68
OFFICER	INITIALS
102	A68
19 SEP 2019	
175868	
DATE	INITIALS
19 SEP 2019	175868
REFERRED TO COUNCIL	

OBJECTION to the following planning proposal: 1175509 – AV1

STREET: Lots 3 (88) & 820 (94) Avon Tce & Lot 25 (19) Monger St, York

PROPOSAL: Supermarket (Shop), Shops, Medical Centre and Community Purpose Development.

First Name	Last Name	Address	Signature
ERIC	ROUS	P.O. Box YORK	
KEN	WHEELER	PO BOX: YORK	
BONESSA	ATKINS	32 Tenth Rd YORK	
PAUL	NICHOLLS	6 Forrest st, York	
ATHOL	MCGURRICK	2 MCCARTHY PLACE YORK	
GILL	ASHWORTH	PO BOX 390 YORK	
JOHN DAWSON	DAWSON	46 SUBURBAN RD YORK	
WILL GIBBS	GIBBS	5203 GATES SOUTHERN HWY GUARDIANE	
BARBARA DIANE	BAKER	28 HERBERT RD YORK	
Gerard.	Bray	8 Manns ST	
Selina	Carmichael	14 Carter Road, York	
Jane	Nicholson	1/3 REDHILL RD YORK	
Nicola	WORTHY	7 TRENS RD YORK	
Mark	Stapledon	30 SOUTH ST	

PROPOSAL: Supermarket (Shop), Shops, Medical Centre and Community Purpose Development.

[illegible]