



ATTACHMENTS

Development and Infrastructure Services Committee Meeting

15 April 2020

6.00pm

City of Albany Council Chambers

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BIBBULMUN TRACK MUNDA BIDDI TRAIL SOUTHERN TERMINUS DESIGN

SHEET #	SHEET NAME
00	COVER PAGE
01	NOTES
02	DEMOLITION PLAN
03	FINISHES PLAN
04	SETOUT AND SUBSTRUCTURE PLANS
05	SIGNAGE DETAILS
06	FURNITURE AND FIXTURES DETAILS
07	DETAILS



MASTER LEGEND

SURFACE FINISHES		FURNITURE AND FIXTURES		MISCELLANEOUS	
	Timber deck (S-01)		Munda Bididi terminus signage (F-01)		Existing tree to be retained and protected
	Exposed aggregate concrete (S-02)		Bibbulmun terminus signage (F-02)		Existing fire hydrant
	Existing stone wall (S-03)		Trail head signage (F-03)		Existing irrigation box
	Proposed stone wall (S-04)		Timber bench - 2M (F-04)		Extent of works
	Planted zone with crushed limestone (S-05)		Timber bench - 1.5M (F-05)		Top of wall
	Planted zone with organic mulch (S-06)		Bicycle Rail (F-06)		Finish level
			Large terminus boulder (F-07)		
			Wall embedded boulder (F-08)		

DEMOLITION PLAN		SUB-STRUCTURE	
	Rootball investigation zone		C section bearer - FRP 152 x 43 x 9.5MM
	Removal of existing wall section		SHS joist - FRP 76 x 76 x 6.4MM
	Concrete pavement to be removed		SHS joist edge trimmer - FRP 76 x 76 x 6.4MM
			Exposed edge beam - Jarrah 150 x 30MM
			Insitu strip footing 250MM (W)
			Precast footing, Nom. 250 x 250 x 200MM (LxWxD)

PLANT ID	SCIENTIFIC NAME	COMMON NAME	SIZE	NUMBER	SPACING
Lgl	Lepidosperma gladiatum	Coastal Sword Sedge	130MM	18	0.5/sqm

Existing plants in works zone to be assessed by The City of Albany for either removal or prepared for onsite transplant.

DRAFT
NOT FOR CONSTRUCTION

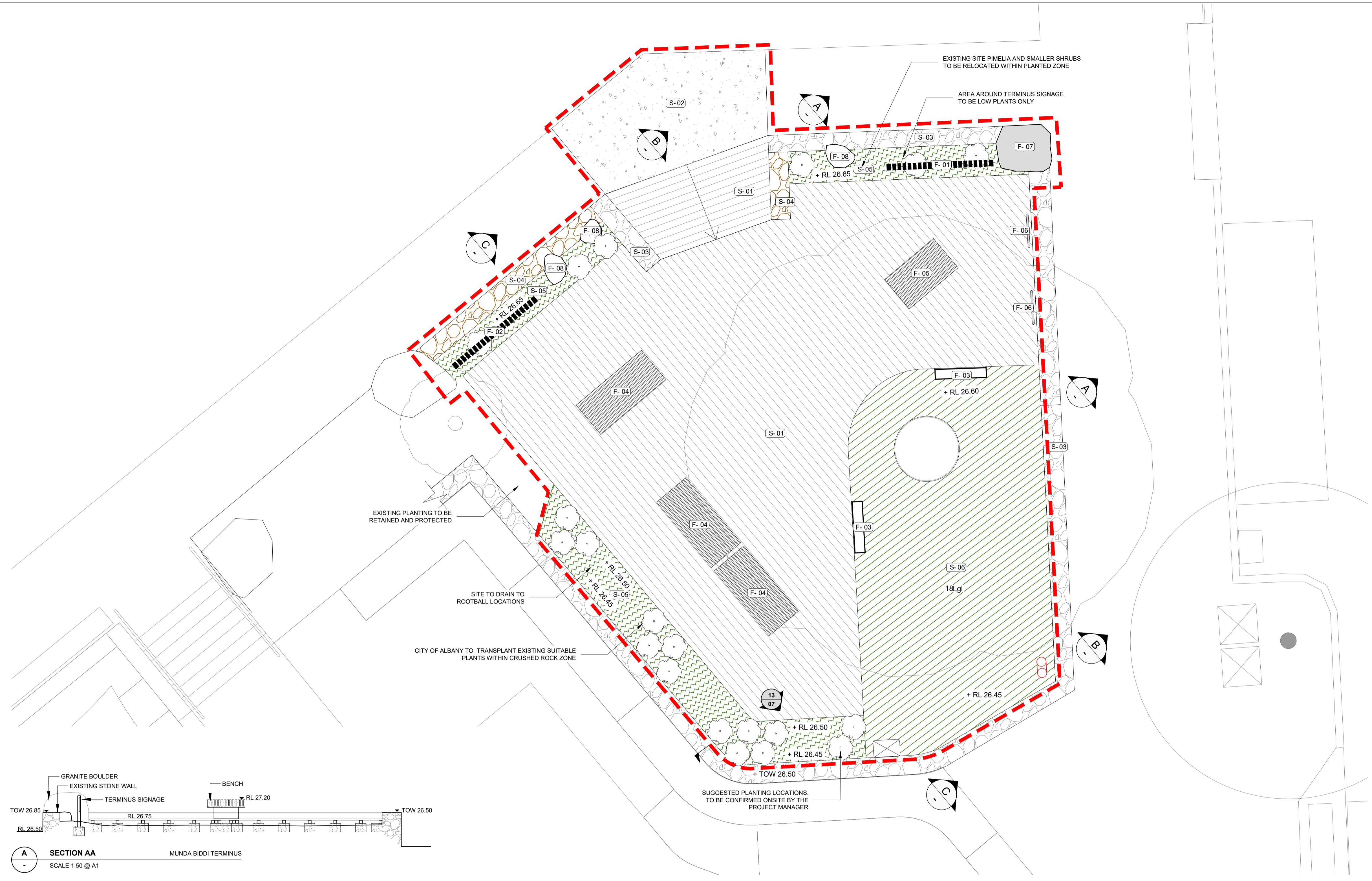
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REV	DESCRIPTION	DATE
1	ISSUED FOR APPROVAL	20/03/2020



**BIBBULMUN TRACK AND MUNDA BIDDI TRAIL
SOUTHERN TERMINUS
COVER PAGE**

YORK STREET, ALBANY			
Designers:	NC, JF	Draftperson's:	NC
Checked by:	JF	Region and District Approval:	KS, LC
Date:	20/03/20	Project Number:	OP1101
Drawing:	BT, MBT SOUTHERN TERMINUS	Sheet no:	00 of 07



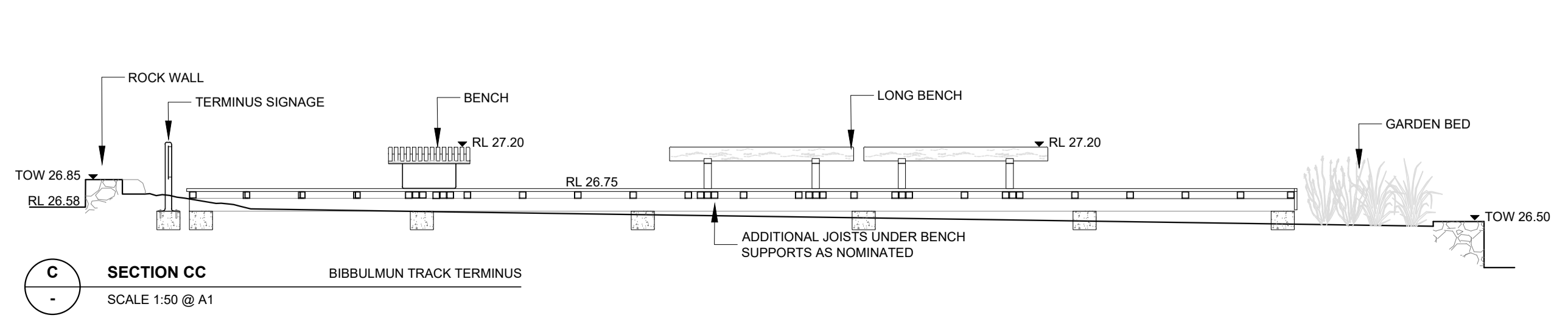
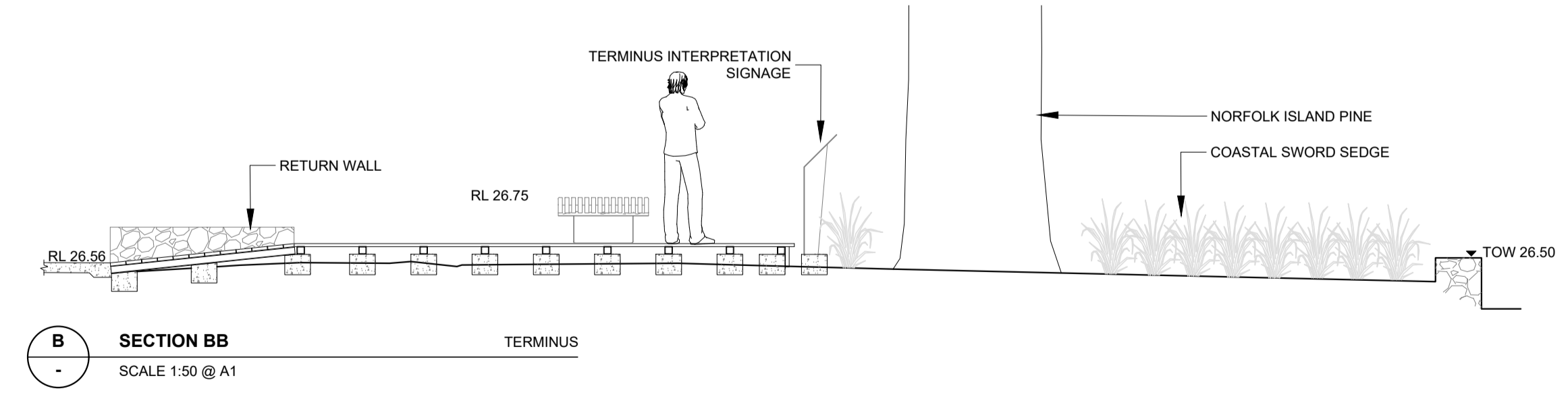
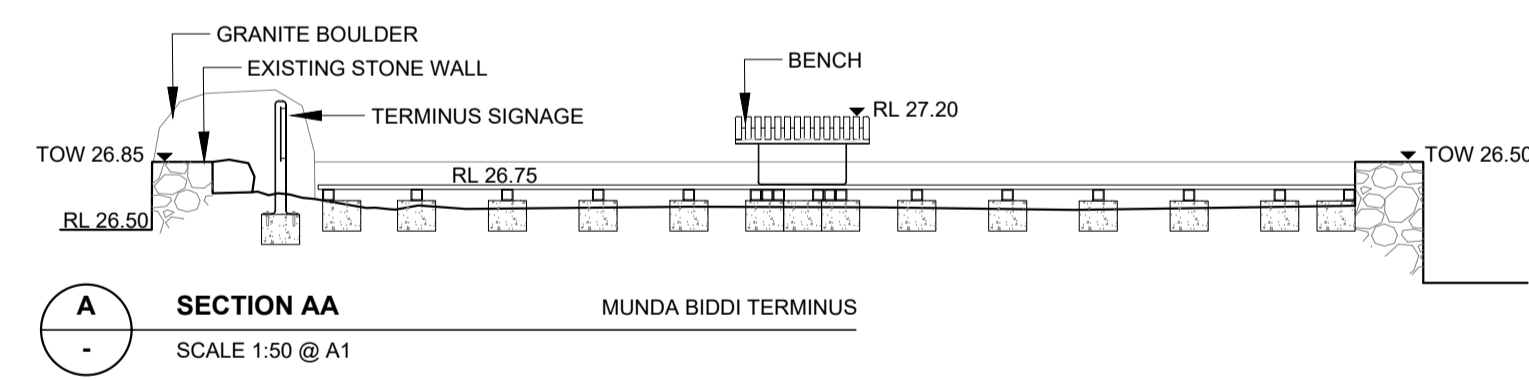
LEGEND

SURFACE FINISHES

- Timber deck (S-01)
- Exposed aggregate concrete (S-02)
- Existing stone wall (S-03)
- Proposed stone wall (S-04)
- Planted zone with crushed limestone (S-05)
- Planted zone with organic mulch (S-06)

FURNITURE AND FIXTURES

- Munda Biddi terminus signage (F-01)
- Bibbulmun terminus signage (F-02)
- Trail head signage (F-03)
- Timber bench - 2M (F-04)
- Timber bench - 1.5M (F-05)
- Bicycle Rail (F-06)
- Large terminus boulder (F-07)
- Wall embedded boulder (F-08)



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1	ISSUED FOR APPROVAL	20/03/2020
REV	DESCRIPTION	DATE

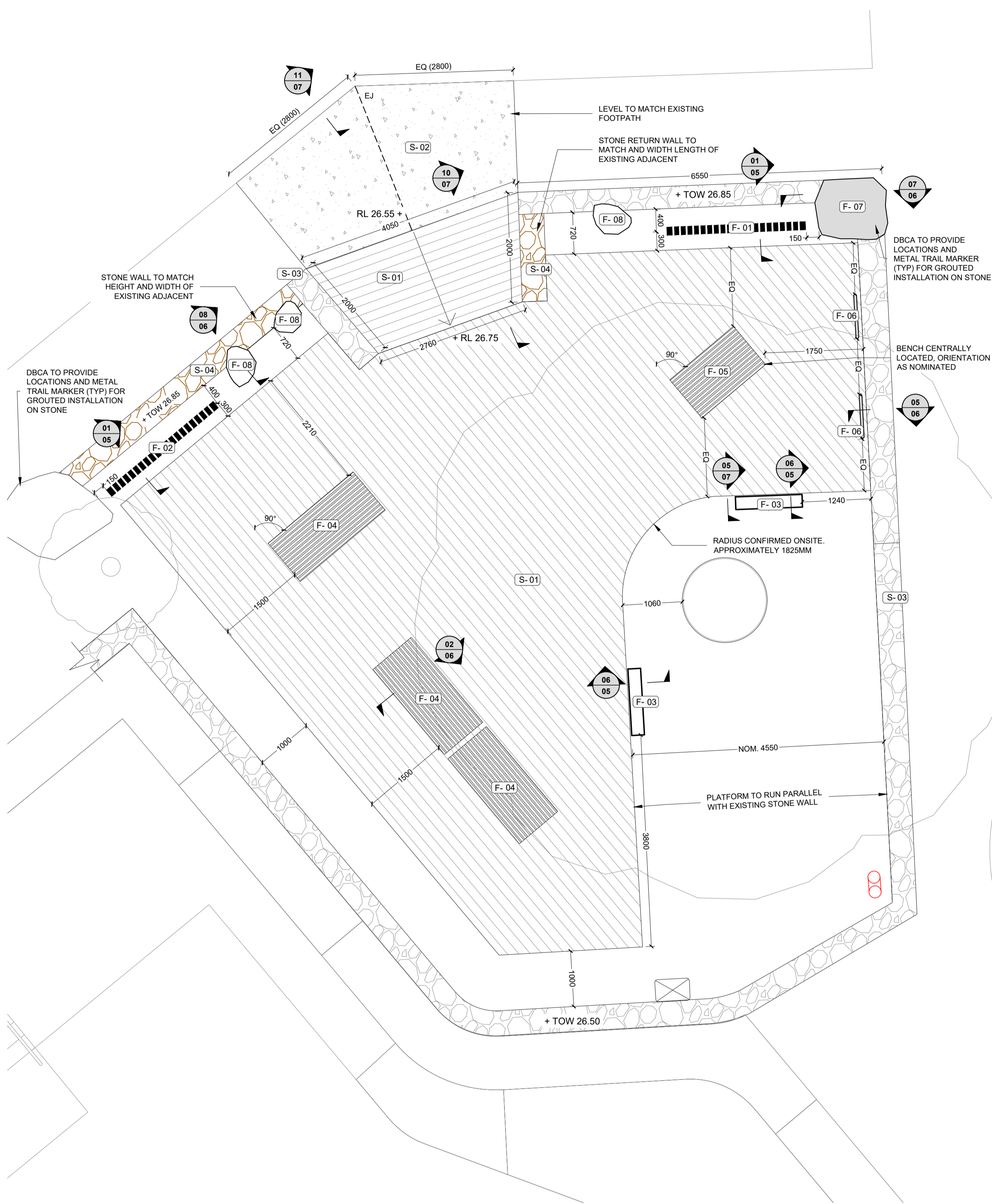


BIBBULMUN TRACK AND MUNDA BIDDI TRAIL SOUTHERN TERMINUS FINISHES AND SOFTWARE PLAN
YORK STREET, ALBANY

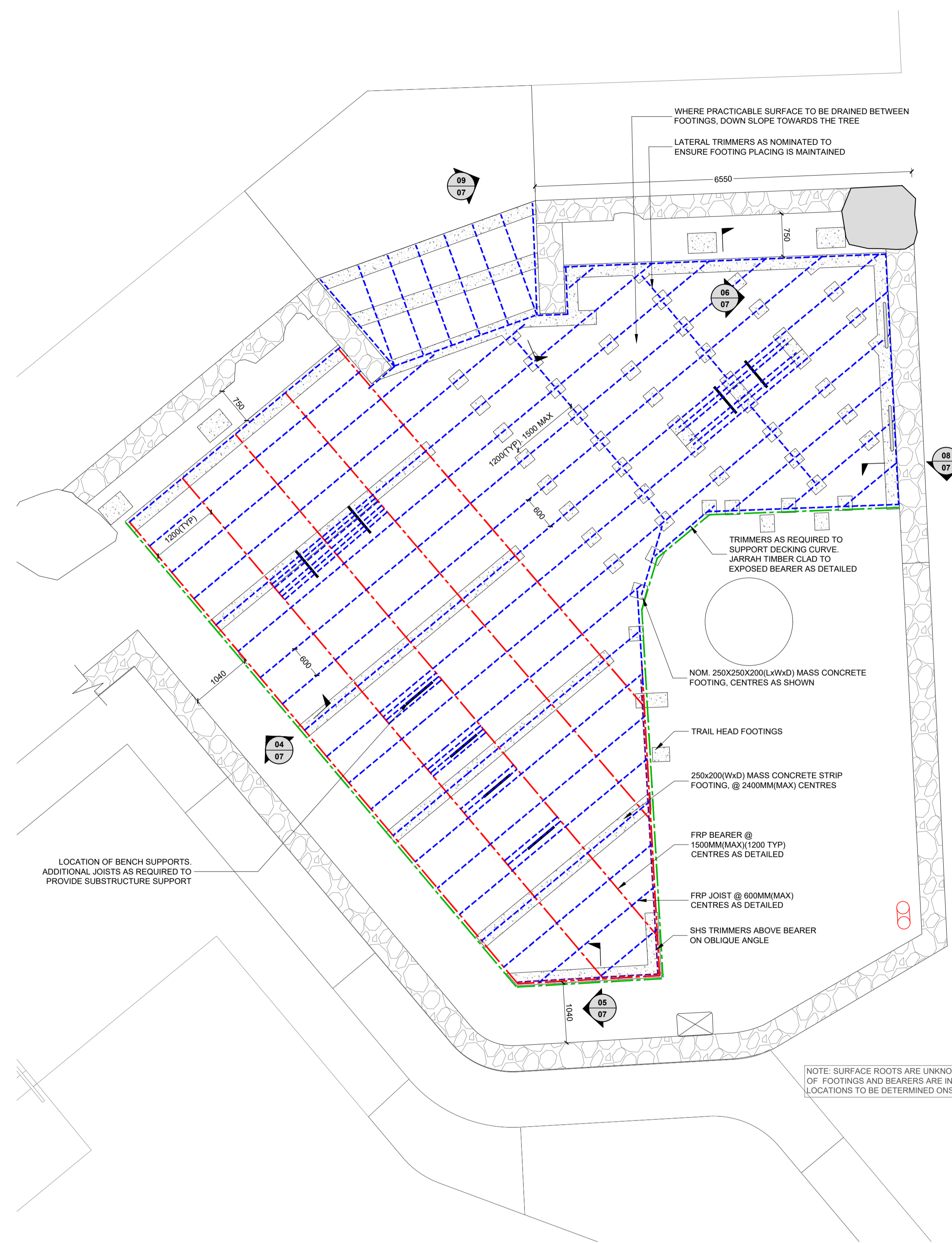
Designer's:	NC, JF	Draftsperson's:	NC	Engineer:	-
SCALE @ A1:	1:50	Checked by:	JF	Region and District Approval:	KS, LC

Date:	20/03/20	Project Number:	OP1101	Drawing:	BT, MBT SOUTHERN TERMINUS	Sheet no:	03 of 07
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1 SETOUT PLAN
SCALE 1:50 @ A1 TYPICAL



2 SUBSTRUCTURE PLAN
SCALE 1:50 @ A1 TYPICAL

- LEGEND**
- SURFACE FINISHES**
- Timber deck (S-01)
 - Exposed aggregate concrete (S-02)
 - Existing stone wall (S-03)
 - Proposed stone wall (S-04)
 - Planted zone with crushed limestone (S-05)
 - Planted zone with organic mulch (S-06)
- FURNITURE AND FIXTURES**
- Munda Biddi terminus signage (F-01)
 - Bibbulmun terminus signage (F-02)
 - Trail head signage (F-03)
 - Timber bench - 2M (F-04)
 - Timber bench - 1.5M (F-05)
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 - Large terminus boulder (F-07)
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- SUB-STRUCTURE**
- C section bearer - FRP 152 x 43 x 9.5MM
 - SHS joist - FRP 76 x 76 x 6.4MM
 - SHS joist edge trimmer - FRP 76 x 76 x 6.4MM
 - Exposed edge beam - Jarrah 150 x 30MM
 - Insitu strip footing 250MM (W)
 - Precast footing. Nom. 250 x 250 x 200MM (LxWxD)

NOTE: SURFACE ROOTS ARE UNKNOWN. LOCATIONS OF FOOTINGS AND BEARERS ARE INDICATIVE.FINAL LOCATIONS TO BE DETERMINED ONSITE.

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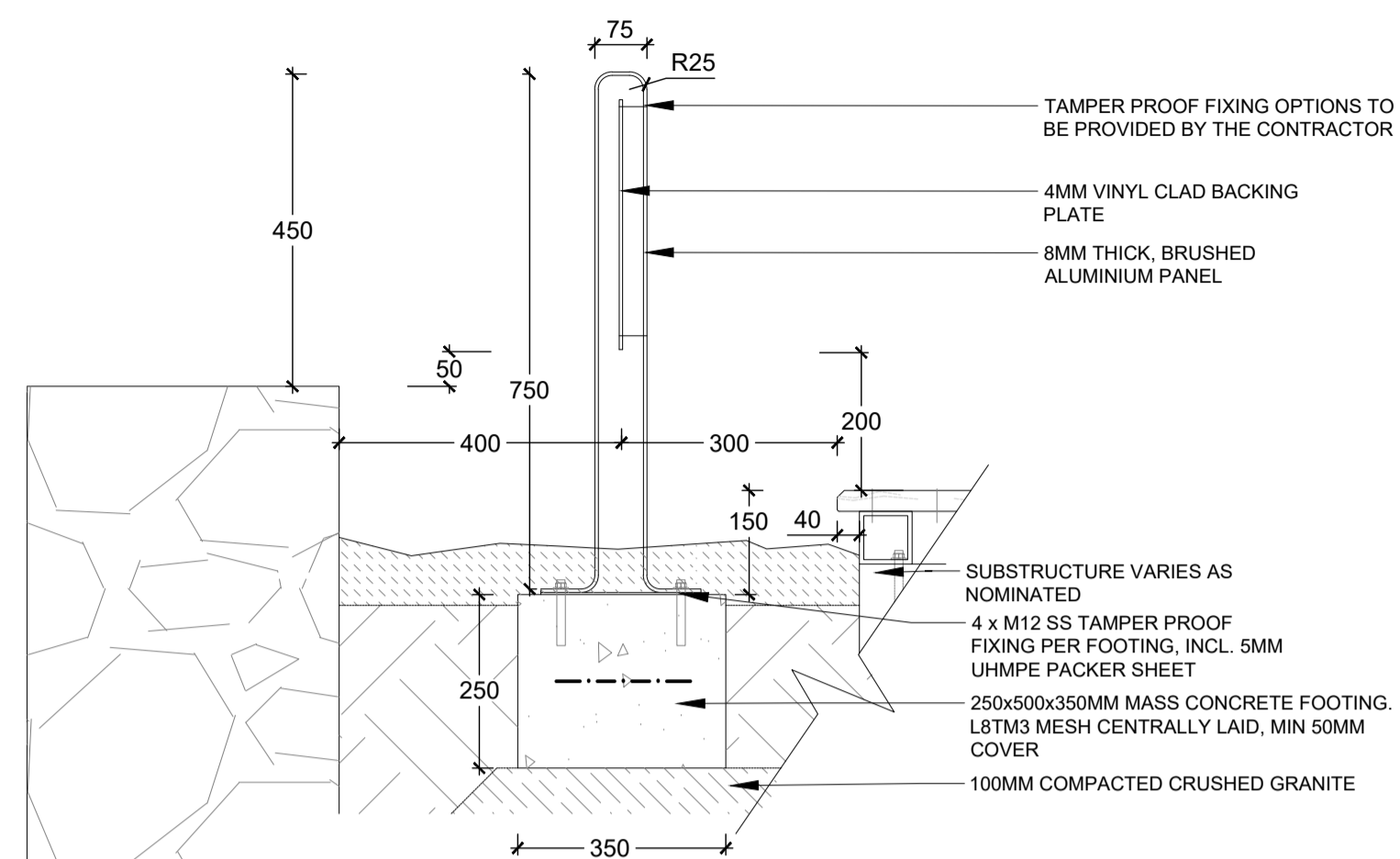


BIBBULMUN TRACK AND MUNDA BIDDI TRAIL SOUTHERN TERMINUS SETOUT AND SUBSTRUCTURE PLAN
YORK STREET, ALBANY

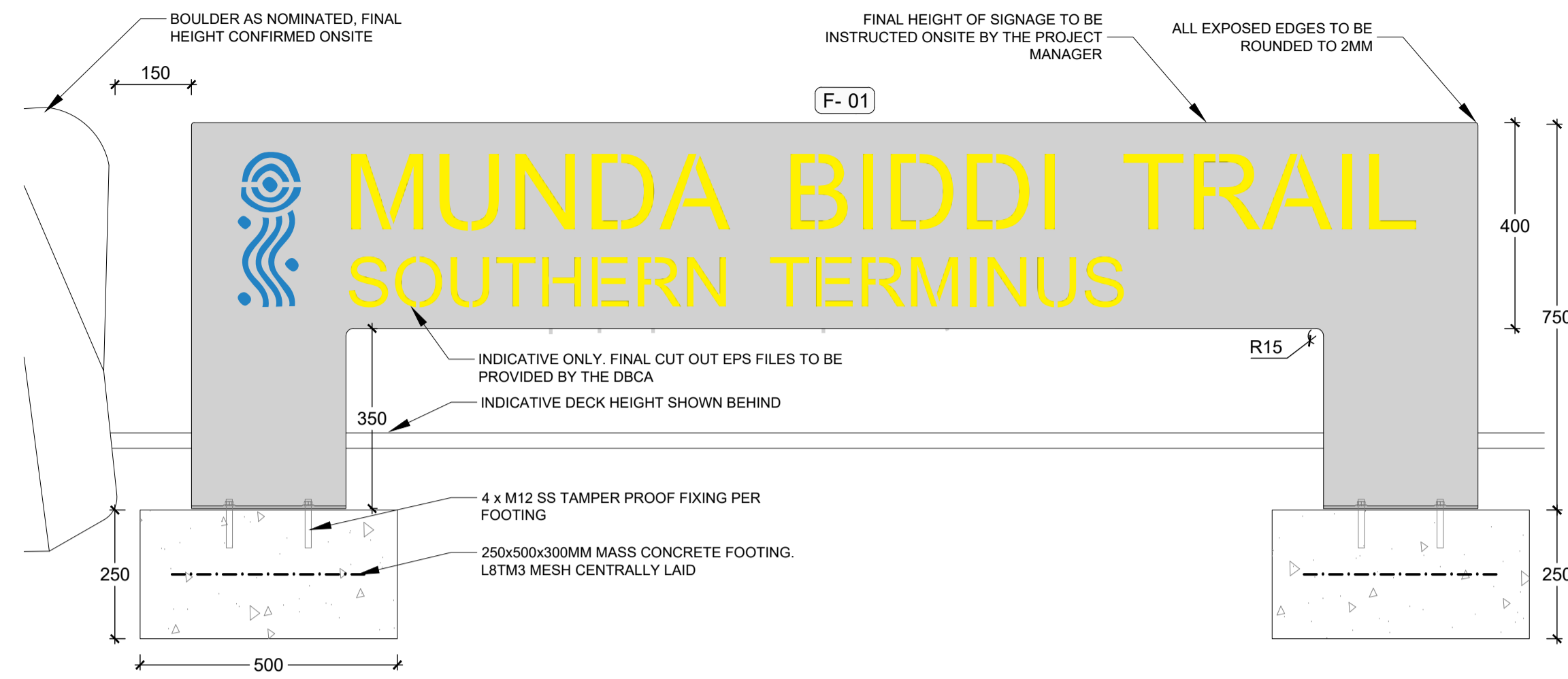
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Date:	20/03/20	Project Number:	OP1101	Drawing:	BT, MBT SOUTHERN TERMINUS	Sheet no.:	04 of 07
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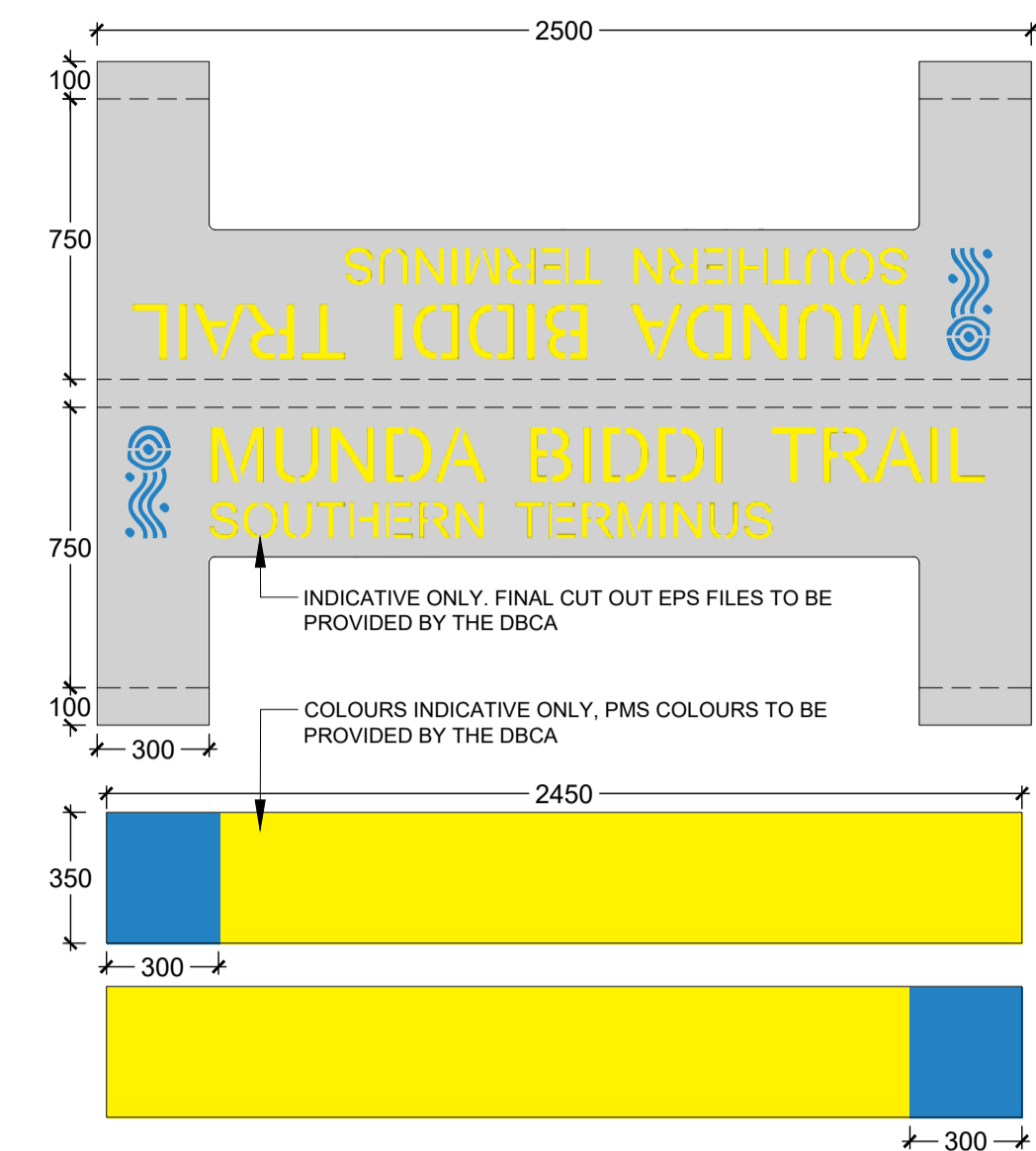




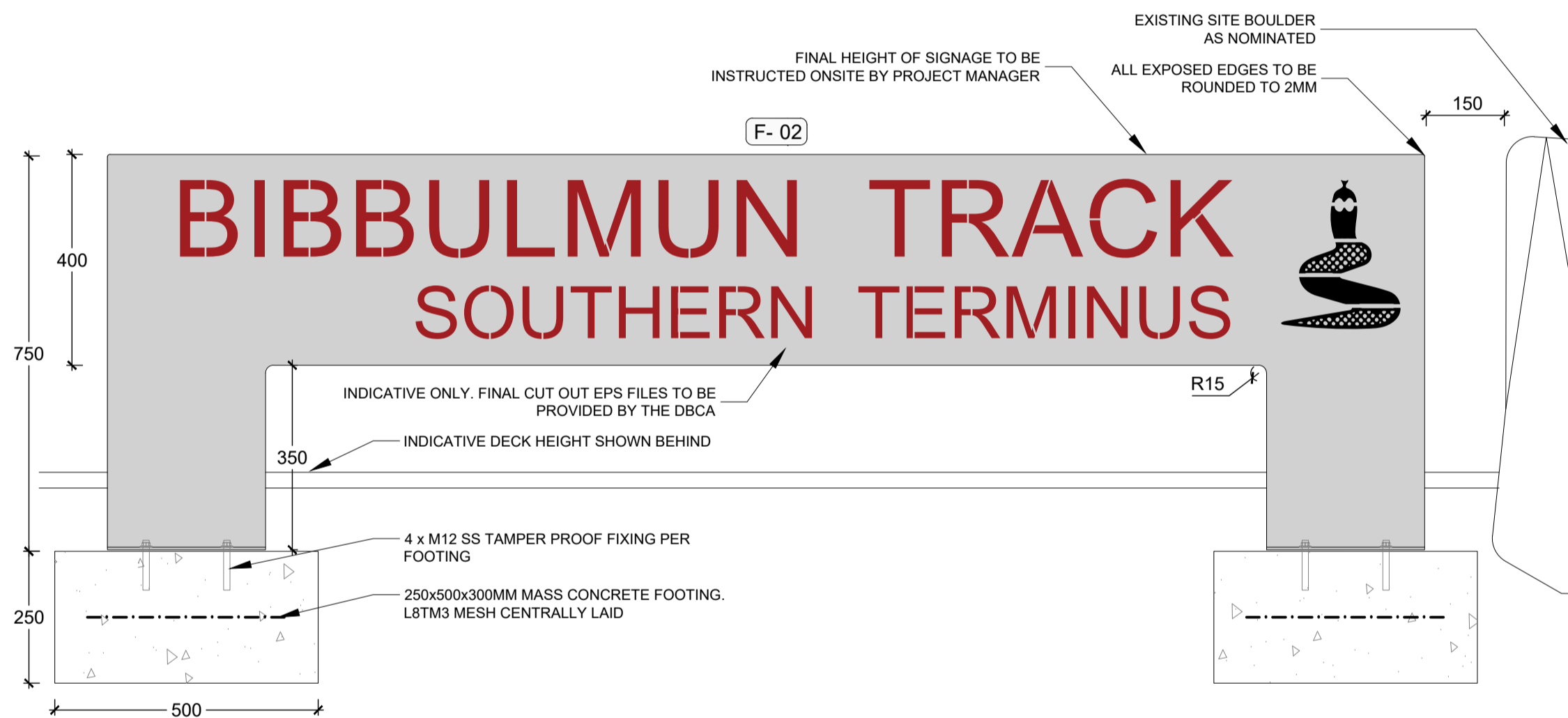
01 TERMINUS SIGNAGE DETAIL F-01
04 1:10 @ A1



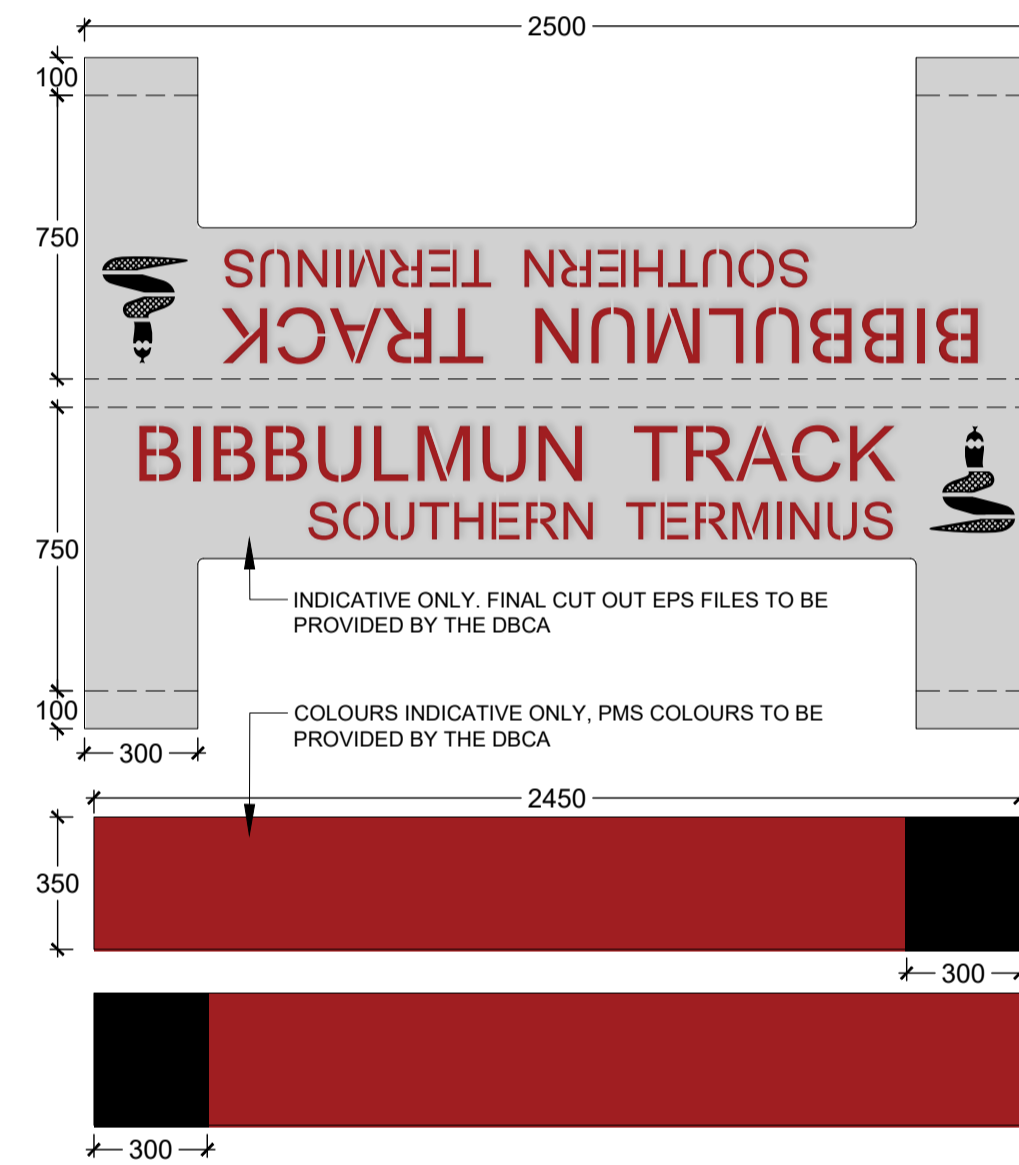
02 TERMINUS SIGNAGE - MUNDA BIDDI TRAIL F-01
04 1:10 @ A1



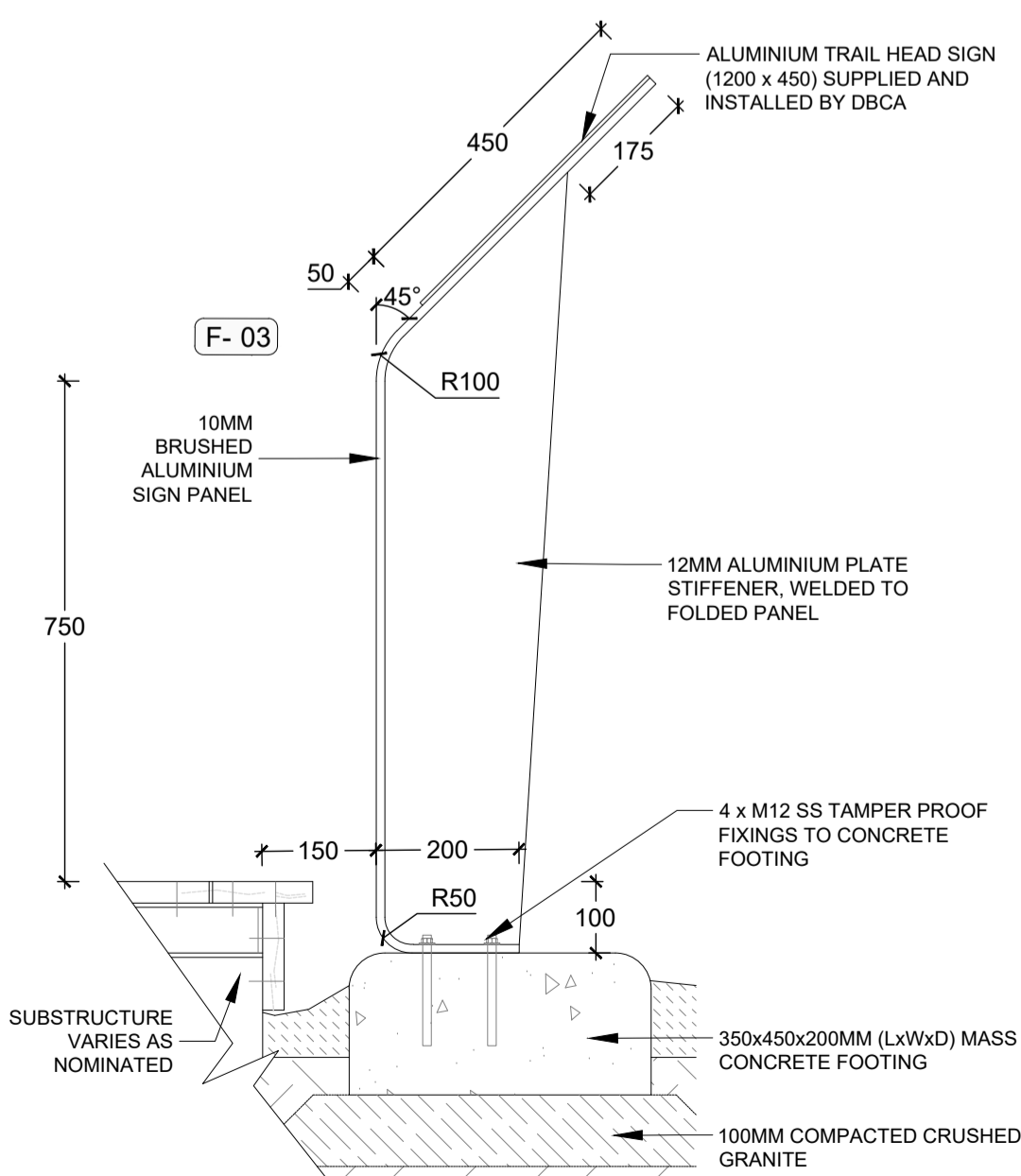
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04 1:20 @ A1



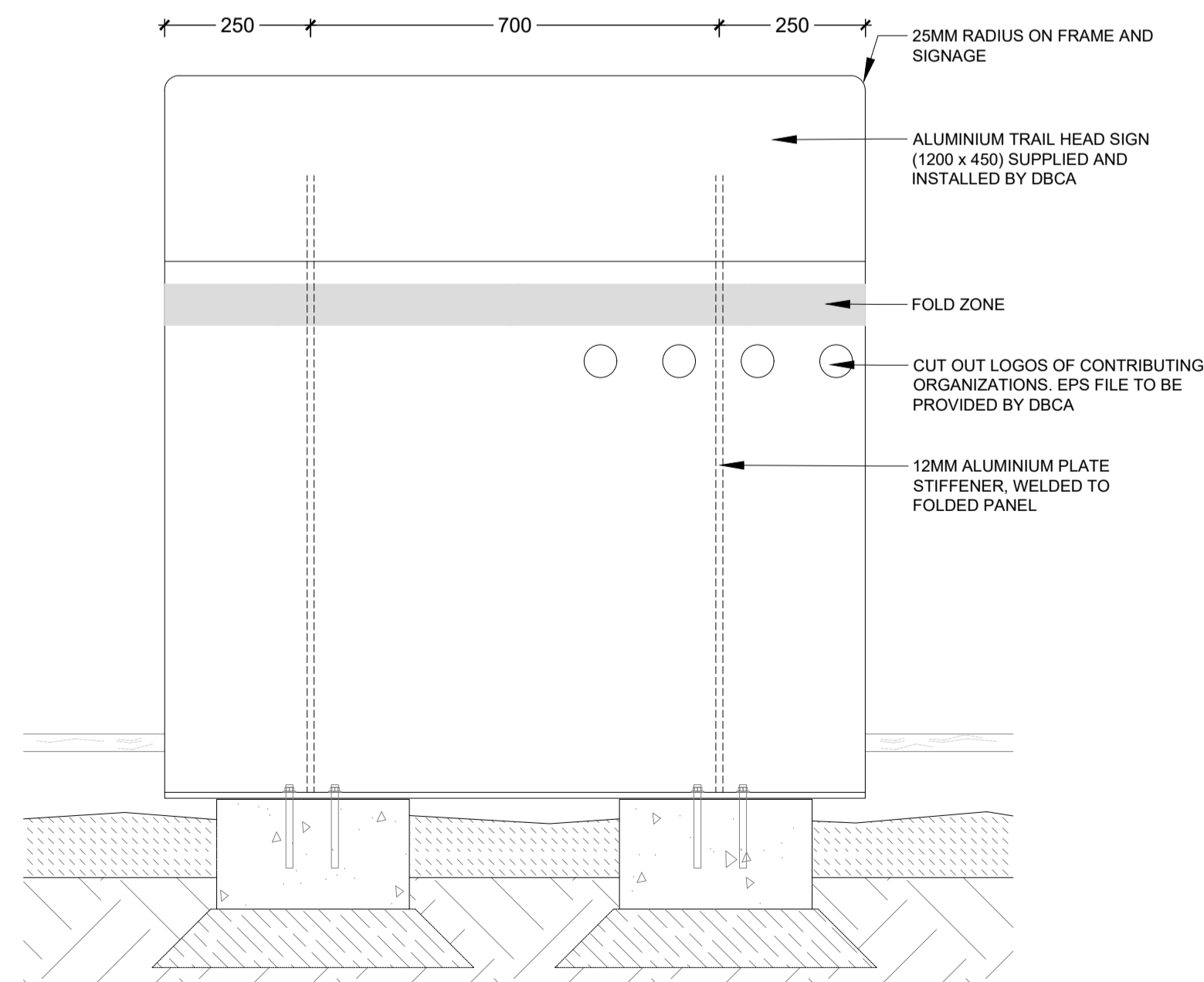
04 TERMINUS SIGNAGE - BIBBULMUN TRACK F-02
04 1:10 @ A1



05 TERMINUS SIGNAGE - BIBBULMUN TRACK F-02
04 1:20 @ A1



06 TRAIL HEAD SIGNAGE DETAIL (BIBB) F-02
04 1:10 @ A1



07 TRAIL HEAD SIGNAGE ELEVATION TYPICAL F-02
04 1:10 @ A1

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BIBBULMUN TRACK AND MUNDA BIDDI TRAIL SOUTHERN TERMINUS SIGNAGE DETAILS
 YORK STREET, ALBANY

Designers:	NC, JF	Draftpersons:	NC	Engineer:	-
SCALE @ A1:	-	Checked by:	JF	Region and District Approval:	KS, LC
Date:	20/03/20	Project Number:	OP1101	Drawing:	BT, MBT SOUTHERN TERMINUS
				Sheet no.:	05 of 07

Craig Pursey
Craig Pursey Planning Pty Ltd
P.O. Box 431
Middleton Beach WA 6330

13 November 2019

The Manager
Planning Department
City of Albany
North Road
ALBANY WA 6330

Attention: Mr Taylor Gunn

Dear Sir/Madam,

PROPOSED SMALL BAR, CAFÉ EXTENSION & ROOM FOR VISITING CONSULTANTS – STRATA LOT 1, #256 COSY CORNER ROAD, KRONKUP

Please find enclosed supplementary information to support the Development Application for Strata Lot 1, #256 Cosy Corner Road, Kronkup lodged on behalf of the owner, Christina Rooney. The proposal is to expand and improve the existing shop and café on this site to include a small bar, additional café floor area and a room for visiting consultants.

This application consists of the following components:

- Site plan, floor plan and elevations of the proposed development for the site;
- This brief planning report describing the proposal and its compliance with the various statutory requirements of the City of Albany; and
- Small Bar Licence Management Plan.

Specifically, this application requests the City to look at parking requirements in light of the effective functioning of the current number of parking bays and to consider the impact of the proposed improvements only on parking provision based on the anticipated staff and visitors to the proposed facility.

BACKGROUND

Location:	Strata Lot 1, #256 Cosy Corner Road, Kronkup
City of Albany:	Local Planning Scheme No.1
Zoning:	Special Use No.7
Lot size:	1198m ²
Current Land Use:	Shop & Cafe
Adjoining Land uses:	Chalet and motel development Tree Nursery & Olive Grove Rural Residential subdivision and reserve land for recreation

Strata Lot 1, #256 Cosy Corner Road, Kronkup was developed as part of a tourist node which includes the adjacent chalets and motel. The site was originally a shop that was converted over time to a successful cafe.

The subject site has been recently sold to a resident of Torbay Hill and the new owner wishes to expand and improve the development as a key meeting place for local community and visitors to the area.

PROPOSAL

The new owner proposes to redevelop the subject site to expand and improve the existing café, retain and refocus the shop and add a small bar and a room for visiting consultants.

Proposed improvements include:

- Removal of the existing caretakers residence;
- Expansion of dining/bar area within the eastern side of the existing building catering for a total of 60 people inside the building;
- Creation of a beer garden/outdoor dining area proposing to cater for a maximum of 60 people at small tables at picnic tables;
- Conversion of the existing carport to a storeroom;
- Addition of an outdoor eating area including garden area and play space;
- Retaining the existing carport driveway to create additional parking space for staff; and
- Use of an existing room within the building to allow for visiting consultants that would offer services to the local community and adjacent tourist development. This may include massage, health services, financial services, etc from Albany on an as needs basis.

The reconfiguration of the floor space results in an additional ~27m² of public space (i.e. excluding store rooms and kitchen space).

Plans are attached to this report that show each element of the proposed development.

The Cosy Corner Café site (now The Cape) operates as a service centre and meeting place for the Torbay Hill community, visitors to the adjacent chalet and motel development, campers at Cosy Corner and Shelley beaches, Bibbulmun Track and Munda Biddi Trail users and visitors from Albany. It is the only site in the immediate locality that provides services to the area which is identified as a ‘rural village’ by the Local Planning Strategy.

The redevelopment of this site and the broadening of the range of services available will not only improve the area as a tourist destination but also strengthen the local community providing a much needed meeting place in a small community that is 25 minutes from York Street.

SCHEME REQUIREMENTS

The only applicable statutory planning control applicable to the proposed development appears to be the Local Planning Scheme. The site is zoned ‘Special Use Zone 7.

The footprint of the existing building has only a minor extension for a cleaning store room and minor kitchen extension on the western side of the existing building. However the use of the inside is proposed to change with the removal of the caretaker’s residence and carport and its replacement with toilets, an office, store room and ‘small bar’ floor space.

The proposed changes give rise to a number of issues to be addressed which include:

1. Bushfire Management;
2. Provision of Toilets; and
3. Parking.

Bushfire Management

The existing site acts as a muster point for the adjacent chalet development into their current fire management plan.

It is recognised that the current proposal *may* be considered to be a 'vulnerable land use' when assessed against State Planning Policy 3.7 and associated Guidelines. We would request that the City consider that (as per the recommendations of Planning Bulletin 111_2016) the fire requirements for the development be commiserate with the proposed intensification of the current land use. As the building already functions as a café and store, the only difference this proposal brings is the potential moderate increase in numbers of visitors.

Additionally, as a tourism land use that does not involve any overnight stays, the most recent version of the WAPC *Position Statement on Tourism Land Uses in Bushfire Prone Areas* recognises that this land use would have a manager and/or staff member on site at all times and people will travel to the site in their own vehicle and would be able to evacuate the premises in the manner they came.

Therefore the major issues would be evacuation and access considerations. The property has at least two means of access/egress (either way down Cosy Corner Road) and the applicant is prepared to have an Emergency Evacuation Plan drafted. However, as there is adequate access/egress we would request that consideration is given to applying this as a condition of approval to give the surety of an approval in had before spending on the necessary accredited professional.

Toilets

The existing café has a single unisex toilet for staff and visitors. This situation has operated reasonably well for a number of years.

The proposed increase in floor space for the small bar and café expansion triggers the need to apply the latest standards from the Building Code of Australia (BCA). The current proposal has 6 toilets for visitors and staff, including a U.A.T. The applicant would appreciate advice on the number of toilets required with the intention of adjusting the toilet numbers in the Building Permit application.

Parking

The existing café has 7 parking bays and a carport for the caretaker's residence.

Strata Lot 1 (the subject site) is reasonably constrained being triangular in shape. A revised parking arrangement is proposed that includes:

- A disabled bay;
- Dedicated bicycle parking area and infrastructure;
- 4 dedicated parking bays for staff (one of which is in a tandem arrangement and easily managed being for staff only);
- 9 bays within the site (including the disabled bay with shared zone); and
- An additional 7 bays partly within the adjacent Cosy Corner Road reserve, constructed at the applicant's cost. Justification for this proposal includes:
 - The bays are well away from the existing swale drainage and existing vegetation can be retained;

- The area is already used for informal parking on a daily basis with no objection or issues;
- There is no real precedent being set and the circumstances around the proposal are quite different to those of the Albany town site;
- It is highly unlikely that Cosy Corner Road would ever need to expand into this space; and
- The parking of vehicles is consistent with a 'road reserve' purpose and may be acceptable in this circumstance as the site is quite unique in the Albany context.

Additionally, there is an overflow, informal parking area in the Cosy Corner Road reserve, already occasionally used by Bibbulmun Track and Munda Biddi Trail users on weekends, as shown in the image below.



Lastly, the applicant has also entered into a verbal agreement with a neighbour to utilise his empty block for parking should the need arise for events. This area of 325m² can accommodate an extra 10 cars quite comfortably although this will not be necessary most of the time.

Parking demand for this development would be moderate and it is requested that consideration be given to the following factors:

1. Many of the users of the Café/Small bar/shop will be either local or staying in the adjacent chalet/motel development;
2. The subject site is within reasonable walking distance to the Cosy Corner camping area and an easy bike ride;
3. The existing parking area has served the existing building adequately for many years; only an additional 27m² of useable floorspace is being proposed, plus outdoor seating area;
4. The room for visiting consultants would generally be used when the adjacent small bar land use is at its quietest;

5. There is existing bicycle parking infrastructure that has a reasonable level of use by locals and cyclists from Albany, LPS 1 allows for a car parking bay to be credited where bicycle parking is provided; and
6. There is informal overflow parking areas available nearby in the Cosy Corner Road reserve for very busy occasions and a strata lot within the adjacent chalet development available for overflow staff parking if required.

CONCLUSION

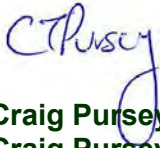
The proposed redevelopment of the existing Café and Store would refresh the existing building, bringing new services and facilities for local residents and visitors to this important rural hub.

We understand that some consideration is required as to the maximum occupation of the building and the parking proposed; the City is requested to consider these issues in light of minimal potential for off-site impacts and the benefits of supporting the redevelopment for the local community and tourism.

The Council's planning approval is respectfully requested.

If you require any additional information or require any further information please do not hesitate to contact me on 0458 705 283.

Yours sincerely



Craig Pursey
Craig Pursey Planning Pty Ltd

M: 0458 705 283

E: pursey6330@gmail.com

*Enc: Plans – Site, floor & elevation plans; and
Small Bar Licence Management Plan*

THE CAPE Bar-Store-Café

SMALL BAR LICENCE MANAGEMENT PLAN



1/256 Cosy Corner Road, TORBAY 6330

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1 INTRODUCTION

The applicant is applying for a 'Small Bar' licence in accordance with the Liquor Control Act 1988. The definition is as follows:

*A **small bar licence** authorises the sale and supply of liquor for consumption on the licensed premises only (such as no packaged liquor sales). It is also subject to the condition that no more than 120 persons may be present on the licensed premises at any one time.*

As such, the Department of Racing, Gaming and Liquor requires the premises to be approved as a 'Small Bar' under the City's Local Planning Scheme No. 1, in order for the licence to be granted.

The applicant is therefore seeking approval for the use of The Cape, previously known as Cosy Corner Café, at 1/256 Cosy Corner Road, Albany (Kronkup/Torbay) for a 'Small Bar' licence as defined under the City of Albany Local Planning Scheme No.1 (LPS1).

2 SITE DETAILS

The Cape is located on the following lot which is the subject of this application; Certificate of Title Volume 2179 Folio 546 on Plan 37046 Lot 1 at 256 Cosy Corner Road, Albany (Kronkup) 6330. The lot has a land area of 1197sqm. The dimensions of the combined lots are 54.09m, 64m and 44.78m along Cosy Corner road and the shared road (motel access road). The land is currently zoned as Commercial/Residential (Mixed use).

The Cape is approximately 28 kilometres west of the City of Albany, and 34 kilometres east of the town of Denmark as per Figure 1, Figure 2 and Figure 3.



Figure 1 Location of premises



Figure 2 Location of premises

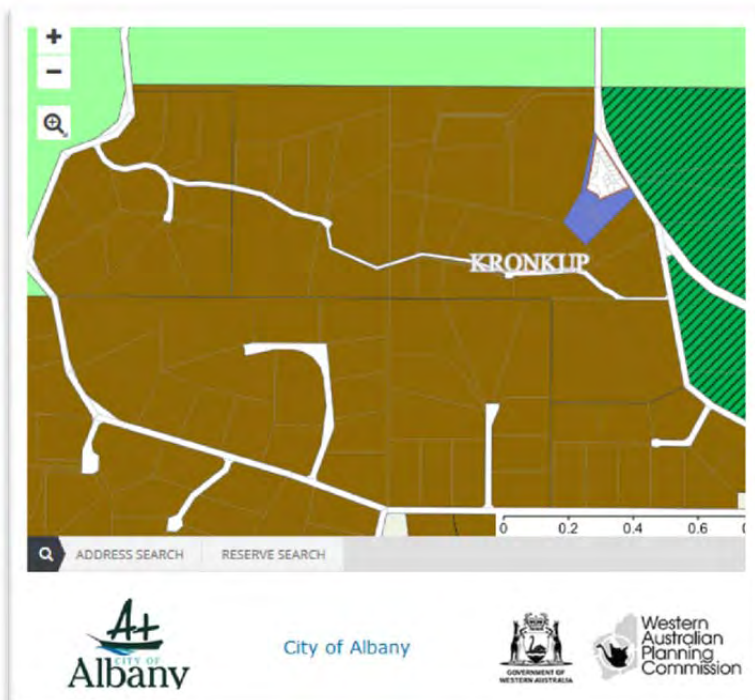


Figure 3 Location of premises (Source: IntraMaps, City of Albany)

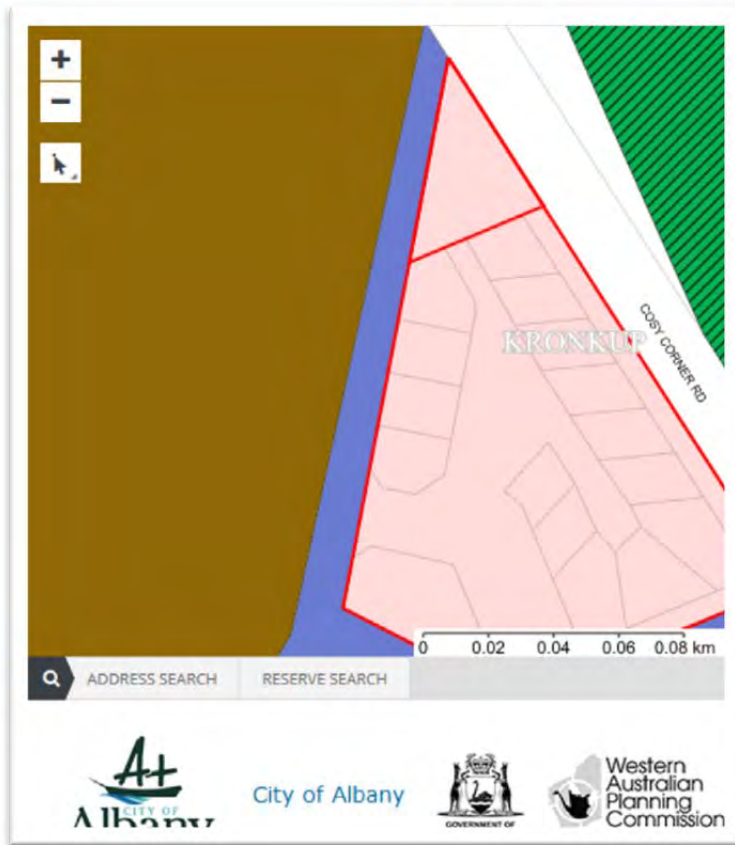


Figure 4 Location of premises show by red triangle (Source: IntraMaps, City of Albany)

At present there is limited **parking** on site. Visitors to the area (not patrons to The Cape) who walk the Bibbulmun Track or bike the Munda Biddi Trail, regularly park in close proximity to the café as a start point to their adventure. See Figure 5.



Figure 5 Parking area for Bibbulmun track and/or Munda Biddi Trail

In addressing the issues of limited parking for The Cape, it is suggested a collaborated design be discussed with the City of Albany to co-create a solution that addresses both The Cape and the tourist parking issues.

3 APPLICANT'S DETAILS

The applicant is Christina Rooney who resides locally at 29 Tania Road, KRONKUP WA 6330.

Ms Rooney has worked in the health industry and across hospitality for over 20 years, gaining experience Australia wide whilst being posted to various locations with her corporate husband. Over these two decades, she gained considerable experience across a broad scope of fields in which community development through hospitality pivotal focus point.

From a multi skilled background, including running her own business for 10 years, Ms Rooney is aiming to grow The Cape as a local community hub to support local community as a local gathering point, as well as a place to showcase local art, craft and talent. Further to be a point of interest for tourists who are either staying in or visiting the Torbay area.

Ms Rooney, along with her three children, have lived in the Kronkup area for 7 years – and have contributed to the local community fabric in many areas including her children attending Woodbury Boston Primary school. At the present, her children are involved in the running of the café and as they turn 18, will be applying for RSA certification so they can continue to contribute to the family business.

Ms Rooney has a strong appreciation for the value and benefits of living in a community and for advocating community hubs/focal points such as a local café/small bar that are supportive, vibrant and rich in opportunities for the area, ensuring that people remain or are attracted to live and work in a particular locale. This aligns with her own personal values of contributing to the community in positive and meaningful ways.

The applicate has an SITHFAB002 – Responsible Service of Alcohol certification and is currently in the process of applying for Australian Hotels Association (Australia) Management of License Premises (MLPLCA401A/MLPLCA402A) with an expected completion date of 30 September 2019.

4 HISTORY OF THE CAPE bar store café AND TORBAY AREA

The Cape was previously known as Cosy Corner Café – a gold plate awarded café that was run by the previous owner for approximately 8 years. Built in 2000, it has been an iconic feature of the Kronkup community for many years and a popular venue for tourists frequenting the Torbay area.

Torbay received its name in 1801 by Captain Matthew Flinders. Localised industry started to take place around 1835, when the area was scoped for a suitable ship building site. Whaling was prominent between 1844-1846 and 1861-1864 (*Gibbs, Martin (2010). "Torbay/Migo Island". The shore whalers of Western Australia : historical archaeology of a maritime frontier. Sydney: Sydney University Press. pp. 134–135. ISBN 978-1920899622*). Forestry commenced in the 1880's until the land was sold for agricultural purposes in 1990. Current local industries with the area include dairy

farming, beef cattle, plantation forestry, specialist horticulture, arts and crafts and tourism.

Over recent years, tourism has grown along the Rainbow Coast with such attractions as:

- Bibbulmun Track (<https://www.bibbulmuntrack.org.au/trip-planner/track-sections/denmark-albany/s-info/>),
- Munda Biddi Trail (<https://www.mundabiddi.org.au/home>),
- Torbay Glass Studio & Gallery (<http://www.torbayglass.com/index.html>),
- West Cape Howe (National Park) is regarded as Western Australia's premier hang gliding site and, on long weekends and holidays, it attracts large numbers of enthusiasts from as far away as Perth. They launch from the Shelley Beach Lookout and, if the wind is right, they are able to glide for as long as they please along the park's coastline (the record is more than eight hours). The national park also has trails, surfing spots and is the most southerly point of mainland Western Australia (Source: Department of Parks and Wildlife).

Further, there are local accommodation facilities such as Torbay Seaview Holiday Apartments and Cosy Corner Camp Ground (east) facilities.



Figure 6 Torbay Seaview Holiday Apartments

5 PROPOSAL

The Cape is currently operating seven days a week, with the following summer and winter schedules:

Day	Summer	Winter
Monday, Tuesday, Wednesday	7am – 7pm	7.30am – 5pm
Thursday, Friday, Saturday, Sunday	7am – 7pm	7.30am – 7pm
Christmas Day and Good Friday	12 noon – 10pm	N/A
New Year’s Eve (Monday to Saturday)	6am – 2am	N/A
New Year’s Eve (Sunday)	10am – 2am	N/A
Anzac Day	12 noon – 12 midnight	

It is proposed that *The Cape* will be the local community hub and destination point for locals and tourists. The applicant intends to offer the venue for small functions (e.g. end of year staff party for Woodbury Boston Primary School) and small events in addition to trading at weekends as a family friendly destination serving meals and providing a safe and relaxing place to visit.

The Cape as a licensed small bar is would be unique drawcard to the area being the only venue for that offer family friendly facilities as small bar, store and café within an approximate 30km radius. Note - there is a Tavern at Elleker (Elleker Tavern) and a takeaway licence venue at Young Siding. Both these small businesses are approximately 10km's away from The Cape. ***The Cape fully supports these small businesses where and when possible***, through customer support (redirecting customers to those venues) as well as ensuring that the stock lines carried at both are not duplicated at *The Cape*. This is the true meaning of community and supporting small businesses within the community.

5.1 Premises

The current premises will be undergoing a renovation to fulfil its vision as The Cape bar, store and café and the following information is based upon the proposed schematic

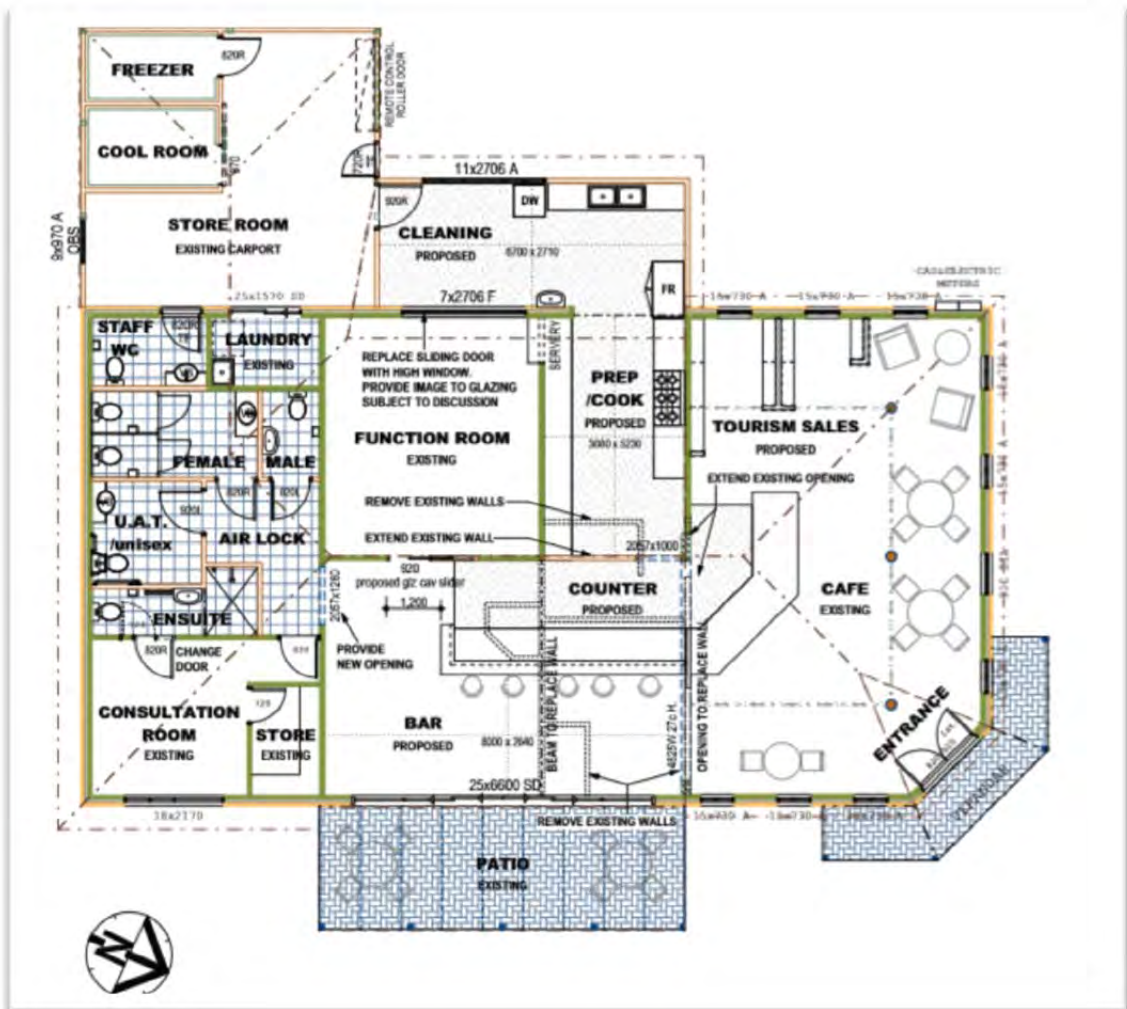


Figure 7 Proposed Architectural Vision of The Cape bar store café

BEER GARDEN/OUTSIDE AREA (Capacity 60)

Paved and grassed area outside the premise with multiple access ways. Capacity of 60 people around either small café tables (seat 4) or picnic tables (seating 6).

INDOOR (Capacity 60)

Our indoor area is a relaxed country venue with divided into several different sections.

There will be a **casual indoor bar area (seating 8)** seating patrons along the bar area for provision of a meal and alcohol.

The **casual dining area (seating 32)** accommodates patrons around café style tables and chairs for a relaxed country style service. The indoor bar and casual dining area is the perfect place to sit in front of the open fire in winter or naturally cooled rooms in summer.

Further there is a **function room (seats up to 20)** which can be configured in a variety of ways pending on the function type and booking numbers. This venue will offer enough flexibility to hold either casual functions or more formal events (e.g. local business Christmas parties).

5.2 Trading Hours

The proposed maximum opening hours are those legal opening hours for a small bar licence issued by the Department of Racing Gaming and Liquor are as follows:

- Monday to Saturday from 6 a.m. to 12 midnight;
- Sunday from 10 a.m. to 12 p.m.;
- Christmas Day and Good Friday from 12 noon to 10 p.m. where the liquor is sold ancillary to a meal supplied by the licensee;
- New Year’s Eve (Monday to Saturday) from 6 a.m. to 2 a.m. on New Year’s Day;
- New Year’s Eve (Sunday) from 10 a.m. to 2 a.m. on New Year’s Day;
- Anzac Day from 12 noon to 12 midnight.

The applicant’s *usual* or *regular* opening hours are Monday to Sunday as per winter and summer schedule.

Day	Summer	Winter
Monday, Tuesday, Wednesday	7am – 7pm	7.30am – 5pm
Thursday, Friday, Saturday, Sunday	7am – 7pm	7.30am – 7pm
Christmas Day and Good Friday	12 noon – 10pm	N/A
New Year’s Eve (Monday to Saturday)	6am – 2am	N/A
New Year’s Eve (Sunday)	10am – 2am	N/A
Anzac Day	12 noon – 12 midnight	

Importantly, the applicant is proposing the maximum opening hours permissible under a Small Bar Liquor Licence to allow for later opening hours in response to demand with likely later closing times on Friday and Saturday nights and to cater for functions and local events.

5.3 Entertainment

The applicant is very aware of the need to monitor the impact on local residents in relation to music and entertainment. The applicant is not proposing a function centre or live music venue with frequent entertainment but a family friendly venue for dining and socialising with the facilities for occasional weddings and other private functions.

The applicant sees 3 scenarios of music and entertainment

Scenario A: In house background recorded music;

Scenario B: Venue provided entertainment;

Scenario C: Private function.

Scenario A: In house background recorded music;

- The majority of the entertainment at the venue will be restricted to background music played via an in-house system at a volume allowing normal conversation between patrons controlled by way of an 'in-house' sound limiting equipment.
- The venue also has the facility to change the music chosen and volume in each area to allow personal music played for private functions without disturbing the other patrons. E.g. classical music for the Arts committee.

Scenario B: Venue provided entertainment

- The applicant would like to provide some entertainment to patrons especially in the warmer months of the year, primarily on a Sunday afternoon or occasionally a Saturday evening. Family friendly music will add enormously to the ambiance and experience for patrons.
- The applicant proposes small acoustic groups or background DJs concluding by 10pm.
- Music and entertainment will be appropriate for the venue and manner of trade. The applicant intends to source the artists locally. Music will be played at a level that permits conversation to occur and will likely be acoustic guitarists, a jazz duet or other mild-mannered genre. There won't, for example, be heavy-metal or electronic dance music as this is not in keeping with the target patrons of the venue.
- There may be the occasion of a function of less than 50 people. In this case, the applicant would propose the interior of the venue as a suitable function area and allow a DJ or trio to perform.
- The size of the interior prohibits any large-scale events or bands.

Scenario C: Private functions

- The applicant does not anticipate that private functions with live music / DJs will be a substantial number throughout the year but since there is a lack of suitable function facilities in the locality the applicant is aware of the likelihood of private functions being booked at the venue.
- Typically, these events start entertainment at approximately 8.30pm and the applicant proposes all recorded music played by a DJ or a live band will conclude by 11.30pm.
- Once more, music and entertainment will be appropriate for the venue and manner of trade
- Venue providing equipment to monitor decibel levels to ensure they do not cause harm or annoyance to local residents in these instances.

All of the above scenarios the applicants have created a noise management plan as follows. The applicant is committed to monitoring noise during all live music or planned entertainment to ensure that all reasonable and practicable measures are taken to minimise the overall sound level and low frequency noise at noise-affected premises.

5.4 Noise Management Plan

- Not permitting more than an acceptable number of patrons to be present on the premises at any given time;
- No packaged liquor will be sold;
- Adhering to RSA principles thus reducing the likelihood of patrons causing noise and participating in other anti-social activities;
- Not allowing violent, quarrelsome or disruptive conduct on or near the premises;
- Music and entertainment will be appropriate for the venue and manner of trade. No heavy metal, rock bands, techno music with strong bass undertones;
- Acoustic monitoring by the use of a sound level meter to take regular sound measurements from reference points both inside and outside the venue during live music and entertainment;
- Following monitoring the applicant will ensure that all reasonable and practicable measures are taken to minimise the overall sound level and low frequency noise at noise-affected premises;
- The applicant will then maintain a record of these measurements in a 'noise diary';
- All outdoor live music and entertainment will conclude by 10pm unless booked for a private function;
- During private functions, indoor and outdoor live music and entertainment will conclude by 11.30pm;
- All musicians and entertainment providers will be advised regarding sound management practices;
- A communication plan that includes notifying neighbours and authorities for all functions and events that include live music / DJ;
- Maintain a complaint register and train staff in the use and handling of complaints;
- Staff closing procedures designed to minimise the risk of noise or disturbance being caused to residents;
- To prevent the disturbance of amenity in the area deliveries will occur between the hours of 8am and 6pm only;
- Minimising operational noise in considering local residents when disposing of rubbish and recycled material; e.g. Recycled bottles to be collected midweek between the hours of 8am and 6pm
- Appropriate signage requesting patrons be mindful of the neighbourhood in leaving the premises and area quietly;
- Adequate security and lighting in external areas, to discourage loitering when patrons leave the premises.
- Anticipating the need for transport for functions and events at the venue.

5.5 Staff Training

Sections 33 and 103A of the Liquor Control Act 1988 ('the Act') impose mandatory training requirements on licensees, approved managers, supervisory staff, bar staff and crowd controllers in relation to the management of licensed premises and the responsible service of alcohol.

As required by Section 103AA of the Act, the applicant will maintain a training register that records employee information and their training compliance.

In addition to the required "Provide Responsible Service of Alcohol" (SITHFAB002) unit, all staff will be trained using an in-house Policy and Procedure manual which sources units of competency from relevant Training packages. For example:

- Manage conflict
- Interact with Customers
- Managing incidents
- Managing unacceptable behaviour
- Monitor individual and crowd behaviour

5.6 Patrons

In order to minimise the potential for undue harm or ill-health the applicant proposes the following;

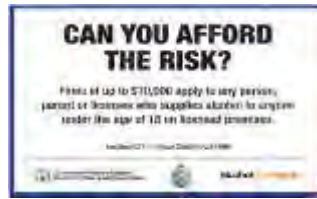
- Creating and maintaining high quality premises in all respects, both physically and operationally since studies conducted have indicated poorly lit, badly maintained premises have a higher likelihood of violence and trouble;
- Supporting and promoting various government campaigns to minimise harm / ill health by displaying posters;



Figure 8 Example of Government campaign aimed at minimising harm and ill-health

- As recommended by the 'Designing out Crime Planning guidelines' the applicant will ensure all public areas are well lit, encouraging pedestrian access and surveillance;
- Having a strong food focus and making food available during all hours of trade;
- Pricing drinks at levels high enough to discourage rapid and excessive consumption;
- Prohibiting the sale of energy drinks mixed with liquor;

- Prohibiting the sale of liquor by way of an emotive title that may encourage rapid consumption of liquor;
- Not providing any TAB facilities;
- Providing more than ample seating for patrons;
- No bar stools available at the bar;
- Restrict standing at the bar by indicating it as a “Service Only” area;
- Providing a very clear training program for staff on all appropriate matters including responsible service of liquor;
- Creating a warm, relaxed and inviting atmosphere;
- Public health and safety posters will be displayed prominently, along with responsible service of alcohol messages, as follows;



This property will be targeting a specific market segment and the applicant believes it will be very capable of catering to the requirements of tourists, professional people and local families in a very responsible manner without negatively impacting on the locality nor with any measurable potential to increase harm.

Many of these strategies are also continued in the Applicants Code of Conduct, House Management Policy and Management Plan.

5.7 Capacity

The applicant is applying for an total capacity allowance of 120 people for the entire licensed area as per Small Bar Licence. These patron numbers are based on the size of the public areas. These are set to prevent overcrowding inside the venue and to minimise the risk to patron safety, reduce fire hazards and impacts on local amenity.

In terms of monitoring patron numbers the duty manager will be responsible for managing and monitoring these restrictions. The venue internally is not a large open space but a series of small rooms as shown. These rooms can cater for numbers as shown and in line with health requirements will not and cannot be exceeded. Penalties are severe for exceeding numbers and the applicants have a duty of care to ensure a safe environment for their patrons

For larger functions patron numbers will be monitored by the use of a 4 digit tally counter and CCTV throughout the venue.

Toilet facilities will be maintained using the Director of Liquor Licensing’s Maintenance of Toilet Facilities Policy as a guideline i.e. facilities are checked regularly and maintained at more than acceptable levels.

5.8 Vandalism, Litter, Criminal Acts

- No take-away sales are proposed which will reduce the risk of litter being generated by the premises.
- No guests will be permitted to remove any alcohol in any form from the premises and deterred by security at exits.
- Staff closing procedures will include an external inspection of the building and perimeter to ensure litter has been disposed of correctly.
- The applicant intends to install CCTV cameras throughout the venue and in addition at all entrance and exits points.
- All surveillance areas (interior and exterior) will be well lit. This will be a deterrent to those potential troublemakers entering and leaving the venue and indeed any of those in the vicinity outside.
- Sensor lights will be fitted on exterior walls whilst considering potential inconvenience to neighbours.
- There will be a zero-tolerance policy on rowdy and aggressive behaviour and bad language. Staff will be trained to manage it and signs used such as the one below to remind patrons of it.

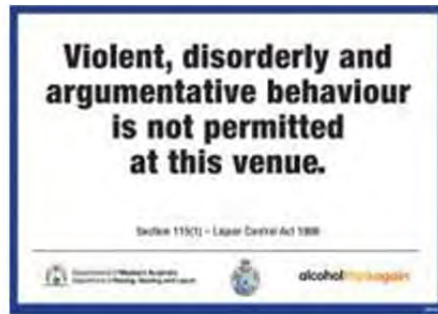


Figure 9 Public Health and Safety poster

Staff will be trained in the areas of:

- risk identification;
- risk control procedures;
- warning signs;
- appropriate responses;
- interpersonal/ diffusing aggression skills;
- recognising signs of potential trouble (e.g. nonverbal behaviour); and
- how to deal with bad behaviour.

It will be stressed to staff that dealing with or reporting bad behaviour / language immediately will ensure it does not escalate and become a problem to others at a later date or time.

Sourced from the WA Planning Commission, *“Designing Out Crime Planning Guidelines”* there is a growing body of research that finds,

‘opportunities for crime are reduced by increasing the range of activities in public spaces, in other words, by putting ‘more eyes on the street’

By granting the applicant planning approval, the venue generates activity which in turn creates surveillance opportunities both by CCTV and patrons to the area.

The applicant will increase activity in the area with professionals, families, and other people within its target market visiting the venue; therefore, potentially diffusing vandalism, nuisance, and incidents of crime.

The quality and type of furnishings, focus on family friendly dining, socialising and conversation, private events (weddings, black tie fundraisers, conferences, community group meetings), a strict dress code and security are factors which will deter many of the criminal element.

The open nature of the deck and beer garden, CCTV installed throughout and around the venue will also reduce the likelihood of petty criminal acts being committed on or near the premises.

5.9 Disturbance or Inconvenience To Local Residents or Business Operators

Any business has the potential to cause some offence, annoyance, disturbance or Inconvenience. However, the applicant is both the owner, operator and will have a hands-on role to ensure it is run responsibly, tightly managed and without causing annoyance, disturbance or inconvenience.

It is in the applicant's best interests to ensure residents or other business operators are not offended by the venues operations to continue to receive their patronage and support. Strategies include:

- Staff will be trained in warning signs, appropriate response interpersonal/ diffusing aggression skills, recognising signs of potential trouble via nonverbal behaviour and how to deal with bad behaviour.
- It will be stressed to staff that failure in dealing with, or reporting, bad behaviour / language may cause offence, annoyance, disturbance or inconvenience to other patrons or nearby residents / businesses in the immediate future.
- Mid strength and non-alcoholic drinks will be available in addition to side dishes encouraging the consumption of food with drinks.
- A Parking management plan has been developed and transport including taxis and charter buses will be available and arranged by the applicant for larger groups.
- Large boisterous groups such as buck's nights or sporting club 'pub crawls' will not be permitted entry. The location of the venue from the nearest walking licensed establishment will deter the venue in any inclusion of any 'pub crawl'. This combined with the manner of trade will serve as a deterrent to the troublesome element in the community likely to cause annoyance, disturbance or inconvenience to local residents or business operators.
- A complaints file will be available for all staff to record any complaints received in person or by any other means.
- This ensures complaints can be addressed at the time in addition to providing better customer service by following up issues that needs additional investigation.

- It also ensures the applicant can review any complaints over time to identify problems and address issues that would subsequently be forgotten or not communicated.
- Closed Circuit TV (CCTV) installed throughout the venue including all entrance and exit points. This system will provide vision / footage that enables identification, as defined by the current Australia and New Zealand Policing Advisory Agency (ANZPAA) ANZPAA Recommendations for CCTV Systems and the WA Police Local Interpretation Guide for the ANZPAA Recommendations for CCTV Systems.

Finally, the applicant’s style of operations and the family friendly focus will be some form of a deterrent to anti-social behaviour. Additionally, the family are part of running the business.

5.10 Taxis

There is no local public service transport available within the area however there is a taxi service (Albany City Cabs) which patrons will be encouraged to use by the use of supporting Government campaign posters.



Figure 10 Example of Government campaign

The applicant is also developing close working relationships with both the taxi services and Uber drivers to ensure transport is available for individuals and events at The Cape.



There will be a free phone available at the front bar to call the taxi service. The number for the service will be displayed on a sign above the phone or the patron can ask a member of staff to arrange a taxi for them.

5.11 Traffic and Parking

Currently venue parking is restrictive and needs to be addressed in terms of The Cape patrons and other visitors to the area parking adjacent to The Cape as a starting point to the Munda Biddi Trail and the Bibbulmun Track (as per note, page 5.)



Figure 11 Current carpark with bays unmarked

There are approximately 16 unmarked parking bays on site at the proposed premises.

The applicant has also entered into a verbal agreement with a neighbour to utilise his empty block for parking should the need arise for events. This area of 325m² can accommodate an extra 10 cars quite comfortably although this will not be necessary most of the time.

The applicant realises its responsibilities for patron's enjoyment do not conclude when they exit the venue. Details for local taxis will be available and for larger functions the applicant will either arrange transport for groups or provide details to organisers to hire transport prior and after the function.

5.12 Benefits for the Community

The applicant feels the proposed planning application will be in the public interest for a variety of social, economic and cultural factors. It will benefit the community in ways both directly and indirectly through employment, a 'shop local' policy and by attracting visitors to the region. Some of the specific reasons are given below:

- The current lack of family friendly outdoor venues for dining out, small events etc ensure The Cape will appeal to many residents and visitors to the locality;
- Increased amenity to the area adding to the evolving local precinct which is developing in the area;
- Increased employment opportunities;
- The redevelopment of a tired, old premise being rejuvenated to a modern and appealing destination for consumers.
- Increased tourism activity, such as the applicants proposes, will provide economic benefits to the local community by leveraging existing infrastructure and amenity and encouraging a higher quality of retail, supporting existing local accommodation and public infrastructure that would not otherwise be supported by local residential expenditure alone.

The Cape will generate and contribute to the local area in a considerable range of positive benefits including:

RECREATIONAL

- By establishing an enjoyable socialising venue which provides food, drink and function options. A safe environment for families and groups to whom would like a change of scenery.
- By providing a sophisticated environment not solely focused on alcohol consumption but dining and moderate drinking in relaxing surroundings.

CULTURAL

- The Cape will provide a venue with a cultural shift from a typical café to an enhanced experience for the visitor providing a venue for people to meet, mingle and enjoy quality food and beverage service.
- The Cape will also be a destination venue for groups, e.g. Albany Vintage Motorcycle Group, Albany Bicycle groups.

COMMUNITY

- As a meeting point and function venue (e.g. annual general meetings) for the following community groups including Bornholm Fire Brigade, Woodbury Boston Primary School, The Good Food Shed, and more.

EMPLOYMENT

- The Cape will require local staff of approximately 2-3 for day to day operations in front and back of house roles but considerably more for planned functions and events;
- By the adaptation of a 'Be Local Buy Local' policy through its renovations and planned operations The Cape will also contribute to employment and economic growth in other businesses;
- By becoming a destination venue, The Cape will attract indirect benefits to the town. By attracting visitors to the area who will utilise other businesses. E.g. accommodation, retail, other goods and services. This creates a flow on effect promoting the region and assisting in stimulating economic growth. Essential actions in a regional area such as the Great Southern.

TOURISM

As previously mentioned there are tourist attractions in the Kronkup and Torbay areas. Further to this, there is a growing cycling network who frequent the area. The City of Albany's vision under the header of Economic Development is *'to be Western Australia's most sought after and unique Regional City to live, work and visit.* The Cape bar store café contributes to this vision through reinforcing the City of Albany's Strategic Objectives:

- **Strategic Objective 1 - To strengthen and diversify our economic base;**
- **Strategic Objective 2 - Employment that supports our economic growth and development;**
- **Strategic Objective 3 - To develop and promote Albany as a unique and sought after visitor destination**

TBM
PEG IN GROUND
Peg re-instated (RL = 10.00m)
RL = 10.0m

Staff parking, with tandem arrangement for one additional bay

40 m
30 m
20 m
10 m
00
1:200 SCALE BAR

NO FENCE
44.88

LANDSCAPING

STRATALOT 17
1193 m²

MOTEL
ACCESS

64.75
64

1.

2.

3.

4.

5.

6.

7.

8.

9.

16.

15.

14.

13.

12.

11.

10.

GRASS & PAVING

Bicycle parking

Disabled Bay with shared area

Distance: 5.38 m

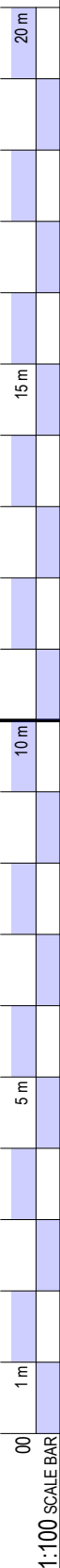
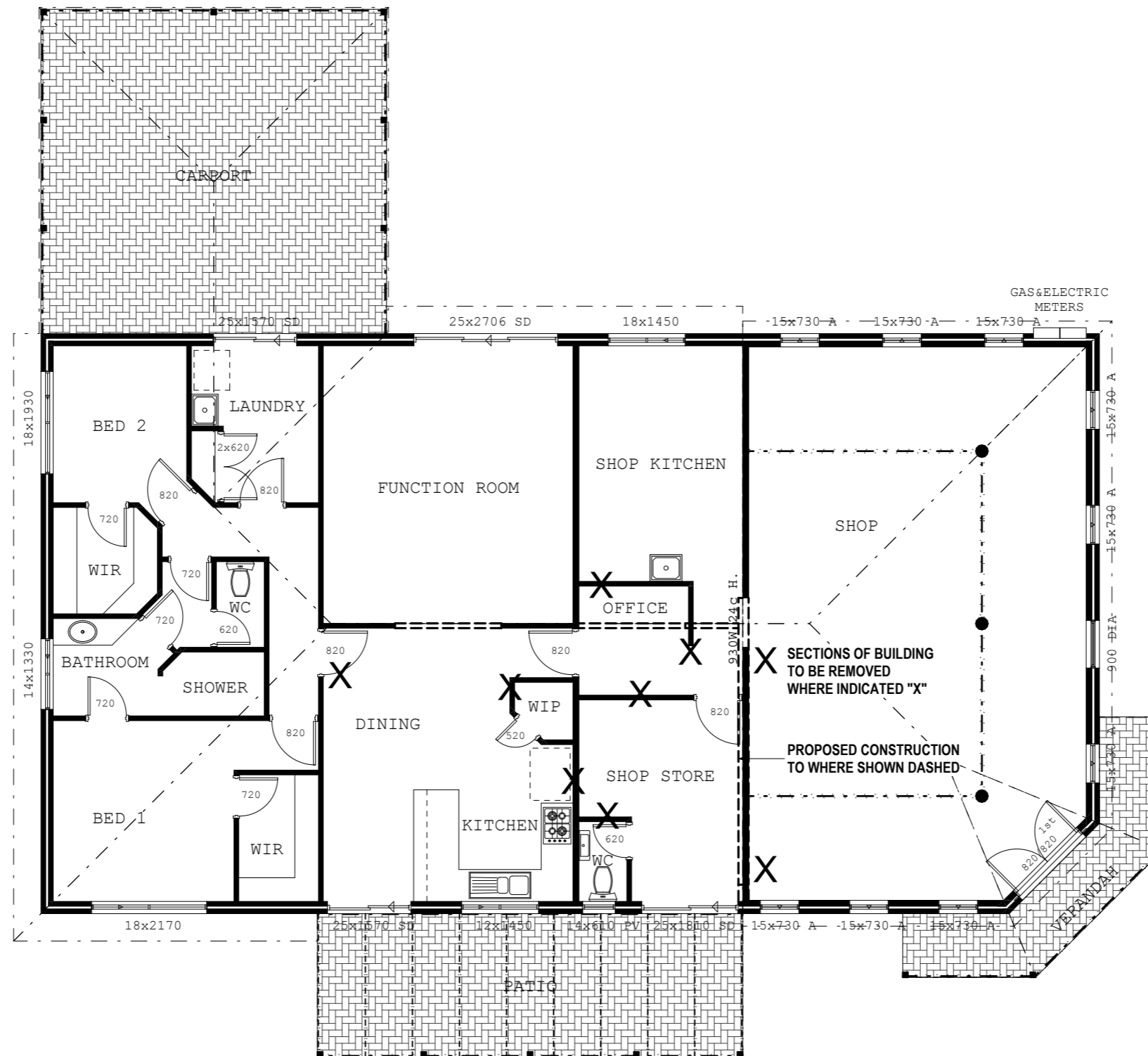
Proposed bays in road reserve, some fill required, trees to be retained.

SITE PLAN
1:200

TOP OF BANK

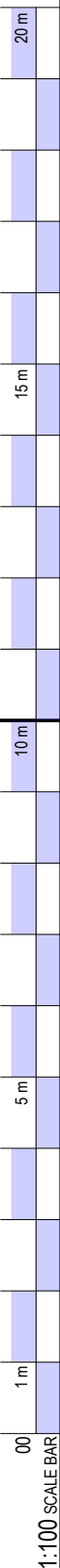
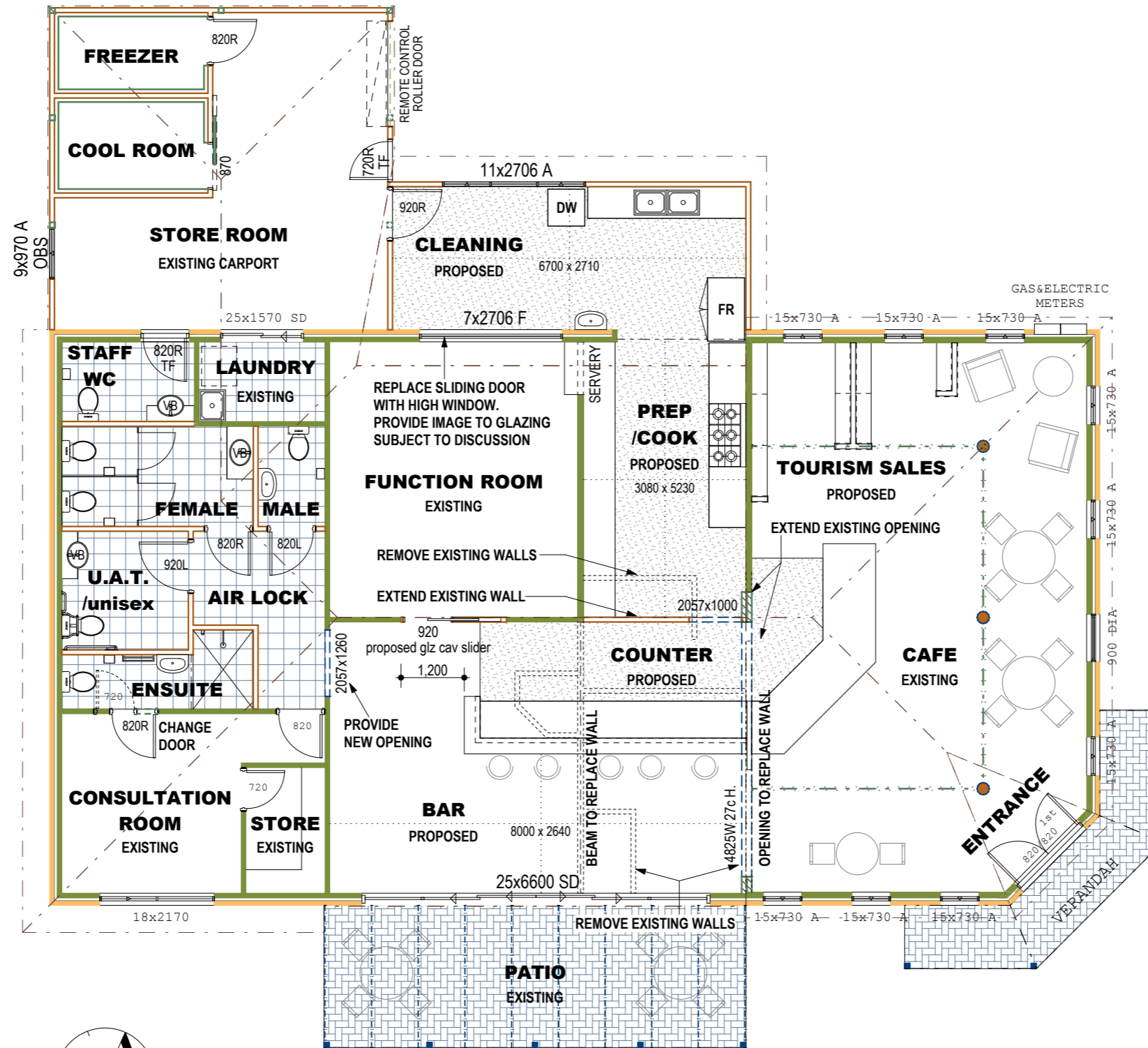
COSY CORNER ROAD

DRAIN



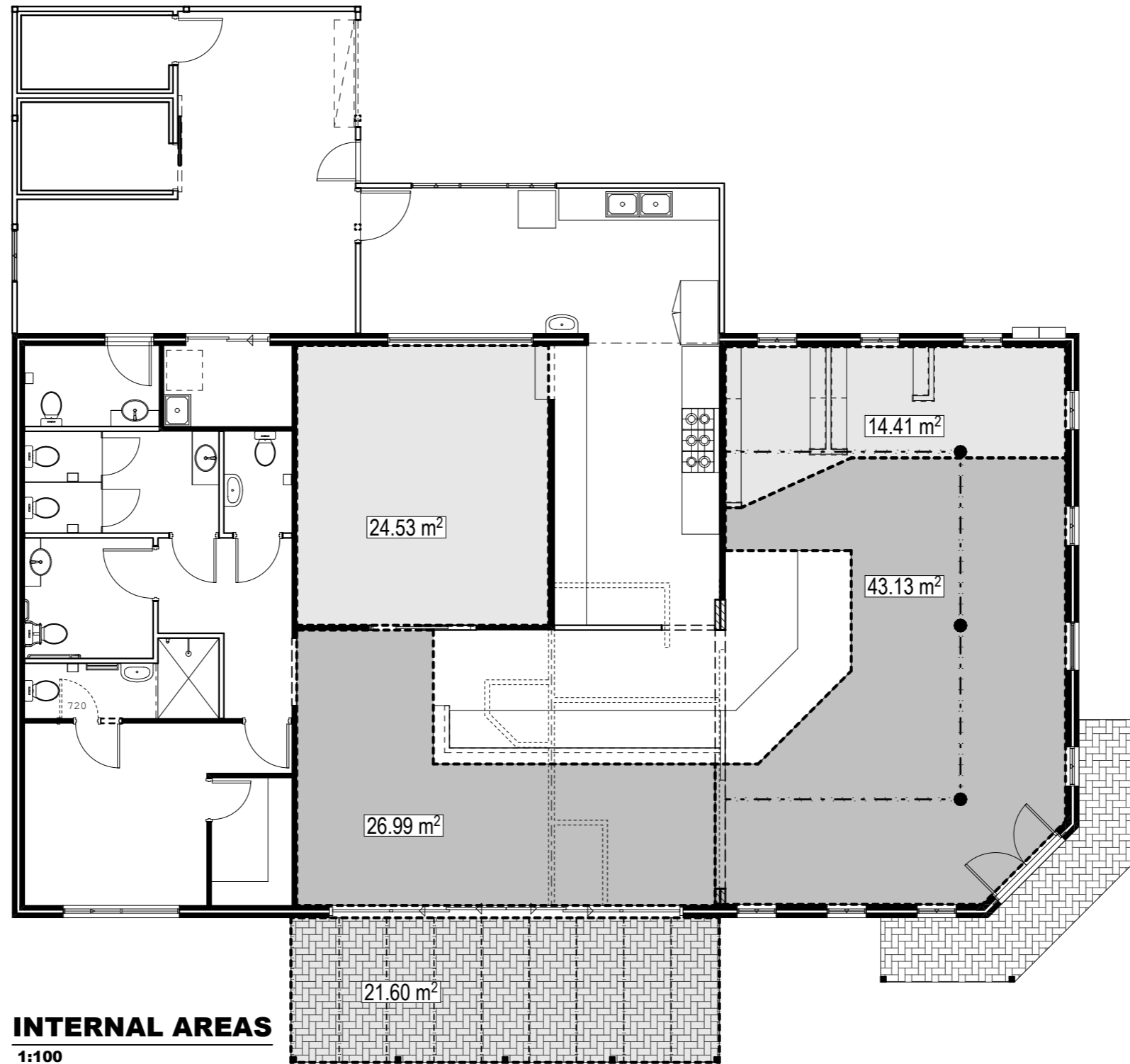
EXISTING FLOOR PLAN
1:100

FLOOR AREAS		
Location	Area	Perimeter
EXISTING	285.90	82.632
PROPOSED	19.01	19.180
	304.91 m²	101.812 m

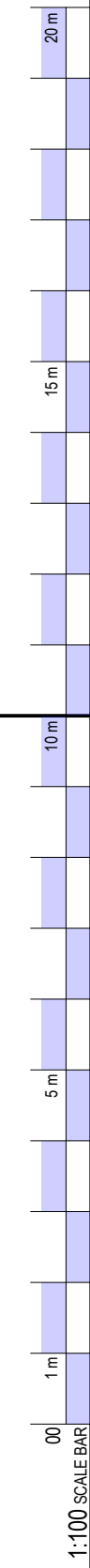


PROPOSED FLOOR PLAN

1:100

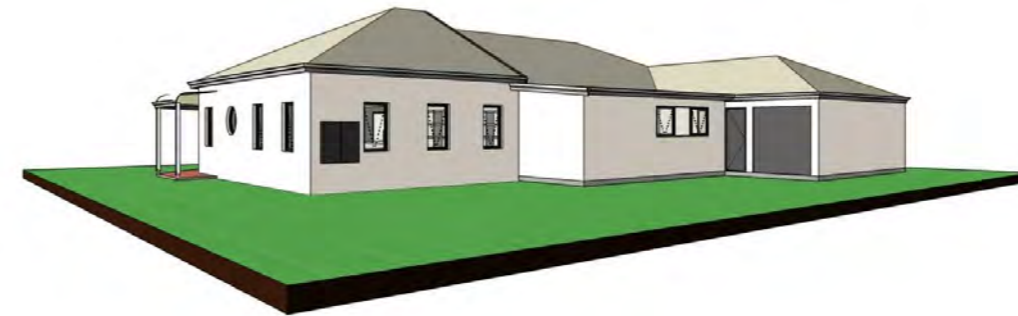


INTERNAL AREAS
1:100

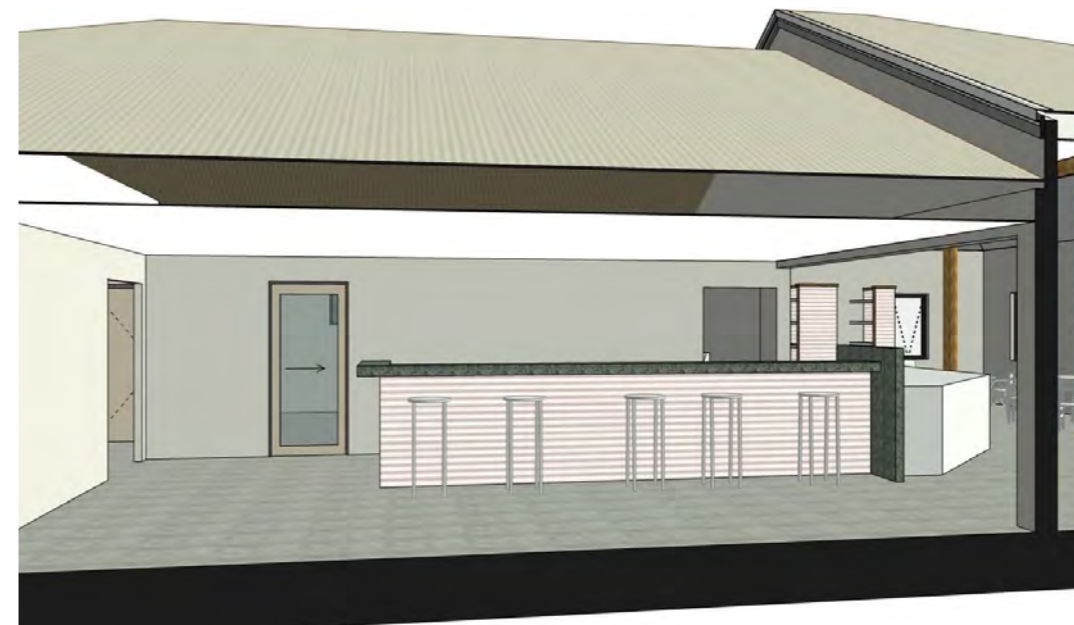
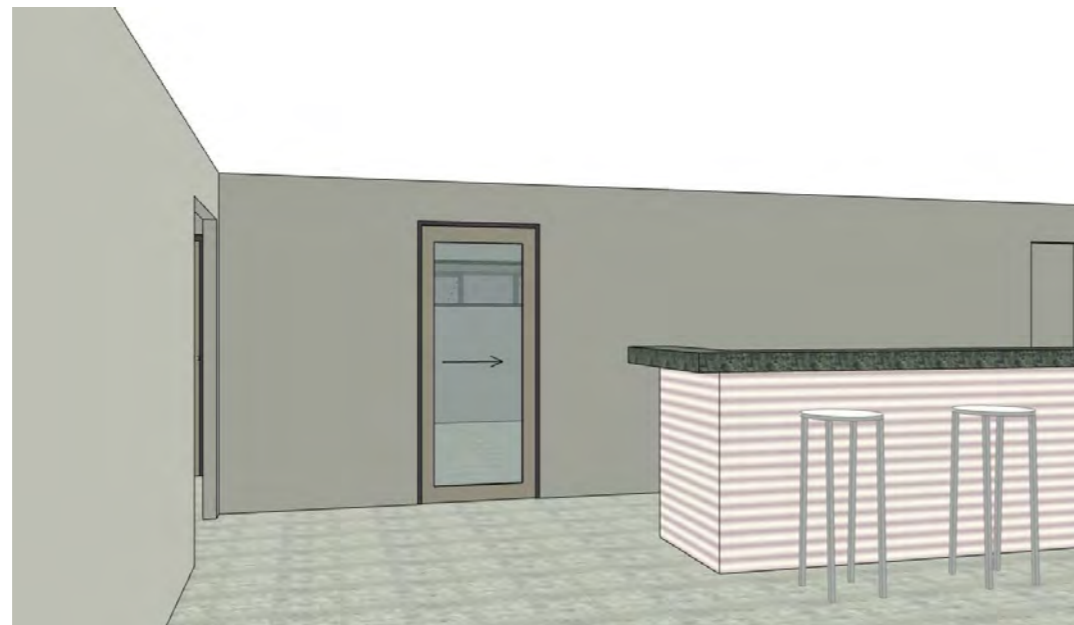




EXISTING WESTERN ELEVATION



PROPOSED WESTERN ELEVATION



DEVELOPMENT APPLICATION P2190311 PUBLIC SUBMISSIONS Site details: Lot 1, 256 Cosy Corner Road, Kronkup Application details: Shop, Consulting Room, Restaurant & Small Bar			
No.	Public Summary of Submission(s)	Proponent Comment	Officer Comment and Recommendation
1.	SUPPORT I wish to submit my letter of support for the planning proposal.		Support noted.
2.	SUPPORT I support the planning proposal for lot 1, 256 Cosy Corner Road, we believe the proposed changes will enhance the experience of our Clients to our Cottage and will become a Hub for the Local community.		Support noted.
3.	OBJECTIONS I am concerned about parking being considered in the Corner village on a currently undeveloped site, including increased cars on the common property.	This space would only have been for intermittent, overflow parking and/or staff. However, as access would need to be through the common property of the strata the proponent would like to withdraw these bays from the proposal.	Proponent's response and modification to application has addressed response.
4.	OBJECTIONS I oppose the application for several reasons: <ul style="list-style-type: none"> • The use of the reserve for Car Parking. It is a reserve not a car park. It is used by wildlife in particular Kangaroos. Just because some people have parked their cars there in the past, should not let us assume that we can just make it a car parking area. It is not right to do that. 17 car bays will not provide parking for up 60 patrons. The reserve is owned by the public and should not be used as part of somebody's business venture. The area is not used informally for parking on a daily basis with no objections or issues. I object to the reserve being used as a Parking Area. 	The reserve in question is a 'road reserve'; the parking of cars would be consistent with the reserve purpose. The area is already used for parking by visitors using the Munda Bididi and Bibbulmun trails but will only ever be used intermittently. The entire locality is used by kangaroos, both private and public space, occasional parking on this space will not change that.	Objections noted. The City's Assets Team are supportive of utilising the verge for parking. All associated costs including the cost of maintenance are to be borne by the developer. Staff recommend that conditions be applied in this respect, including the requirement for a final vehicular parking and access plan be applied.

	<ul style="list-style-type: none"> • The serving of alcohol on the premises is less than ideal. There is no public transport out there and patrons will be driving home as few people live close enough to walk. Elleker offers alcohol and dinning. This will not "strengthen the local community". Alcohol has often been found to be the catalyst for anti-social behaviour. To suggest that patrons will dine and drink and then ride a bike to the camp ground is not a sound one. Riding under the influence of alcohol is potentially as dangerous as driving a car. • What kind of "consulting" will be under taken in the re-development? This needs to be addressed in more detail. • Cosy Corner was developed to offer a getaway place for people who needed to re-charge their batteries and get in touch with nature. This re-develop negates this purpose. Amplified music can easily be heard 500 m away. Why should people staying in the chalets be subjected to noise? We want to hear the birds, wind, ocean, cows, and the Kangaroos. Not the sound of amplified music, patrons that have had too much to drink and the associated noise of 60 people. 	<p>Alcohol can be served with the current restaurant land use. Department of Racing, Gaming and Liquor assess the issues raised regarding the suitability of the venue for alcohol consumption when considering whether to grant a Liquor Licence.</p> <p>The consulting room proposed is intended for visiting professionals bringing services to the local community and visitors to the adjacent holiday accommodation rather than necessitating a trip into Albany. Massage, Chiropractic, physiotherapy, GP's etc would be encouraged to use the space which would be let in response to demand.</p> <p>The addition of a Small Bar with a family atmosphere will enhance the holiday experience and improve the attractiveness of the area as a tourist destination.</p> <p>Page 11 of the Noise Management Plan submitted addresses the issue of amplified music. Issues of noise are also controlled through adhering to the Noise Regulations and the proponent has consistently been shown to be a good neighbour with no noise complaints from the existing facility.</p>	<p>The operators of the premises will be responsible for managing patrons in accordance with any approved management plan and the provisions of the <i>Liquor Control Act 1988</i>. However, anti-social behaviour, such as disorderly conduct or criminal damage would fall under the jurisdiction of Western Australia Police.</p> <p>The City accepts and agrees with the proponent's response.</p> <p>While the potential does exist for an increase in noise and disturbance, Staff consider that the issues can be mitigated by responsible management of the premises. The draft management plan that has been submitted with the application details various aspects of the operation of the premises, responsibilities of staff and management, noise management plan and measures and the process for dealing with complaints. The venue manager also resides in the area. Staff recommend that planning conditions relating to noise management are applied, including the submission of</p>
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<ul style="list-style-type: none"> • It is not fair on families, especially ones with young children. It potentially will stop people staying at the chalets and the motel. A noise complaint can be lodged with the police any time of the day. Amplified music is noise. The Brewery in Denmark offers a great venue for bands and large crowds it is a much better suited venue. • The Hall next to Woodbory Boston is unable to host events with amplified music as it disturbs the peace and enjoyment of the property about 60 m away from the hall. The chalets are right behind the café. <p>Using the Reserve for parking, stating that it is already being used as such, creation of noise pollution from amplified music, potential for drink drivers and unspecified "consulting" usage are the reasons I strongly object to the re-development of this site.</p>	<p>The owners of the adjacent chalets support the proposal and it is anticipated that the addition of the Small Bar to the existing facility, coupled with the redevelopment of the site will enhance the tourism experience.</p>	<p>finalised noise and management plans to the City for approval. Additionally, the premises is not open after 10.00pm more than twice in any calendar month, unless otherwise agreed in writing with the City of Albany. The operation of the venue would also be required to comply with the <i>Environmental Protection (Noise) Regulations 1997</i>.</p>
<p>5. SUPPORT WITH MODIFICATIONS</p> <p>At the Annual General Meeting on 26 October of the strata owners of Strata 37046, Cosy Corner Village, it was agreed by them that a supportive submission would be lodged with the City of Albany. The members were pleased to know that a substantial improvement in the facilities was being sought as the successful commercial operation of Lot 1 is important to the strata as a provider of tourist accommodation.</p> <p>As the Council of Owners, we hereby affirm that the members of Cosy Corner Village support in principle the redevelopment proposal for Lot 1 Cape Cafe by Proprietor Christina Rooney. Some comments follow.</p> <p>We do note that the application seeks authorisation for up to 120 patrons in the redeveloped shop - restaurant - small bar premises. Based on the plans supplied by the City of Albany, we doubt that the premises would be able to simultaneously accommodate that number of patrons. Though acknowledging that 120 is the upper limit permitted by the Liquor Control Act</p>	<p>Noted.</p> <p>As stated in the planning application, the proponent is willing to negotiate with the City as to the appropriate maximum accommodation.</p>	<p>Noted.</p> <p>To address nearby landowners and the City's concerns staff have recommended a condition be applied to the development restricting patron numbers to a maximum of 90 on site at any one time.</p>

<p>for a small bar. We suggest that the allowed maximum patrons set by Council be commensurate with the capacity for the actual approved space.</p> <p>Although not included in the redevelopment proposal, should either now or in future that the owner wishes to extend the western end of the existing cafe to match the west wall of the new cleaning area, we would be supportive of that variation. We acknowledge that there might be a need for Council to agree to a setback variation but the nature of such an extension would have no detrimental impacts of the Lot or the strata as a whole. Increased space for cafe / restaurant patrons would be welcome as the Cape Cafe, as claimed in the proposal, is a very important community social hub, and facility for visitors from Albany and tourists generally.</p> <p>We acknowledge the proposed trading hours are modest for such an operation, and that the various management plans are comprehensive. For the adjoining owners in Strata 37046, it will imperative that such plans are consistently and effectively followed. Noise management will in particular be crucial for the several adjoining tourist accommodation cottages.</p> <p>Although there is a screen of peppermint trees, since the lighting plan including illumination level appears not to be addressed in the development proposal document, we ask that the matter of potential light spill be considered by Council.</p> <p>Regarding parking, we understand that the proponent, has purchased lot 7 adjacent to Lot 1 as a potential overflow parking. If this is the case, we ask that Council require adjacent screening around lot 7 so as not to diminish the amenity for the adjacent tourist accommodation cottages.</p>	<p>Noted and the proponent is grateful for the support of the adjacent strata body and that they clearly support the redevelopment and benefits that a redevelopment of this site will bring to their accommodation and the wider area.</p> <p>The proponent has every intention of continuing to be a good neighbour and abiding by the Noise Regulations and commitments in the planning application and Small Bar Management Plan.</p> <p>Good point and agreed.</p> <p>As stated above, the proponent would like to withdraw the use of Strata Lot 7 as a parking area.</p>	<p>Noted.</p> <p>Staff recommend that planning conditions relating to noise management are applied, including the submission of finalised noise and management plans to the City for approval. Additionally, the premises is not open after 10.00pm more than twice in any calendar month, unless otherwise agreed in writing with the City of Albany. The operation of the venue would also be required to comply with the <i>Environmental Protection (Noise) Regulations 1997</i>.</p> <p>Staff have recommended that a condition to avoid obtrusive lighting be applied to the development.</p>
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	<p>In the context that Cape Cafe is a unique and essential facility for the local district and for the high number of visitors to Cosy Corner Beach, West Cape Howe National Park etc, we urge Council to provide structured public parking, including for tour buses, within the open road reserve north of Lot 1. It would be advantageous to include a portion of that infrastructure for an assembly point clear of the tree-lined strata in the event of bushfire, and for a helipad for any emergency evacuations.</p> <p>We reiterate our support for the proposal (subject to the points noted) and hope that Council will give its approval.</p>	<p>Supported.</p>	<p>Proponent's response and modification to application has addressed response.</p>
<p>6.</p>	<p>SUPPORT WITH MODIFICATIONS</p> <p>In essence, I support the broad scope of the proposed redevelopment. The redevelopment would significantly enhance the social and commercial facility for Cosy Corner Beach Cottage Strata 37046 overall but also for the surrounding district. There is no doubt that the expanded premises would be an asset for the resident community, to tourists and the many local visitors from Albany. A consulting room would add to the convenience for both local residents and tourists to obtain services here rather than need to travel further afield.</p> <p>My concern is for the undoubted and considerable impact, especially of the small bar on tourist guests holidaying in the adjoining units. Although the request is formally directed towards a maximum of 120 patrons, it would seem that such number would well exceed the physical capacity of the proposed expansion. Similarly, the number of vehicles for such number would overwhelm the intended parking bays. It is well known that Australians are <i>very noisy</i> in social settings. I note that there appears to be no reference to the use of acoustic panels within the cafe and small bar areas. Although the proposed hours of operation are modest and the noise management plan extensive, it remains likely that such a large patronage, especially if intended that many are in the open space, will affect the quiet enjoyment of guests, typically</p>	<p>Noted and appreciated.</p> <p>Noted. As stated above, the proponent is willing to negotiate with the City as to the appropriate maximum accommodation.</p>	<p>Support noted.</p> <p>To address nearby landowners and the City's concerns staff have recommended a condition be applied to the development restricting patron numbers to a maximum of 90 on site at any one time.</p>

	<p>families in the adjoining units. Likewise the arrival of the associated number of vehicles for 120 patrons, and certainly the departure after convivial meals and drinks, will be a disruption to guest's expectations.</p> <p>For the same reasons, I would be alarmed if Lot 7 also adjacent became a general car park with frequent vehicle movement. Limited, discreet and unobtrusive parking by regular staff is one thing (acceptable) but substantial parking by the general public perhaps with no awareness or concern for the values and purpose of the Strata would be most unwelcome.</p> <p>In the context of parking capacity, since the Cape Cafe is already a public asset to the region, adding to community and tourist benefit, and since the Strata as a whole contributes substantial annual rates it would be appropriate for the City of Albany to install well-structured public parking on the grassed triangle of the road reserve north of Lot 1, with provision for tour buses and cyclists.</p> <p>I ask that the City of Albany approve the proposed redevelopment but with appropriate conditions to minimise noise from the premises, limit the maximum number of patrons to that congruent with the true capacity of the redevelopment and control traffic associated with the business.</p>	<p>Noted, as stated above, the proponent would like to withdraw Strata Lot 7 from use a car park.</p> <p>Supported</p>	<p>Proponent's response and modification to application has addressed response.</p> <p>There are currently no plans to upgrade the existing facilities within the area, however this will continue to be revisited with any increase in users and when further funding becomes available.</p> <p>Staff recommend that planning conditions relating to noise management are applied, including the submission of finalised noise and management plans to the City for approval. Additionally, the premises is not open after 10.00pm more than twice in any calendar month, unless otherwise agreed in writing with the City of Albany. The operation of the venue would also be required to comply with the <i>Environmental Protection (Noise) Regulations 1997</i>.</p>
<p>7.</p>	<p>SUPPORT</p> <p>Late submission received 20 January 2020 from Strata Manager of Cosy Corner Beach Cottages advising of support to application.</p>		<p>Support noted.</p>

Second Round of Advertising			
No.	Public Summary of Submission(s)	Proponent Comment	Officer Comment and Recommendation
8.	<p>OBJECTIONS</p> <p>I am happy to hear that the restaurant will make improvements and provide more comprehensive customer service in the future if the application is successful.</p> <p>I am concerned with opening hours and parking facilities, as these issues could impact on guests.</p> <p>Traditionally the area is regarded as peaceful, and I worry that if the restaurant/bar is successful it could impact on occupancy if noise levels are significant and opening hours are in to early mornings.</p> <p>I trust that the Council will set up a comprehensive plan for parking and opening hours which will minimise impact on the local environment and residents.</p>	<p>The area is a tourist hub and the Noise management is effectively controlled through the Small Bar Management Plan and application of the Noise Regulations as required. Parking is controlled through the planning conditions and we have made suitable arguments substantiating both the numbers and type.</p>	<p>Noted.</p> <p>To address nearby landowners and the City's concerns staff have recommended a condition be applied to the development restricting patron numbers to a maximum of 90 on site at any one time. The parking originally proposed as overflow within a strata lot has been withdrawn from the application. Staff recommend that a condition requiring a final vehicular parking and access plan be applied.</p> <p>Staff recommend that planning conditions relating to noise management are applied, including the submission of finalised noise and management plans to the City for approval. Additionally, the premises is not open after 10.00pm more than twice in any calendar month, unless otherwise agreed in writing with the City of Albany. The operation of the venue would also be required to comply with the <i>Environmental Protection (Noise) Regulations 1997</i>.</p>