

Our Ref: J000478

6 March 2024

[REDACTED]
Manager Development Services
Town of Victoria Park
99 Shepperton Road
Victoria Park WA 6100

Dear [REDACTED]

TOWN OF VICTORIA PARK
Received: 25/07/2024



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869 (LOT 7) ALBANY HIGHWAY, EAST VICTORIA PARK – CHANGE OF USE OF REAR DWELLING TO RESIDENTIAL BUILDING (SHORT TERM ACCOMMODATION)

We are pleased to enclose an application to change the use of the rear dwelling at 869 Albany Highway, East Victoria Park to a residential building (short term accommodation).

In accordance with the Town's requirements, please find enclosed:

- A completed and signed Application for Development Approval.
- A completed and signed MRS Form 1.
- A copy of the Certificate of Title.
- The existing plans.
- Proposed floor plan.
- Management Plan.

Subject Site

The subject site is Lot 7 (869) Albany Highway contained on Certificate of Title Volume 1203 Folio 334. The site is 501m² in area and has frontage to Albany Highway. The land has an easement benefit and burden for the common driveway.

The subject site is not heritage listed and not located within a bushfire prone area.

The front of the site is used for commercial purposes and the rear contains a two storey dwelling. Three car parking bays are located between the building and the garage, two car parking bays within the garage and one bay adjacent the garage which is shared with the adjoining site.

Planning Framework

Metropolitan Region Scheme

The subject site is zoned 'Urban' under the Metropolitan Region Scheme (MRS). The site is not affected by any reservations under the MRS.

Town Planning Scheme No. 1

The site is zoned District Centre located within the Albany Highway Precinct (P11)

Proposed Change of Use

The application proposes to change the rear dwelling to a residential building (short term accommodation). The short stay accommodation will have 4 bedrooms.

There are no external changes to the building, and we note that any internal changes are exempt under the Deemed Provisions.

Planning Assessment

Land Use

A residential building is an 'AA' use in the District Centre Zone.

Local Planning Policy No.31 identifies that a residential building, is a building intended to be used for the purpose of human habitation temporarily by two or more persons. The LPP identifies that a Residential Building can include bed and breakfast accommodation, short term accommodation or a lodging house.

This application seeks approval for short term accommodation which means a Residential Building occupied on a short term/temporary basis by no more than 6 persons that do not comprise a single family at any one time. Examples of Short-Term Accommodation include short stay rental accommodation, holiday homes, student accommodation, share housing, etc.

Location

LPP No. 31 identifies 5 location criteria, of which a minimum of 2 must be achieved, to establish support for a residential building. In this instance, we consider that the proposed site achieves 2 of the criteria, being:

- The site is located on Albany Highway, being a primary, district or local distributor road.
- The site is within the District Centre zone.

Conversion of Existing Buildings

We understand that the current building has approval for residential use, there are less than 6 rooms capable of being bedrooms (4 bedrooms) and the amenity of the occupants of the other building located on site will not be impacted given its commercial nature and that the commercial use faces Albany Highway.

The conversion of the existing dwelling to short stay accommodation makes more sense than being used as a residential dwelling given that the dwelling has no private open space etc and therefore the amenity as a permanent residential dwelling is questionable.

The residential building is setback more than 15 metres from the rear boundary and therefore there will be no impact on privacy to the dwellings to the rear. The separation also means that there will be no amenity impacts to the dwellings to the rear.

Built Form

There is no change to the building form.

Car Parking

The site has three car parking bays to the rear, two car parking bays within the garage and 1 bay which is shared with the adjoining property. Three of the bays are allocated to the commercial use, 1 bay will be allocated to the short stay and 2 bays will be used as a common bays.

The short-term accommodation has 4 bedrooms, which would require 4 car parking bays. As indicated 1 bay will be available for the short-term accommodation and 2 bays as common. While the requirement is 4 bays, this would seem onerous for the one short term dwelling, which will be occupied by a single group occupancy. i.e the accommodation will not be occupied by 4 separate unknown persons.

We note that this is an existing site with a commercial frontage and dwelling to the rear. While we acknowledge that the current commercial car parking does not meet the requirements, it is an existing situation and in reality, the conversion of the three bedroom dwelling to a 4 bedroom short stay dwellings does not materially change the car parking demand on the site.

Management Plan

We have enclosed a management plan, prepared by the operator, for the short-term accommodation which addresses the matters listed in LPP No. 31.

Conclusion

The proposed use of the residential building for short term accommodation meets the locational requirements of LPP No. 31.

The small scale nature of the use (only 1 dwelling) and the location and separation from residential dwellings will ensure that there are no amenity impacts to the residential dwellings to the west.

We note the car parking variation, however, this is an existing situation. We also note that the existing residential dwelling has a reduced level of amenity given the location and lack of residential amenities and is therefore more appropriate as a short term accommodation which has a lower amenity expectation (i.e no expectation of a balcony or outdoor living area).

We consider it appropriate to grant development approval. Should you have any questions or require any additional information, please do not hesitate to contact the undersigned on 0411 445 031 or peter@ptsplanning.com.au.

Yours sincerely
PTS Town Planning Pty Ltd


P
Director