

MEMORANDUM

To Town of Victoria Park (Attn Leigh Parker)
From Trent Will, Taylor Burrell Barnett
Copy to Mark Iriks (Finman Pty Ltd)
Date 2 March 2022
Subject **Sea Container / Alfresco Dining proposal in Read Park
 Summary of Issue Resolution and Commitments**

Dear Leigh,

Thank you for meeting with us on 17 February 2022 to discuss the proposal from the owners of 484 Albany Highway, Victoria Park (Mr. Mark Iriks) to develop a temporary structure within Read Park. As you are aware, the structure is designed such that the rooftop can be used as outdoor dining for Sonder Coffee, with the ground floor space proposed to be used for community purposes.

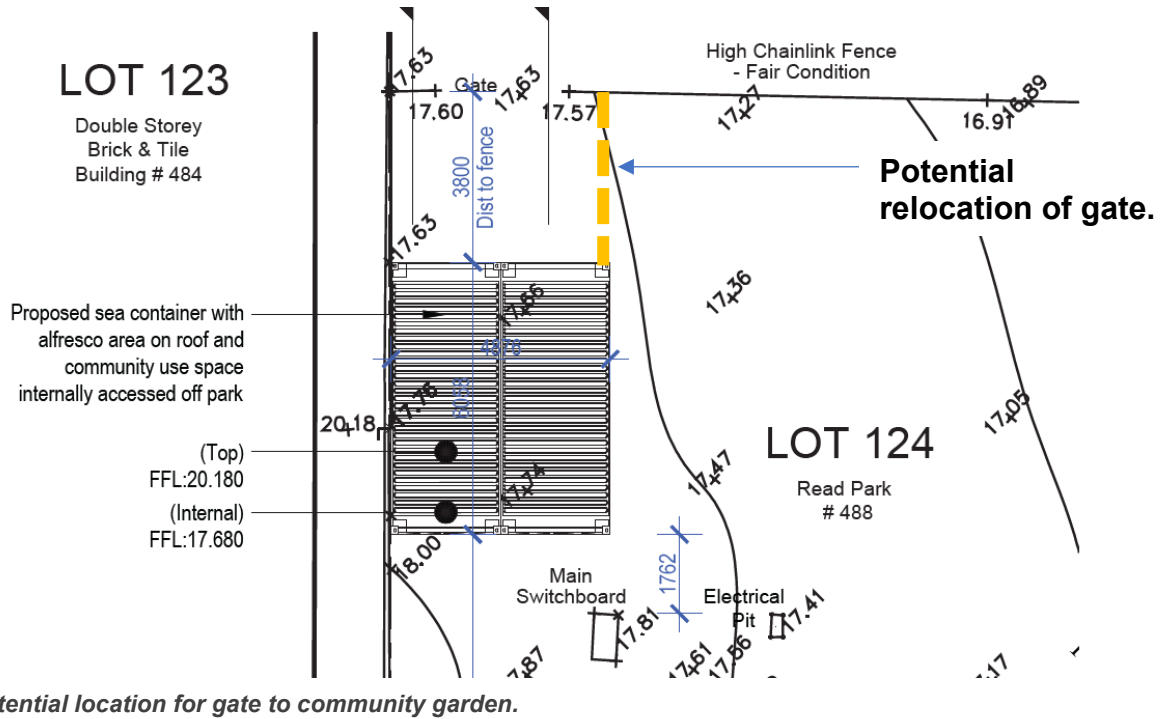
The Town has advised of a number of considerations with the development or ongoing use of the temporary structure. We have put thought toward the matters discussed at our meeting and detailed our responses in the table below. These have been divided into:

- Comments and ideas to resolve the matter for consideration; and
- Commitments from the owner regarding installation and/or ongoing use of the structure.

No.	Matter for Consideration	Comments & Design Solutions	Commitments & Responsibilities
1	Footpath connection		Footpath within Read Park will be extended to meet the ground floor level of the proposed structure, at the cost of the proponent.
2	CPTED considerations	The structure can include visually permeable openings / windows so to enable a view between the Albany Highway side of the structure and the community garden.	The proponent will install motion sensed lighting to the side of the structure that is not visible from Albany Highway.
3	Access to community garden	A setback of 3.8m is proposed between the structure and the fence line of the community garden. This was estimated to be sufficient to maintain access in and out of the community garden.	The proponent will cover the cost of relocating the gate, if required.

		Notwithstanding, to prevent opportunities for loitering and anti-social behaviour, it is suggested the gate to the community garden could be re-aligned at a right angle from its current position. See diagram below.	
4	Servicing	<p>It is proposed the structure would have a water and power connection.</p> <p>It is not considered that sewer connection is required given the upstairs portion would have access to on-site toilets for the café and the downstairs portion would have access to toilets within Read Park.</p> <p>A gas connection would not be required.</p>	The proponent is willing to organise and cover costs of water and power connections to the proposed structure.
5	Site works	<p>It is proposed that existing turf would be removed and a flat base created for the placement of the structure. As a sea container structure or similar, no footings are required and the structure would sit on the existing ground within the park. Some compaction may be required.</p> <p>Areas adjacent to the structure may require minor regrading to ensure there are no steps or trip hazards. Note, level differences between the proposed FFL and existing ground levels are less than 300mm.</p>	<p>The proponent is willing to take on all costs associated with the initial site works and erection of the proposed structure.</p> <p>Should irrigation need to be re-routed, the proponent will cover this cost.</p>
6	Use and Management of Ground Floor Space	<p>It was generally agreed that the ground floor space could be utilised for a multi-purpose community space. Uses may include:</p> <ul style="list-style-type: none"> • Community meeting space. • Pop up events such as art displays. • Community workshops. 	<p>The proponent is willing to manage the facility and would take responsibility for opening and closing at the beginning and end of the day. It is not proposed that the facility would be staffed in its own right.</p> <p>Notwithstanding the above, the proponent would have no objection to this being managed by the Town if that is considered more appropriate.</p>

			<p>The proponent would also be willing to cover cleaning and maintenance of the upstairs and downstairs space.</p> <p>It is requested the Town assist in removing graffiti should this occur.</p>
7	Use and Management of Upper Floor Space	<p>Noting the various commitments, it is expected that the proponent (specifically, Sonder Coffee) will be granted exclusive use of the rooftop space for alfresco dining purpose associated with the café.</p> <p>It is intended that a liquor licence (restaurant licence) would be sought. This is consistent with allowances for 'alfresclets' under the Town's <i>Parklet and Alfresclet Policy</i>.</p>	
8	Design of Roof Space	<p>It is intended that access will be provided directly between the walkway of 484 Albany Highway and the roof of the container. A pedestrian gate would be provided to restrict access outside of trading hours.</p>	<p>The proponent will ensure:</p> <ul style="list-style-type: none"> • Balustrading around the edge of the roof space is visually permeable. • Landscaping (non fixed planters) is provided on the rooftop.
9	Insurance		<p>The proponent will seek public liability insurance consistent with expectations for parklets/alfresco dining permits (up to \$20 million).</p>
10	If structure is needing to be removed		<p>The proponent would be willing to remove the structure (either temporarily or permanently) in the event the Town requires the space for future development or access purposes.</p> <p>It is expected the Town would provide a reasonable notice period prior to removal. However, removal can be organised within 24 hours for emergency purposes.</p>



Lease

The comments received via email on 10 February 2022 indicate a potential constraint with a commercial lease. From our discussion on 17 February 2022, we understand the Town is open to an alternative to a lease such as a licence or a permit. We understand the Town is reviewing this further and look forward to receiving feedback as to the preferred approach.

Conclusion

We trust the information provided in this memorandum provides a clear pathway for the Town to support the use of this small portion of Read Park for the requested purposes. We would be pleased to discuss any aspects of the above further and would be pleased to formalise these commitments as required. Should you have any queries or require any further information in the interim, please do not hesitate to contact the undersigned on 9226 4276.

Yours faithfully
TAYLOR BURRELL BARNETT



TRENT WILL
SENIOR ASSOCIATE