



**LEVEL 14, THE QUADRANT  
1 WILLIAM STREET  
PERTH WA 6000**

URBIS.COM.AU  
Urbis Pty Ltd  
ABN 50 105 256 228

05 August 2019

Mr Robert Cruickshank  
Manager Development Services  
Town of Victoria Park  
Via email: RCruickshank@vicpark.wa.gov.au

Dear Robert,

## **RETROSPECTIVE DEVELOPMENT APPROVAL - MAKIN MATTRESSES - 553 ALBANY HIGHWAY, VICTORIA PARK WA 6100**

On behalf of Makin Mattresses (applicant), Urbis is seeking retrospective development approval for the installation of a window at the Makin Mattresses – Victoria Park store, located at Lot 929 on Plan 4337 (No. 553) Albany Highway, Victoria Park ('subject site').

This application is submitted following discussions with the Town of Victoria Park and in response to the non-compliance notice issued by the Council. This application seeks to resolve the non-compliance matter.

### **BACKGROUND**

An application was lodged with the Town of Victoria Park on the 18 May 2017, and was subsequently approved, subject to conditions on 12 September 2017 (Doc ref: 5.2017.387.1). As part of the approval, the following conditions were noted:

1. In relation to the existing windows facing Albany Highway:
  1. All windows are to be retained in their current size and height with no windows to be removed or boarded up as proposed.
  2. All windows are to have clear glazing, with any existing painting or obscuring of windows to be removed, and the windows not being subsequently obscured by signage or internal shelves.
  3. Those windows described on the approved plans to be boarded up or removed shall be retained as per item 1.1. but may be internally screened through curtains or blinds.
  4. The internal screening permitted in 1.3 above only relates to this planning application.

We understand from the applicant that there was a breakdown in communication between the consultants, owner, contractors and proponent. As a result, the site was developed in accordance with the originally proposed plans which included the boarding up of the north-eastern window and various other changes to the site.

Although this error is noted, it must be highlighted that the works have resulted in a substantial improvement in the condition of the building and amenity of the site.

A subsequent non-compliance notice was issued to Makin Mattresses dated 9 February 2018 and outlined the request for the windows which were boarded up to be reinstated as per the conditions of approval noted above, along with the requirement for modifications to the signage on site.

Accordingly, Makin Mattresses has been working in cooperation with the Town to remediate the works. To date Makin Mattresses has:

- Restored the existing 'United Friendly Societies Building' signage; and
- Lodged an application for the additional signage on site; which is currently under reconsideration.

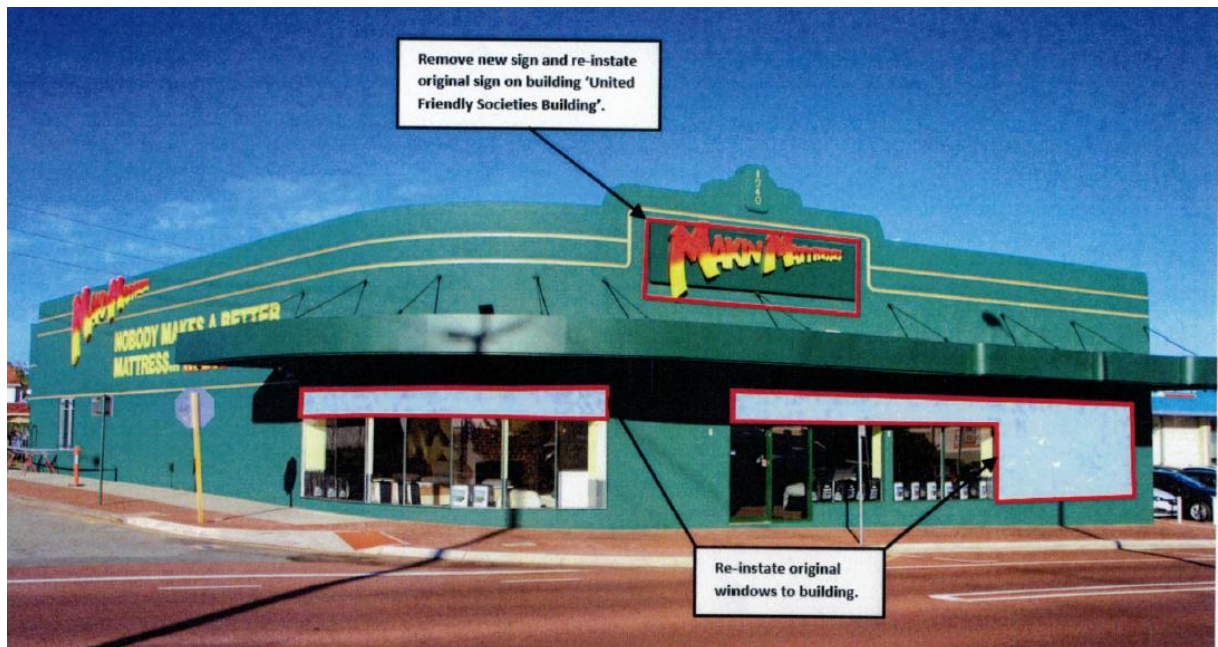
An additional notice was received from the Town dated 22 July 2019, requesting an application for an alternative format or the reinstatement of the windows.

This application hereby seeks retrospective approval specifically in relation to the windows at the site, which has been put forward through ongoing discussions with the Town's staff in order to achieve an appropriate and suitable outcome for the site.

It is noted that the previous windows were not original nor forming part of the heritage values associated with the site.

Based on a site visit with Council officers it was agreed that the key issue was of amenity and passive surveillance in seeking additional windows being reinstated. This has informed our approach to the application.

Figure 1 – Non-compliance mark-up



Source: Town of Victoria Park

Figure 2 – Historical Site appearance



Source: Google Earth (2016 imagery)

Figure 3 – Existing Streetscape



Source: Urbis 2019

Most recently, the owners of Makin Mattresses along with various other business owners along Albany Highway have met with the Town of Victoria Park to discuss how business could be better supported in this area. As a result of these discussions, it is reassuring that the Town is looking to support local businesses in the area, however, highlight the growing concerns over lack of consideration for business needs.

Restoration works to the building have been in excess of \$1.1 million to date, and as a result of reinstated what was otherwise a neglected heritage building along Albany Highway. It is understood that other heritage buildings within the Town have not been so fortunate and have since made way to redevelopment completely. The refurbishment of the Makin Mattresses building is something which should be wholly supported by the Town, insofar that it has conserved the heritage value of the site, whilst further promoting active business to the area. In this regard, we seek the Town's ongoing support for the continued operation of the building in its current form.

## PROPOSAL

This proposal requests the retrospective support of the town for the portion of the building where the windows were located to remain covered (Figure 4). Further consideration is outlined below:

Figure 4 – Existing Site



Source: Urbis 2019

## **TOWN OF VICTORIA PARK – LOCAL PLANNING POLICY 17 – STREET FRONTAGE DESIGN GUIDELINES FOR DISTRICT CENTRES AND COMMERCIAL AREAS ALONG ALBANY HIGHWAY**

The Town's local planning policy seeks to provide guidance to the contribution of buildings in regards to the character and comfort of the adjoining pedestrian environment. Specially the policy looks at providing guidance to commercial areas along Albany Highway and any adjoining streets.

Section 6.6 of the policy identified the requirements in relation to windows and glazing for tenancies. It is identified that the following considerations apply:

Table 1 – LPP 17 – Section 6.6. Review

Provision	Comment
<p>At least 60% of the total length of the façade along the footpath should be transparent. The continuity of glazing should be broken to provide interest by solid (opaque) vertical panels, framework and/or strong visual displays.</p>	<p>As show in Figure 3 above, the shop current provides a large expanse of windows along the Albany Highway façade, with additional windows also extending around the curvature of the building towards Rathay Street. It is considered that the current building form provides sufficient windows along the building façade to promote interest and activation to the street.</p>
<p>A high level of detailing or decoration in design, structure, colour and materials should be provided to enhance the interest from the street.</p>	<p>The existing windows have been restored to be complementary to the heritage value of the site.</p> <p>Where the window which has been covered (subject of this application), a high quality rendered finish has been applied consistent with the high-quality finish to the remainder of the site.</p>
<p>Windows, including shop windows, should be designed in the style of the building and detailed to provide interest for the pedestrian. Interesting stall risers, fascia and shopfront framework should be provided.</p>	<p>See comment above.</p>
<p>Roller doors of solid material, including see through acrylic are not accepted.</p>	<p>No roller doors or acrylic are displayed over the windows at the site.</p>
<p>Reflective or heavily tinted glazing is not encouraged on any building.</p>	<p>See comment above.</p>



Moreover, Section 6.11 identifies the requirements pertaining to any buildings of heritage value. Key provisions have been addressed below:

Table 2 – LPP 17 – Section 6.11 review

Provision	Comment
<p>All recognised heritage buildings should retain any original shopfronts, entries or foyers. Front entries and stairs to floors above or to basements below a shopfront should be retained to encourage an appropriate mixing of activities, particularly residential on the upper floors.</p>	<p>As has been identified within the Heritage Report provided with the original application for the site, the site has undergone many changes over its lifetime. This has been emphasised through many changes to the external entrances, windows etc. as is shown in Figure 6, Figure 2 and Figure 3. As a result, the current site has sought a balance between retaining windows and entries where possible, however has been required to make minor changes to the building façade to ensure safe operation of the site.</p>
<p>Notable building facades should be treated with the same respect accorded a heritage building, including treatment of shopfronts.</p>	<p>As previously mentioned, Makin Mattresses has invested \$1.1 million dollars into the restoration and revitalisation of the subject site. The finishes have incorporated high-quality and durable materials which will see the continuation and ongoing use of the building for the foreseeable future.</p>
<p>Should it be necessary to replace or insert a shopfront, or other part of the façade, to a heritage or notable building then that shopfront/part should be designed to be in sympathy with the style, proportions, scale (both vertical and horizontal), materials, detailing and use of materials in and of that building.</p>	<p>Subject to this application, retrospective approval is sought for a portion of window along the northern section of the Albany Highway frontage. As has been outlined within this report, the modification to the building façade for this section has been as a result of the operation of the site. It has been noted that this portion of window at the site was historically covered and not utilised. As such, it is seen that the recent refurbishment to the site, which included the high-quality covering of the portion of window has seen the betterment of the site. This has been supported through numerous local constituents supporting the building upgrades. The style, proportions, scale and materials of the section of window which have been covered remain sympathetic to the site and do not result in a loss of heritage value or amenity at the site.</p>



In accordance with the above, the proposed covering of the small portion of window is considered to be an acceptable outcome for the site and will not detract from the heritage of amenity of the site or surrounding area.

To support the proposal, further consideration of key elements have been addressed in the sections below. These have been related to security, amenity and heritage and have been outlined to provide further support and consideration of the proposal to the Town.

## **SECURITY**

Makin Mattresses are keenly interested in the highest level of security for our staff and customers, and do not believe that a window adjacent to the cash registers would guarantee this level of safety.

As part of the ongoing discussions with the Town, Makin Mattresses has sought to review the internal building layout to determine if a revised floor plan could be accommodated which would result in the relocation of the register / counter. However, it was found that the existing location is seen as the optimal positioning which allows for both secure surveillance of the store, as well as providing additional privacy for customers.

It is imperative that no one, who is not a member of staff, be able to see the workings behind the desk/register where money is kept, security systems are monitored, and where staff regularly occupy.

Through allowing the site to remain in its current form, the level of security at the site will not be compromised in any way, with passive surveillance still available to Albany Highway and Rathay Street through the existing windows at the store.

## **AMENITY**

The proposal as outlined above will result in acceptable outcomes for the site and will not detract from the heritage value of the site.

The option is also considered to be substantially superior in comparison to what was previously provided at the site as shown in Figure 2 which were fully screened windows, and windows with large amounts of advertising and/or otherwise fully painted and screened.

Testimony to the improved streetscape (please see attached petition document), for 10 positive comments and 64 change.org signatures representing the positive community impacts the renovations have delivered, in addition there are 43 signed in-store petitions representing the same notion.

As previously mentioned, the \$1.1 million dollars which has been invested into the restoration and refurbishment of the site has sought to not only improve the usability of the store but has also enabled a greater street and business interface. The inclusion of additional windows along the Albany Highway façade would not be considered to provide a greater amenity impact for the site or streetscape, as these windows had not been visible for some time prior to the restoration of the site.

Figure 5 – Change.Org Petition

### Before or After - Makin Mattresses Victoria Park



Makin Mattresses started this petition to Residents of Victoria Park

Makin Mattresses a wholly Australian owned and made mattress manufacturer operating 9 stores and 6 manufacturing sites across Australia comes to Perth.

On the purchase of a neglected, run down heritage building in Victoria Park, Perth WA, Makin Mattresses set out to lovingly restore the building whilst creating an appealing and workable retail showroom to bring our quality mattresses to the West.

We have come up against some set backs with Town of Victoria Park regarding the alterations to the building.

One particular sticking point is the exterior of the building, what we want to achieve is your show of support of the improvements (after over \$1million worth of restoration investment) that it is an acceptable addition to the streetscape of Albany highway.

Source: *Change.org / Makin Mattresses 2019*

64 have signed. Let's get to 100!

First name

Last name

Email

Perth, 6000  
Australia

- Please share my name and email address with Makin Mattresses, so that I can receive updates on this campaign and others.
- Display my name and comment on this petition

[Sign this petition](#)

By signing, you accept Change.org's [Terms of Service](#) and [Privacy Policy](#), and agree to receive occasional emails about campaigns on Change.org. You can unsubscribe at any time.



## HERITAGE

The subject site has been identified as being a place of heritage significance in accordance with the Town of Victoria Park's Municipal Heritage Register.

The significance is stemmed from the Art-Deco rendered façade, with an undulating skyline decoration over the main entry with a panel for the building title. There are also two recessed string course mouldings at parapet height and one at a height of the top of the windows to accentuate the horizontal lines of the building.

A Heritage Impact Statement prepared by Hocking Heritage Studio was submitted with the retrospective signage and alterations application received by the Town on 31 July 2018.

It is further noted that the building and windows have been slowly modified over time, be it boarded up, screened or shifted, with the tenancy being split, and additional entrances installed (Refer to Figure 6 below). As such, the façade has been found to have been compromised from the original heritage design, however, still maintains the heritage significance through the Art Deco building style and focus towards the parapet.

In this regard, and as outlined within the Town's register it is considered that the primary heritage value of the site is through the art-deco design, and primarily related to both the awning and parapet components of the site. Whilst the windows are an additional feature to the building, it is considered that the value placed on this component is not as high.

Accordingly, the proposal is not considered to detract from the heritage value of the site.

Figure 6 – Original Heritage Building



Source: Town of Victoria Park Municipal Heritage Register 2019



## CONCLUSION

As outlined within this application, there are three core justifications to keep the external wall fronting Albany highway in its current condition.

- To ascertain the safety of staff, working behind the register
- Community perceptions determine the store is currently delivering an improved streetscape.
- Through time and incremental change to the store, the windows no longer represent the historical value they once did, instead the art-deco style of the building is the key heritage component to the site, which has been renovated to comply with this style.

For the abovementioned reasons, we request the Town's favourable consideration for retrospective approval associated with the windows located on the northern corner of the Makin Mattresses Victoria Park store.

We appreciate the Town's ongoing cooperation in this matter amongst others and are open to further discussions as required.

If you have any questions please don't hesitate to contact me at [rhaeren@urbis.com.au](mailto:rhaeren@urbis.com.au).

Yours sincerely,

A handwritten signature in black ink that reads "Haeren".

Ray Haeren  
Regional Director

CC Kate Simpson - Makin Mattresses

Enc Change.org Petition