

17 August 2021.

Amie Groom
Planning Department
Town of Victoria Park
99 Shepperton Road
Victoria Park WA 6100

RE: Application for Development Approval for Change of Use – Lot 103 (#789) Albany Highway, East Victoria Park.

Dear Amie,

As per our application we are asking council to grant approval for the change of use of 6 additional car bays, so a total of 12 car bays to be used within the car wash tenancy. We are also asking council to grant approval for the existing signage.

To summarize, the queries you have had to date and my responses with regards to the description of the business are as follows :

- Business activities? – **as per existing approval.**
- Number of staff? – **two as per existing approval.**
- Maximum number of customers or patrons, at a given time? – **as per existing approval.**
- Operating hours? – **as per existing approval.**
- Net lettable area? – **existing approval is 91.1m², proposed 6 car bays are 81.7m² given a total of 172.8m².**
- Description of machinery used? – **as per existing approval.**
- The nature and frequency of deliveries? – **as per existing approval.**
- Outline waste disposal methods? – **as per existing approval.**
- Please confirm who the customers are that the motor vehicle wash will be catering for? – **the customers are the general shopping centre customers, they get their cars washed while they shop.**
- Please confirm number of customers? – **the number of customers is on average 5 per day up to a maximum of 10 per day.**
- Please provide information regarding the existing signage installed on the site, including the location, size, illumination, and any other information relevant for the signage to be appropriately assessed? – **refer to previously emailed photo's showing the signage.**
- Please confirm what each car bay is intended to be used for? – **refer to previously emailed updated drawing indicating what the car bays are used for.**
- Please be advised that the Health Department have reviewed the information and have requested that the following information be provided : How is disposal of water managed? What ventilation is relied on? How is odour managed? – **the wastewater is treated via a VGS unit and all excess treated water is then piped to sewer. Water Corp approval has already been obtained for this as per the original approvals. Ventilation is via the extensive openings at the entrance and exit to the carpark. There is minimal to no odours produced. The ongoing maintenance and cleaning of the pits and drains is completed every 3 months by Waste Water Management Solutions, refer to previously emailed invoice of the work they perform. Please note that all approvals have already been obtained for this as per original approvals.**
- The current space and room is too small for the proposed activity. This space is ok for fewer cars but if it is expanded it should be moved away from the undercroft car park as the draining and ventilation might not be adequate for this operation? – **the business is not expanding. The current car wash owner simply operates differently to the original owner who required minimal space. The current owner simply requires more space to achieve the same outcome.**

It's my understanding that you have favourably accepted my responses to these queries.

Following on from these queries, you have recently sent me the following objections received by council during the community consultation period :

1. Objection :
 - The 'Motor Vehicle Wash' signage on the shopping centre is unproportional to the size of the operation. I would expect it to be smaller than the Coles or KMart signage.
 - The 'Motor Vehicle Wash' signage visually unattractive and not in taste with the surrounds. Propose to either make the surrounds more suitable - or alter the signage to suit.

2. Objection :
 - I oppose the expansion of the vehicle car wash. The number of under cover car parks is very limited, take extra car parks plus the extra staff will completely take away the only under cover parking. Car parking at the shopping is limited, taking away more parking is not practical.

3. Objection :
 - We wish to lodge our objection to the retrospective increased car wash parking space application at The Park Centre shopping precinct, 789 Albany Highway, East Victoria Park.
 - Originally a car wash facility was never planned nor intended for the site at any location at the precinct such that a carwash facility was the result of an afterthought.
 - This car wash facility has now grown to the extent of acquiring a further six bays for that purpose, albeit without the Town's approval.
 - Available parking at The Park Centre, as a result of the increasing patronage at the shopping centre and the cafe strip, is critically low at most times. Further parking curtailment, even of just six bays, only serves to exacerbate the current and a significantly ever evolving problem now existing.
 - The car wash facility is essentially a light industrial activity and has no direct association with The Park Centre designated purpose, that of shopping. It should never have been given approval in the first instance let alone given this consideration for an opportunity to now legitimise the expansion having taken place.
 - Setting aside up to ten parking bays overall for a car washing facility having 5 to 10 customers for day is an unjustified allowance unable to be offset by any tenuous benefits proffered by either the centre's management or the business itself.
 - We object to this proposal of expansion, retrospective or otherwise, and in fact would like to see Town move towards the closure of the business in its entirety as it is unnecessary, unsightly and inappropriate at this location as well as to quarantine essential general parking space for the shopping public.

4. Objection :
 - Under cover parking is at a premium at the Park Centre.
 - The car wash employs 2 staff, so mostly only 2 cars can be worked on at once.
 - A maximum of about 10 cars are washed daily.
 - When cars are cleaned, they are moved away from the cleaning bay(s).
 - I would prefer to maximise available general parking under cover, and retain 6 bays (maximum) for the carwash.
 - There are parking bays in the car park along the Basinghall Street side, which could be allocated for additional car wash parking, and this would be my preference.
 - While not under cover (preferred for a clean car) the Basinghall bays would only be needed as overflow parking. The Oahu Management may wish to put a cover over any outside allocated parking bays.

With regards to the objection's to the signage, my response is :

- The existing signage does not adversely impact upon the amenity of the streetscape or surrounding area.
- The existing signage allows the reasonable identification of the business without causing a negative and visually intrusive impact on the streetscape and public realm.
- The existing signage meets the all requirements of "Local Planning Policy No. 38 – Signs" Part One – General Requirements For All Signs, which are as follows :
 - o Advertisements shall be located outside visual sightline areas so that traffic and pedestrian safety is not compromised; and
 - o Advertisements shall not contain any obscene or offensive information or illustration; and
 - o Advertisements shall not obstruct pedestrian or vehicle movements; and
 - o Where illuminated:
 - (a) not cause a nuisance, by way of light spillage to abutting sites;
 - (b) not comprise flashing, intermittent or running lights, or change more than once in every 5 minute period;
 - (c) not interfere with or be likely to be confused with, traffic control signals; and
 - (d) not have a light of such intensity as to cause annoyance to the public; and
 - o Advertisements are not to extend beyond the boundary of the lot unless located on an existing awning or canopy; and
 - o Advertisements shall be in keeping with the architecture of the building.
- With regard to the need for a Development Approval for Signage "Local Planning Policy No. 38 – Signs" Part Two – Need For Approval states the following :
 - o An Exempt Sign is a sign that does not require development approval. A sign is an Exempt Sign where it:
 - (a) Is not erected or installed in a place that is entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*; and
 - (b) Is not located within an area designated under the Town Planning Scheme as a heritage area; and
 - (c) Does not result in more than three (3) advertising signs per tenancy; and
 - (d) Complies with the General Requirements for All Signs in Part 1 of this Policy; and
 - (e) Is determined to be an Exempt Sign having regard to Table 1 below; and
 - (f) In the case of an illuminated sign, is on non-residential zoned land; and
 - (g) Is not on or abutting land that is reserved as a regional road under the Metropolitan Region Scheme.
 - OR
 - (h) Is located on a thoroughfare * *Note 1* (for signs on a thoroughfare, see the Town's *Activities on Thoroughfares and Trading in Public Places Local Law 2000*);

Note 1 - "on a thoroughfare" does not include signs over a thoroughfare. Signs over a thoroughfare will be assessed having regard to the specific sign type.

Development approval is required for a sign(s) in all other instances. As part of the development application, the applicant should address how the sign meets the objectives of the Policy and those matters outlined in Part Three of this Policy.

The existing signage meets all exception requirements above except point (e). Wall signs exempt from Development Approval are required to be an aggregate area of 0.4m² per 1m of street frontage of the subject tenancy (up to a maximum aggregate area of 10m²). The existing signage has a total aggregate of 12.87m².

- The existing signage is located well back from view from Albany Highway and is in proportion with other signs on the building. All these signs have been sized to be in proportion with the scale and bulk of the building. The fact that Kmart and Coles and much larger tenancy's should not determine the size of the signage for the car wash, the purpose of signage is to attract and promote the business. The fact that the existing signage is only marginally over the threshold for needing a Development Approval should be considered when assessing this application.

Kevin Raykos Designs

architectural building design & drafting

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With regards to the objection's to the change of use of 6 additional car bays, my response is :

- As per "Local Planning Policy No. 23 – Parking Policy", the aim is to facilitate the development of adequate parking facilities and safe, convenient and efficient vehicle and bicycle access for pedestrians, cyclists and motorists. The proposed change of use of 6 additional car bays does not adversely affect this aim.
- Given the council have not advised us otherwise, it's assumed that the required number of parking bays for the entire development will be adequate, there will still be a surplus of car bays.
- As shown on the latest set of drawings submitted to council, a total of 12 car bays is proposed to be occupied, 3 of which are proposed to be used for the parking of customer cars before and after they are washed and detailed. These customers will also be customers of the shopping centre. So in reality the proposal is to only remove 3 car bays from use by the general shopping centre customers. Considering the size of the shopping centre and car park this will have minimal impact.
- There are no council requirement's or policy's for the shopping centre to provide undercover car bays, so any objections or comments associated with this should not be considered.

The current car wash operators require these additional car bays to operate efficiently and effectively, they are involved in a number of shopping centre car washes around Australia. Most shopping centres now have a car wash associated as a key element to attract shoppers.

Please don't hesitate to contact myself should you have any queries or require further information.

Kind Regards,

K Raykos

Kevin Raykos.