

ADDENDUM

11.2.4 PROPOSED PARTIAL CHANGE OF USE TO SMALL BAR - 98 (LOT 38) ALBANY TERRACE, AUGUSTA

This addendum provides submissions received subsequent to agenda publication.

CONSULTATION

The proposal was advertised to nearby owners and occupiers, and at the time of writing the report, the Shire had received fifteen (15) submissions in favour of the proposal and three (4) submissions in objection to the proposal. An overview of the submissions has been provided below.

The submission received in favour of the proposal included the following comments:

- Augusta is currently lacking a venue of this nature, will be a great place to take friends and visitors, will enhance the existing premises and draw tourists to the area;
- Will raise the profile of and improve the visitation experience of Augusta;
- Will provide some employment.

The submissions received in objection to the proposal raised the following concerns:

- Inadequate parking to cater for the number of patrons proposed, parking will occur on Albany Terrace causing congestion;
- Site is located on a blind bend, concern that this does not mix well with drivers who have been drinking alcohol;
- Vicinity is a family area, and is not appropriate for a small bar;
- Inconsistent with the predominantly residential area.

A detailed schedule of submissions has been enclosed as an attachment to this report (**Attachment 2**). As the report was compiled on the final day of consultation, any further submissions that may be received will be provided as an addendum.

In addition to the above, the applicant provided their public interest documentation prepared in support of a future liquor licence application. The public interest document contains completed questionnaires of 41 people. All respondents supported the proposal, with other questions included relating to patronage of the premises, frequency and type of visitation.

The summary of the questionnaire results has been included as **Attachment 3**.

SHIRE OF AUGUSTA MARGARET RIVER
ORDINARY COUNCIL MEETING AGENDA 12 DECEMBER 2018 - ADDENDUM

Submission No.	Submitter (Name and Address)	Summary of Comments	Officer Comment	Recommendation
Support				
14.	Private Submitter	Keen to support the local facility.	Noted.	Nil.
15.	Private Submitter	<ol style="list-style-type: none"> 1. Far too long Augusta has not had such a facility where one can enjoy good food and a glass of wine plus one of the best outlooks in town. 2. This will be a great amenity for local residents but also for visitors and tourists. 3. Currently there are no good dining facilities to encourage a nights stay in town. 	Noted.	Nil.
Object				
D.	Private Submitter	<ol style="list-style-type: none"> 1. Colourpatch has operated as a takeaway and lunchtime café/restaurant. Rarely used at night and has never been licensed for the service of alcohol. 2. Ancillary use is defined as 'providing necessary support to the primary activity etc etc' Can't see the Small Bar being an ancillary use to its traditional use, it may if approved become the primary use of the premises. 3. Café isn't situated in the Town Centre and is wedge in a residential area and its operation as Small Bar will be open late in to the evening with music everyday and would disrupt the quiet good order of the locality. Noisy patrons leaving late at night and starting of their vehicles plus loitering would disturb the peace. 	<p>Noted. A Section 40 was previously granted for the restaurant but it is unclear if this eventuated to a liquor licence.</p> <p>Noted. Refer to the comment section of the report discussing the ancillary nature of the use, the following factors are attributable to officers views that the use is ancillary:</p> <ul style="list-style-type: none"> • The small bar floor space only comprises approx. 25% of the public area; • Lack of independent access to the bar; • Conditions are proposed that restrict operating hours and require the operation of the premises as an integrated facility. <p>The site is identified in the Local Planning Strategy and Augusta Townsite Strategy as 'Town Centre'.</p> <p>Conditions have been enclosed which restrict the opening hours to be the same as the restaurant.</p> <p>Whilst social impacts can be a legitimate</p>	<p>Conditions have been included that require development to be undertaken in accordance with approved plan, restricting the closing times to those previously approved for the restaurant and requiring that the venue operate as an intergraded facility.</p>

SHIRE OF AUGUSTA MARGARET RIVER
ORDINARY COUNCIL MEETING AGENDA 12 DECEMBER 2018 - ADDENDUM

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		<p>4. Applicant has acknowledged that the Café operating with a liquor license will have potential to cause harm, noise and potential for criminal and antisocial behaviour. Noise is amplified across the river and would annoy all of Augusta,</p> <p>5. The plan to remove delivery bay and disabled ramp from the front of the building and being replaced with a 'licensed alfresco dining area'. Difficult for a wheelchair user to either negotiate circuitous 'delivery access' pathway on eastern side or attempt the narrow one way parking access lane to enter the business. Deliveries use the same access and the lane to rear parking area is too narrow for most trucks and our common fence is damaged by their attempts. Exit is throttled and unsighted and conflicts with proposed Loading Zone and my driveway is compromised by the proposed plan. Proposed 28 Bays at rear if achievable will be congested and the disabled bay difficult to access. Most cases people park on Albany terrace and this part is narrow with a blind corner on eastern end. Parking only on one side of street and is for users of the recreational area. Bar serving alcohol and Good Friday from midday to 10pm would cause traffic chaos for our busiest time of the year.</p>	<p>concern they are not a relevant consideration to the planning process, this is assessed through the Liquor Licencing. Measures to mitigate unreasonable amenity impacts, such as restricting operating hours have been taken in this instance and ensuring adequate parking have been taken in this instance.</p> <p>Noted. Any venue is required to operate within the limitations of the Environmental Protection (Noise) Regulations 1997.</p> <p>A ramp has been retained at the front of the site and level entry is located adjacent to a universal access bay provided at the rear of the premises. A delivery bay will need to be provided on site (the current bay is located within the verge which does not meet current requirements). The proposal was referred to engineering who did not raise concerns in respect to the intersection with Albany Terrace and will need to meet Australian Standards to ensure that the parking area has necessary aisle and parking bay width and dimensions. Sufficient parking bays have been provided in order to comply with the requirements of the Shires Local Planning Scheme.</p>	

SHIRE OF AUGUSTA MARGARET RIVER
ORDINARY COUNCIL MEETING AGENDA 12 DECEMBER 2018 - ADDENDUM

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		<p>6. Family friendly Colourpatch beach and recreational precinct stretches from Turner Caravan Park to swing and wheelchair friendly fishing platform and is the only POS access to the Blackwood River Foreshore in Augusta. Its loved and used by locals, visitors and events as a recreation area where children can play and swim safely in a carefree manner, enjoy picnics on the beach at sunset and enjoying the dolphins. Is totally inappropriate to introduce alcohol to the precinct with its attendant problems of drinking driving, boating and inappropriate behaviour around children.</p> <p>7. Worried about the impact this proposal will have on my family home which is 8m from the location of the Bar in the Plan.</p> <p>8. If approval granted it will cause undue annoyance, disturbance and inconvenience to the peaceful enjoyment of my property. Safety and security will be compromised by inebriated patrons and noise all day and late into night. Value of my home will be lessened.</p> <p>9. Please consider the impact this proposal would have on the amenity of this special locality.</p>	<p>Noted. See above comments in respect to social considerations. It is considered that overall the venue would encourage greater use of the area, increase activity and passive surveillance that is a positive outcome.</p> <p>Noted.</p> <p>See above comments regarding social considerations.</p> <p>Noted.</p>	