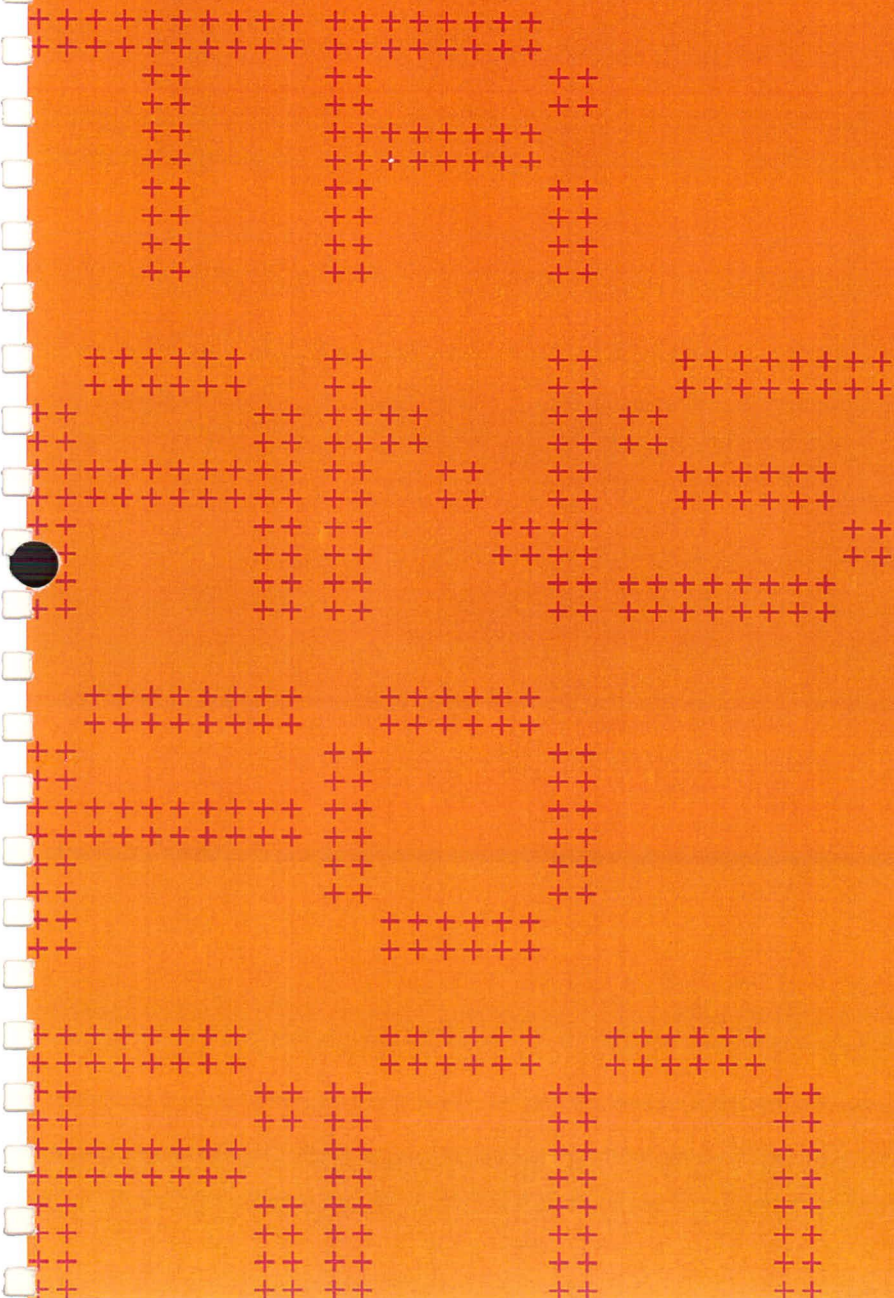


# Integrated Retail Development

24 October 2007





# Integrated Retail Development

Prepared for Client's company name

C/- Urbis Pty Ltd  
GPO Box 3205 Qld 4001  
24 October 2007

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## Executive Summary

<b>Address Of Site</b>	82 – 84 Fitzroy Street, and 81 Palmerin Street, Warwick
<b>Real Property Description</b>	Lots 1-3 RP5801 Lot 1 RP94676 Lots 1-2 RP97879 Lot 1-2 RP100863 Lot 1 RP90982 Lot 1 RP40226 Part of lot 60 SP100924
<b>Site Area</b>	2.9815 ha.
<b>Local Government</b>	Warwick Shire Council
<b>Zone</b>	City Centre Land Use Area
<b>Precinct</b>	N/A
<b>Purpose of Proposal under the Planning Scheme</b>	Commercial use

## Development Summary

Type of Development	Preliminary Approval	Development Permit
Code Assessment		Material Change of Use – extension of retail complex
Impact Assessment	Carrying Out Building Work – Demolition of eastern building at 82 Fitzroy Street, Warwick (Plumb's Chambers)	

## Applicant Details

<b>Applicant</b>	McConaghy Group Pty Ltd C/- Urbis Pty Ltd GPO Box 3205 BRISBANE QLD 4001
<b>Contact Person</b>	Adrian Allen Ph: (07) 3007 3800 Fax: (07) 3007 3811 Email: aallen@urbis.com
<b>Our Reference</b>	BA1695 – Rose City Shoppingworld

# 1 Introduction

## 1.1 Purpose of the Report

Urbis has been commissioned by the McConaghy Group to prepare this development application for expansion of the existing retail complex known as "Rose City Shoppingworld".

The proposal essentially seeks Council approval to extend the cities main shopping centre to provide improved retail facilities to Warwick and the broader area. This report addresses the merits of the development with regard to the provisions of the *Warwick Shire Planning Scheme* and the relevant sections of the *Integrated Planning Act, 1997*. For the purpose of this report, the *Warwick Shire Planning Scheme* will be referred to as 'the Planning Scheme' and the *Integrated Planning Act, 1997* will be referred to as 'the Act'.

As outlined in the Executive Summary, the application is for a development permit for a material change of use to extend the shopping centre, and preliminary approval for demolition of the structure at 82 Fitzroy Street, Warwick. The extension of the shopping centre and demolition will be subject to impact assessment.

The development is appropriate, does not compromise the existing planning controls and intent for the area, and is not anticipated to impact upon the amenity of the locality. Council's approval of the application is therefore sought, subject to relevant and reasonable conditions.

## 1.2 Background

Warwick is centrally located within the Darling Downs regional and is widely recognised as being the principle centre providing higher order retail, government and community services to the Shire and broader region.

Council, through careful planning has ensured that the Warwick Central Business Area retains a strong business/retail function within the primacy of the CBD. An important factor in Council being able to retain this strong business / retail function and therefore the principle role of Warwick within the region was the integration of Rose City Shoppingworld within the CBA. The Warwick CBA is unique in Queensland in that it has been able to establish a sub regional shopping centre within a traditional main street streetscape and through the design of the shopping centre these important elements have been reinforced and protected.

This application is in response to a need to provide improved retail services to meet the growing needs of the region, which will be achieved through the redevelopment of land on the corner of Palmerin and Fitzroy Street. Importantly this application will:

- continue to reinforce the role and function of Warwick as the principle centre for the region;
- will retain and enhance the main street function through activating the corner of Palmerin and Fitzroy Street;
- will improve connectivity from the Councils Chambers, the new Aldi to Grafton Street; and
- will provide improved retail facilities for the community.

## 2 Site Characteristics

### 2.1 Location

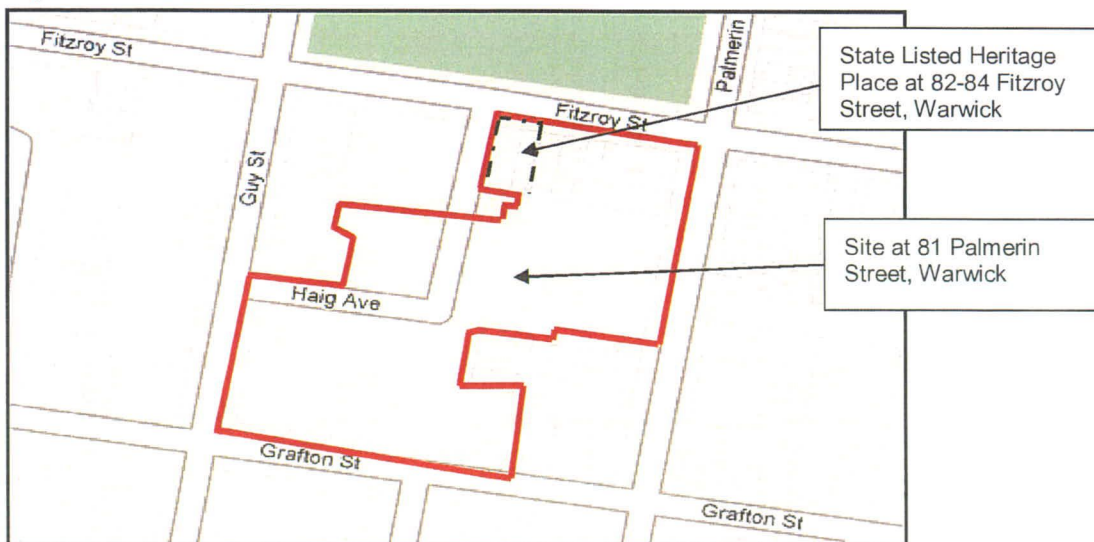
The application comprises development over land at 81 Palmerin Street, and 82-84 Fitzroy Street, Warwick and described as Lots 1-3 RP5801, Lot 1 RP94676, Lots 1-2 RP97879, Lot 1-2 RP100863, Lot 1 90982, Lot 1 RP40226 and Part of lot 60 SP100924. The land is situated within Warwick's City Centre within a well established commercial precinct. The location of the site is shown on the locality plan and aerial photograph below (**Figures 1 and 2**).

Figure 1 – Aerial Photography



Source: Google Earth

Figure 2 – Site Location



Source: Google Earth



## 2.2 Site Description, Topography and Vegetation

The site has an area of approximately 2.98ha and has frontages to, Grafton, Guy, Palmerin, and Fitzroy Streets. Vehicle access to basement carparking is available from Haig Avenue, Guy Street and Grafton Street.

The site accommodates a major shopping centre comprising a department store (Big W), two supermarkets (Woolworths and Bi-Lo), food court and a number of specialty shops. Two State heritage listed buildings located at 82-84 Fitzroy Street, Warwick identified as Plumb's Chambers are located on the northern portion of the site. Service and delivery areas adjoin the shopping centre on its northern side and are accessible from Haig Avenue and Fitzroy Street. An internal pedestrian arcade links Palmerin Street and Grafton Street.

The site contains a number of commercial buildings and is devoid of any significant vegetation. The topography of the site flat and has active street frontages to Grafton and Palmerin Street. Refer to Figure 1 above which illustrates the existing built form on the site of the site.

## 2.3 Surrounding Land Uses and Built Form

The shopping centre is located within the Warwick City Centre and provides high order retail facilities to Warwick and the broader region. As identified in section 2.1 of this report, the Rose City actively fronts both Grafton and Palmerin Streets which form part of the Warwick Central business District. In addition to this the site also adjoins and is surrounded by a range of commercial buildings along these streets is located opposite Leslie Park and the Warwick Police Station on Fitzroy Street.

The broader locality comprises a number of open space areas are located within close proximity to the site including the Queens Park, Jubilee Rose Gardens and St Marks Ovals, Leslie Park and Tulloch Park .

## 3 The Proposal

### 3.1 Proposal summary

This proposal involves extending Rose City Shoppingworld by an additional 2,670m<sup>2</sup> to (refer appendix A):

- Enable the expansion of the Bilo Supermarket from 2451m<sup>2</sup> to 3200m<sup>2</sup>;
- Provide for additional new specialty shops (2063m<sup>2</sup>);
- Extension of the existing pedestrian arcade connecting from Grafton Street to the corner of Fitzroy and Palmerin Streets;
- Expansion of basement carparking to provide an additional 165 cars; and
- Provision of retail uses and continuous pedestrian awning along the Palmerin and Fitzroy Street frontages.

Table 1 – Development Parameters

<b>Reconfiguration Component</b>	
Total Site area	2.981ha
<b>Material change of Use Component</b>	
Proposed Use	Expansion of retail complex (Commercial Use)
Height	2 storeys
<b>Floor Space</b>	
Supermarket	3200m <sup>2</sup>
Specialty Shops	2063m <sup>2</sup>
Total GLA of entire extension	5401m <sup>2</sup>
Total overall gain in GLA	2670m <sup>2</sup>
Vehicle Parking	165 spaces
Access	Existing access for standard vehicles closed from Haig Avenue and relocated to Fitzroy Street.
<b>Preliminary Approval – Carrying out building work</b>	
Demolition	Existing structure at 82 Fitzroy Street, Warwick – eastern most building (Plumb's Chambers)

### 3.2 Heritage Values

As identified in the executive summary the proposal includes 82 and 84 Fitzroy Street. These sites are listed on the Queensland Heritage register and identified in Planning Scheme Policy No. 1 Cultural Heritage and are therefore this application will be required to be referred to the Environmental Protection Agency as a concurrence agency.

A Structural Engineering assessment and Heritage Assessment Report (refer attachments B & C respectively) was prepared to ascertain the current physical condition of both buildings. These reports identified that:


- Both buildings are in a dilapidated state;
- 84 Fitzroy Street is constructed to the boundary of Haig Avenue and as discussed in the attached reports the lower floor of the building is in a poor structural state, there is evidence of rising damp and that the wall along Haig Avenue contains a bow which has increased over the last couple of year;
- The shopping centre is accessible (service vehicles and pedestrian access) from Haig Avenue and the current state of the wall is unsafe; and
- 82 Fitzroy Street is identified at being at the end of its structural life given the lower floor framing is unsafe, the roof framing is water affected and rotten to a large degree and there is significant rising damp in the building.

In light of the recommendations made in the attached reports this application seeks preliminary approval to demolition 82 Fitzroy Street and the lower rear section of 84 Fitzroy Street. It is intended that the double storey component of 84 Fitzroy Street will be retained and the structural issues identified in the engineering report will be fixed enabling the building to be reused.


### 3.3 Traffic

Consideration has been had to the traffic arrangements with regards to the extension of the shopping centre. Specifically the extension will facilitate the following:


- A new basement carpark entry on Fitzroy Street;
- Expanded service vehicles facilities on Fitzroy Street to service the expanded supermarket;
- Basement carparking for an additional 165 car parking spaces; and
- Retention of 7 on street car parking spaces on Fitzroy Street.

McCormick Rankin Cagney are currently preparing a traffic report to confirm the traffic arrangements are acceptable which will be forwarded to Council when finalised. 

### 3.4 Architectural

Thomson Adsett has prepared the master plan for the extension of Rose City Shopping Centre (refer Appendix A). They are currently finalising elevations, sectional plans and details regarding street scape treatments along that part of Palmerin Street and Fitzroy Street for which the extension is to be development. It is intended that this will be forwarded to Council when complete. 

### 3.5 Civil Engineering

Farr Engineers are currently preparing a civil engineering report which will be forwarded to Council when complete. 

## 4 State Planning Framework

### 4.1 Integrated planning Act 1997

The purpose of the *Integrated Planning Act, 1997* is to achieve ecological sustainability by coordinating planning at all levels of government and by managing the development process as well as the impact of the development.

The subject application is for a 'Material Change of Use' and is assessable development. A development permit is to be obtained prior to the commencement of the development.

Assessment against the Warwick Shire Planning Scheme indicates that the proposal is subject to Impact Assessment, in accordance with section 3.5.5 of the *Integrated Planning Act, 1997*.

Pursuant to section 3.5.4 of the *Integrated Planning Act 1997*, where an application is identified as requiring Impact Assessment, (as is the case) the assessment manager must carry out the impact assessment having regard to the following;

- the common material;
- the planning scheme and any other relevant planning instruments;
- any development approval for, and any lawful use of, premises the subject of the application of adjacent premises.

### 4.2 State Planning Policies

Pursuant to the provisions of Section 3.5.5 (2) of the *Integrated Planning Act, 1997* the Assessment Manager, in considering an application subject to Impact Assessment, must assess the application in respect of all gazetted State Planning Policies.

**State Planning Policy 1/92 - "Development and the Conservation of Agricultural Land"** provides a framework within which land identified as Good Quality Agricultural Land (GQAL) can be protected from development which leads to its alienation or diminished productivity. The site's existing use and zoning clearly identifies the site as land committed for non-rural uses, being designated for Centre purposes which is exempt from the provisions of the Policy.

**State Planning Policy 1/02 - "Planning for Aerodromes and other Aeronautical Facilities"** addresses planning for and in the vicinity of aerodromes and aeronautical facilities. The policy requires Local Governments to, among other things, take account of current and future aircraft operational requirements when considering development applications in the vicinity of such facilities. The local area does not consist of any current or future aerodromes or aeronautical facilities; therefore the application is exempt from the provision of this policy.

**State Planning Policy 2/02 - "Planning and Management of Coastal Development involving Acid Sulphate Soils"** seeks to ensure that coastal development involving acid sulphate soils is planned and managed to avoid potential adverse effects on the natural and built environment. This policy is relevant within the context of an application for a Material Change of Use, in circumstances where earthworks are likely to disturb acid sulphate soils (ASS) or potential acid sulphate soils (PASS). The site is not identified as being affected by ASS or PASS. The policy is therefore not relevant to the proposal.

**State Planning Policy 1/03 - "Mitigating the adverse Impacts of Flood, Bushfire and Landslide"** seeks to minimise the potential adverse impacts of flood, bushfire and landslide on people, property, economic activity and the environment. The State Planning Policy was adopted by the State Government on 19 May 2003, and commenced on 1 September 2003. The Warwick Shire Council does not specify any particular regions as potential flood, bushfire or landslide impacts and consequently this application is exempt from the requirements of this policy.

**State Coastal Management Plan** – “The State coastal plan describes how the coastal zone is to be managed as required by the *Coastal Protection and Management Act 1995*”. The State coastal plan provides coastal management policy direction and defines how government, industry and the community should implement these directions. The proposal does not constitute assessable development under the Coastal Act, and therefore this policy is not applicable.

### 4.3 Referral Agencies

Under the *Integrated Planning Act 1997*, State Agencies are provided with opportunities to comment on, and in some cases, assess development applications that fall within the respective Agency’s jurisdiction. The Act identifies two types of State Referral Agencies – Advice Agencies and Concurrence Agencies. The following list provides an indication of the Referral Agencies relevant to this development application

#### 4.3.1 Environmentally Relevant Activity

The proposed development **does not** constitute an environmentally relevant activity. Therefore referral to the Environmental Protection Agency is **not** required.

#### 4.3.2 Major Hazard Facility

The proposed development **does not** constitute a major hazard facility. Therefore referral to the Department of Emergency Services is **not** required.

#### 4.3.3 Land contiguous to a State-controlled road

The development is not contiguous to a state controlled road. Given the proposal seeks to expand the existing centre by an additional 2,378 the proposal does not exceed the relevant thresholds (LGA population 2 – 4000m<sup>2</sup> or greater for a shopping centre) as specified within Schedule 5 of the *Integrated Planning Regulation, 1998*. Therefore the proposal **does not** trigger referral to the Department of Main Roads.

#### 4.3.4 Strategic Port Land

The site is not designated as strategic port land. Therefore referral to Queensland Transport is **not required**.

#### 4.3.5 Tidal Work, or Development in a Coastal Management District

The proposed development is not on land below high water mark or within the limits of a port. Therefore referral to a port authority is **not** required.

#### 4.3.6 Contaminated Land

Council’s records show that the site is not subject to contamination. Therefore referral to the Environmental Protection Agency **will not be** required.

#### 4.3.7 Mobile or temporary environmentally relevant activity

The proposed development is not a mobile or temporary relevant activity. Therefore referral to the Environmental Protection Authority is **not** required.

#### 4.3.8 Certain Aquaculture

The proposed development does not include aquaculture. Therefore referral to the chief executive (fisheries) is **not** required.

#### 4.3.9 Coastal Management District

The site **is not** within a coastal management district. Therefore referral to the Environmental Protection Agency **will not** be required.

#### 4.3.10 Heritage Places

The site includes a registered heritage known as Plumb's Chambers at 84 Fitzroy Street. Therefore referral to the Environmental Protection Agency – Heritage Branch **is** required.

#### 4.3.11 Acid Sulphate Soils

The site **does not** require referral to the Department of Natural Resources because the surface of the land is:

1. above 20m Australian Height Datum (AHD) and the development does not involve the excavation of 1000m<sup>3</sup> or more of soil or sediment at or below 5m AHD; and
2. above 5m AHD and the development does not involve filling the development site with 1000m<sup>3</sup> or more of material.

As the development will not involve the excavation of 1,000m<sup>3</sup> of soils, referral to the Department of Natural Resources is **not** required.

#### 4.3.12 Declared Catchment Areas

The proposed development does not involve the establishment or expansion of a waste water disposal system in an area declared to be a water catchment area. Therefore referral to the chief executive under the Water Act 2000 **is not** required.

#### 4.3.13 Land designated for community infrastructure

The site **is not** designated for community infrastructure. Therefore referral **is not** required to the chief executive of the department administering the Act authorising the development for the designated purpose.

#### 4.3.14 Electricity Infrastructure

The site **is not** subject to any easements for electricity purposes, and **is not** within 100m of a substation site.

#### 4.3.15 Clearing Vegetation

The site **does not** involve the clearing of any native vegetation and therefore **does not** require referral to the Department of Natural Resources, Mines and Energy.

#### 4.3.16 Railway Safety

The site **is not** within 400m of a public passenger transport facility however the proposed development does exceed the thresholds identified by Schedule 13A to 13D of the *Integrated Planning Regulation 1998*. The application **does not** require referral to Queensland Transport as a concurrence agency.

#### 4.3.17 Queensland Transport

The application **does not** require referral to Queensland Transport as the proposed development in accordance with Schedule 13A to 13D of the *Integrated Planning Regulation, 1998 is not*:

- Public transport related development ;
- Rail transport related development;
- Development impacting upon the provision of public passenger transport; or
- Development impacting upon railway safety and efficiency.

### 4.4 Warwick Planning Scheme

The proposal is required to be assessed against the IPA compliant Warwick Planning Scheme, which took effect on 29 September 2000.

#### 4.4.1 Use Definition

The proposed development is identified within the Planning Scheme as a commercial use. A commercial use is defined as:

*"Means the provision of a personal, professional, commercial, tourist or entertainment service and/or the sale of goods to the public.*

*The term includes a low impact industry which occupies a gross floor area of less than 200m<sup>2</sup>, as well as any advertising devices not ancillary to a lawful use of the premises on which it is located."*

#### 4.4.2 Level of Assessment

The table of assessment indicates that an extension to a shopping centre, where not exceeding 4000m<sup>2</sup> is code assessable.

The proposal seeks and MCU to extend the existing centre by an additional 2,672m<sup>2</sup> GLA and Preliminary Approval Building Works to demolition of 82 and part of 84 Fitzroy Street. As 82 and 84 Fitzroy Street are State listed heritage items the application will be subject to impact assessment.

#### 4.4.3 Desired Environmental Outcomes

Section 3.5.14 (2) (a) of the *Integrated Planning Act 1997* requires that the assessment manager's decision for impact assessable applications must not *"compromise the achievement of the desired environmental outcomes for the planning scheme area"*. Accordingly, the following table provides an assessment of the proposal assessed against those Desired Environmental Outcomes (DEOs) and Shire Wide Strategies that are considered to be relevant to the application.

Desired Environmental Outcome	Assessment of Proposed Development
<p><b>2.3 The Economy</b></p> <p>(iii) Warwick City will have a strengthened role as the major community and economic centre for the Southern Downs sub-region, by providing:</p> <ul style="list-style-type: none"> <li>▪ higher order retail, professional and commercial services and government facilities within the central city area.; and</li> <li>▪ a range of employment opportunities will be available in identified industrial land within and near the city.</li> </ul> <p>(iv) The Shire will become both economically stronger and a more attractive place to live, work and conduct business.</p>	<p>The proposed development seeks to increase the range of higher order retail and commercial facilities within the city centre. On this basis the proposal contributes to strengthening the role of Warwick City as a major community and economic centre for the Southern Downs sub-region. This will provide economic advantages through increased employment opportunities.</p>

Desired Environmental Outcome	Assessment of Proposed Development
<p>2.4 Cultural, Economic, Physical And Social Wellbeing</p> <p>(i) The following elements which collectively create the Shire character will be maintained or enhanced:</p> <ul style="list-style-type: none"> <li>▪ the historic architecture and traditional form and structure in Warwick city and the rural towns and villages; and</li> <li>▪ compact urban areas with distinct boundaries between urban and rural areas.</li> </ul>	<p>Due to structural inadequacy and public safety the state listed heritage place identified as Plumb's chambers (eastern most building) at 82 Fitzroy Street, Warwick is proposed to be demolished. Importantly, the proposal seeks to retain the more substantial building at 84 Fitzroy Street, Warwick. Refer to heritage report by Thomson Adsett Architects and structural engineers report by Farr Engineers Pty Ltd attached as Appendix B and C, respectively.</p> <p>In responding to the needs of the Shire and Warwick city the proposal seeks to consolidate and enhance commercial uses within the city centre land uses area, and is entirely appropriate at this location. Importantly, the proposal removes the need for out-of-centre development which does <b>not</b> achieve a compact urban form, or an orderly and coordinated pattern of development.</p>
<p>(ii) There will be effective conservation of places of cultural heritage significance in the Shire and new development which sensitively responds to them.</p>	<p>Due to structural inadequacy and public safety the state listed heritage place identified as Plumb's chambers (eastern most building) at 82 Fitzroy Street, Warwick is proposed to be demolished. Importantly, the proposal seeks to retain the more substantial building at 84 Fitzroy Street, Warwick. Refer to heritage report by Thomson Adsett Architects and structural engineers report by Farr Engineers Pty Ltd attached as Appendix B and C, respectively.</p> <p>Additionally the proposal seeks to extend the pedestrian space along Palmerin and Fitzroy street and will be designed to sensitively respond to the cultural heritage values of 84 Fitzroy Street.</p>
<p>(iv) Warwick city centre and the town centres at Allora and Killarney will each provide a strong community focus. Residential areas in the city and towns will create cohesive communities, with ready access to services and facilities and a range of housing options which meet community needs.</p>	<p>By expanding the mall and improving its functionality as a public place the proposal reinforces the Warwick CBA as the primary retail and commercial centre for the region.</p>
<p>(v) The Shire's communities will enjoy a high level of amenity, created by:</p> <ul style="list-style-type: none"> <li>▪ vibrant city and town centres; compatible mixing of land uses, activities and building forms;</li> <li>▪ access to affordable housing and community services and facilities;</li> <li>▪ effective buffering of incompatible land uses, activities and building forms; and</li> <li>▪ cohesive streetscapes and quality urban design and architectural character in all areas.</li> </ul>	<p>The proposal will contain a range of commercial uses that complement and support the existing retail complex. The additional specialty shops, mall area and supermarket will further enhance the activity and vibrancy of the city centre by improving pedestrian linkages within the city centre.</p> <p>The proposal will provide a number of streetscape improvements that will ultimately improve the character and visual amenity of this principle centre.</p>
<p>(vi) Physical and social infrastructure will be provided in an efficient manner and to a level necessary to maintain acceptable environmental standards.</p>	<p>The site is well serviced by physical infrastructure including roads, water, sewer and electricity infrastructure. No major upgrade of existing infrastructure is required to service the proposed development.</p>

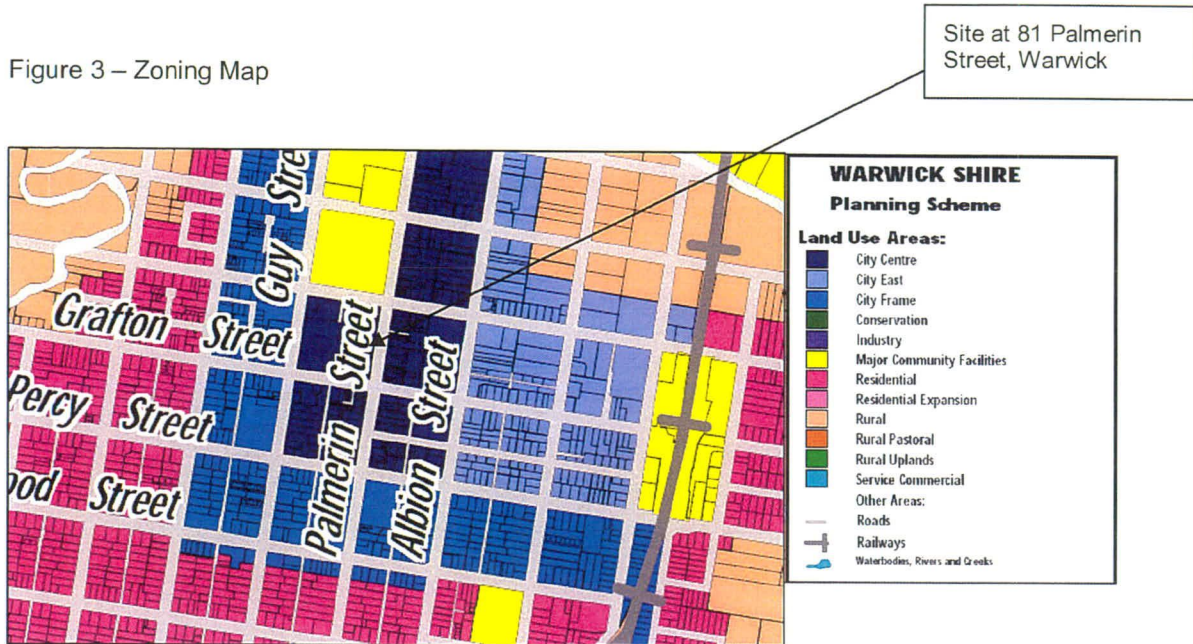


Shire Wide Strategies	Assessment of Proposed Development
<p>The identified land use areas provide opportunities for Warwick city centre and its immediate surrounds to accommodate a wide range of businesses and facilities, Such opportunities in other parts of the city are more limited to ensure the role of the central area is strengthened.</p>	<p>The proposed development seeks to increase the range of higher order retail and commercial facilities including a supermarket and specialty shops. On this basis the proposal contributes to strengthening the role of Warwick City as a major community and economic centre for the Warwick City and Southern Downs sub-region.</p> <p>It is expected that the development will reduce pressure for out-of-centre development expanding into residential areas, potentially creating adverse amenity impacts between large scale commercial uses and other sensitive receiving environments.</p>
<p>Places of cultural heritage significance (other than those associated with Aboriginal culture) in the Shire are listed in Planning Scheme Policy – Cultural Heritage<sup>1</sup>. Development proposals likely to affect the values of places listed in the policy will be subject to impact assessment.</p> <p>In considering applications for development at or near places listed in the policy, Council will have regard to the heritage qualities of the locality and whether the proposed development will be sympathetic to them. Council may request the submission of a conservation report, as described in the policy.</p>	<p>Recognising that traditional buildings form a vital part of the city's character the proposal seeks to retain the western most building identified as Plumb's Chambers. The eastern most building at 82 Fitzroy Street, Warwick is proposed to be removed as "it is in such a poor structural state that little can be achieved short of a complete gutting of the existing timber frame and total reconstruction". Refer to the heritage report by Thomson Adsett Architects and structural engineers report by Farr Engineers Pty Ltd attached as Appendix B and C, respectively.</p>

#### 4.4.4 Zoning

The proposed extension of the shopping centre is included in the **City Centre Zone**. (refer to **figure 5**). Within this City Centre Zone - The development of a shopping centre, or change to commercial uses (i.e. a shopping centre less than 4000m<sup>2</sup>) is subject to Code Assessment.

Figure 3 – Zoning Map



Source: Warwick Shire Planning Scheme

#### 4.4.5 Key Policy Statements

Within the City Centre Code there are two policy statements, and a number of policy intent statements that apply to the proposed development. Accordingly, the following table provides an assessment against the proposal against relevant those relevant policy outcomes.

Policy Statements	Assessment of proposed development
The city centre will be socially, culturally and economically vibrant places in which higher order services and facilities that meet the needs of the city, the shire and the Southern Downs sub-region are available, and in which there is a high level of daytime and night time activity	In extending the existing shopping centre through a new supermarket and a range of specialty shops the proposal will consolidate higher order retail facilities. These services are required to meet the needs of the City, Shire and Southern Downs Sub-Region, and will ultimately contribute to the social, cultural and economic vibrancy of the city centre.
The city centre will have a high standard of amenity, with a cohesive streetscape character on which buildings of heritage significance are protected and new development occurs in a compatible form	Overall the extension will complement the existing built form and character of buildings in the centre and enhance the visual amenity of the streetscape. Due to structural inadequacy and public safety the state listed heritage place identified as Plumb's chambers (eastern most building) at 82 Fitzroy Street, Warwick is proposed to be demolished. Importantly, the proposal seeks to retain the more substantial building at 84 Fitzroy Street, Warwick. Refer to heritage report by Thomson Adsett Architects and structural engineers report by Farr Engineers Pty Ltd attached

	as Appendix B and C, respectively.
The types of uses considered to be appropriate to the city centre are those which will serve to consolidate its function as the pre-eminent centre for the Southern Downs sub-region	Expansion of the retail complex supports and consolidates the function and role of the city centre as the economic and social centre of the Warwick City and the Southern Downs sub-region.
The city centre is the preferred location for commercial activities, government offices and community facilities which serve more than a local level catchment. It is the only land use area in which higher than local order retail and office based uses are likely to be considered appropriate.	The proposal seeks to provide higher order retail facilities including a supermarket, and a range of specialty shops that serve more than a local catchment. On this basis the role and function of the proposed retailing is appropriate within the city centre land use area.
In addition, it is intended that entertainment and cultural venues should be located within the city centre area, provided that the operation of such uses on a particular site would be compatible with adjacent premises. Permanent and visitor accommodation in a form which is consistent with the streetscape character may also be considered to be appropriate, particularly where it forms part of mixed use premises incorporating commercial activities	The proposal is limited to higher order retail facilities only.
Industries should not be established in this area, other than such small scale and low impact operations such as laundromats or film processors which have similar physical characteristics to shops or offices and provide a service appropriate to the city centre location.	The proposal is limited to higher order retail facilities only.
The buildings of heritage significance within the city centre are listed in Planning Scheme Policy – Cultural Heritage. It is intended that these buildings are to be used for commercial activities, however, development is to be undertaken in such a way as to protect their heritage values. For this reason, the table of development below and that in section 5.3 require that any proposed development which would involve demolition, removal or external works to these buildings will be subject to impact assessment.	Recognising that traditional buildings form a vital part of the city's character the proposal seeks to retain the western most building identified as Plumb's Chambers. The eastern most building at 82 Fitzroy Street, Warwick is proposed to be removed as "it is in such a poor structural state that little can be achieved short of a complete gutting of the existing timber frame and total reconstruction". Refer to the heritage report by Thomson Adsett Architects and structural engineers report by Farr Engineers Pty Ltd attached as Appendix B and C, respectively.
Development on other premises in the city centre is to occur in a manner which is compatible with the buildings listed in the Cultural Heritage policy. Throughout the City Centre Land Use Area development should contribute to the streetscape character, having regard to the matters set out in the development code applicable to this area.	Detailed architectural drawings will be submitted incorporating a number of design measures to ensure the development's scale and appearance respects the traditional building character identified as Plumb's Chambers, and the streetscape of the city centre.
The creation of useable outdoor pedestrian spaces will also be favourably considered where this will be consistent with the streetscape character. In addition, Provision should be made for the safety and comfort of pedestrians, including weather protection along footpaths and for mid block pedestrian movements, particularly to provide access to car parking facilities.	Safe and comfortable movement of pedestrians will be facilitated through provision of traditional continuous awnings along the road frontage (footpaths) of Fitzroy and Palmerin Street. The covered pedestrian areas link to internal pedestrian arcades providing direct and convenient access to retail facilities.
Car parking should be visually unobtrusive, being provided at the rear of development sites or below	To ensure carparking remains unobtrusive and does not visually dominate the centre additional car parking

ground level.

is provided at basement level.

#### 4.4.6 Applicable Codes

The proposed development is subject to the following code:

- City Centre Landuse Code; and
- General Development Code;

The Codes have been addressed in Appendix D of this report.

## 5 Conclusion

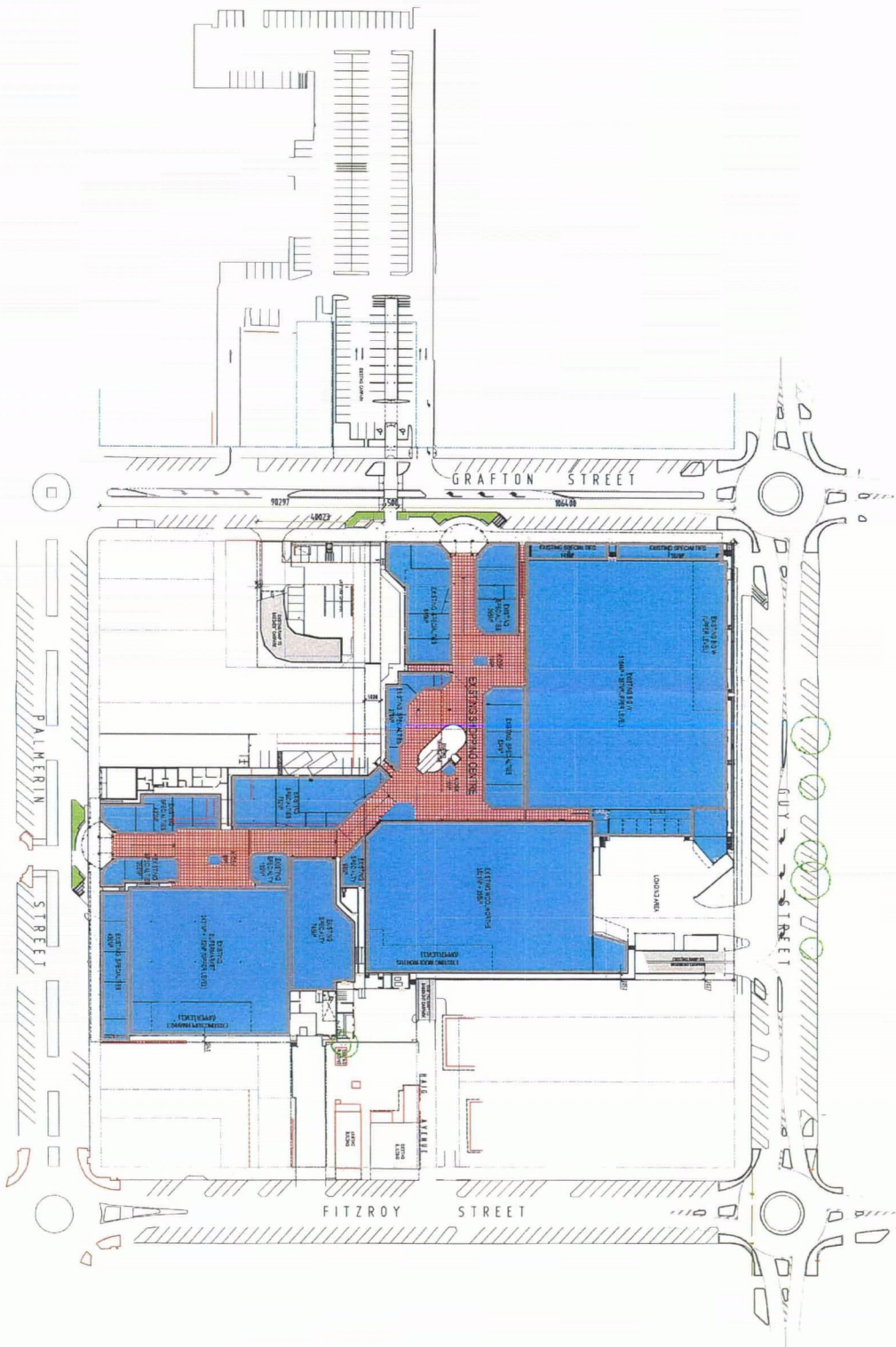
Urbis has been commissioned by the McConaghy Group to prepare this development application for expansion of the existing retail complex known as "Rose City Shoppingworld".

The proposal essentially seeks Council approval to extend the cities main shopping centre to provide improved retail facilities to Warwick and the broader area. The proposal to extend the shopping centre will further strengthen the role of Warwick as the principle retail and commercial centre for the region. The development has been assessed against, and is able to fulfil the requirements of the Warwick Shire Planning Scheme. In this regard it is noted that:

- The proposal seeks to provide commercial infill development and high order retail facilities that supports the strengthens the role of the city centre as a major community and economic centre for Warwick City, Shire and Southern Downs sub-region. In this regard the proposal supports Council's adopted policy position in relation to locating higher order centre uses within suitable land use areas;
- The proposal aides in the achievement of the Desired Environmental Outcomes for the Planning Scheme area;
- The development accords with the Shire Wide Strategies - economic development strategies and assessment principles;
- The development achieves the City Centre Development Code policy outcomes and performance objectives;
- The proposal generally accords with the requirements of those relevant Secondary Codes including the General Development Code;

The proposal represents sound planning, will not result in any potential adverse impacts on the amenity of the surrounding environment and is entirely appropriate within the city centre land use area. On the basis of the assessment contained within this report, Warwick Shire Council is requested to favourably consider the development proposal, subject to reasonable and relevant conditions

# Appendix A Architectural Plans.



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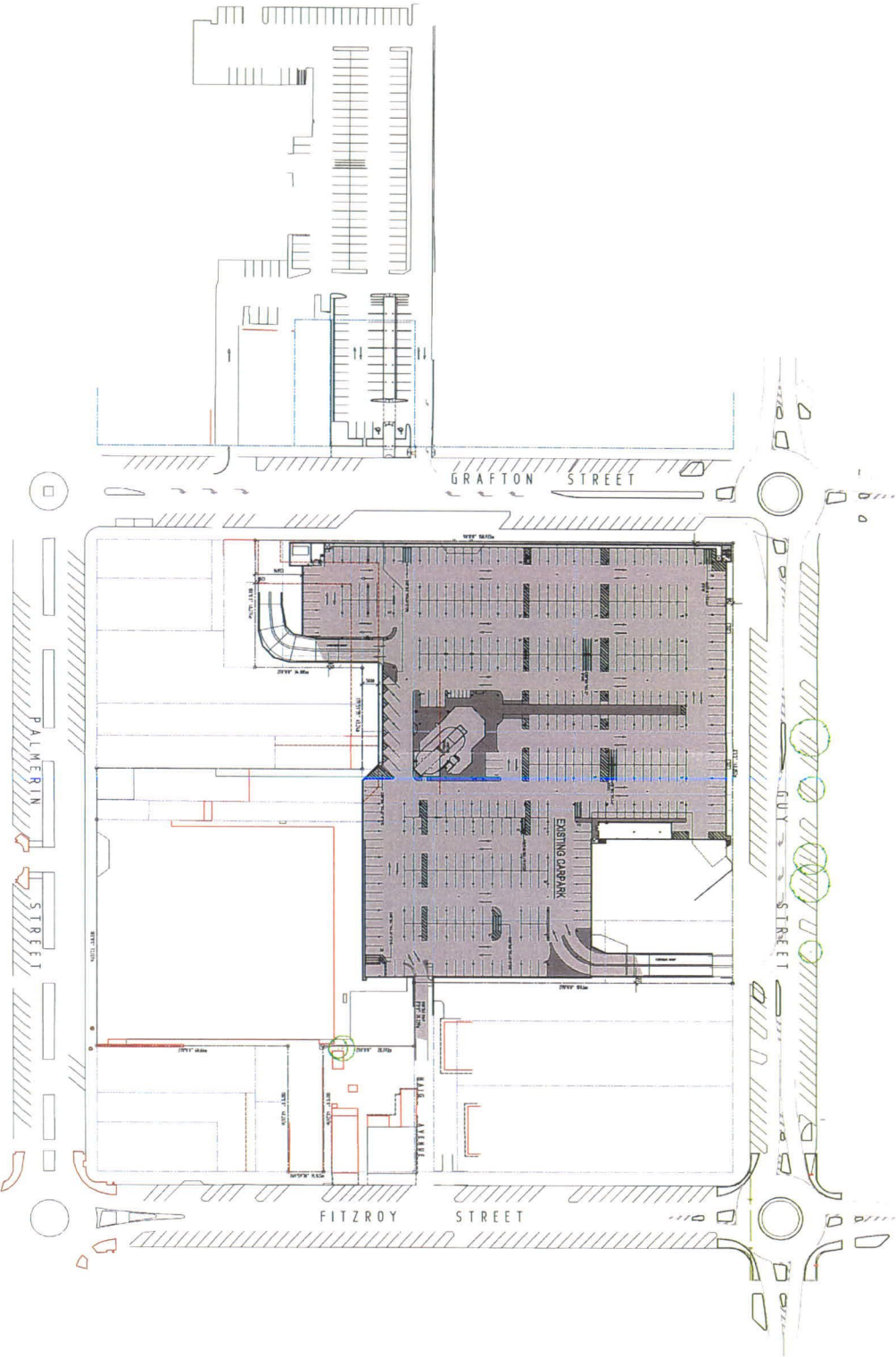
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7	15/10/20	ISSUED FOR PERMIT	DA01

	<b>Project Name</b> Palmatin Street, Warrick MCCONAGHY SMC Mall Level Plan Existing
	<b>THOMSON ARCHITECTS</b> 12 First Lane South Brisbane QLD 4101 Phone: 07 3248 9999 Fax: 07 3248 9999 Email: info@thomsonarchitects.com.au Website: www.thomsonarchitects.com.au
	<b>ROE CIVIL ENGINEERS</b> 12 First Lane South Brisbane QLD 4101 Phone: 07 3248 9999 Fax: 07 3248 9999 Email: info@roeengineers.com.au Website: www.roeengineers.com.au

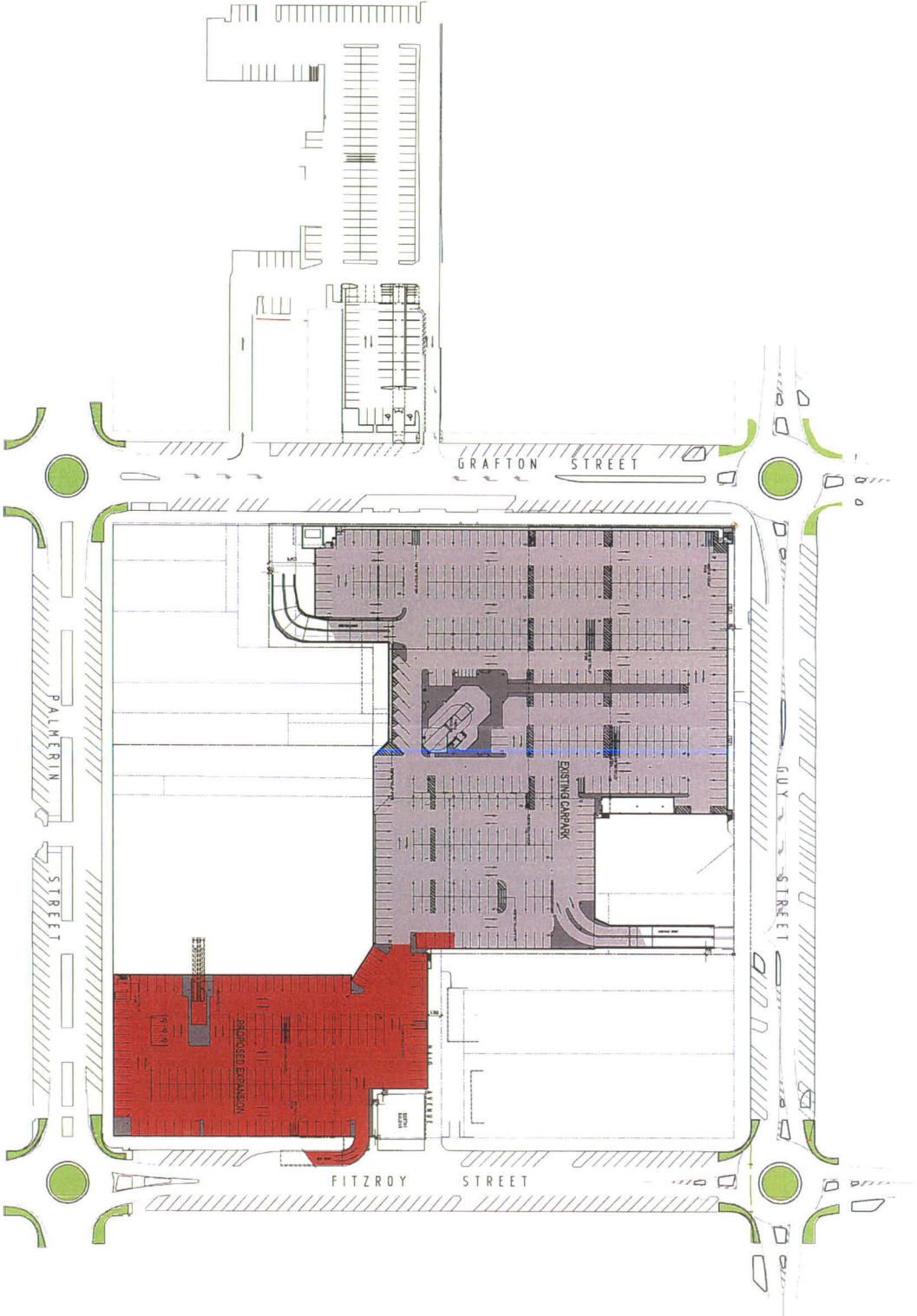






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<b>Project Name</b> <b>Carpark Level Plan</b> Existing																
<b>THOMSON ADSETT</b> 13 TONGUE South Brisbane PO Box 3148 South Brisbane QLD 4105 Phone: (07)380 9900 Fax: (07)380 9911 Email: info@thomsonadsett.com.au Website: www.thomsonadsett.com.au																
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	<b>8995</b> Date: 20/07/2015 Scale: 1:100 Project: D404 Sheet: A		<b>McGONAGH GROUP</b> Palmetto Street, Warwick South Brisbane Q4107 Phone: 071382 9900 Fax: 071382 9914 Email: info@mcgonagh.com.au	<b>THOMSON ADSETT</b> 12 Field Lane South Brisbane PO Box 3148 South Brisbane Q4107 Phone: 071382 9900 Fax: 071382 9914 Email: info@thomsonadsett.com.au	Project Name <b>Carpark Level Plan          Proposed Extension</b>	This plan and any information contained in it is the property of Thomson Adsett Pty Ltd. It is to be used only for the purposes for which it is prepared and is not to be used for any other purpose without the written permission of Thomson Adsett Pty Ltd. All rights reserved.
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# Appendix B      Structural Engineers Report by Farr Engineers Pty Ltd

Level 3  
457 Upper Edward St.  
SPRING HILL

12 September 2007

PO Box 104  
SPRING HILL 4004

207061

TEL 07 38396788  
FAX 07 38396799

URBIS JHD  
Level 12  
120 Edward Street  
BRISBANE 4000

postmaster@farrengeers.com.au

ABN 90 092 733 830

**Attention: Mr. Adrian Allen**

Dear Sir,

**Re: Inspection Properties 82 and 84 Fitzroy St. Warwick**

We refer to an inspection carried out at the above property on the 14 May and 29 June 2005 in relation to the existing structural condition, further to a report carried out by Farr Engineers dated 6 October 2005. Our report follows which provides a summary of observations from the original report and comments as to the changes on the building condition from the time of the inspection in 2005 to that observed in the more recent visits..

# 1

## Observations-Building 1 (Western Building)

- 1.1 The building is a 2 storey structure constructed from loadbearing sandstone walling, possibly brickwork internal walling, with timber floor and framing approximately 100 years old. More recent additions exist to the rear of the site, comprising single storey timber framed additions. Photo 1.1 1.2 1.3.



Photo 1.1 Front View Oct 2005



Photo 1.2 Rear View Oct 2005

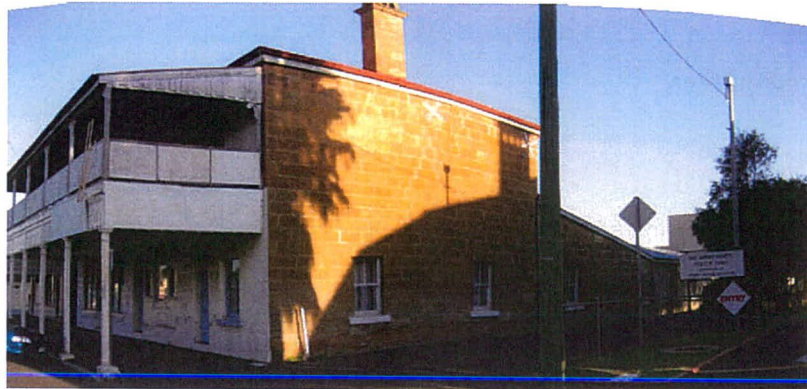


Photo 1.3 West Side View Oct 2005

The external walls have a number of tie rods connected to a cross of flat steel. One such can be seen in Photo 1.3. These generally occur at or adjacent to significant cracking in the external walls.

- 1.2 The ground floor framing is either on or very close to the ground. (Photo 1.4,1.5) . This has led to some evidence of deterioration of the floor structure and flooring itself through either rot or termite activity.



Photo 1.4

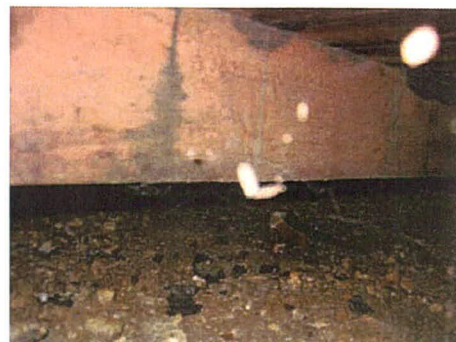


Photo 1.5

- 1.3 It was not able to determine the nature and condition of intermediate supports for the ground floor system between the loadbearing walls. The recent inspection shows further termite infestation which is moving into the interior door architraves. (Photo 1.6)



Photo 1.6 Termite Activity

- 1.4 The external and internal walls exhibit extensive cracking with relative movements both translational and lateral. These cracks appear to coincide with cracking in external walls braced by tie rods referred to in section 1.1. There appears to have been further movement in the external walls between the earlier inspection and the more recent inspections. Photos 1.7 and 1.8 show an increase of approximately 5mm in the width of the same crack in the western wall in the intervening period, and similarly photos 1.9 and 1.10 are photos taken almost 2 years apart.



Photo 1.7 Oct 2005 15mm

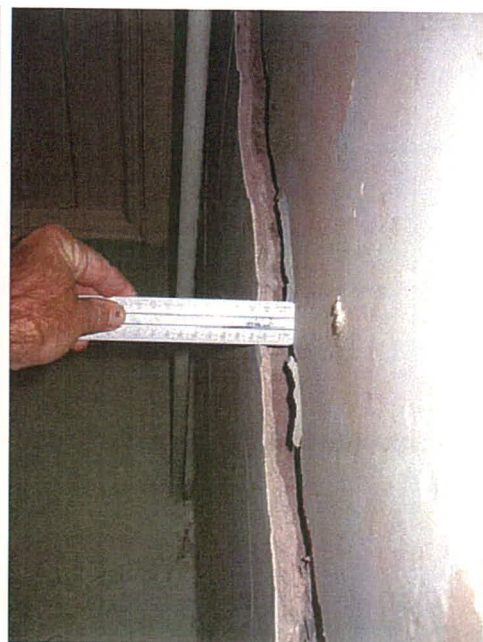


Photo 1.8 June 2007 20mm

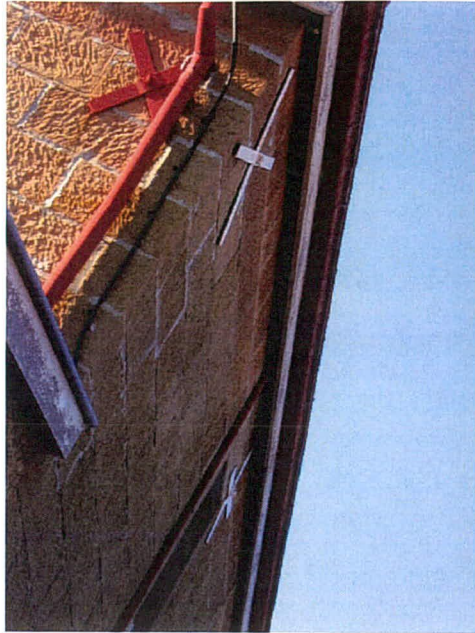


Photo 1.9 East Wall Oct 2005

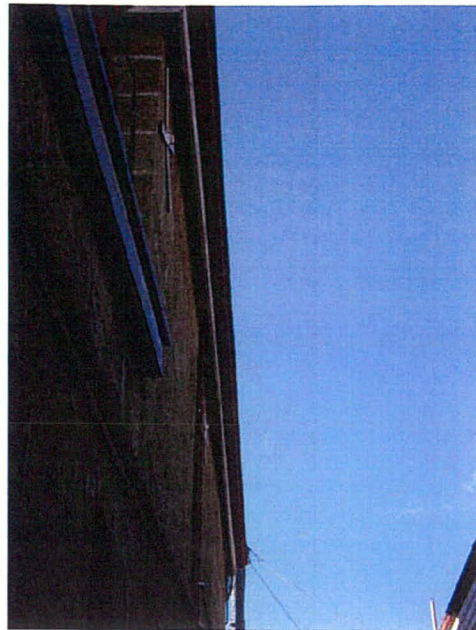


Photo 1.10 East Wall June 2007

There appeared to be an increase in the bow of the eastern wall on the at the location of the centre tie rod between the time of the two inspections.

- 1.5 Access was not available to view the upper floor framing. Isolated termite damage was evident in skirtings and mouldings. A closer inspection of the upper floor framing involving removal of the ground floor ceilings would be necessary to ensure the stability and competency of the supporting members. However, the gaps between the floor and the walls are significant. Photos 1.11 1.12. Concern exists as to the support of the floor framing if this movement continues.



Gaps between floor and western wall  
Photo 1.11 June 2007



Photo 1.12 June 2007

- 1.6 Access was gained to the roof space. The roof framing is timber battens, rafters, underpurlins and ceiling framing. Photo 1.13 1;14. There did not appear to be any significant change in the condition of the roof framing, which appears to be generally sound.



Photo 1.13 Oct 2005



Photo 1.14 June 2007

The upper floor front verandah is in a deteriorated state, with rotten boarding and joists. The balcony rails are in poor condition. The roof framing comprising rafters spanning from the stone walls to timber bearers in reasonable condition, but the walling shows signs of movement (Photo 1.15 1.16) There is further deterioration in the condition of the balcony between the two inspection dates.



Photo 1.15 Oct 2005



Photo 1.16 Oct 2005

All internal walls are cracked where they adjoin external walls, with crack widths of 15-25mm in width occur in a number of instances, and cracking over windows and doors is extensive.. (Photos 1.17 -1.20)





Photo 1.17 June 2007

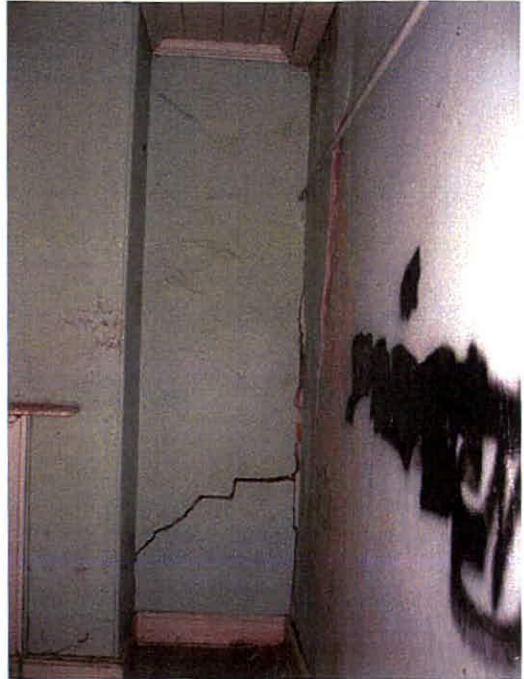


Photo 1.18 June 2007

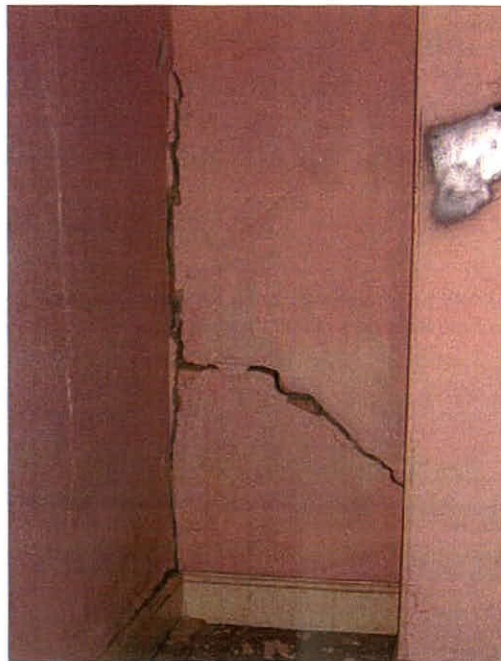


Photo 1.19 June 2007

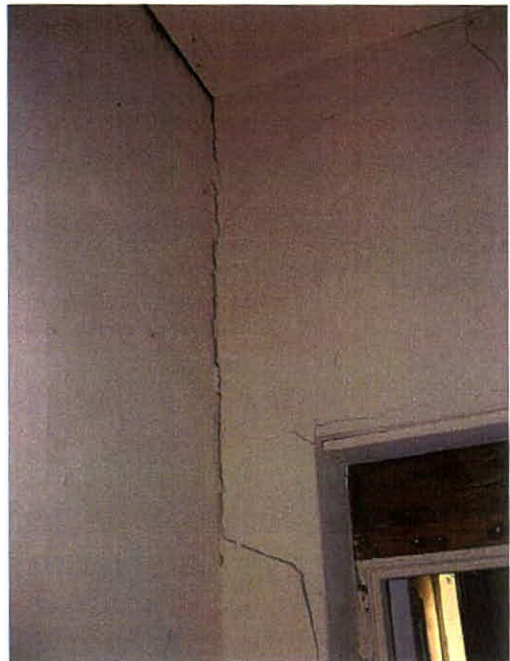


Photo 1.20 June 2007

1.7 Rising damp affects the majority of the lower floor walls. Photo 1.21 1.22



Photo 1.21



Photo 1.22

1.8 The newer rear addition is of timber framing on a slab-on-ground. The condition of this structure is reasonable.

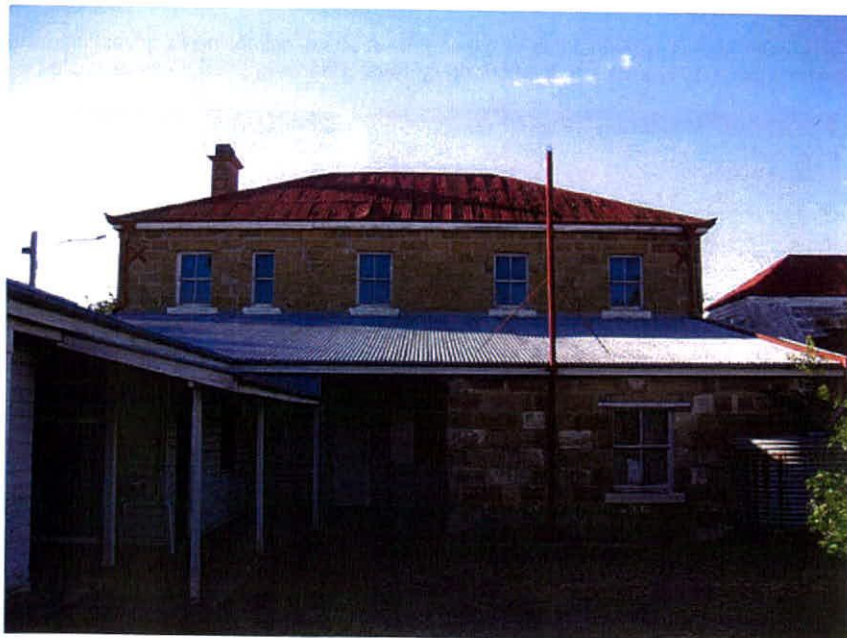


Photo 1.3 Rear Newer Building from rear yard June 2007

## 2

### Observations-Building 2 (Eastern Building)

- 2.1 The eastern building is a brick masonry and timber framed structure on indeterminate age. The lower floor wall framing is masonry, with the upper floor of predominately timber framing. (Photos 2.1 2.2) Access could not be gained to the lower floor in June 2007 to assess the current condition.



Photo 2.1 Oct 2005

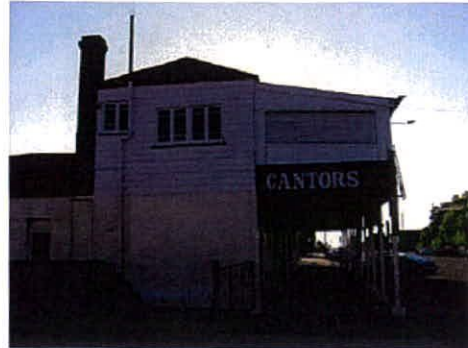


Photo 2.2 Oct 2005

- 2.2 The lower floor is very unstable with extensive areas of collapsing floor framing, rotten floor boards and joists, leaving movement on the floor dangerous. Photos 2,3, 2.4 show examples.



Photo 2.3 Oct 2005



Photo 2.4 Oct 2005

- 2.3 Evidence abounds of termite and rot damage in walls skirtings and mouldings. Photos 2.5 2.6



Photo 2.5 Oct 2005



Photo 2.6 Oct 2005

- 2.4 The rear verandah framing is on the verge of collapse. Photo 2.7, 2.8.



Photo 2. 7 June 2007



Photo 2.8 June 2007

- 2.5 Similarly to the western building, it was not possible to obtain access to the upper floor framing. However rotten floorboards and skirtings point to the risk of damage in the framing from termite and rot damage. The Roof framing was not able to be accessed either. Similar comments apply.
- 2.6 Walls show significant damage from rising damp. Photos 2.9 2.10.



Photo 2.9 Oct 2005



Photo 2.10 Oct 2005

### 3

#### Comments- Western Building

- 3.1 As previously reported, the western building has two significant structural issues. Firstly, the deterioration in the lower floor framing indicates that it is likely given the lack of access that the ground floor framing needs to be replaced where damage has occurred. The installation of some form of moisture and physical barrier full width in the walls would be required to provide a habitable space devoid of rising damp.
- 3.2 Secondly, the stability of the external walls has obviously been an issue for some period of time, with the use of through wall ties and restraints to attempt to at least maintain some stability in the walls. The comment was made in the October 2005 report that "... a change in the foundation support conditions (for example wetting up or drying out of support soils) has the capacity to dramatically change the situation with respect to the structural condition of the wall quite quickly.". The spate of dry weather in the intervening period is appearing to continue the deterioration in the stability of the side walls, and the evidence of further movement requires a more urgent review of the stability of these walls, and the installation of protection to third parties person and property to guard against the damage from the possibility of collapse of the walls. The previously installed anchor rods across the width of the building appear to be ineffective in preventing outward movement in the walls as cracking in the walls occurs either side of the ties, allowing lateral movement in the bulk of the wall each side of the anchors.
- 3.3 The root cause of the cracking in the walls appears to be foundation movement, with the existing foundations laid on either weak and/or reactive ground, which has settled and been subject to changing moisture conditions over the years. This has resulted in significant differential movements and rotations in the walls, causing the observed cracking. The most alarming is along the western wall, where there are clear indications of significant outward relative displacements of part of the wall (Photo 1.8) of up to 25mm in the upper storey, and an increase in 5mm approximately from the earlier inspection in October 2005. This observed wall movement (which exists in all the internal and external walls to a greater or lesser degree) could be arrested by underpinning of the building foundations to a deeper more competent and less reactive strata. However, a full temporary shoring system supporting the wall to guard against the possibility of collapse using vertical walers and diagonal braces at reasonably close centres would be indicated.
- 3.4 We are now of the view that the structural integrity of the walls is seriously compromised and urgent measures need to be instituted to protect third parties from the effects of a possible collapse of the wall.
- 3.5 If underpinning, termite protection and rising damp alleviation is achieved by repairing the two major structural issues outlined in 3.1 and 3.2, further work would be required to tie the cracked walls together with horizontal members at the ceiling lines of the ground and upper floors, and ascertain and repair the likely damage that may have occurred in the lower and upper floor framing. This would entail removal of all the lower floor flooring and ceilings in order to be able to properly view the condition of the lower and upper floor framing.
- 3.6 Institution of effective management of stormwater runoff from roofs and rear yards would be important to maintain constant moisture conditions in the foundation soils.

## 4

### Comments- Eastern Building

- 4.1 As outlined in the October 2005 report, the eastern building has a lower floor framing which is unsafe in it's current condition. Furthermore the significant rising damp in the walls means the total value of carrying out repair work is called into question. Deterioration evident in the upper floorboards requires a full examination from the underside of the framing members by removing the existing ceiling.
- 4.2 The roof framing of the single storey section to the rear is water affected and rotten to a large degree, and would require re-roofing after first repairing rotten and termite affected members. The roof of the upper storey is likely to be in similar condition. The existing building services are ancient and would require a complete upgrade to conform to modern standards.
- 4.3 The October 2005 report concluded that "The building is essentially at the end of its structural life and is little more than a demolition exercise.". This report concurs with that view.

## 5

### Conclusions

- 5.1 The structural condition western building gives rise to significant concern about the stability of the side walls, and the condition of the lower floor framing. The rising damp in the walls, coupled with the rot and termite damage means that a significant amount of work is required to reinstate the building to a serviceable condition. The external walls should be provided with temporary external support to resist potential collapse and measures should be taken to protect third parties from consequential effects of collapse of the subject walls, whilst repairs are effected involving foundation underpinning. Once the long term movements in the foundations have been stabilized, the external walls would need to be tied to a horizontal supporting member along their length at the ceiling level of the ground and upper floor to restrain the sections of wall divided by cracking associated with prior movements.
- 5.2 The recommendation contained in the October 2005 report that "It is considered that the eastern building is in such a poor structural state that little can be achieved short of a complete gutting of the existing timber frame and total reconstruction." Is considered to be still relevant.

We trust the above report provides the information you require at this stage. Please contact the undersigned if any further information is required.

Yours Sincerely  
**Farr Engineers** Associates Pty. Ltd.



A.C. Farr

Cc Thomson Adsett



Appendix C Heritage Report by  
Thomson Adsett Architects



**HERITAGE REPORT**

**HERITAGE PROPERTIES  
82 & 84 Fitzroy Street, Warwick  
PROPOSED WORKS**

For  
**MCCONAGHY GROUP PTY LTD**

Prepared by  
**THOMSON ADSETT ARCHITECTS**



**THOMSON  
ADSETT  
ARCHITECTS**

**September 2007**

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1.0	INTRODUCTION	3
2.0	THE SITE	4
3.0	THE BUILDINGS	5
	3.1 The eastern building	6
	3.2 The western building	7
4.0	CULTURAL SIGNIFICANCE OF THE SITE AND BUILDINGS	10
5.0	SUMMARY	12

## 1.0 INTRODUCTION

---

McConaghy Group Pty Ltd. are the developers of the Rose City Shoppingworld and there is now a requirement to enlarge the existing shopping Centre. Rose City is unusual in that although it a typical modern multi-unit shopping centre with underground parking it is sited very centrally in the Town of Warwick. In fact the main entrance to the shopping Mall is directly across the street from the 1887 Town Hall which figures strongly in Warwick's list of State listed heritage buildings

Warwick founded in the 1840's and once considered as a possible capital of the newly established independent Queensland, is now home to a one of the largest selection of Period Heritage buildings for a small [Population 12,000] country town. There has been an active policy of maintaining and expanding the listing of heritage properties and this represents a real tourist draw to the town.

By contrast the shopping centre by being so centrally located, unlike much other edge of town malls, draws business to the town centre and is an important anchor for the remainder of the town's commercial concerns. Without such a strong vibrant business at the centre of the town there is little doubt other business occupying traditional buildings in the town centre would be weaker leading to more empty and unused older traditional buildings.

Rose City having been a very successful retail centre now needs to expand to maintain it's role as major centre. Warwick is now recognised by the major retailers of the likes of Woolworths and Coles as a location for more retail space and unless Rose City can respond there will be real pressure for out of town centres with the inevitable impact on the town's commercial building stock. What is proposed in the expansion of Rose city will impact two existing state listed heritage buildings, but a very careful weighing of the impact on the town as a whole needs to be considered when considering this proposal.

To expand the existing Rose City complex, surrounding space is naturally very limited in an established town of this nature. A particular need is to expand a now undersized Coles supermarket to a 3200-3500 SQM unit within the mall and to enhance delivery areas to allow the style and number of typical delivery vehicles to access commercial units in a useable and safe manner.

At present delivery vehicles must manoeuvre in Fitzroy Street rather than in the confines of the centre and Warwick planners are keen to see this practice end and to incorporate adequate space within the centre for the safe movement of these vehicles. There is also a need for additional underground parking provision and this site will assist in that provision.

## 2.0 THE SITE

---

The sites available to the McConaghy Group, the developer, are numbers 82 & 84 Fitzroy Street. These are both state listed Heritage buildings but have been in a derelict state for a number of years. For a detailed description of the two buildings condition I refer you to the reports of 2005 and June 2007 from Andrew Farr of Farr Structural Engineers who has been monitoring the buildings condition over the past few years.

In summary however it will be evident in reading the Structural Engineers survey report that both building are in very poor condition. Having been very simply constructed in the 19<sup>th</sup> century with largely timber interiors much internal structure has been destroyed due to termite attack. Further the external walls of the local sandstone have been founded on minimal footings on strongly reactive clay soils resulting in massive movement of some sections relative to others. Andrew Farr records that some walls are in very real danger of collapse, such is the degree of their movement. The only

realistic manner to stabilise is to underpin some while others will require rebuilding to ensure their future stability.

The buildings are situated on the south side of Fitzroy Street facing north towards the park opposite. To their south are a variety of moderate quality 20<sup>th</sup> century buildings all of which are to be demolished to make way for the proposed development right down to the corner with Palmerin street and indeed along the west side of Palmerin Street. Immediately to the west of the site is another State heritage listed building, the stone built Warwick Police Station.

To the rear of the site in a southerly direction, these properties border the existing Rose City shopping Centre a portion of which is also to be demolished to allow for the proposed expansion of the centre.

The proposal as it stands for this development requires the demolition of the more easterly of the two buildings [No 82] and the removal of later rear additions of the more westerly [No. 84] but the retention and reinforcement of some structural elements to stabilise & avoid further damage from structural movement

### **3.0 THE BUILDINGS**

---

On this site there are two separate buildings the more eastern building and the smaller of the two[No 82] and the western building the larger of the pair[no. 84]. Again I refer to the two structural reports prepared by Andrew Farr of Farr structural Engineers for a detailed report on the exact state and condition of the two structures at the time of their last inspection.

### 3.1 The eastern building

Andrew Farr says of the number 82 that the building is of indeterminate age. My opinion that this building's appearance suggests to me, a building of the late nineteenth century and therefore over one hundred years old. It was simply constructed in a manner typical of its time as commercial premises on the ground floor with living accommodation provided on the first floor. It takes the form of a modest semidetached design giving commercial accommodation with a "shop window" and front door on each side.

Construction is of largely local brick on the ground floor with a timber framed first floor above. Typical of its type the front of the main part of the property is on the pavement line with a good sized timber framed verandah at first floor constructed over the pavement with a simple lean to iron roof over. At some time in the buildings past the verandah, which faces north, has been largely filled in to screen the verandah from the direct sun from the north. The first floor accommodation is generally of timber framing with external timber weatherboards. A brick chimneys rises at the rear at ground level to well above the simple hipped roof with ridge running east west. A chimney is provided to each side presumably serving each former commercial unit.

The first floor verandah facing north is carried on 4 timber posts supporting a timber bearer above. Each post sits on a small plinth base at pavement level. Across the top of the posts suspended from the timber bearer is a decorative timber screen in three bays of which one the eastern is missing. Timber doors and casements of all of a simple style typical of the period. To the rear of the premises are a number of brick built single storey additions all with simple north south ridged timber roofs. These are likely to be have been added at a latter date as the commercial life of the building grew but this cannot be verified at this time.

All of the brick masonry supporting walls were built off minimal brick spreader foundations of no great depth and as such are highly susceptible to the

movement of the local highly reactive clay soils. The result is that the structure has undergone considerable movement and this is detailed in the structural report of Andrew Farr. In addition little was allowed for in the construction at the time to allow for the moisture content of the soils at times at very high levels. As a result this property suffers from extreme rising damp which has all but destroyed any internal wall finishes and has also lead to the deterioration of the mortar within the wall construction.

As a further result of the simple construction and moisture in the soils all timber members in close proximity to or in contact with the soil are liable to rot and termite infestation. This has been proved to be the case in this building with almost all low level timber virtually destroyed by either form of attack. The result is the timber floors are virtually non existent and the attack has spread to all of the minor timber sections including floor boards, door linings and architraves.

Andrew Farr concludes his report 2007 " *the building is essentially at the end of its structural life*" and sadly I concur with this view. There is little structural integrity in the building and the overall rate of deterioration is so great that demolition is the only realistic future of the building. Were rebuilding an option the building would require to be rebuilt from its foundation up and the result would be a brand new building constructed in accordance with 21<sup>st</sup> century construction methods and as required by current building codes.

### **3.2 The western building**

The second building is No. 84 the more westerly building. This is a larger building and built of different materials suggesting a different developer and probably constructed at a different time although in a similar period towards the end of the nineteenth century. This is a more solidly constructed building being generally of two storey local stone construction under a timber framed roof with simple hipped iron clad roof with the ridge again running east west parallel with Fitzroy Street. Once again for a detailed structural appraisal we

should refer to the reports of Andrew Farr prepared in September of this year (to reflect updated report).

The form of construction using largely local stone suggests a big budget and greater longevity for the structure however we will see the building is again afflicted with similar problems to its neighbour due to the simplified construction methods of the period and the ravages of the harsh Australian environment.

The building was probably again constructed as commercial premises with living accommodation over. The large scale "shop windows" and more than one front door hint at the commercial nature of the ground floor which like the adjoining property is set right on the pavement line once again with a timber framed verandah over the pavement. In this case the first floor roof is not just a lean to arrangement but a continuous part of the whole roof structure projected over the verandah. A large stone chimney on the western external wall penetrates the simple iron covered roof form.

The verandah and indeed the roof above are carried on 6 timber posts set on the edge of the pavement line each with base mouldings. At roof level the 6 posts have timber capital details supporting the spreader beam above. There would likely have been timber balustrades at first floor but these are currently finished with a flat sheet material masking the original detail. Below the verandah beams a simple painted wooden filigree screen remains as a sun breaker to the pavement below.

The form of the building is largely two storey of stone construction but the stone extends rearwards to form a single storey element under a monopitch iron roof. This has been extended further rearwards with a timber framed rear addition probably at a later date to allow for extension of the commercial activities on site. Internally the construction is typical of the period with timber floors at ground and first floor levels. The roof is also framed in timber with timber ceiling joists.



As in the case of number 82 next door, all the timber construction has been ravaged by rot and insect infestation particularly at ground floor level where timber floors are so close to ground level, where floors are on the point of complete collapse. The deterioration is so great that access internally is limited to ground floor areas. There is ample evidence of termite activity and rot in floors, joinery timbers, verandah decks and roof structure. In addition soil movement due to clay soils has also impacted the brick interior as well as the stone exterior walls. Andrew Farr records relative movement between various structural elements as much as 25mm leading to massive cracking and some instability. What is more worrying is that between the two inspections in 2005 and 2007 this damage has worsened considerably.

Of particular note is the western external wall which had previously reinforced with iron rods passed through the structure terminating in flat bar cross reinforcement to external walls. This has bowed by a considerably degree and in my opinion represents a real threat to the structural integrity of the wall. This has been caused, as in the adjoining property, by a lack of understanding at the time of construction of the movement in clay soils causing shrinking and expansion dependant upon moisture levels. The only way to combat these changes is to found the walls at depth below that where this movement occurs. Today the only recourse is to underpin the walls with concrete foundations taken down to suitable depths.

The deterioration in the stability of the western wall requires urgent attention either in the form of propping or repair. Andrew Farr is preparing recommendations for this course of action on behalf of the developer. The condition may be so bad as to require rebuilding of the stone structure but this will need to be determined by structural analysis.

What becomes clear from the inspection of these two buildings is their extremely parlous state which has developed over the years but is now accelerating as their structural integrity reaches a critical point. Their owners have been unable to let the buildings because of their poor state and without income there have been no funds for repair and restoration and so a vicious

circle has continued. With no real government funds for repair on this kind of scale for Heritage listed building the scene is set for a terminal situation of collapse and demolition.

#### 4.0 CULTURAL SIGNIFICANCE OF THE BUILDINGS

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Both buildings although of different forms of construction are built I believe for a common purpose, furthering commercial activity in this agricultural based country town. The form of architecture was a typical form of the time commercial units with living accommodation over. And the town had many similar buildings during the early part of the twentieth century. But patterns change and as standards rose families no longer wanted to live over the business and business premises became larger as products were bought and sold in larger and larger quantities. Deliveries originally be horse drawn vehicles were made by larger and larger vehicles requiring more storage space.

And so the moderate commercial premises with living accommodation became outdated and less used. The site of these two premises situated as they are around the corner from the main commercial street of Palmerin Street would also have been less popular out of sight and out of mind. The next building to the west was of course the Police Station and next to that the Courthouse, so there was no commercial draw to support these isolated buildings.

For whatever related reason these buildings have fallen out of use and failed to be adequately maintained and now appear to be in terminal decline.

There cultural significance relates not to their construction which is typical of so many but more because they represent a form of building significant in its time as representing trading methods of their day.

In the case of No.82 its condition is so poor the only manner the form can be saved is as reported above. Is by replacement by a new building, which negates its value as a Heritage building.

In the case of the No.84 there is a tremendous amount of work to be done including rebuilding of foundations to save existing stone and brick supporting walls and the complete replacement of the interior timber sections and refinishing the entire interior, in order to make the building re-usable in the future.

There are problems with replacing the interior elements as the timber floors can not be replaced in their present form due to lack of air space an the avoidance of the reoccurrence of rot. In similar manner the existing staircase to the first floor is to steep and narrow for use under present building regulations and thus considerable internal change will be required. Once again the degree of deterioration and consequent replacement brings into question the remaining cultural significance in fabric that will require such large scale replacement.

We therefore need to also need to consider the benefit to Warwick's other Heritage building fabric should this development not proceed and out of town development proceed in it's stead. It is my view this will have very real negative impact and cause the long term loss of further older buildings and their environs.

## 5.0 SUMMARY

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It is clear from the Structural engineers report that Number 82 Fitzroy Street has now passed its useful life and should be allowed to be demolished in order to allow the required development to proceed.

What remains in question is the extent of work that should be carried out to number 84 Fitzroy Street. The rearmost timber sections, most probably added

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later, could I suggest reasonable be demolished without impacting the heritage significance of the remaining building. Structural walls will need to be stabilised which is currently being investigated but there needs to be debate as to how much further work or repair and replacement should be undertaken without further impacting the heritage quality of the building.

I would recommend a meeting of the interested parties including Warwick Council development officers, the EPA's representative and the developer and their consultants should be called to attempt to reach agreement on the best way forward to reach a solution that can benefit all parties aims.

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**Nicholas Bron**  
September 2007

**A HERITAGE REPORT BY THOMSON ADSETT ARCHITECTS**  
**prepared by :**  
Nicholas Bron RIBA , Dip Arch [Bton] Chartered architect.

# Appendix D Warwick Shire Planning Scheme Codes

## D.1 City Centre Land Use Code

Specific Outcomes	Probable Solutions	Assessment
Impact Assessment Criteria		
<p>In assessing applications for all development requiring impact assessment in the City Centre Land Use Area, Council will consider the following matters in addition to any other relevant provision of this planning scheme:</p> <p>(a) The suitability of the site for the proposed development having regard to:</p> <ul style="list-style-type: none"> <li>▪ its size, location and physical characteristics;</li> <li>▪ the nature of existing or approved uses on it or on nearby land; and</li> <li>▪ whether it is liable to flooding.</li> </ul>	None specified	<p><b>Complies.</b> Recognising that a number of existing structures are required to be demolished the size and dimension of the site will accommodate the proposed extension to the shopping centre. Located within the city centre land use area that is designed and intended to facilitate higher order retail facilities of this nature, the site is entirely suitable for the proposed development.</p> <p><b>Complies.</b> There are no major physical constraints or hazards such as flooding that would prejudice the proposed development.</p>
<p>(b) The nature of the proposed development, including whether it would:</p> <ul style="list-style-type: none"> <li>▪ due to its physical or operational characteristics and potential impacts, be more appropriately located on land included in another of the land use areas;</li> <li>▪ by locating in the City Centre, support or compromise the policy intent for the city centre or another of the land use areas;</li> <li>▪ adequately provide for pedestrian, disabled and cyclist movement, comfort and security;</li> <li>▪ incorporate satisfactory servicing, access, circulation and parking arrangements for private, public</li> <li>▪ transport and emergency vehicles;</li> <li>▪ create or increase a traffic problem;</li> <li>▪ the likely impact on the existing and likely future amenity of the locality as a result of noise, lighting, odour or other reason.</li> </ul>	None specified	<p><b>Complies.</b> The proposed use and its operational characteristics are intended to be located within the city centre land use area. Importantly, there are no other land use areas that are suitable for higher order retail uses and their expected impacts. In this regard the proposal is consistent with the policy intent and objectives of the city centre land use area.</p> <p><b>Complies.</b> The extension of the mall to the corner of Palmerin and Fitzroy Street will facilitate pedestrian movement throughout the shopping centre in a safe and convenient manner.</p> <p><b>Complies.</b> Additional access from Fitzroy Street and expansion of the basement parking improves access and circulation of private vehicles. Emergency vehicles and public transport will continue to access the development via the main road frontages. Given the improved access and servicing areas the proposal will not create congestion or adverse traffic impacts.</p> <p><b>Complies.</b> Pedestrian activity, vehicle movements and servicing occur inside or behind buildings. In this regard potential noise, lighting</p>

Specific Outcomes	Probable Solutions	Assessment
		and odour impacts are minimised and not likely to adversely affect the amenity of the area.
<p>(c) For applications involving the demolition or removal of buildings listed in Planning Scheme Policy No.1, whether a conservation study has demonstrated that:</p> <ul style="list-style-type: none"> <li>▪ conservation actions are not feasible or viable; or</li> <li>▪ the building is of no significance in terms of its historical, architectural, streetscape and other special value.</li> </ul>	None specified	<p><b>Complies.</b> Due to structural inadequacy and public safety the state listed heritage place identified as Plumb's chambers (eastern most building) at 82 Fitzroy Street, Warwick is proposed to be demolished. Importantly, the proposal seeks to retain the more substantial building at 84 Fitzroy Street, Warwick. Refer to heritage report by Thomson Adsett Architects and structural engineers report by Farr Engineers Pty Ltd attached as Appendix B and C, respectively.</p>
<p>d) For applications involving external building work to buildings listed in Planning Scheme Policy No.1, whether a conservation study demonstrates that the new work will not detract from the heritage significance of the building and will be compatible with the streetscape.</p>	None specified	<p><b>Complies.</b> The proposal will involve external building work to repair structural issues associated with 84 Fitzroy Street. A conservation study will be prepared in support of this proposal.</p>
<p>(e) Whether the proposal will be compatible with the streetscape of the city centre area, giving consideration to the following:</p> <ul style="list-style-type: none"> <li>▪ building height, scale and bulk;</li> <li>▪ building material and colour;</li> <li>▪ building alignment and setbacks from site boundaries;</li> <li>▪ roof line and form;</li> <li>▪ external building treatments including awnings, verandah's, parapets, detailing and other embellishments;</li> <li>▪ windows, doors and voids;</li> <li>▪ the proposed location of car parking or access to a parking area;</li> <li>▪ the proposed landscaping arrangements; and</li> <li>▪ the nature of surrounding development.</li> </ul>	None specified	<p><b>Complies.</b> Additional plans will be submitted demonstrating that the proposal will enhance and complement the existing streetscape through the following design measures:</p> <ul style="list-style-type: none"> <li>▪ building height, bulk and scale will not exceed 2 storeys;</li> <li>▪ building alignments and front setbacks will match the existing building;</li> <li>▪ roof form and parapet design will be compatible with the existing roofscape;</li> <li>▪ facade of the building will incorporate elements of a finer scale and architectural treatments that enhance the appearance of the building; and</li> <li>▪ provision of basement level parking ensuring that car parking does not visually dominate the centre;</li> <li>▪ continuous awnings will be provided along the Palmerin and Fitzroy street road frontages.</li> </ul>

Specific Outcomes	Probable Solutions	Assessment
Heritage Context		
<p>S1 To ensure that heritage places are retained in a context, which is appropriate to an understanding of their cultural value and respectful of their design qualities.</p>	<p>P1.1 Development, including external building work to existing buildings which adjoin a place identified as having heritage significance in Planning Scheme Policy No.1, shall incorporate design elements (including building setback, form, scale, proportion, character, materials, and ornamentation) which are compatible, complementary and respectful to the heritage place.</p>	<p><b>Complies.</b> Due to structural inadequacy and public safety the state listed heritage place identified as Plumb's chambers (eastern most building) at 82 Fitzroy Street, Warwick is proposed to be demolished. Importantly, the proposal seeks to retain the more substantial building at 84 Fitzroy Street, Warwick. Refer to heritage report by Thomson Adsett Architects and structural engineers report by Farr Engineers Pty Ltd attached as Appendix B and C, respectively.</p>
Building Height, Bulk, Scale and Style Controls		
<p>S2 To reinforce Palmerin Street as the principal activity focus by retaining its cohesive appearance in terms of building height, bulk, scale and style.</p>	<p>P2.1 Buildings or structures shall not exceed two storeys in height unless otherwise indicated in this planning scheme;</p> <p>P2.2 A building or structure, or parts of a building or structure, may have a height of three storeys where the three storey part is located within 100 metres of a frontage to Palmerin Street.</p> <p>P2.3 A building or structure, or parts of a building or structure, which have a height exceeding three storeys may be acceptable provided a visual impact assessment report is prepared which demonstrates all of the following:</p> <ul style="list-style-type: none"> <li>- the part of the proposed building or structure above three storeys in height is differentiated from its podium or base through the use of a different elevational treatment so as to diminish overall bulk;</li> <li>- the part of the proposed building or structure which exceeds three storeys in height does not dominate the streetscape and is set back at least 10 metres from the Palmerin Street frontage and does not exceed 6 storeys in height;</li> <li>- the proposed building or structure contributes to the achievement of a gradation of building heights leading towards taller buildings on Palmerin Street;</li> <li>- a building or structure exceeding three storeys is located within 100</li> </ul>	<p><b>Complies.</b> Building height does not exceed two storeys.</p> <p><b>Complies.</b> Additional plans will be submitted demonstrating that the appearance, bulk, height, scale and style of the proposal will be consistent with buildings in the locality contributing to a cohesive streetscape.</p>



Specific Outcomes	Probable Solutions	Assessment
	<p>metres of a frontage to Palmerin Street;</p> <p>- those parts of the proposed building or structure which exceed three storeys in height allow adequate views to be obtained around the Town Hall Tower, the Post Office tower and St Mary's Spire when these built forms are viewed from the intersections of Palmerin and Percy Streets and Palmerin and Fitzroy Streets;</p> <p>P2.4 Development shall not include long, unbroken façade elements which exceed 50 metres in length;</p> <p>P2.5 Development shall not exceed a plot ratio of 2:1;</p> <p>P2.6 A building or structure shall reduce the impression of bulkiness of facades by the inclusion of smaller elements to break up the elevation treatment or through the use of projections and recesses as generally illustrated in Figure 3;</p> <p>P2.7 Development on a corner site shall incorporate building design elements which accentuate and reinforce the importance of corner positions as generally illustrated in Figures 4a and 4b;</p> <p>P2.8 Building facades shall incorporate elements (including windows and doors) which are of a human scale as generally illustrated in Figure 3;</p> <p>P2.9 Development shall incorporate building materials and adopt ornamentation which is reflective of the style and characteristics of buildings in the immediate area.</p>	<p><b>Complies.</b> Buildings will be well articulated and incorporate a number of design features that cast shadow on the building form, and provide visual depth and interest as viewed from the street.</p> <p><b>Complies.</b> Additional plans will be submitted demonstrating that the proposed development does not exceed a plot ratio of 2:1.</p> <p><b>Complies.</b> The design will incorporate a number of design features and elements of a finer scale including a range of projections and recesses. These elements will cast shadow on the building form, and provide visual depth and interest to the façade of the building.</p> <p><b>Complies.</b> A number of design elements will be incorporated to emphasis the corner of Palmerin and Fitzroy Street. The design will facilitate the main pedestrian entrance to the shopping centre mall.</p> <p><b>Complies.</b> To promote active street frontages the development incorporates shop front windows and a main entrance that face Fitzroy and Palmerin Streets.</p> <p><b>Complies.</b> Additional plans will be submitted reflecting ornamentation and architectural detailing consistent with buildings in the immediate locality.</p>
<b>Building Skyline Controls</b>		
S3 To ensure that development	P3.1 Those parts of a development	<b>N/A.</b> The proposed development

Specific Outcomes	Probable Solutions	Assessment
<p>retains the character of Palmerin Street in terms of the continuity of building skylines.</p>	<p>which exceed a height of 10 metres above ground level shall permit adequate views to be obtained around the Town Hall Tower, the Post Office tower and St Mary's Spire when these built forms are viewed from the intersections of Palmerin and Percy Streets and Palmerin and Fitzroy Streets as generally illustrated in Figure 1;</p> <p>P3.2 Parapets to facades in Palmerin Street shall, by way of stepping or undulation, seek to achieve a fluctuating skyline effect as generally illustrated in Figures 5a and 5b;</p> <p>P3.3 Parapets to facades in Palmerin Street shall incorporate transitional elements which link the building form with the sky such as generally illustrated in Figure 6.</p>	<p>does not exceed 10m and retains view corridors of significant landmarks.</p> <p><b>Complies.</b> Additional plans will be submitted indicating an undulating parapet design that achieves a fluctuating skyline effect.</p>

Active Street Frontages

<p>S4 To ensure that public streets remain the focus of commercial and social activity within the City Centre.</p>	<p>P4.1 Development on sites having a frontage to the principal streets within the city centre, being:</p> <ul style="list-style-type: none"> <li>- Palmerin Street, between Albert and Percy Streets;</li> <li>- Fitzroy Street, between Albion and Guy Streets;</li> <li>- Grafton Street, between Albion and Guy Streets; and</li> <li>- King Street, between Palmerin and Albion Streets;</li> </ul> <p>(i) Shall be built to the front alignment; provided that, variations to shop fronts may be acceptable where not impacting on the continuity of the frontage elevation.</p> <p>(ii) Shall address the street through the provision of display windows and pedestrian entry points for the entire frontage, excluding the part of the frontage necessary for vehicular access;</p> <p>(iii) Shall provide horizontal awnings to the footpath along the entire frontage to the site, excluding that part of the frontage necessary for vehicular access;</p> <p>(iv) shall obtain vehicular access from other streets, lanes or easements, if practicable;</p> <p>(v) shall provide pedestrian access between the street frontage and ancillary development at the rear of premises;</p> <p>(vi) shall not provide it's principal</p>	<p><b>Complies.</b> The shopping centre extension will match the existing built form and be built to the front alignment.</p> <p><b>Complies.</b> The main entrance of the mall and shop front windows are suitably located to ensure the development addresses the street.</p> <p><b>Complies.</b> As indicated above continuous awnings will be provided along the entire frontage of the site.</p> <p><b>Complies.</b> Ordinary vehicle access is only possible via a principle street – Fitzroy Street.</p>
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Specific Outcomes	Probable Solutions	Assessment
	<p>entry point at the rear of buildings;</p> <p>P4.2 Development on corner sites shall address each frontage through the provision of display windows and pedestrian entry points;</p> <p>P4.3 Development on sites without frontages to the principle streets listed above, and involving car parks, display yards or the like at the front of a site or buildings or other structures which are proposed to be setback from the street, shall provide a 3m wide landscaped area along the road frontage.</p>	<p><b>Complies.</b> The main entrance provides at the corner of Fitzroy and Palmerin Street and is key design feature of the development.</p> <p><b>N/A.</b> The development fronts principle streets only.</p>

## D.2 General Development Code

Development Criteria	Response
Physical Infrastructure Requirements	
<p><b>General</b></p> <p>(i) Where required, physical infrastructure set out in this code must be provided to a standard in accordance with the relevant planning scheme policies or future infrastructure charges plan and the EDROC Regional Standards Manual.</p> <p>(ii) For self assessable development, compliance with the provisions of subsection</p> <p>(i) Shall be deemed to constitute compliance with this part of the code. Where such compliance cannot be achieved, the development is deemed to require code assessment.</p>	<p><b>Complies</b> The site is well serviced by physical infrastructure including water, sewer, road and electricity services. Existing infrastructure will satisfy demand generated by this infill development.</p>
<p><b>Water Supply and Sewage Disposal</b></p> <p>(i) Development must be provided with a water supply and sewage disposal service to a standard required in accordance with the EDROC Regional Standards Manual.</p> <p>(ii) Where the provision of a reticulated water or sewerage system is not required or where an alternative to conventional infrastructure is proposed,</p> <p>Council, in considering the suitability of any required servicing arrangements may have regard to environmental, health and aesthetic implications including the following:</p> <p>(a) Where potable water is proposed:</p> <ul style="list-style-type: none"> <li>▪ whether an adequate supply can be assured with respect to the use of particular materials for catchment and storage;</li> <li>▪ whether an adequate quality can be assured with respect to the use of particular materials for catchment and storage;</li> <li>▪ whether the use of devices such as first flush bypass and water purification (such as chlorination) may be required.</li> </ul> <p>(b) Whether adequate provision for water (whether potable or recycled) is available for such activities as:</p> <ul style="list-style-type: none"> <li>▪ fire fighting;</li> <li>▪ irrigation of any required landscaping works.</li> </ul> <p>(c) Where a reticulated sewerage system is not proposed:</p> <ul style="list-style-type: none"> <li>▪ the capacity of each lot to provide adequate on-site disposal in terms of soil permeability, proximity to the water table, the underlying geology, topography and wet weather conditions;</li> <li>▪ whether the land is contained within a potable water supply catchment or upstream of an environmentally significant habitat;</li> </ul>	<p><b>Complies.</b> Conventional water and sewer reticulation are available to the existing shopping centre.</p>

Development Criteria	Response
<ul style="list-style-type: none"> <li>▪ whether there is minimal and acceptable risk of contamination of groundwater or overland flow; and</li> <li>▪ the presence, location and nature of neighbouring land uses.</li> </ul>	
<p><b>Stormwater Management</b></p> <p>(i) Development must be provided with stormwater management arrangements to a standard required in accordance with the EDROC Regional Standards Manual.</p>	<p><b>Complies.</b> Stormwater collected from roof and developed surfaces will be disposed of to a lawful point of discharge and in accordance with the EDROC Regional Standards Manual.</p>
<p><b>Access and Roadworks</b></p> <p>(i) No access to State Controlled Roads, shall be provided unless specifically approved by the Department of Main Roads.</p> <p>(ii) Roadworks and sealed pedestrian and/or cycling paths external to, and for the full length of the frontage or frontages of the development site shall be constructed to a standard required in accordance with the EDROC Regional Standards Manual.</p> <p>(iii) In Warwick City, Allora and Killarney, material changes of use of premises with frontage to a road less than 10m in width shall provide for the dedication of land along the full length of the frontage for road widening purposes. The area to be dedicated will be that which falls within a minimum distance of 5m from the existing centre line of the road.</p> <p>This requirement will not apply to self assessable development or to a proposal to establish a dwelling house on a lot greater than 600m<sup>2</sup>.</p>	<p><b>N/A.</b> The existing shopping centre does not gain access to a State controlled road.</p> <p><b>Complies.</b> Any necessary roadworks and pedestrian footpaths along the frontage of the site will be sealed to an acceptable standard.</p> <p><b>N/A.</b> Both Palmerin and Fitzroy streets exceed a width of 10m. Dedication of land for the purpose of road widening is not required.</p>
<p><b>Electricity, Telecommunications and Gas</b></p> <p>(i) Arrangements shall be made with the relevant authorities for the provision of any or all electricity, telecommunications and gas services to the extent required for any development. Electricity, gas and telecommunications services in Warwick City shall be provided underground unless otherwise required.</p>	<p><b>Complies.</b> Electricity, gas and telecommunication services are currently available to the existing shopping centre. Where required the development will seek to extend these services.</p>
<p><b>Landscaping Works</b></p> <p>(i) Where an area is required to be landscaped in accordance with this planning scheme or as a condition of any development approval, a properly prepared landscaping plan must be submitted to and approved by the Director of Planning and Development. Such a plan must:</p> <p>(a) incorporate all proposed planting, paving, fences, recreational facilities and other landscape elements necessary, in the opinion of the Director of Planning and Development, to meet the purpose of the relevant Scheme provisions or to comply with the conditions of any relevant approval and;</p> <p>(b) the following information:</p> <ul style="list-style-type: none"> <li>▪ location and species of existing trees;</li> <li>▪ soil type and moisture condition;</li> <li>▪ location of drainage, sewerage and other underground services and overhead power lines;</li> <li>▪ details of any structure proposed as part of the</li> </ul>	<p><b>Complies.</b> Extension of the retail complex including servicing areas cover the majority of the site area with little or no opportunity for landscaping. On this basis a landscaping plan is not considered appropriate. However, it is expected that streetscape works including suitable paving and street furniture will be required through reasonable and relevant conditions.</p>

Development Criteria	Response
<p>landscaping;</p> <ul style="list-style-type: none"> <li>▪ contours or spot levels, if required;</li> <li>▪ proposed surfaces;</li> <li>▪ fence size and material;</li> <li>▪ location and species of proposed plants;</li> <li>▪ schedule of plants and plant size;</li> <li>▪ the location of doorways and windows in any habitable rooms associated with residential development and/or dwelling houses on any adjoining lot;</li> <li>▪ a scale and north point; and</li> <li>▪ any other information which the Director of Planning and Development may consider relevant.</li> </ul> <p>(ii) Landscaping must be carried out in accordance with the approved plan and maintained in a suitable condition.</p>	
<b>Car Parking</b>	
<p>(i) On-site car parking must be provided at the rates listed in Table 6.1. Where the calculation of applicable parking rates results in a fraction, the number required will be the next highest whole number.</p> <p>For the purposes of determining car parking requirements, balconies may be excluded from the calculation of gross floor area.</p> <p>(ii) Where no parking rate is nominated for a particular type of use Council will determine the number of spaces to be provided.</p> <p>(iii) In addition to the car parking spaces set out in Table 6.1, sufficient spaces are to be provided for the parking of service vehicles and/or bus and taxi setdown areas in accordance with the relevant planning scheme policy.</p> <p>Table 6.1: Car Parking Requirements Purpose Minimum Number of Spaces Commercial Use</p> <ul style="list-style-type: none"> <li>- in the City Centre land use area (1 space per 25 m2 of gross floor area)</li> <li>- in the Town Centre and Village land use are ( 1 space per 50 m2 of gross floor area)</li> <li>- elsewhere ( 1 space per 30 m2 of gross floor area)</li> </ul>	<p><b>Complies.</b> The car parking rate applying to the development is 1 space / 25m<sup>2</sup> of GFA.</p> <p>Proposed GFA = 2670m<sup>2</sup></p> <p>Car Parking Required = 107</p> <p>Additional Car Parking to be Provided = 165</p>
<p>(iv) Parking spaces and areas are to be designed, constructed, sealed, marked, drained, signposted and landscaped in accordance with the EDROC Regional Standards Manual.</p> <p>(v) Parking areas are to be designed to allow forward entry and exit for all vehicles (except in association with a dwelling house), adequate accessibility, vehicle circulation, vehicle queuing and pedestrian and traffic</p>	<p><b>Complies.</b> Parking spaces are designed to acceptable standards and include suitable line marking and signage.</p> <p><b>Complies.</b> Proposed access and basement parking allow vehicles to enter and leave in a forward gear. Vehicle movement areas provide for adequate circulation, queuing and general pedestrian and traffic</p>

Development Criteria	Response
<p>safety.</p> <p>(vi) A parking area required under this section is to be kept and used exclusively for parking and maintained in a suitable condition for parking.</p> <p>(vii) Visitors' car spaces are to be accessible and available for parking at all times.</p> <p>(viii) Council may vary the required number of car parking spaces giving consideration to whether more or less provision is justified having regard to:</p> <ul style="list-style-type: none"> <li>▪ the circumstances of the case;</li> <li>▪ car spaces that are available on nearby land and approved by Council; and</li> <li>▪ whether the short fall can be satisfactorily offset by the imposition of a charge in accordance with the relevant infrastructure charges plan or planning scheme policy.</li> </ul> <p>(ix) For the purposes of self assessable development, if the provisions of the table cannot be complied with and discretion pursuant to this section is required, the development is deemed to require code assessment.</p>	<p>safety.</p> <p><b>Complies.</b> The basement parking area will be used exclusively for vehicle parking.</p> <p><b>Complies.</b> Carparking will remain accessible to visitors at all times.</p> <p><b>N/A.</b> Given the limited availability of on street car spaces providing additional car spaces is appropriate and justified.</p>
<b>Environmental Nuisance By Noise</b>	
<p>(i) All buildings, plant and equipment shall be designed, constructed, operated and placed so that no environmental nuisance by noise will occur.</p> <p>(ii) For the purposes of the preceding subsection, noise from premises shall be deemed to create an environmental nuisance when it exceeds:</p> <p>(a) for a land use (being certain indoor venues, outdoor concerts, and outdoor and indoor shooting ranges) listed in Schedule 2 of the Environmental Protection (Noise) Policy, the reasonable noise levels set out in that Policy; or</p> <p>(b) For any other land use, a level of more than 5 dB (A) above the ambient noise level in that locality. For self assessable development, compliance with this requirement shall be deemed to constitute compliance with the provisions of sub-section (i). Where such compliance cannot be achieved, the development is deemed to require code assessment.</p> <p>(iii) In assessing applications, for code or impact assessable development Council may require as a condition all or any of the following:</p> <ul style="list-style-type: none"> <li>▪ relocation of noise sources and activity areas;</li> <li>▪ redesign of the building;</li> <li>▪ acoustical treatment of all sources of noise;</li> <li>▪ preservation of existing natural or built acoustic</li> </ul>	<p><b>Complies.</b> Plant and equipment is suitably contained and will comply with the State Government's Environmental Protection Noise Policy.</p> <p><b>Complies.</b> It is noted that the majority of noise generating activity occurs inside the building, and loading/unloading activity occurs behind buildings minimising potential noise sources. Where appropriate plant and equipment will be suitably screened to comply with acceptable environmental standards.</p>

Development Criteria	Response
<p>barriers;</p> <ul style="list-style-type: none"> <li>▪ the erection of acoustic barriers; and</li> <li>▪ restriction of the hours of operation of the development.</li> </ul> <p>Council may require the submission of a noise report to ensure any measures proposed to abate environmental nuisance by noise will be effective. Such a report shall include the following:</p> <ul style="list-style-type: none"> <li>▪ the nature of the proposal;</li> <li>▪ the building layout;</li> <li>▪ the construction materials of all buildings;</li> <li>▪ the likely sources of noise and their location;</li> <li>▪ the acoustical treatment proposed;</li> <li>▪ the background noise levels;</li> <li>▪ the proposed hours of operation of the development;</li> <li>▪ the predicted noise levels at the nearest residential premises; and</li> <li>▪ any other information which the Council may consider necessary.</li> </ul> <p>A noise report and any additional information which may be required by the Council in respect of noise impact and prediction must be prepared by a suitably qualified person.</p>	
<b>Environmental Nuisance By Light</b>	
<p>(i) All buildings, plant, equipment and structures shall be designed, constructed, operated and placed so that no environmental nuisance by light will occur.</p> <p>(ii) For the purpose of the preceding subsection a light shall be deemed to create an environmental nuisance when the level at a distance of 1.5 metres outside the boundary of the site exceeds eight (8) lux.</p> <p>For self assessable development, compliance with this requirement shall be deemed to constitute compliance with the provisions of sub-section (i). Where such compliance cannot be achieved, the development is deemed to require code assessment.</p>	<p><b>Complies.</b> Lighting will be designed and constructed to Australian Standards.</p>
<b>Building Design and Development Layout</b>	
<p>(i) The following provisions of this section only apply to code assessable or impact assessable development involving a material change of use.</p> <p>(ii) Building design and development layouts shall be undertaken so as to complement the surrounding area with the aim of achieving development which is visually compatible with the existing character and creates a high quality environment.</p> <p>(iii) In considering applications, Council will, to the extent relevant, take into consideration the following matters relating to the design of buildings and layout of the development:</p>	<p><b>Complies.</b> Additional plans will be submitted demonstrating that the proposal will integrate with the existing shopping centre and achieve an appropriate design response and streetscape character:</p> <ul style="list-style-type: none"> <li>▪ building height, bulk and scale will not exceed 2 storeys;</li> <li>▪ the arrangement of buildings and additional mall area will improve the function of the retail complex, in terms of pedestrian movement and</li> <li>▪ building alignments and front setbacks will match the existing building;</li> </ul>



Development Criteria	Response
<ul style="list-style-type: none"> <li>▪ development layout and building design shall be undertaken in a manner which provides utility and is appropriate to the nature and type of land use development being proposed;</li> <li>▪ development should be designed and constructed to ensure that it is integrated into its surroundings and enhances the amenity of the area;</li> <li>▪ development should contribute to the creation and maintenance of a pleasant streetscape;</li> <li>▪ provision should be made for convenient, safe and efficient movement of vehicles and pedestrians within the site as well as to and from the site and adjacent sites;</li> <li>▪ the scale and height of the development should be commensurate with environmental outcomes being sought for the area and should be generally compatible with surrounding development;</li> <li>▪ the design and layout of the development should take proper account of the physical character of the site and its surroundings to ensure that it will not visually dominate the physical or built environment; and</li> <li>▪ adequate on-site facilities should be provided including public toilets, child minding facilities, parenting rooms, disabled parking and access and the like where the size of the development warrants such facilities.</li> </ul>	<ul style="list-style-type: none"> <li>▪ roof form and parapet design will be compatible with the existing roofscape;</li> <li>▪ facade of the building will incorporate elements of a finer scale and architectural treatments that enhance and complement the existing built form, and provide active street frontages;</li> <li>▪ provision of basement level parking ensuring that car parking does not visually dominate the centre;</li> <li>▪ continuous awnings are to be provided along the Palmerin and Fitzroy street road frontages providing pedestrian shelter, and will complement the traditional character of Fitzroy Street; and</li> <li>▪ existing and proposed retail complex provides adequate social infrastructure such as public amenities, parenting rooms and disabled car spaces.</li> </ul>

