



Metro Outer Development Assessment Panel Related Information

Meeting Date and Time: Thursday, 26 September 2024; 1:00pm
Meeting Number: MODAP/39

PART B – CITY OF WANNEROO

1. Declarations of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 9101 (1040K) Wanneroo Road, Sinagra – Proposed Independent Living Complex – DAP/24/02690
 - 3.2 Lots 9000 (182) & 168 (162) Wanneroo Road, Madeley – Proposed Serviced Apartments (135 Units) And Restaurant/Café (6 Tenancies) – DAP/24/02714
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations



Attendance

Officers in attendance

Greg Bowering (City of Wanneroo)
Aaron Jones (City of Wanneroo)
Daniel Sheahan (City of Wanneroo)

Applicants and Submitters

Item 3.1

Andrew Wallis (Stockland)
Candice Halleen (CDP Town Planning)

Item 3.2

Declan Creighan (Urbis)
Megan Gammon (Urbis)
Callie Chai (DKO Architecture)
Dennis Chew (DKO Architecture)
Daniel Visser (Lofte Property)



PART B – CITY OF WANNEROO

1. Declarations of Due Consideration

2. Disclosure of Interests

Please note a standing declaration of interest, if the items on this agenda have been considered at the relevant local government council meeting, the local government DAP members acknowledge that in accordance with section 2.4.9 of the DAP Code of Conduct 2024 they have declared that they had participated in a prior Council meeting in relation an item being determined at this meeting. However, under section 2.1.2 of the DAP Code of Conduct 2024, they acknowledged that they are not bound by any previous decision or resolution of the local government and undertakes to exercise independent judgment in relation to any DAP application before them, which will be considered on its planning merits.

3. Form 1 DAP Applications

3.1 Lot 9101 (1040K) Wanneroo Road, Sinagra – Proposed Independent Living Complex – DAP/24/02690

3.1.1 Deputations and Presentations

Andrew Wallis (Stockland) presenting in support of the recommendation for the application at Item 3.1. The presentation will address the request for modifications to some conditions and an advice note, to eliminate replication of subdivision approval matters and acknowledge that the development project will be delivered in stages and compliance with relevant conditions will thus also be staged.

The City of Wanneroo may be provided with the opportunity to respond to questions of the panel, as invited by the Presiding Member.

3.1.2 Additional Information

Nil.

3.2 Lots 9000 (182) & 168 (162) Wanneroo Road, Madeley – Proposed Serviced Apartments (135 Units) And Restaurant/Café (6 Tenancies) – DAP/24/02714

3.2.1 Deputations and Presentations

Declan Creighan (Urbis) presenting in support of the recommendation for the application at Item 3.2. The presentation will address support for the officer recommendation. We will briefly outline the proposal and its merit.

The City of Wanneroo may be provided with the opportunity to respond to questions of the panel, as invited by the Presiding Member.



3.2.2 Additional Information

The Presiding Member notes an addendum to the agenda was published to include details of a DAP request for further information and responsible authority response in relation to Item 3.2, received on 24 September 2024.

4. Form 2 DAP Applications

Nil.

5. Section 31 SAT Reconsiderations

Nil.



Presentation Request Form

Regulation 40(3) and DAP Standing Orders 2024 cl. 3.6

Must be submitted at least 72 hours (3 ordinary days) before the meeting

Presentation Request Guidelines

Persons interested in presenting to a DAP must first consider whether their concern has been adequately addressed in the responsible authority report or other submissions. Your request will be determined by the Presiding Member based on individual merit and likely contribution to assist the DAP's consideration and determination of the application.

Presentations are not to exceed **3 minutes**. It is important to note that the presentation content will be **published on the DAP website** as part of the meeting agenda.

Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Andrew Wallis
Company (if applicable)	Stockland
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Meeting Details

DAP Name	Metro Outer DAP
Meeting Date	26 September 2024
DAP Application Number	DAP/24/02690
Property Location	Lot 1665 Wanneroo Road, Sinagra
Agenda Item Number	Item 3.1

Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content <u>will be</u> published as part of the Agenda:	YES ☒
Is the presentation in support of or against the <u>report recommendation</u>)? (<i>contained within the Agenda</i>)	SUPPORT ☒ AGAINST ☐
Is the presentation in support of or against the <u>proposed development</u> ?	SUPPORT ☒ AGAINST ☐
Will the presentation require power-point facilities?	YES ☐ NO ☒ If yes, please attach
Will you be attending in person or via electronic means	In person ☒ Online ☐



Presentation Content*

These details may be circulated to the local government and applicant if deemed necessary by the Presiding Member. Handouts or power points will not be accepted on the day.

Brief sentence summary for inclusion in the Additional Information as part of the agenda	<i>The presentation will address:</i> Request for modifications to some conditions and an advice note to eliminate replication of subdivision approval matters and acknowledge that the development project will be delivered in stages and compliance with relevant conditions will thus also be staged.
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In accordance with Clause 3.6.2 of the *DAP Standing Orders*, your presentation request must also be accompanied with a written document setting out the substance of the submission. If the presentation references documents that are contained within the responsible authority attachments, please consider referencing the attachment and not including a duplication of documents.

Please attach detailed content of presentation or provide below:-

We request the following modifications to the proposed conditions and advice notes. These have been discussed and in-principal agreed with the City of Wanneroo.

Condition 3 reworded as follows:

Prior to the submission of a building permit, title to be issued for proposed Lot 1 as shown on the approved plan dated 28 September 2022 for WAPC Subdivision Approval 162837.

Condition 4 reworded as follows:

Prior to the occupation of the development, satisfactory arrangements being made with the City of Wanneroo for completion of verge landscaping within all road verges that directly abut the site.

Condition 11 to be removed entirely as it relates to subdivision matters.

Condition 14 to be removed as it is covered by Condition 13 and is contradictory to some elements of the approved Stormwater Management Plan.

Condition 19 to be reworded to refer to the site and not Lots 1 – 4, as follows:

*Easement(s) in accordance with Sections 195 and 196 of the Land Administration Act 1997 for the benefit of City of Wanneroo are to be placed on the certificate(s) of title of the site specifying access rights (relevant to internal access streets). Notice of this easement(s) is to be included on the diagram or plan of survey (deposited plan). The easement(s) are to state as follows:
'Access rights for the City of Wanneroo to allow waste collection.'*

Advice Note 2 to be expanded as follows:

The owner/applicant is to submit the "Certification of Compliance with Development Approval Conditions" form certifying that all of the conditions specified in the approval by the Council for the development of the land have been completed in accordance with the approved plans, and the certification is to be lodged with the Council within 14 days from the date of practical completion, and applies to all of the conditions, except for those



conditions relating to on-going compliance.

In addition, it is acknowledged that this project will be developed and delivered in stages and compliance with all conditions may not be necessary or relevant for a specific development stage. Accordingly, it is noted that the “Certificate of Compliance with Development Approval Conditions” form will only relate to those conditions that are relevant and required for the stage of development for which the applicant is seeking certification to.



Presentation Request Form

Regulation 40(3) and DAP Standing Orders 2024 cl. 3.6

Must be submitted at least 72 hours (3 ordinary days) before the meeting

Presentation Request Guidelines

Persons interested in presenting to a DAP must first consider whether their concern has been adequately addressed in the responsible authority report or other submissions. Your request will be determined by the Presiding Member based on individual merit and likely contribution to assist the DAP's consideration and determination of the application.

Presentations are not to exceed **3 minutes**. It is important to note that the presentation content will be **published on the DAP website** as part of the meeting agenda.

Please complete a separate form for each presenter and submit to daps@dplh.wa.gov.au

Presenter Details

Name	Declan Creighan
Company (if applicable)	Urbis
Please identify if you have any special requirements:	YES ☐ NO ☒ If yes, please state any accessibility or special requirements: Click or tap here to enter text.

Meeting Details

DAP Name	Metro Outer DAP
Meeting Date	26 September 2024
DAP Application Number	DAP/24/02714
Property Location	182 Wanneroo Road, Madely
Agenda Item Number	3.2

Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content <u>will be</u> published as part of the Agenda:	YES ☒
Is the presentation in support of or against the <u>report recommendation</u>)? (<i>contained within the Agenda</i>)	SUPPORT ☒ AGAINST ☐
Is the presentation in support of or against the <u>proposed development</u> ?	SUPPORT ☒ AGAINST ☐
Will the presentation require power-point facilities?	YES ☐ NO ☒ If yes, please attach
Will you be attending in person or via electronic means	In person ☒ Online ☐



Presentation Content*

These details may be circulated to the local government and applicant if deemed necessary by the Presiding Member. Handouts or power points will not be accepted on the day.

Brief sentence summary for inclusion in the Additional Information as part of the agenda	<i>The presentation will address:</i> The presentation will speak in favour of the officer recommendation. We will briefly outline the proposal and its merit. The project team (DKO Architects and Lofte Property) will also be available to answer any queries if the DAP panel have any.
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In accordance with Clause 3.6.2 of the *DAP Standing Orders*, your presentation request must also be accompanied with a written document setting out the substance of the submission. If the presentation references documents that are contained within the responsible authority attachments, please consider referencing the attachment and not including a duplication of documents.

Please attach detailed content of presentation or provide below:-

The deputation will briefly address the following:

- An overview of the proposal and discussion of the proposal's merit
- Discussion of the proposal's alignment with the underlying planning framework.
- The strategic relevance of the proposal within the 'District Centre' context and how the proposed development factors into a broader strategy for the Kingsway Shopping Centre.
- Address the design approach and merit of the proposal.
- Brief discussion of the functionality and operation of the short stay facility and ground floor tenancies.

The following people from the project team will also be in attendance and available to respond to queries:

- Megan Gammon (Urbis).
- Callie Chai (DKO Architecture).
- Dennis Chew (DKO Architecture).
- Daniel Visser (Lofte Property).



MEMO

To: Clayton Higham (Presiding Member), Eugene Koltasz (Deputy Presiding Member), Heidi Herget (Specialist Member), Cr Bronwyn Smith (Local Government DAP Member, City of Wanneroo), Cr Jacqui Huntley (Local Government DAP Member, City of Wanneroo)

From: Declan Creighan and Megan Gammon – Urbis

Email: dcreighan@urbis.com.au

Date: 24 September 2024

Subject: **Lot 9000 (182) Wanneroo Road, Madeley – Proposed Serviced Apartments and Restaurant Café – Kingsway City Shopping Centre (DAP/24/02714)**

Dear Development Assessment Panel (**DAP**) Members,

Urbis, on behalf of landowners (Tah Land Pty Ltd) and the project team are pleased to provide this memo in relation to DAP/24/02714. DAP/24/02714 is seeking approval for 135 serviced apartments and 6 restaurant/café tenancies at Lot 9000 (182) Wanneroo Road, Madeley (**subject site**), also known as Kingsway City Shopping Centre.

This proposal presents an exciting opportunity to deliver a high-quality short stay accommodation development within an established district centre, increasing the diversity of offering to the local and visiting community. Together with longer term aspirations by the landowner to deliver further retail expansion and enhancement of the food, beverage and convenience and commercial offerings over years to come, the centre will continue to grow to become a highly integrated, mixed-use centre and a focus for the local community.

We are pleased with the Responsible Authority Report (**RAR**) which identifies a recommendation for conditional approval. City officers have been thorough in their assessment of the proposal and we thank them for their efforts.

Whilst we are pleased with the recommendation for approval, we respectfully request the DAP panel consider the below minor modifications to conditions. The project team understand the intent of the conditions but feel minor tweaks to the wording is required in order to provide greater clarity for the Applicant and decision-makers in clearing conditions.

Additionally, please see below our responses to the r13 Information Request from the DAP.

REQUESTED CONDITION MODIFICATIONS

Condition 4

Condition 4 seeks to manage the illumination of signage. We understand the purpose of this condition and fully support the intent. However, the wording of the condition is subjective and ambiguous and will be challenging to implement. We respectfully request the DAP to amend the condition to remove reference to “*cause annoyance to the public*” and “*illuminated beyond the extent of the lot boundaries*” and instead draw reference to the relevant Australian Standard to appropriately manage compliance.

On this basis, we request Condition 4 be modified as follows:

The applicant/owner must ensure that all illuminated signage must have any boxing or casing in which it is enclosed constructed of incombustible materials, must not comprise of flashing, pulsating, chasing or running lights and must ~~not have such intensity as to cause annoyance to the public or illuminate beyond the extent of the lot boundaries~~ comply with Australian Standard AS/NZS 3282:2019, to the satisfaction of the City.

Condition 14

Condition 14 seeks to increase the size of the footpaths to the north and east of the building. Following review by DKO Architecture, increasing the width of the northern footpath from 1.6m to 2.0m, consistent with Condition 14, is achievable. However, we note that increasing footpath to the east of the building (i.e. directly adjacent to the private car park) to 2.0m for the entire length of the footpath will be challenging.

Figure 1 below notes that the footpath to the east varies in width from 1.35m to 2.0m due to structural building elements (in particular columns). Increasing the entire length of the footpath to a minimum of 2.0m will require widening into the carparking area which will likely result in the removal and/or relocation of bays and the reconfiguration of the carpark to meet minimum bay requirements and swept path movements.

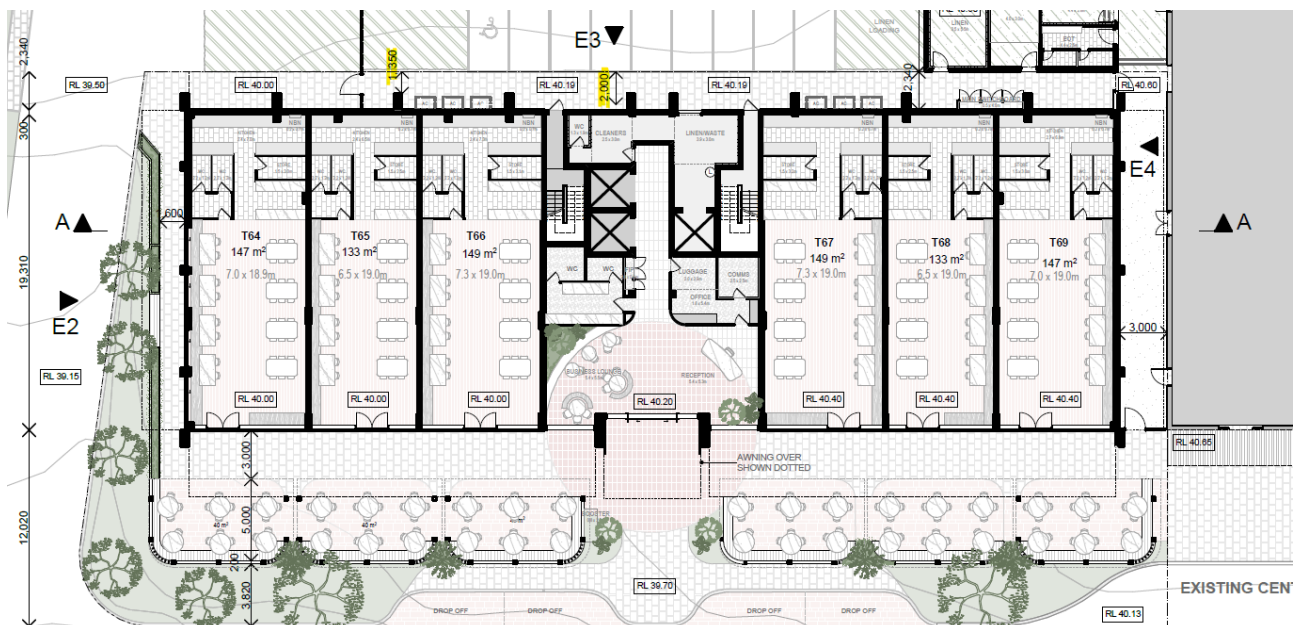
While we understand and support widening the northern footpath to 2.0m given the broader public interface, the widening of the total length of the eastern footpath is considered unnecessary for the following reasons:

- This is not a 'public' footpath and will be accessible only to users of the short stay accommodation and staff of the tenancies.
- The footpath still provides sufficient access and the areas less than 2.0m in width are minimal.
- The implications of increasing the minimum width to 2.0m are unnecessary, onerous and significantly impact the arrangement and operation of the car park.

We suggest the below modification for the Panel to consider:

A revised site plan demonstrating that the ~~eastern and~~ northern pedestrian pathways ~~are~~ immediately abutting the mixed-use development ~~are~~ is widened to a minimum of 2 metres.

Figure 1 – Eastern Footpath Width



Condition 19

Condition 19 seeks to manage graffiti on the site. We understand and accept the premise of the condition and it is the landowners best interests to remove any graffiti at its earliest convenience. However, to ensure a reasonable and implementable condition is applied, we respectfully request the panel consider rewording to the following:

Any graffiti applied to the external surfaces of the building must be removed ~~within seven (7) days of it being applied~~ to the satisfaction of the City of Wanneroo.

R13 INFORMATION REQUEST

Staff parking on site

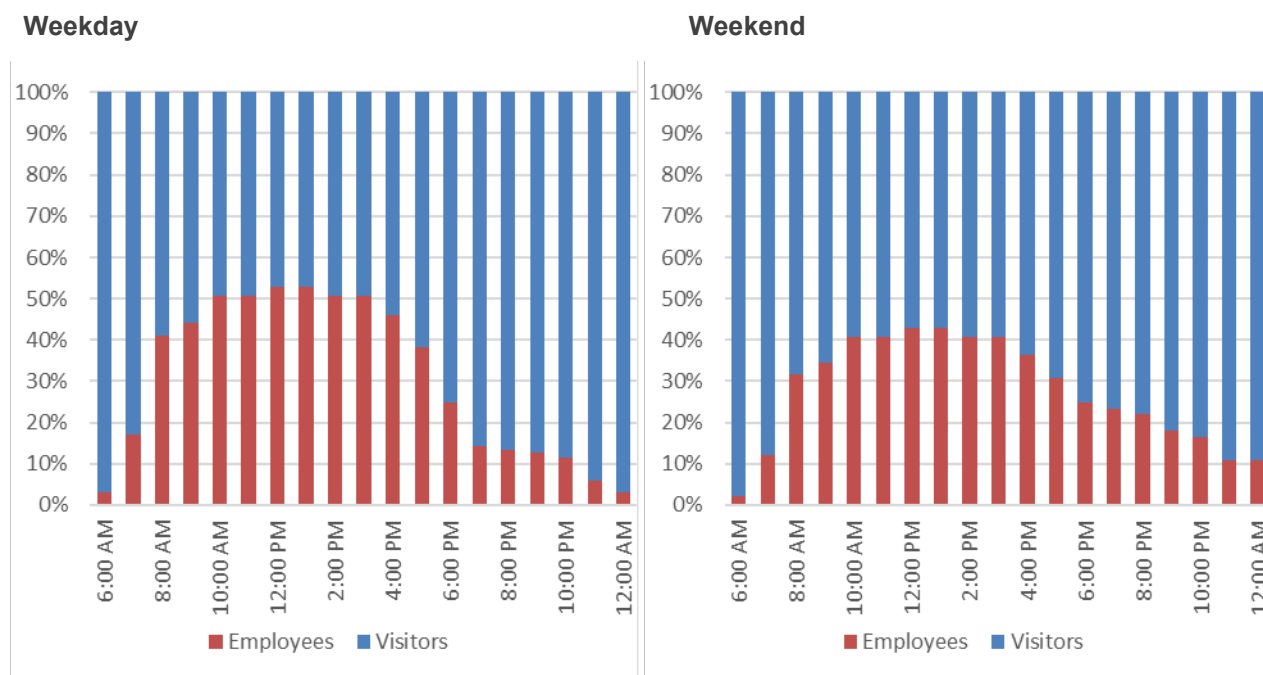
The project team can confirm that the parking and traffic generation assessment provided as part of the traffic report includes both staff and visitors to the development.

The staff parking demands described in Section 2.6.7 of the traffic report presents an estimate of *current* staff parking using the Parking Model at approximately 25-30% of the total. This value is *included* in the total calculated parking demand.

In specific response to the queries raised, the traffic report does factor in staff parking into the overall parking demand and there is sufficient parking supply for staff.

For reference, the representative graphs from the parking demand assessment for the proposed land uses are included below:

Serviced Apartments (employee vs visitor parking)



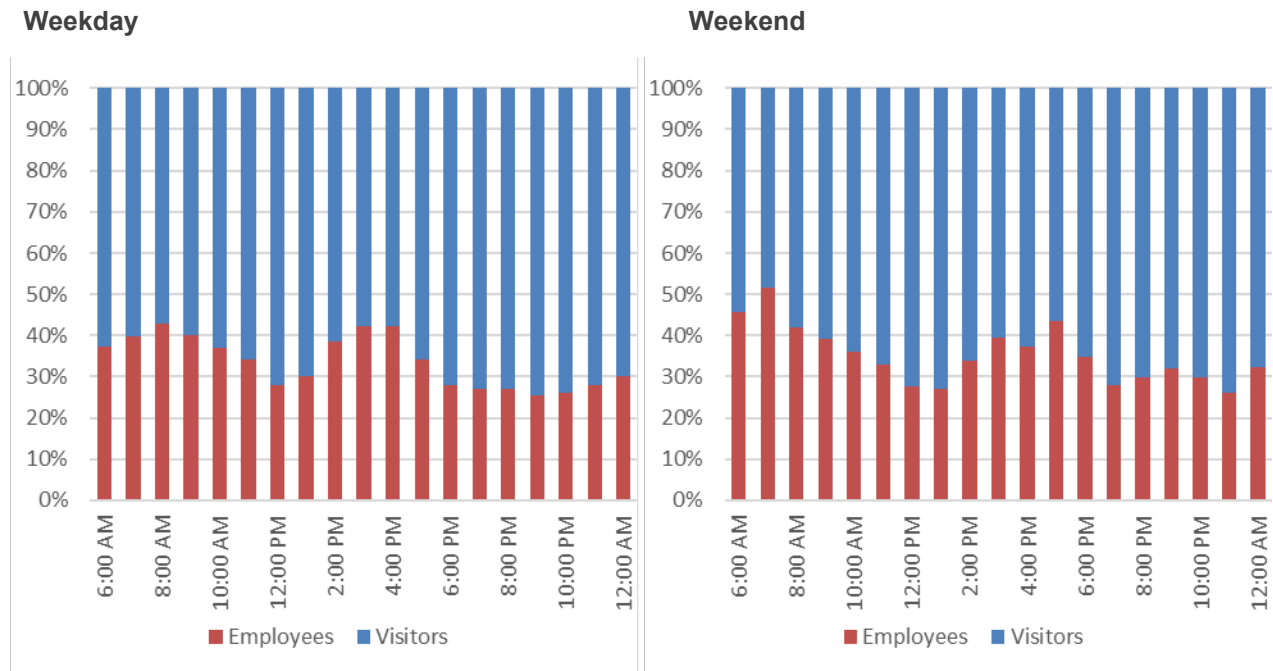
As described in Section 3.4 of the TIA:

"The high midday utilisation for the hotel use reflects the use of parking for the purpose of service, cleaning and maintenance. This assumption may be marginally conservative given the nature of serviced apartments which generally require less frequent attendance than high-turnover hotel rooms."

The ratios for F&B vary depending on opening times (breakfast, lunch, dinner, late)

For an even mix of café's and restaurants, it would end up looking like this:

Restaurant/Café (employee vs visitor parking)



Linen collection

The proposed development plans note a 'linen loading area' in the rear car park area. Whilst not explicitly stated on the plans, the project team anticipates a dedicated 'loading bay' to be provided adjacent to this space to ensure linen loading and unloading occurs efficiently.

CONCLUSION

Urbis along with the Project Team and Tah Land Pty Ltd are pleased with the recommendation for conditional approval for DAP/24/02714. We respectfully request that the Panel take into consideration the request for minor modifications to conditions as specified above and favourably determine the application.

We thank the panel for the opportunity to provide this memo and we look forward to the DAP meeting on 26 September. If you have any questions in the meanwhile, please contact me on the details below.

Kindest regards,

D. Creighan

Declan Creighan
Senior Consultant
dcreighan@urbis.com.au



Direction for Further Services from the Responsible Authority

Regulation 13(1)

Guidelines

A DAP Member who wishes to request further services (e.g. technical advice and assistance or information in writing) from the Responsible Authority must complete this form and submit to daps@dplh.wa.gov.au.

The request will be considered by the DAP Executive Director and if approved, the Responsible Authority will be directed to provide a response to DAP Secretariat within the form.

It is important to note that **the completed form containing the query, response and any accompanying documentation will be published on the DAP website** as an addendum to the meeting agenda.

DAP Application Details

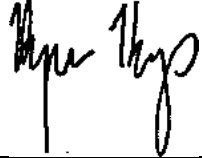
DAP Name	Metro Outer DAP
DAP Application Number	DAP/24/02714
Responsible Authority	City of Wanneroo
Property Location	Lots 9000 (182) & 168 (162) Wanneroo Road, Madeley

Nature of technical advice or information required*

1	DAP query	How is it proposed to access the “linen loading bay” if the adjacent parking is full?
	Response	The linen loading area will not be accessible by a vehicle if adjacent parking areas are occupied. The Applicant has been made aware of the issue in relation to their management of the business. Should there be a view that there needs to be a dedicated vehicle loading bay for linen then a condition may be applied by the JDAP.
2	DAP query	What is the proposed servicing regime for the units, including number of staff and staff parking requirements?
	Response	As this is not a matter that affects the parking calculation and is not a consideration under DPS2, the Applicant has not provided any guidance regarding the number of staff or the servicing regime. All parking demands for the use are accommodated within the parking ratios under DPS2.
3	DAP query	Where is it anticipated the additional 111m² landscaping, as per recommended Condition No. 10, is to be located and would that create other impacts?
	Response	The recommended condition provides the proponent flexibility in deciding how and where to provide landscaping elsewhere on the site. Given the size of the site, a large portion of which is undeveloped, it is not anticipated that this condition will be onerous on the proponent or create other impacts.

* Any alternate recommendation sought does not infer a pre-determined position of the panel.

DAP Executive Director Authorisation

Signature	
Date	24 September 2024
Response Due	24 September 2024; COB