Regional Development Assessment Panel Related Information

Meeting Date and Time: Wednesday, 22 January 2025; 9:30am
Meeting Number: RDAP/34

PART B – SHIRE OF MANJIMUP

1. Declarations of Due Consideration

2. Disclosure of Interests

3. Form 1 DAP Applications

   3.1 Lots 71, 72, ,73, 74 (No. 21 & 23) Pritchard Street, Manjimup – Motel and Restaurant – DAP/24/02791

4. Form 2 DAP Applications

5. Section 31 SAT Reconsiderations

Attendance

Officers in attendance

Jocelyn Baister (Manager Planning and Sustainability, Shire of Manjimup)

Applicants and Submitters

Alan Stewart (Lateral Planning)

PART B – SHIRE OF MANJIMUP

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 Lots 71, 72, ,73, 74 (No. 21 & 23) Pritchard Street, Manjimup – Motel and Restaurant – DAP/24/02791

3.1.1 Deputations and Presentations

Alan Stewart (Lateral Planning) presenting in support of the recommendation for the application at Item 3.1. The presentation will address support for the recommendation except for condition 12.

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

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	Alan Stewart
Company (if applicable)	Lateral Planning
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	Regional
Meeting Date	22 January 2025
DAP Application Number	DAP/24/02791
Property Location	Nos.21 & 23 Pritchard Street, Manjimup
Agenda Item Number	Part B Item 3.1

Presentation Details

I have read the contents of the report contained in the Agenda and note that my presentation content will be published as part of the Agenda:	**YES** ☒
Is the presentation in support of or against the report recommendation)? *(contained within the Agenda)*	**SUPPORT** ☒ **AGAINST** ☐
Is the presentation in support of or against the proposed development?	**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	*The presentation will address:* Condition 12 of the Recommendation for Approval in the RAR.

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:-

REFER ATTACHED

PRESENTATION TO REGIONAL DAP MEETING 22 JANUARY 2025 (RDAP/34) AGENDA ITEM PART B ITEM 3.1 – MOTEL & RESTAURANT DEVELOPMENT 21 & 23 PEITCHARD STREET, MANJIMUP

The Applicant supports the Recommendation of Approval presented by the Responsible Authority, with the exception of Condition 12.

Condition 12

Condition 12 of the Recommendation reads:

> 12. *Prior to the commencement of works, the applicant is to submit, and have approved to the satisfaction of the Shire of Manjimup, a detailed parking plan design which complies with Table 2 and 3 of Shire of Manjimup Local Planning Scheme No. 4, including 119 car parking bay/s, aisle widths, circulation areas, driveway/s and points of ingress and egress*

Advice Note 2 of the Recommendation reads:

> 2. *Further to Condition 12) above, the applicant is advised that as an alternative, the Shire of Manjimup is prepared to accept payment of cash-in-lieu for the required parking that cannot be provided on-site, with such payment to be used by the Shire to construct the parking spaces on Narocki Way prior to occupation of the development*

The Applicant does not object in-principle to Condition 12 and Advice Note 2 but disagrees with the requirement to provide 119 car parking bays.

Responsible Authority's Car Parking Calculation

Firstly, the reference to **119** car bays in Condition 12 is incorrect.

If the Responsible Authority's approach to the calculation of required parking is to be accepted (refer table on Page 10 of the Agenda), the number of car bays should be **111**, as shown below.

Use	Minimum Number of Parking Spaces to be Provided	Proposal	Parking Required
Motel	1 bay per unit	76 units	76
	1 bay per 25m^2 of Service Area	510m^2	20.4
Restaurant	1 bay per 4 seats	58 seats	14.5
Total			110.9
Rounded to Nearest Whole Number			**111**

Even if the DAP does not agree with the Applicant's arguments below, Condition 12 should be modified to refer to **111** car bays, not 119. However, the Applicant contends that the amount of parking required to be provided should be **93** bays as proposed, as explained below.

Calculation of "Service Area"

The parking requirement for a Motel includes 1 bay per 25m^2 of "Service Area" but the term "Service Area" does not appear to be defined in the Shire's Local Planning Scheme.

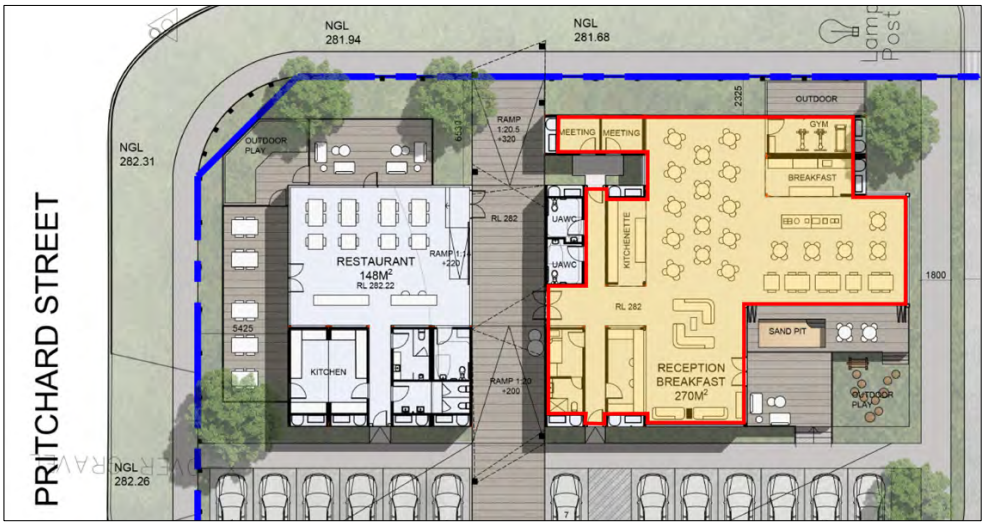
Responsible Authority's Calculation of Service Area

The Responsible Authority has calculated "Service Area" as 510m^2. This figure appears to include all back-of-house facilities, including waste storage, bike storage and other areas that do not generate demand for parking. The figure also appears to include some Restaurant storage areas. The image below highlights the areas the Shire may have included as Motel "Service Area."

Responsible Authority's Possible Calculation of Motel "Service Area"

Applicant's Calculation of Service Area

"Service Area" should be limited to those facilities with potential to generate demand for car parking from staff and non-guests, including the reception, administration and caretaker. As indicated on the drawings, these "Service Areas" have an area of 270m^2, as shown below.



Applicants Calculation of Motel "Service Area"

With a floor area of 270m^2, the "Service Areas" as calculated by the Applicant generate a parking requirement of 10.8 bays, which is more than adequate to meet parking demand from staff and other visitors / personnel who may attend the site.

The table below shows the Applicant's calculation of required car parking, before applying any discount for reciprocal use between the Motel and Restaurant (discussed below).

Use	**Minimum Number of Parking Spaces to be Provided**	**Proposal**	**Parking Required**
Motel	1 bay per unit	76 units	76
	1 bay per 25m^2 of Service Area	270m^2	10.8
Restaurant	1 bay per 4 seats	58 seats	14.5
Total			101.3
Rounded to Nearest Whole Number			**101**

Variation to Car Parking

Part 9A of the Deemed Provisions relates to car parking.

Deemed Provision 77A defines "*applicable minimum on-site parking requirement*" as:

> *(a) means a minimum on-site parking requirement that applies to the development (and, if the local government has varied a minimum on-site parking requirement in relation to the development under clause 77D(1)(a), means that requirement as so varied)*

Deemed Provision 77D (1) states:

> *(1) The local government may -*
>
> *(a) vary a minimum on-site parking requirement that applies to development so that the minimum number of car parking spaces that must be provided as part of the development is a lower number.*

Deemed Provision 77D (2) states:

> *(2) The local government must not vary or waive a minimum on-site parking requirement under subclause (1) in relation to development unless the local government is satisfied -*
>
> *(a) that reasonable efforts have been made to comply with the minimum on-site parking requirement without adversely affecting access arrangements, the safety of pedestrians or persons in vehicles, open space, street trees or service infrastructure; and*
>
> *(b) that -*
>
> *(i) in the case of a variation - the lower number of car parking spaces would be adequate for the demands of the development, having regard to the likely use of the car parking spaces, the availability of off-site parking facilities and the likely use of alternative means of transport;*

The Applicant contends that the "*applicable minimum on-site parking requirement*" should be varied for the following reasons.

On-Street Parking Facilities

Informal street parking is available in Narocki Way adjacent to the site and demand for Restaurant parking will be at its highest in the evening when surrounding businesses are closed, limiting the extent to which the use of on-street bays may affect businesses in the area.

View of Narocki Way Adjacent to the Site

Reciprocal Parking between Restaurant and Motel.

It is reasonable to assume the vast majority of patrons dining at the Restaurant will be guests at the Motel, who will already be parking on-site and not generate any additional demand for Restaurant parking. We conservatively believe that a one-third discount to the Restaurant parking requirement would be reasonable (i.e. 14.5 bays discounted by one-third to 9.67 bays).

The table below shows the Applicant's calculation of required car parking, including a variation for available informal on-street parking and reciprocal use between the Motel and Restaurant.

Use	**Minimum Number of Parking Spaces to be Provided**	**Proposal**	**Parking Required**
Motel	1 bay per unit	76 units	76
	1 bay per 25m^2 of Service Area	270m^2	10.8
Restaurant	1 bay per 4 seats Less 33.3% for reciprocal parking	58 seats	9.67
Total			96.47
Rounded to Nearest Whole Number			**96**

Shared Parking Between Restaurant and Motel Services Areas

A total of 93 car parking bays are provided on-site, comprising:

- 76 car bays for the Motel units (guests); and
- 17 car bays for shared use by the Restaurant and Motel "Service Areas".

The provision of 17 car bays for shared use by the Restaurant and Motel "Service Areas" is considered adequate to meet demand, as the peak time of the Restaurant (evenings / weekends) will generally not overlap with the peak parking demand of the Motel service areas, which will generally occur during the day (i.e. check-in / check-out, cleaning, maintenance, administration). With different peak times, the provision of 17 car bays exceeds the minimum number of car bays separately required by the Restaurant and Motel "Service Areas".

Applicable Minimum On-Site Parking Requirement

The Applicant contends that the "*applicable minimum on-site parking requirement*" should be 93 car bays, as proposed, taking into account available on-street parking and reciprocal / shared parking for the Restaurant and Motel.

The provision of 93 bays is adequate to meet demand pursuant to Deemed Provision 77D (2).

If the DAP agrees that the "*applicable minimum on-site parking requirement*" should be 93 bays, no parking shortfall arises on the site.

If the DAP is of the view that the "*applicable minimum on-site parking requirement*" is more than 93 bays, then consistent with the Responsible Authority's approach set out in Advice Note 2, any shortfall can be provided by way of cash-in-lieu to construct formal parking in Narocki Way.

Applicant's Requested Revised Condition 12

In light of the above, the DAP is requested to modify Condition 12 so that it reads:

> 12. *Prior to the commencement of works, the applicant is to submit, and have approved to the satisfaction of the Shire of Manjimup, a detailed parking plan design which complies with Table 2 and 3 of Shire of Manjimup Local Planning Scheme No. 4, including **93** car parking bay/s, aisle widths, circulation areas, driveway/s and points of ingress and egress*