

Our Ref: 21-578

23 May 2023

Attention: Mu Yao Sun – Acting Coordinator Planning Services

City of Wanneroo

Dear Mel,

DAP FORM 2 AMENDMENT APPLICATION TO APPROVAL DAP/22/02296 AT LOT 418 (NO.50) ALEXANDRIA VIEW, MINDARIE

Further to the Metro Outer Joint Development Assessment Panel (JDAP) approval for the abovementioned site of 15 November 2022, **element**, on behalf of the landowner, is pleased to enclose this DAP Form 2 application seeking minor amendments to the approved residential development at Lot 418 (No.50) Alexandria View, Mindarie (the subject site).

In accordance with the *Planning and Development (Development Assessment Panels) Regulations 2011* (the DAP Regulations), the applicant can elect for minor amendment applications to be determined by either the JDAP or the responsible authority (the City of Wanneroo). In this instance, the applicant elects for the application to be determined by the Metro Outer JDAP, in accordance with Regulation 17 of the DAP Regulations.

In accordance with the City of Wanneroo and DAP requirements, please find enclosed:

- City of Wanneroo Development Approval Application Form
- A completed and signed MRS Form 1;
- A completed and signed DAP Form 2;
- Copy of the previous determination notice relating to the approved development (Appendix A);
- Current copy of the Certificate of Title for the subject lot (Appendix B); and
- A copy of the proposed amended development plans prepared by Hillam Architects.

The applicable application fees will be paid at the time of lodgement, via the City's online lodgement system.

Project Background

A high quality, architecturally designed multiple dwelling building of eight storeys was approved by the JDAP on the subject site on 15 November 2015, subject to 16 conditions. The approved building includes:

- 88 dwellings consisting of eight one-bedroom units, 54 two-bedroom units and 26 three-bedroom units;

- 147 residential car bays and three visitor car bays accessed from Medway Lane and 10 visitor car bays accessed from Stockton Lane;
- 31 secure bicycle bays and 10 visitor bicycle bays; and
- Associated landscaped and communal amenities.

Refer to Appendix A – JDAP Determination Letter

The approved development delivered several community benefits to the local area as well as the broader north-west sub-region including:

- **Dwelling diversity** – proposal delivers priority housing product including universal access dwellings and one-bedroom apartments.
- **Energy efficient design** – proposal demonstrates exceptional energy efficient design and a significant reduction in energy consumption by targeting a 4-star Green Star equivalent standard as well as an 8-star NatHERS average rating.
- **Improved coastal ecological corridor** – proposal incorporates increased east-west setbacks which contribute to increased deep soil zones, reflecting a commitment to high-quality landscape design and on-structure planting which will improve ecological corridors and connect coastline environs.
- **Activation of the streetscape** – proposal capitalises on the ocean front subject site by maximising the number of dwellings and communal open spaces that overlook Alexandria View and Clayton Beach, which would otherwise remain secluded.

Prior to lodgement of the original development application, meaningful engagement was undertaken with the City, its Design Review Panel (DRP) and local community. The proposed design was evolved based on the outcomes of these processes.

During the assessment of the original development application, the proposed development was referred to relevant teams within the City and advertised to the community for comment.

Proposed Amendments

The proposed amendments have resulted from the detailed design and refinement process over the past five months. The proposed amendments are not considered to meaningfully impact any part of the planning assessment of the approved development and will produce largely the same built form outcome when viewed externally. In summary this application includes the following minor amendments to the existing planning approval:

- Modifying the overall dwelling count from 88 to 87 due to a reduction in town house products from five to four. This has resulted in a more functional design for the town houses, converting them to three bed, two bath from the approved two bed, two bath design. This consolidation is a positive to the overall development, providing a typology which is more suitable to families. A breakdown of the dwelling typologies proposed in this amendment is included in Table 1 below.

Table 1 – Dwelling Count Comparison

Dwelling Typology	Approved	Proposed	Proposed %
1 bed, 1 bath	8	8	9%
2 bed, 2 bath	54	47	54%
3 bed, two bath	26	32	37%
Total	88	87	100%

- Due to the unit reconfigurations and associated unit design efficiencies the overall plot ratio has increased from 2.49 to 2.67 (0.18 increase). This has not changed the total number of bedrooms in the building and therefore is not considered to impact other aspects of the development operation such as traffic and waste generation or facility demand. Of the 0.18 ratio increase in plot ratio area, 52% (0.0936 of 0.18) is entirely internal changes. For example, increases attributed to previously approved internal corridors being converted to apartment space, with these changes having no impact on the external appearance or overall bulk, scale or height of the approved building.

Refer to Appendix D – Plot Ratio Comparison Plans

- Building height is proposed to be increased by 480mm (finished slab level). This increase in height is proposed following detailed design of slab levels to incorporate additional insulation and provide flexibility on fire safety infrastructure. It is noted that this building height increase is 1.78% and is spread across each level of the development in the floor to ceiling heights. On this basis the height increase will not be readily visible to the naked eye in the ultimate built form outcome.
- The overall deep soil area has been reduced by 90m² to 409m² which is consistent with industry best practice and all planning requirements (assessed further below).
- Bins have been reduced based on the reduction in units (removal of one townhouse). It is understood a condition requiring a revised waste management plan may be required in this regard.
- A reduction to 68 bicycle bays / storage areas overall due to reduce store sizes.
- Stores reduced to 87 and sizes modified.
- Car parking bays have been reallocated within the development to result in a reduction of three residential bays to 174 and provision of four additional visitor bays to a total of 13. This is considered to be a minor change and consistent with the removal of one townhouse. Additional visitor bays are positive for future residents and the surrounding community.
- The building envelope has been adjusted to accommodate the revised apartment layouts but will still read as the same building from the public realm. These modifications are summarised as follows:
 - Reduced setback of the Level 6 penthouse glazing line to the north and increased setback to east. This has not impacted the overall building setback to the boundary.
 - Minor modification bedroom setbacks on D3 apartments on Levels 4 and 5.
 - Minor slab design modification on the northern façade of apartment D3 on Level 5 resulting in modification to the size and shape of the secondary balcony.
- Minor façade modifications throughout with changes of note including:
 - Additional glazed façade on Level 6 due to apartment layout modifications.
 - Increased solid walls on the southern and northern façades to increase the overall building energy efficiency rating and for the overall apartment exhaust strategy.
 - Mechanical exhaust grilles added to the east and west facades based on mechanical engineering requirements following detailed design.
 - Faceted balustrades have been added across the building.
 - The design of the entry canopy has been refined to be less prominent in the overall building design and no longer steps up in profile.

- Façade change on the Lower Ground and Ground levels due to the consolidation of townhouses and relocation of the gym.
- Exhaust plenums added adjacent to the vehicle entry point and bin store, sufficiently separated from surrounding residential dwellings.

The above amendments are considered minor in nature and appropriate for consideration under Regulation 17 of the DAP Regulations, noting that the built form of the proposal remains essentially unchanged, with minimal change to the approved building envelope and general aesthetic.

Planning Assessment

Noting that the approved development has already been considered against the provisions of the relevant planning framework and deemed worthy of approval, this assessment focusses on those aspects of State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments (SPP7.3) that are relevant to the proposed amendments outlined above. This assessment is provided below.

It is noted that during the City and JDAP’s initial assessment of the approved development the proposal was assessed against the following:

- Metropolitan Region Scheme (MRS)
- City of Wanneroo District Planning Scheme No.2 (DPS2)
- State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP7.3)
- State Planning Policy 7.0 – Design of the Built Environment (SPP7.0)
- State Planning Policy 7.3 – Residential Design Codes Volume 2 – Apartments (SPP7.3)
- Mindarie Keys Harbourside Village Structure Plan (Structure Plan)
- Mindarie Keys Harbourside Village Detailed Area Plan No. 5 (the DAP)

State Planning Policy 7.3 – Residential Design Codes, Volume 2 - Apartments

As a performance-based policy, SPP7.3 requires an assessment against the Element Objectives in relation to each design element, as set out below.

- Element 2.2 – Building Height

Building height (finished slab level) is proposed to be increased by 480mm from the approved design. The increase in building height is not considered to have any meaningful impact on the streetscape or surrounding private and public spaces. The height increase will facilitate higher quality dwellings without a visibly different building from that which has been approved.

It is noted that this building height increase is 1.78% and is spread across each level of the development in the floor to ceiling heights. On this basis the height increase will not be readily visible to the naked eye in the ultimate built form outcome.

Refer to Appendix E – Overshadowing Plans

- Element 2.4 – Site and Rear Setbacks

The reconfiguration of some apartment layouts and internal configurations has resulted in some minor modifications to the setbacks of certain aspects of the buildings. In relation to this project Element 2.1 relates to the building setbacks for Levels 1 and 2 with Levels 3-6 being dealt with by Element 2.7 – Building Separation (see below).

The proposed amendments do not impact the minimum building setbacks for Lower Ground to Level 2 in relation to both Stockton Lane and Medway Lane.

- Element 2.5 – Plot Ratio

As noted above, the proposed amendments result in a nominal increase in plot ratio floor area over the whole development, primarily due to improved design efficiency within the building and overall better utilisation of the floorplate (internal to the building). The approved building envelope remains largely unchanged and there has been no increase to overall bedroom numbers.

Where additional building area has been added on Level 6, it is primarily on the rear, north facing side of the building which results in no perceivable impact on any of the surrounding area. These changes to the floor plate on Level 6 result in better apartment design outcomes and create more efficient homes.

Of the 0.18 ratio increase in plot ratio area, 52% (0.0936 of 0.18) is entirely internal changes. For example, increases attributed to previously approved internal corridors being converted to apartment space, with these changes having no impact on the external appearance or overall bulk, scale or height of the approved building.

On this basis the proposed increase in plot ratio does not impact the overall bulk and scale of the building, consistent with Element Objective 2.5.1.

Refer to Appendix D – Plot Ratio Comparison Plans

- Element 2.7 – Building Separation

Building separation was closely considered during the design of the original approved building, acknowledging the established buildings which border the subject site and their lower profile to the proposed building. Some changes to apartment layouts have resulted in minor changes to the boundary setbacks and therefore the building separation on higher levels (eg. D3 apartments on Levels 4 and 5) but these have not impacted the minimum boundary setback and building separation originally approved. The internal setbacks of apartments and associated building separation considerations have not been changed in the proposed design. On this basis the proposed amendments will not change the impact of the approved development on adjoining residential properties or the surrounding streetscape.

- Element 3.3 – Tree Canopy and Deep Soil Areas

The deep soil area is proposed to be reduced to 409m² in the amended design, primarily due to the reconfiguration of the pool and associated piling requirements. This is not considered to have a notable impact on the use of the space or extent of vegetation in the overall development. Due to the minor changes to the landscape design it is proposed to capture these changes in the final detailed landscape plan for assessment by the City prior to the issue of a building permit, as is required by Condition 6 of the current approval.

The provision of 409m² of deep soil area in this development is still in excess of the guidance of 329m² provided in SPP7.3 for a development of this nature. On this basis the proposed reduction in deep soil area is considered to be consistent with the objectives of Element 3.3 of SPP7.3.

- Element 3.9 – Car and Bicycle Parking

The approved development noted the scope for future residents to use 5m² and larger stores for the storage of bicycles. The reconfiguration of the basement has resulted in a reduction of 5m² stores and therefore the overall number of bicycle parking/storage bays in the building. Notwithstanding the amended design still exceeds the guidance provided by SPP7.3 as follows:

Table 2 – Bicycle Parking

Bicycle Parking	SPP7.3 Guidance	Approved	Proposed
Bicycle Bays Resident	44 bicycle bays		
Bike Store		31 bicycle bays	24 bicycle bays
Stores		79 bicycle bays	34 bicycle bays
Visitor	9 bicycle bays	9 bicycle bays	10 bicycle bays
Total	53 bicycle bays	119 bicycle bays	68 bicycle bays

The proposed quantity of bicycle bays and storage is considered to be appropriate to service the needs of future residents in this development based on the consistency with SPP7.3 guidance. The bicycle store is well located for ease of access and additional storage is provided in residential stores providing flexibility to residents.

- **Element 4.1 – Solar and Daylight Access**

The number of apartments receiving at least two hours of direct sunlight between 9am and 3pm 21 June is unchanged from the approved design in the amended proposal.

- **Element 4.2 – Natural Ventilation**

The approved development was notably well designed in relation to natural ventilation due to the orientation and general form of the building. A reduction of one dwelling capable of natural ventilation in accordance with SPP7.3 has results from the proposed amendment due to the consolidation of townhouses.

- **Element 4.3 – Size and Layout of Dwellings**

The detailed design and quality review process has identified several opportunities to reduce underutilised spaces such as shared hallways or rationalise inefficient wall angles and layouts. Consistent with the approved development, apartment sizes remain generous in comparison to the guidance provided by SPP7.3.

All apartments are provided with functional spaces relative to their use. The floor plans have been reviewed throughout this amendment process to ensure they are practicable and furnishable with most changes resulting in improvements in this regard.

Refer to the yield table in Appendix C for dwelling sizes.

- **Element 4.4 – Private Open Space and Balconies**

As a result of the abovementioned reconfigurations the size and shape of a number of balconies and private open space areas in the proposed development have changed. All primary areas of private open space still meet the minimum size guidance provided by SPP7.3 and are appropriately configured for furniture and functional resident use. These outdoor areas are considered to be a significant source of amenity in this development due to the coastal location and they are designed as high quality spaces accordingly.

- **Element 4.6 – Storage**

Through the detailed design process stores have been refined to meet the expectations of the market and requirements of future residents. No 3m² stores are proposed as they are not considered to be appropriate to the premium homes proposed in this development. The 4m² store is considered to be appropriate to most dwellings, especially when a number of three-bedroom dwellings are large townhouses or apartments with extensive internal space and storage. All stores are conveniently located for access and meet minimum dimension requirements.

Table 3 – Proposed Stores

Store Size	Number
3m ²	0
4m ²	64
5m ²	23
Total	87

- Element 4.8 – Dwelling Mix

The dwelling diversity has been increased in the proposed amendments with a reduction in two bedroom dwellings as displayed in Table 1. This has also assisted in an increased distribution of three bedroom dwellings across the building.

- Element 4.10 – Façade Design

The overall design intent and philosophy for the building façade remains unchanged as a result of the proposed amendments. The primary visible change is the inclusion of additional solid panels, reducing some of the glazing approved in the original design. This change is primarily to contribute to a more energy efficient building but also provides additional articulation in the façade whilst maintaining the overall building character.

The proposed amendments do not fundamentally change any of the assessment undertaken against Element 4.10 of SPP7.3 with the building still including clearly defined levels, punctuated recesses and integrated services and operational fixtures. When viewed from the street the proposed building will contribute the same high quality aesthetic to the streetscape, drawing from the local character of the area.

- Element 4.12. – Landscape Design

Minor modifications to the configuration of the landscaped areas are required as a result of the building reconfigurations proposed in this application. These amendments do not change the overall function or aesthetic of the landscaped and recreation areas with the same materials and species proposed to be used. On this basis the assessment provided against SPP7.3 Element 4.12 in the original development application is still applicable and demonstrates compliance with the relevant element objectives.

Due to the minor changes to the landscape design it is proposed to capture these changes in the final detailed landscape plan for assessment by the City prior to the issue of a building permit, as is required by Condition 6 of the current approval. It is therefore considered appropriate for this to be required as a condition of approval of this amendment.

Mindarie Keys Harbourside Village Structure Plan (Structure Plan)

As identified in the original development application, the approved development was consistent with the requirements of the structure plan with the exception of building height and plot ratio. The proposed amendments result in a minor increase in plot ratio and building height but create no further non-compliances in relation to the Structure Plan. Refer to the plot ratio assessment against the requirements of SPP7.3 above.

Mindarie Keys Harbourside Village Detailed Area Plan No. 5 (the DAP)

The DAP designates vehicle access restrictions, setbacks and residential densities to the subject site. No additional non-compliances are proposed as a part of this amendment application from the originally approved development application.

Conclusion

In conclusion, this application seeks approval for a number of minor modifications that do not alter character of the approved development within the locality or change the impact on adjoining residential properties. The proposed amendments result in an improved dwelling diversity, more efficient use of space within the building envelope and improved apartment configurations.

The proposed amendments do not fundamentally alter the approved development and maintain a high quality design that aligns with the guidance provided by SPP7.3. The proposed amendments are therefore considered appropriate, noting that they will facilitate the delivery of a development that will generate a considerable number of construction jobs and stimulate economic growth, in addition to creating housing which is in high demand.

We trust the information provided will assist the City in its assessment of the proposed amendment, and we look forward to the JDAP's favourable consideration of this DAP Form 2 application.

Should you have any queries or require clarification on the above matter, please do not hesitate to contact the undersigned on 9289 8300.

Yours sincerely

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Daniel Lees

Principal – Planning