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Cc: Adam Wood – Acting Senior Planner – Approvals Services

31 October 2022

To whom it may concern,

PART LOT 9702 (NO.10) ENTERPRISE AVENUE, TWO ROCKS - MINOR MODIFICATION TO DAP APPROVAL (DAP/21/02117)

We refer to the Development Application for a Shop, Liquor Store, Restaurant and Office that was approved by the Metropolitan Outer Development Assessment Panel (**DAP**) on 4 May 2022.

On behalf of the Applicant, Fabcot Pty Ltd (**Woolworths**), we formally request the DAP grant approval for a minor modification to the approval pursuant to Regulation 17(1)(b) and 17(1)(c) of the *Planning and Development (Development Assessment Panels) Regulations 2011* in accordance with the modifications specified on the enclosed development plans prepared by Brown Falconer.

This application includes:

- A completed DAP Form 2 (Application for amendment or cancellation of a Development Assessment Panel), City of Wanneroo Application Form and MRS Form 1.
- A Certificate of Title.
- A full set of modified development application plans.

This modified application is for minor changes to accommodate the reconfiguration of northern specialty tenancies and amenities area in response to prospective tenant requirements. Based on discussions with prospective tenants, the proposed changes will provide a more functional building layout and improve efficiency for future tenants. Further, minor material changes and an extension to the canopy of the approved Direct to Boot (DTB) facility have been made to enable a more efficient DTB experience for future customers. Details of the proposed changes are summarised in Section 4 of this Application.

1. SITE CONTEXT

The proposed development is situated on Part Lot 9702 (No.10) Enterprise Avenue, Two Rocks (the **subject site**) which sits centrally within the Two Rocks Town Centre Structure Plan No.70 (**ASP 70**) area which has been prepared to guide the comprehensive redevelopment of the area for residential, tourist and town centre uses.

The site is approximately 400m south-east of the Two Rocks Marina and boat camp which comprises various café/restaurant offerings, as well as the Two Rocks IGA and Tavern. East of Lisford Avenue comprises Charnwood Reserve which services the broader surrounding residential area.

The subject site comprises an area of approximately 1.69ha in size and is presently a cleared vacant sand pad. The lot is regularly shaped and has direct frontage to Azzurra Street to the north (future main street), Lisford Avenue to the east, a future access road to the south and vacant land (proposed future redevelopment for public open space/drainage and commercial purposes) to the west (refer **Figure 1**).

Figure 1 – Aerial Plan



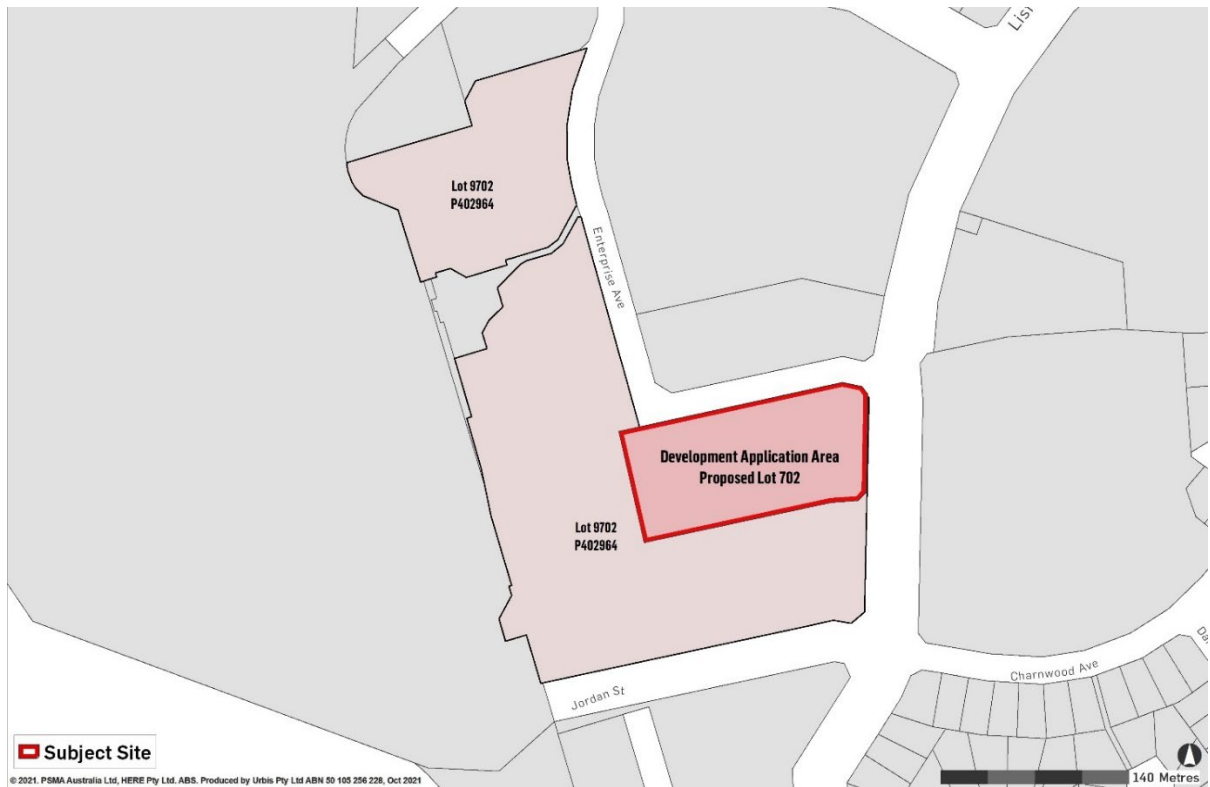
1.1. LOT DETAILS

The site currently forms part of the broader Lot 9702 on Plan 402964. This is illustrated within **Table 1** below and **Figure 2** overleaf. A subdivision application for the creation of the development application site (Lot 702, to be acquired by Woolworths) was approved by the WA planning Commission in November 2019. The Certificate of Title for Lot 702 is currently in the process of being created.

Table 1 – Lot Details

Lot No.	Plan	Volume	Folio	Street Address	Area	Proprietor
Part Lot 9702	P402964	2948	663	10 Enterprise Avenue, Two Rocks	7.8ha	Fini Group Pty Ltd

Figure 2 – Lot Details



2. PREVIOUS APPROVAL

The DAP originally granted approval for the Shop, Liquor Store, Restaurant and Office on 4 May 2022 (DAP/21/02117). The existing approval for the development comprises the following:

- **Onsite Carparking** – 219 car bays (not inclusive of 10 on-street bays, and 6 pick-up bays).
- **Woolworths Supermarket** – 2942sq.m (including 2144sq.m trading area).
- **Specialty Retail Tenancies** – Five Specialty Tenancies (totalling 356sq.m)
- **Small Liquor Store** – 200sq.m
- **Restaurant (Café)** – 85sq.m
- **Office / Commercial Building** – 744sq.m
- **Future Pad Site** – 1396sq.m
- **Direct to Boot Facility.**
- **Associated access, and landscaping.**

3. STATUTORY PLANNING PROCESS

Regulation 17(1) of the *Planning and Development (Development Assessment Panels) Regulations 2011* states:

“An owner of land in respect of which a development approval has been granted by a DAP pursuant to a DAP application may apply for the DAP to do any or all of the following —

- a) *“... ”*
- b) *to amend or delete any condition to which the approval is subject;*
- c) *to amend an aspect of the development approved which, if amended, would not substantially change the development approved;*
- d) *...”*

In this instance the Applicant seeks to amend the plans to facilitate minor modifications to the approved building form. It is evident from this application that the proposed modifications do not substantially change the approved development and will improve the functionality of the supermarket, making it more suitable for prospective tenants.

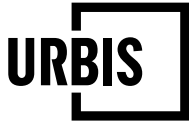
4. PROPOSED MODIFICATIONS

Since the approval on 4 May 2022, the pursuit for prospective tenants has led to a need to modify the layout of the supermarket to reconfigure the location of prospective tenancies. These changes primarily include reconfiguration/relocation of specialty tenancies and amenities areas, minor changes in floor areas (for Woolworths, specialty tenancies and commercial/office building) and adding 10 car bays to the carparking area.

A detailed summary of all proposed modifications is provided below:

- **Woolworths:** Total Floor Area decreased from 2942sq.m to 2939sq.m - (3sq.m decrease).
 - Trading Area decreased from 2144sq.m to 2128sq.m - (16sq.m decrease).
- **Carparking:** Increased from 219 bays to 229 bays - (10 bay increase).
- **Specialty 1 (Liquor):** Increased from 200sq.m to 201sq.m - (1sq.m increase).
- **Specialty 3:** Increased from 78sq.m to 108sq.m by relocating specialty bin storage area - (30sq.m increase).
- **Specialty 6:** Relocated to be adjacent to Specialty 5 – (previously located adjacent to parklet).
- **Amenities and EOT Facilities:** Relocated to be adjacent to Specialty 6 and Parklet.
- **Parklet:** Reduced to accommodate the relocation of amenities and EOT facilities.
- **Office/Commercial Building:** Decreased from 744sq.m to 738sq.m – (6sq.m decrease).
- **Future Pad Site:** Decreased from 1396sq.m to 1376sq.m – (20sq.m decrease).
- **Direct to Boot Facility:** slight increase in canopy size and introduction of DTB portal structure.

Accordingly, a Regulation 17 application is required to accommodate minor changes to the approved plans, prior to lodgement of the Building Plans for a Building Permit.



5. PLANNING FRAMEWORK

5.1. CITY OF WANNEROO DISTRICT PLANNING SCHEME NO.2

The subject site is zoned 'Marina' under the City of Wanneroo District Planning Scheme No.2 (DPS 2), which aims to accommodate a wide range of appropriate development adjacent to marinas.

The objectives of the Marina Zone are to:

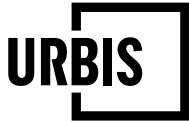
'Accommodate commercial, residential, recreational and associated activities related to marinas.

'Guide and manage the planning and development of areas adjacent to marinas to ensure a diverse mix of uses and high standards of amenity'

Consistent with the above, the proposal will accommodate retail, commercial and dining/community uses to provide convenient services and amenities to existing and future local residents as well as to those visiting the local coastline and importantly, the marina.

DRP 2 requires areas zoned Marina to be guided by a structure plan. On this basis, the Yanchep Two Rocks District Structure Plan was prepared, followed by the Two Rocks Town Centre Structure Plan No.70 (ASP 70). ASP 70 which provides more detailed provisions for the Town centre (including the site) to guide future land use and development.

A brief assessment of the proposal against these structure plans is provided in the following sections, given the minor nature of the proposal.



5.2. YANCHEP-TWO ROCKS DISTRICT STRUCTURE PLAN

The subject site is located within the Yanchep-Two Rocks District Structure Plan (DSP) area, which covers 7,750ha of land in the vicinity of the existing Yanchep and Two Rocks settlements. The DSP makes provision for a hierarchy of activity centres, mixed use areas, residential areas and employment focused areas that will all contain a substantial proportion of jobs and workers.

The District Structure Plan identifies the Two Rocks area as a District Activity Centre/Coastal Activity Centre and outlines:

'The District Centre proposed at Two Rocks will be based on a tourism and resort economy and therefore will perform a different function to that of the other District Centres. It will feature restaurants, small shops and other location specific service businesses like surf shops and marina supplies. A full range of residential uses, from apartments to townhouses, will also be accommodated within this centre.'

'The urban design character will seek to optimise the relationship of the centre with the marina and coast, including orienting streets and creating open space configurations to optimise coastal views. The built form, building materials and landscape treatments will complement and reinforce the coastal location.'

Most importantly, the DSP provides the overarching planning framework for the Yanchep-Two Rocks area which provides a basis for the preparation of detailed local structure plans. The local structure plans guide the progressive development of the respective areas. Therefore, ASP 70 is the primary planning document for the site (discussed below).

5.3. TWO ROCKS TOWN CENTRE STRUCTURE PLAN NO.70

ASP 70 was prepared to guide development within the Two Rocks Town Centre, and the subject site is located within Precinct C – Main Street of ASP 70. ASP 70 has a specific vision for Precinct C to become the social heart of the Two Rocks townsite and to be symbolic of community lifestyle.

A summary of key aspects of the Precinct C vision and the proposals design response is provided below.

Table 2 - Precinct C Assessment

Key Aspect	Design Response (Proposed Modifications Included)	Compliance
Main Street elements/street furniture should display a style that is urban and promises to be modern, rich and colourful which encourages daily community interest and involvement	The proposal provides a strong built form interface with nearly 90% of the Azzurra Street frontage activated through specialty tenancies frontages, parklets, playgrounds and open-air alfresco areas.	✓
The streetscape design will actively promote social exchange by providing spaces for people to gather and chat, with seating to be placed along the footpath.	The proposed main streetscape provides a parklet, gathering spaces, heritage trail, urban seating along the footpath. This provides the community with places to gather, chat, and maintains views towards the King Neptune Statue.	✓
High quality street furnishings, such as themed tree guards, grates, litter bins, seats, drinking fountains and street lighting complement the setting.	High quality street furnishings are proposed throughout the entire development. Overall, achieving a high-quality urban landscape which will be modern and pay homage to the coastal location of the development.	✓
Shady trees and richly coloured painting will also be valuable contributions to the Main Street's ambience and character	Trees, colours, materials and finishes have all been carefully selected throughout the design review process to ensure the development contributes positively to the coastal ambience and character of the site.	✓

ASP 70 states that the City will not approve development within a precinct in the absence of a Detailed Area Plan (Local Development Plan). On this basis, the Draft Precinct C Local Development Plan was prepared by Urbis (on behalf of Woolworths and Fini Group Pty Ltd) to inform future development applications (including this proposal).

This Draft LDP was lodged with the City in mid-October 2021, and is currently still being assessed by the City.

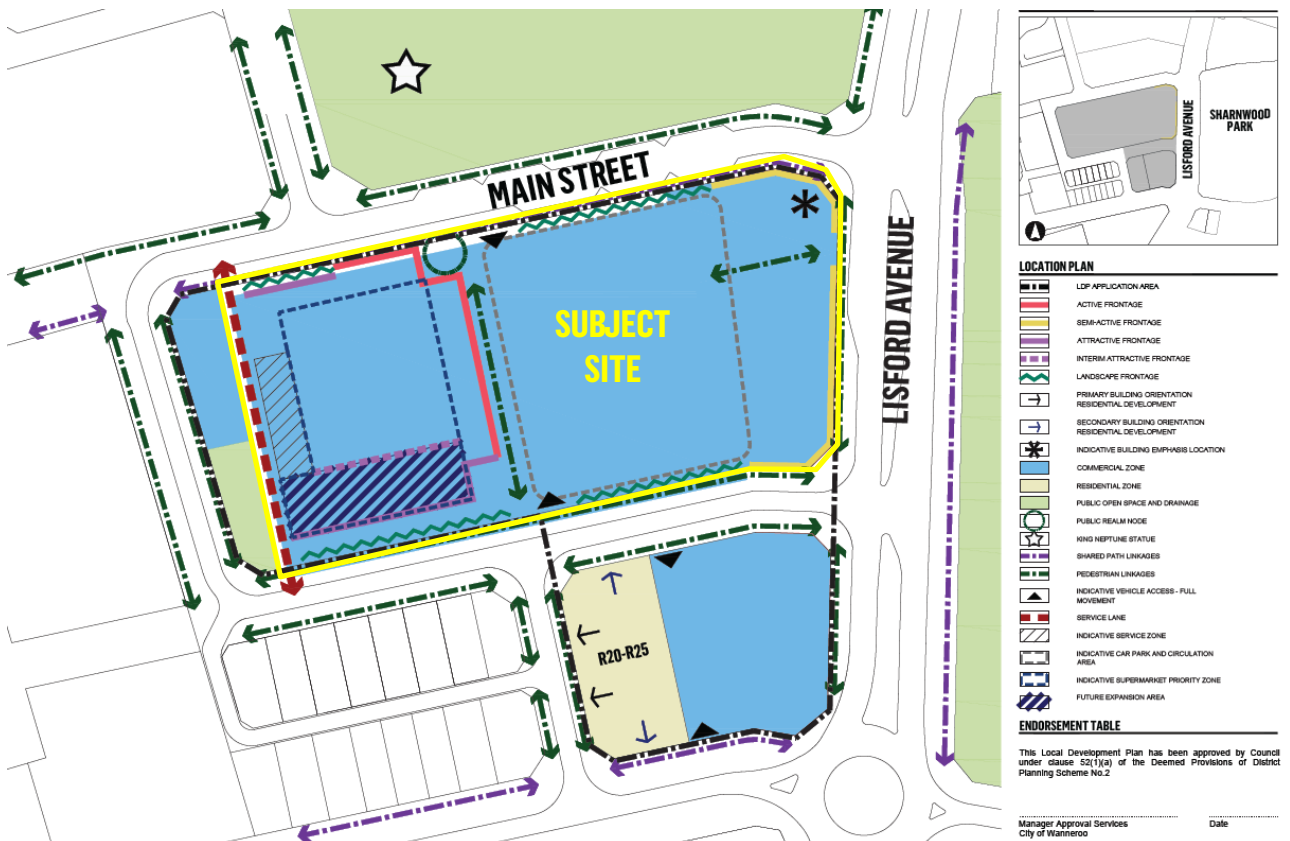
5.4. DRAFT PRECINCT C – LOCAL DEVELOPMENT PLAN

The Draft Precinct C Local Development Plan (Draft LDP) was prepared by Urbis (on behalf of Woolworths and Fini Group) and lodged with the City of Wanneroo in mid-October 2021. The overall intent of the Draft Precinct C LDP is to facilitate a high-quality, retail- and service focused centre that is highly accessible to the surrounding community by walking and cycling.

Central to the precinct is the delivery of a convenience shopping precinct (the subject site), providing opportunities for community gathering and social activity. Active frontages will be provided to key areas of the main street (particularly around the eastern and northern perimeter of the proposed retail use). This includes public realm nodes, providing opportunities for alfresco dining, community gathering and child’s play.

An extract of the Draft LDP is provided at **Figure 3** below, showing the site subject to this development application in yellow:

Figure 3 – Draft Precinct C LDP Extract



5.4.1. Design Elements




The LDP has design elements which aim to assist with the guidance of development within the Precinct C area. Below is a summary of the LDP design elements with a detailed assessment of the proposed development.

Table 3 - LDP Design Element Assessment

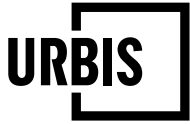
Design Element	Requirement	Proposed Modified Design Response	Compliance
Street Frontages - The LDP provides for 4 façade types as indicated below:			
Active Frontage - This frontage type is concentrated around the main street, where a high level of activation and clear visual engagement with pedestrians is promoted	Default nil setback to street. Setbacks are permitted where required to accommodate alfresco dining, a landscaped edge, or similar activities. No vehicle parking is permitted in the setback area between the property boundary and the built form.	Nil setbacks are proposed on the active frontage portion of the development along Azzurra Street. High quality landscaping is also provided to any areas with a setback to ensure the objective of activation is still achieved.	✓
	Minimum façade height of 5.2 metres to provide an appropriate scale and create a sense of enclosure for the pedestrian environment.	No change in façade height from previously approved plans.	✓
	Minimum floor to ceiling height of 3.6 metres on the ground floor.	No change in minimum floor to ceiling height from previously approved plans.	✓
	70% ground floor glazing target, with 50% of glazed area to be unobscured.	No change in glazing achieved from previously approved plans.	✓
	Continuous awnings provided along active frontages, which are to be integral to the design and functionality of the building, except where an awning is not practical.	Awnings that complement the design and functionality of the building are proposed along all active frontages as per previously approved plans.	✓

Design Element	Requirement	Proposed Modified Design Response	Compliance
	Awnings are to have a minimum height clearance of 3.0 metres from footpath/pavement level and be 2.6 metres deep.	No change in proposed awning heights and clearances from previously approved plans.	
Semi-Active Frontage - This frontage type relates to areas intended to reflect an urban character but does not necessarily accommodate highly active functions.	Setbacks shall be provided to ensure a sense of enclosure to the street.	The proposed office/commercial building achieves a nil setback to Azzurra Street and a minor setback to Lisford Avenue to ensure a sense of enclosure and activation.	
	Minimum floor to ceiling height of 3.6 metres on the ground floor for non-residential uses.	The proposed floor to ceiling height is 3.6m on the ground floor.	
	Minimum façade height of 5.2 metres.	Shop front façade heights vary from 4.7m to 5.4m where awnings are provided. The proposed heights are proportionate to the scale of the building and contribute positively to pedestrian environment by providing an assortment of façade height and design.	
	50% ground floor glazing target.	No change in amount of glazing achieved from previously approved plans.	
Attractive Frontage - This frontage type is intended to ensure good design outcomes for areas where design limitations associated with 'big box' retail	All walls to be appropriately treated to create visual interest in the built form through material choice and articulation.	The proposed attractive frontages are appropriately treated with patterned two-toned brickwork, different shades of precast concrete with painted feature recessed to create visual interest and articulation.	
	Application of CPTED principles through material selection is encouraged	CPTED principles have been addressed through incorporation of 'gathering' areas such as	

Design Element	Requirement	Proposed Modified Design Response	Compliance
environments and service areas may occur, such as loading areas and inactive walls.		group (staff) seating nodes), low planting to ensure visibility and decorative/graphic screening.	
	Continuous built form is encouraged where achievable.	Continuity in built form is achieved around the entire development through the utilisation of consistent materials and colours.	✓
	Opportunities for public art integration into facades and/or buildings are encouraged.	Public art delivered as part of the built form and heritage trail (incorporating references to the site history) are being explored by Woolworths and the Project Team in collaboration with the City. This is confirmed through Condition 7 of the existing development approval.	✓
	The 'Interim Attractive Frontage' shall provide an attractive frontage until such time as expansion occurs.	A high quality landscaping solution is proposed at the southern boundary consistent with this 'interim attractive frontage' requirement.	✓
Landscape Frontage - This frontage type is to be provided where there are no opportunities for a built form street interface. Landscape frontages are intended to provide a high amenity streetscape that is attractive and encourages	Inclusion of statement trees such as Norfolk Island Pines and Cotton Palms as a reference to the site history.	Norfolk Island Pines and Cotton Palms have been utilised along landscaped frontages to pay homage to the site's rich history	✓
	Verge landscape treatment around the perimeter of the site including hardy native verge planting with coastal groundcover species.	Verge treatments along both Azzurra Street and Road 3 will utilise colourful coastal groundcover and native shrub species.	✓
	Inclusion of feature seating and garden beds at key locations to encourage community gathering.	Urban seating and landscaped garden beds have been provided at key landscaped frontage locations to encourage the	✓

Design Element	Requirement	Proposed Modified Design Response	Compliance
pedestrian movement		community to gather and utilise the site.	
Open Space, Drainage and Landscaping	Public Open Space to be located in accordance with nominated location.	The POS/Drainage area is not included in this application.	
	The 'Public Open Space and Drainage' area shall be designed in accordance with the Urban Water Management Plan prepared by RPS (dated 09 September 2021).	Refer above.	
	Water Sensitive Urban Design principles shall be applied to any drainage incorporated in the 'Public Open Space and Drainage' area.	Refer above.	
	The intent of the 'Public Realm Node' is to provide opportunities for community gathering and social activity on the main street, including high quality public realm elements (such as seating, shaded areas and children's play).	The approved development incorporates a café within the designated 'Public Realm Node' area depicted on the LDP. The café together with alfresco dining will deliver high levels of activation. The proposed changes do not impact on the approved public realm node.	
	The 'Future Expansion Area' shall be appropriately landscaped to ensure a suitable southern interface until such time as the retail use is expanded.	The development application shows the future expansion area (south of the supermarket) as the online order pick-up area, with a considerable landscaping strip with mature trees. The proposed changes do not impact on the approved future expansion area.	
	Trees shall be provided in the 'Indicative Car Park and	The proposal provides trees within the carparking area at a rate of 1 tree per 10 bays.	

Design Element	Requirement	Proposed Modified Design Response	Compliance
	Circulation Area' at a rate of 1 tree per 10 bays.		
Building Emphasis Locations	<p>Identified locations should generally include:</p> <ul style="list-style-type: none"> ▪ A variety of heights to parapets or more pronounced facades. ▪ Architectural features such as detailed panels, vertical and horizontal lines and glazing. ▪ Address both frontages to the street and/or public realm. 	The approved office/commercial building on the corner of Lisford Avenue and Azzurra Street utilises an array of colours and materials, heights, pronounced awnings, articulated frontages, vertical/horizontal glazing and panelling to achieve this building emphasis. The proposed changes result in a minor 6sq.m floorspace decrease to the building, which will have no impact on the approved height, architectural features or frontages of the building.	✓
Screening Services	All external services shall be incorporated into the building design where possible.	No proposed changes to the approved external services.	✓
	Services shall be a similar colour to the roof and screened from adjacent streets and/or the public realm.	No proposed changes to the approved external services.	✓
	All service areas (bin storage etc.) and loading docks shall be incorporated into the building design and appropriately screened from the public realm to ensure potential noise and odour impacts are minimised.	The proposed bin storage and service area has been incorporated into the building design and decoratively screened to ensure that it is not visible from the public view and does not have potential noise or odour impacts.	✓
Signage	A Signage Strategy for the centre shall be required as a condition of approval, outlining the nature and extent of	No change in signage from previously approved plans.	✓



Design Element	Requirement	Proposed Modified Design Response	Compliance
	signage across the site. The strategy will ensure consistency in design and scale of signage.		
Bushfire Management	Bushfire mitigation measures shall apply in accordance with the Bushfire Management Plan prepared by Bushfire Prone Planning (dated 6 October 2021).	Approved Bushfire Management Plan (prepared by Bushfire Prone Planning, dated 6 October 2021) adequately addresses Bushfire Management for the site – the proposed changes to not impact this.	✓

We trust the above provides clarification to the proposed scope of works and assessment against the provisions Regulation 17(1)(b) and 17(1)(c) of the *Planning and Development (Development Assessment Panels) Regulations 2011*.

We respectfully request that this matter be referred to the Metropolitan Outer Development Assessment Panel for approval in a timely manner.

Please call Matthew Filov or the undersigned on (08) 9346 0500 if you would like to discuss the matter.

Kind regards,

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