



Metro Outer Development Assessment Panel Related Information

Meeting Date and Time: Tuesday, 9 July 2024; 9:30am
Meeting Number: MODAP/23

PART B – CITY OF ROCKINGHAM

1. Declarations of Due Consideration
2. Disclosure of Interests
3. Form 1 DAP Applications
 - 3.1 Lot 8006 (No.38) Winderie Road, Golden Bay – Proposed High Support Accommodation and Service Centre – DAP/24/02651
4. Form 2 DAP Applications
5. Section 31 SAT Reconsiderations



Attendance

Officers in attendance

Chris Parlane (City of Rockingham)

Mike Ross (City of Rockingham)

Applicants and Submitters

Declan Creighan (Urbis)

Alec Whyte (Parry + Whyte Architects)

Steve Corbett (MSWA)



PART B – CITY OF ROCKINGHAM

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.

Member	Item	Nature of Interest
Cr Mark Jones	3.1	Impartiality Interest – Cr Jones attended a council meeting in relation to the item.
Cr Dawn Jecks	3.1	Impartiality Interest – Cr Jecks attended a council meeting in relation to the item.

3. Form 1 DAP Applications

- 3.1 Lot 8006 (No.38) Winderie Road, Golden Bay – Proposed High Support Accommodation and Service Centre – DAP/24/02651

3.1.1 Deputations and Presentations

Declan Creighan (Urbis) presenting in support of the recommendation for the application at Item 3.1. The presentation will address support for the proposal and seek minor modification to Condition 16.

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

3.1.2 Additional Information

The Presiding Member notes an addendum to the responsible authority report was published in relation to Item 3.1, received on 5 July 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	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 Development Assessment Panel Agenda
Meeting Date	9 July 2024
DAP Application Number	DAP/24/02651
Property Location	Lot 8006 (No.38) Winderie Road, Golden Bay
Agenda Item Number	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*

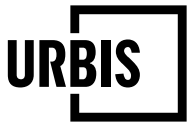
These details may be circulated to the local government and applicant if deemed necessary by the Presiding Member. Handouts or power points will not be accepted on the day.

Brief sentence summary for inclusion in the Additional Information as part of the agenda	<i>The presentation will address:</i> The presentation will briefly speak in favour of the proposal and seeks minor modifications to Condition 16 within the RAR. Declan Creighan (Urbis) will provide the deputation and Alec Whyte (Parry + Whyte Architects) will be available for questions from the panel if necessary.
--	---

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 identify support for the RAR recommendation, requesting minor modification to Condition 16. Declan Creighan and Alec Whyte will be available to answer questions.



MEMO

To: Eugene Koltasz (Presiding Member), Lindsay Baxter (Deputy Presiding Member), Jacky Jurmann (Specialist Member), Cr Mark Jones (Local Government Member, City of Rockingham), Cr Dawn Jecks (Local Government Member, City of Rockingham)

Cc: Steve Corbett (MSWA), Alec Whyte (Parry + White Architects) Tim Dawkins (Urbis), Chris Parlane (City of Rockingham)

From: Declan Creighan - Urbis

Email: dcreighan@urbis.com.au

Date: 5 July 2024

Subject: Lot 8006 (No.38) Winderie Road, Golden Bay – Proposed High Support Accommodation and Service Centre – DAP/24/02651

Dear Panel Members,

Urbis, on behalf of the Multiple Sclerosis Society of WA (MSWA) are pleased to provide this memo in relation to DAP/24/02651. DAP/24/02651 is seeking approval for a High Support Accommodation and Service Centre for people living with neurological conditions. The proposed development is located at No. 38 Winderie Way, Golden Bay (**subject site**).

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

We are also pleased that the City of Rockingham elected members unanimously endorsed to adopt the officer report for approval at the Ordinary Council Meeting held on 25 June 2024. This follows positive community support as part of the consultation process. Overall, there is a lot of support for the proposal and we feel it will make an invaluable contribution to the community.

CONDITION MODIFICATION

As outlined above, we are highly supportive of the RAR which recommends approval for the proposal. However, we respectfully request the Panel consider our request for minor modification to **Condition 16**. This condition relates to windows fronting onto Adelong Avenue and Warnbro Sound Avenue.

We understand the intent behind this condition to provide an activated street frontage. However, we are particularly concerned with the impact this will have to Adelong Avenue. We note that 6 of the 12 dwellings face Adelong Avenue. MSWA have strongly expressed that it is critical for residents in those dwellings to have the ability to cover/close off the windows to their bedrooms and the sliding doors to their lounges. This is a privacy and liveability concern and may have a significant impact on the residents, all of whom are people living with Multiple Sclerosis and/or other neurological conditions. It is unreasonable to mandate that residents are not permitted to have any form of privacy screening to their dwellings.

In discussion with the City, we understand the intent of the condition was primarily intended for activation of the service centre tenancies and not to limit privacy for the residents. We respectfully request that Panel members consider the removal of the requirement to Adelong Avenue to ensure resident privacy and liveability is protected. Alternatively, a rewording of the condition to specify that only the 'service centre building' (i.e. non-residential component) remain transparent and unscreened.

We suggest the below modification for the Panel to consider:

Windows in the building elevation facing ~~Adelong Avenue and~~ Warnbro Sound Avenue must contain clear, transparent glass, and not be covered, closed or screened off (including by means of dark or other tinting, shutters, curtains, blinds, posters, paint, roller doors or similar), to ensure that visibility and an activated frontage is provided between the development and the public domain at all times.

Or the following:

*Windows in the **Service Centre building elevations** facing Adelong Avenue and Warnbro Sound Avenue must contain clear, transparent glass, and not be covered, closed or screened off (including by means of dark or other tinting, shutters, curtains, blinds, posters, paint, roller doors or similar), to ensure that visibility and an activated frontage is provided between the development and the public domain at all time”.*

CONCLUSION

Urbis and MSWA are pleased with the RAR and positive recommendation in relation to DAP/24/02651. We respectfully request that the Panel take into consideration the request for minor modifications to Condition 16 and favourably determine the application to amend Condition 16.

We thank the panel for the opportunity to provide this memo and we look forward to the DAP meeting on 9 July. If you have any questions in the meanwhile, please contact me on the details below.

Kindest regards,



Declan Creighan
Senior Consultant
dcreighan@urbis.com.au

**CITY OF ROCKINGHAM RESPONSE - DAP/24/02651 –
LOT 8003 (NO.38) WINDERIE ROAD, GOLDEN BAY-
PROPOSED HIGH SUPPORT ACCOMMODATION AND
SERVICE CENTRE**



On 5th July 2024, Urbis, on behalf of Multiple Sclerosis WA (MSWA) provided a memo to the DAP requesting modification to recommended Condition No.16 in the Responsible Authority Report that states:

“16. Windows in the building elevation facing Adelong Avenue and Warnbro Sound Avenue must contain clear, transparent glass, and not be covered, closed or screened off (including by means of dark or other tinting, shutters, curtains, blinds, posters, paint, roller doors or similar), to ensure that visibility and an activated frontage is provided between the development and the public domain at all times.”

Urbis has requested the DAP to consider modifying the condition one of the following ways:

Either:

“Windows in the building elevation facing ~~Adelong Avenue and~~ Warnbro Sound Avenue must contain clear, transparent glass, and not be covered, closed or screened off (including by means of dark or other tinting, shutters, curtains, blinds, posters, paint, roller doors or similar), to ensure that visibility and an activated frontage is provided between the development and the public domain at all times.”

Or as follows:

*“Windows in the **Service Centre building elevations** facing Adelong Avenue and Warnbro Sound Avenue must contain clear, transparent glass, and not be covered, closed or screened off (including by means of dark or other tinting, shutters, curtains, blinds, posters, paint, roller doors or similar), to ensure that visibility and an activated frontage is provided between the development and the public domain at all times”.*

City of Rockingham Response:

The condition is recommended based on the requirement of the Golden Bay Neighbourhood Centre Local Development Plan.

As shown on the architectural plans the Service Centre building has window openings in the building frontage to Warnbro Sound Avenue and Adelong Avenue. The intention of the condition is to ensure that the Service Centre building presents an activated building frontage to both streets.

As such, the City confirms Condition No.16 is not intended to relate to the Residential Building on the eastern portion of the site.

The City therefore has no objection in principle to Urbis' request, however supports the following alternative wording for Condition 16 to make clear the planning intent:

*“Windows in the **Service Centre building elevations** facing Adelong Avenue and Warnbro Sound Avenue must contain clear, transparent glass, and not be covered, closed or screened off (including by means of dark or other tinting, shutters, curtains, blinds, posters, paint, roller doors or similar), to ensure that visibility and an activated frontage is provided between the development and the public domain at all times”.*