

AGENDA

FOR THE

SPECIAL MEETING OF THE COUNCIL

TO BE HELD ON

WEDNESDAY, 27 OCTOBER 2021

AT 6.00PM IN THE COUNCIL CHAMBERS

MELVILLE CIVIC CENTRE

Use this link to attend electronically, [Register for Special Meeting of Council 27 October 2021](#)

DISCLAIMER

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DISTRIBUTED 22 OCTOBER 2021

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NOTICE OF MEETING

I respectfully bring to the attention of Elected Members that a Special Meeting of the Council will be held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon commencing at 6.00pm on Wednesday, 27 October 2021.

The business paper for the Meeting is scheduled below and your attendance is requested.

Alan Ferris
Acting Chief Executive Officer

AGENDA

1. OFFICIAL OPENING

The Presiding Member will cause the Disclaimer that is on the front page of this Agenda to be read aloud by the Governance and Compliance Advisor. The Presiding Member will cause the following Affirmation of Civic Duty and Responsibility to be read aloud by an Elected Member.

Affirmation of Civic Duty and Responsibility

I make this Affirmation in good faith on behalf of Elected Members and Officers of the City of Melville. We collectively declare that we will duly, faithfully, honestly and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgement and ability. We will observe the City's Code of Conduct and Meeting Procedures Local Law to ensure the efficient, effective and orderly decision making within this forum.

2. PRESENT

3. IN ATTENDANCE

10. REPORTS OF THE CHIEF EXECUTIVE OFFICER

**P21/3952 – PROPOSED CHILD CARE CENTRE PREMISES – NO. 488 (LOT 125)
CANNING HIGHWAY, ATTADALE (REC) (ATTACHMENT)**

Ward	: Bicton-Attadale-Alfred Cove
Category	: Operational
Application Number	: DAP-2021-9
Property	: No. 488 (Lot 125) Canning Highway, Attadale
Proposal	: Proposed Child Care Centre Premises
Applicant	: Alan Stewart, Stewart Urban Planning
Owner	: Kintail Partners Pty Ltd
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: Not applicable
Responsible Officer	: Peter Prendergast Manager Statutory Planning

AUTHORITY / DISCRETION

DEFINITION

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input checked="" type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

**P21/3952 – PROPOSED CHILD CARE CENTRE PREMISES – NO. 488 (LOT 125)
CANNING HIGHWAY, ATTADALE (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- This Responsible Authority Report (RAR) is referred to the Council for information in accordance with Local Planning Policy 1.1, having been called up by Cr Sandford.
- Approval is sought for a child care centre premises at No. 488 (Lot 125) Canning Highway, Attadale. The cost of the development is \$2.275 million and the applicant has opted-in for the application to be determined by the Metro Inner South Joint Development Assessment Panel.
- The application is for the demolition of the existing development on site and the construction of a two storey Child Care Centre Premises located at 488 Canning Highway, Attadale.
- The building is proposed to be two storeys in height and will comprise of five indoor activity rooms, two outdoor play areas, other amenities associated with the delivery of child care such as a reception area, staff rooms and a kitchen.
- The Child Care Centre has been designed to accommodate 69 children and 14 staff members of the following age demographics;
 - 24 places for children aged 0-2 years;
 - 15 places for children aged 2-3 years; and
 - 30 places for children aged 3-5 years.
- Landscaping, including the retention of an existing tree on site and a new footpath along Redcourt Road is also proposed as part of the development.
- The operating hours of the centre are between 7:00 am and 6:00 pm Monday to Friday.
- 15 on-site car bays (including one ACROD bay) have been provided. Seven of these bays are reserved for staff and the remaining eight for visitors.
- The proposed development has been assessed against the provisions of Local Planning Scheme No.6 (LPS6), Local Planning Policy 1.12 Child Minding Centres and Family Day Care (LPP1.12), as well as a number of local and state planning policies.
- The Responsible Authority Report (RAR) has been prepared by officers and is required to be submitted to the JDAP under the *Planning and Development (Development Assessment Panel) Regulations 2011* by midday 28 October 2021.
- The proposal was the subject of public consultation in accordance with LPP 1.1: Planning Process and Decision Making.
- During the advertising period 69 individual written submissions were received – five objecting to the proposal and 64 comments in support.
- The recommendation of the RAR is that the JDAP conditionally approve the proposed development.
- A copy of the resolution of the Ordinary Meeting of Council will be forwarded to the JDAP as an attachment to the RAR.

**P21/3952 – PROPOSED CHILD CARE CENTRE PREMISES – NO. 488 (LOT 125)
CANNING HIGHWAY, ATTADALE (REC) (ATTACHMENT)**



Figure 1: Aerial image of the subject site

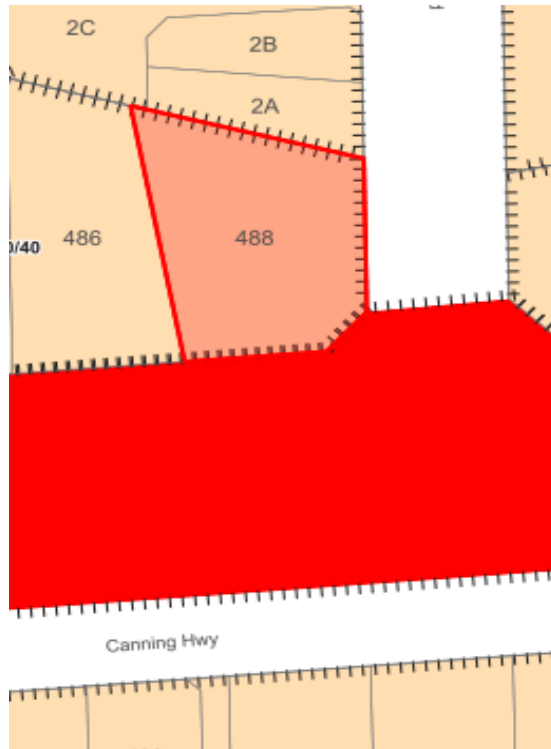


Figure 2: Zoning map of the subject site.

**P21/3952 – PROPOSED CHILD CARE CENTRE PREMISES – NO. 488 (LOT 125)
CANNING HIGHWAY, ATTADALE (REC) (ATTACHMENT)****BACKGROUND****Scheme Provisions**

MRS Zoning	:	Urban
LPS Zoning	:	Residential
Structure Plan Zoning	:	N/A
R-Code	:	R30/R40
Use Type	:	Child Care Premises
Use Class	:	'A' Use

Site Details

Lot Area	:	1015.00sqm
Street Tree(s)	:	No
Street Furniture (drainage pits etc)	:	Footpath
Site Details	:	Refer to Figure 1 above

DETAIL

Development approval is sought from the Metro Inner-South JDAP for a two-storey Child Care Centre Premises.

Refer to the attached RAR for details of the development proposed by this application.

[DAP Responsible Authority Report final \(RAR\)](#)

STAKEHOLDER ENGAGEMENT

Refer to the RAR attached to this report.

STATUTORY AND LEGAL IMPLICATIONS

The cost of the development requires that it be determined by the JDAP. As required by the *Planning and Development (Development Assessment Panel) Regulations* the City has prepared a responsible authority report which outlines the relevant issues to assist the JDAP in making its determination.

FINANCIAL IMPLICATIONS

None applicable.

**P21/3952 – PROPOSED CHILD CARE CENTRE PREMISES – NO. 488 (LOT 125)
CANNING HIGHWAY, ATTADALE (REC) (ATTACHMENT)****STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There are not considered to be strategic, risk or environmental management implications associated with this application.

POLICY IMPLICATIONS

Policy implications are outlined within the RAR attached to this report.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The recommendation of this report is for the Council to endorse the recommendation in the RAR for the JDAP to approve the application.

Council may resolve not to endorse the recommendation within the RAR, however reasons should be provided in the usual manner to inform the members of the JDAP.

The minutes of the Ordinary Meeting of Council will be attached to the RAR and forwarded to the JDAP for its consideration.

Where Council wishes to provide a deputation to the JDAP in support of a resolution, a nominated Elected Member on behalf of Council may request to make a deputation at the JDAP meeting. The authorisation to grant a request to make a deputation rests with the Presiding Member of the JDAP.

OFFICER RECOMMENDATION (3952)**APPROVAL**

That the Metro Inner-South Joint Development Assessment Panel be advised that the Council of the City of Melville endorses the recommendation of the Responsible Authority Report to APPROVE the application for the proposed Child Care Centre Premises at No. 488 (Lot 125) Canning Highway, Attadale.

- 11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

- 12. MOTIONS WITHOUT NOTICE BY ABSOLUTE MAJORITY OF THE COUNCIL**

- 13. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED**

- 14. CLOSURE**