

P22/3987 – PROPOSED CHILD CARE CENTRE PREMISES – NO.1 (LOT NO. 5) ISLIP COURT, BATEMAN & NO'S 2A &2B (LOT 4) BROADHURST CRESCENT, BATEMAN (REC) (ATTACHMENT)

Ward : Bateman – Kardinya - Murdoch
 Category : Operational
 Application Number : DAP-2022-12
 Property : No.1 (Lot No. 5) Islip Court, Bateman & No's 2a & 2b (Lot 4) Broadhurst Crescent, Bateman
 Proposal : Proposed Child Care Centre Premises
 Applicant : Dynamic Planning and Developments
 Owner : St Clarence Investments Pty Ltd
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : N/A
 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 (eg 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>

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KEY ISSUES / SUMMARY

- This RAR is referred to Council for information in accordance with Local Planning Policy 1.1, having been called up by Cr Robins.
- Approval is sought for a child care centre premises at No.1 (Lot No. 5) Islip Court, Bateman & No's 2a & 2b (Lot 4) Broadhurst Crescent, Bateman. The cost of the development is \$2.0 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 single storey Child Care Centre Premises located at No.1 (Lot No. 5) Islip Court, Bateman & No's 2a & 2b (Lot 4) Broadhurst Crescent, Bateman.
- The building is proposed to be single storey in height and will comprise of 275m² of indoor play area, 591m² of outdoor play area and 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 82 children and 17 staff members of the following age demographics;
 - 12 places for nursery;
 - 12 places for babies;
 - 30 places for kindy; and
 - 28 places for toddlers
- Landscaping, including the retention of existing verges trees along Marsego Road, removal of 3 verge trees along Broadhurst Crescent and extensive planting of new trees and plants on both verges as well within the site is also proposed as part of the development.
- The operating hours of the centre are between 7:00 am and 7:00 pm Monday to Friday.
- 16 on-site car bays (including one ACROD bay) and 2 bicycle bays have been provided.
- 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 Cares (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 24 March 2023.
- The proposal was the subject of public consultation in accordance with LPP 1.1: Planning Process and Decision Making.
- During the advertising period 67 individual written submissions were received – 58 objecting to the proposal and 5 comments in support. The three multi signature letters objecting to the proposed development was received and were tabled in the January 2023 Elected Members Bulletin.
- 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.

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Figure 1: Aerial Image of the subject site

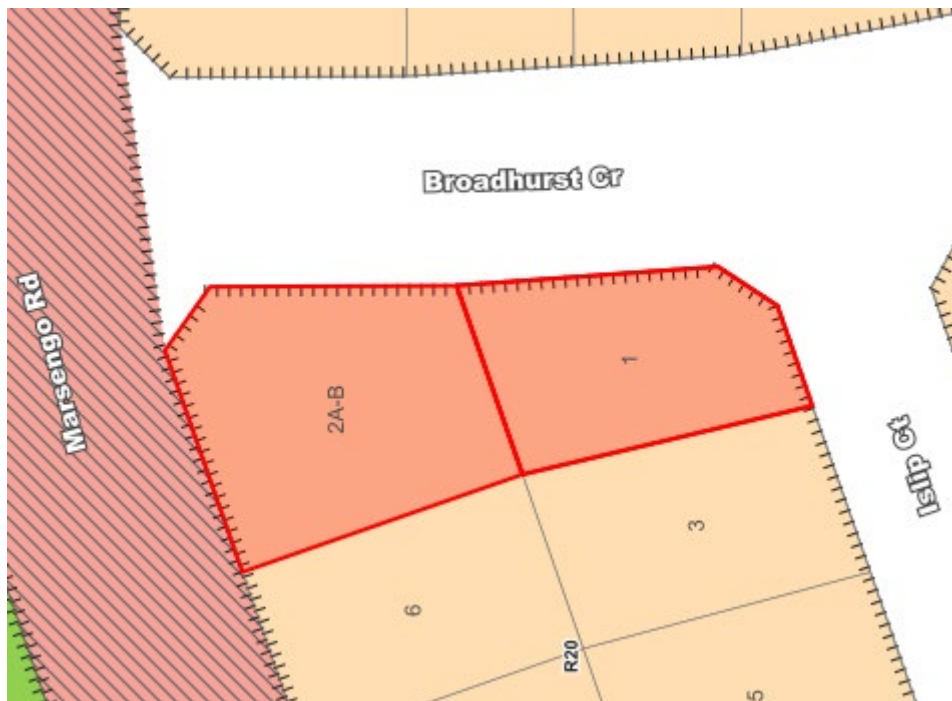


Figure 2: Zoning Map of the subject site.

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BACKGROUND

Scheme Provisions

MRS Zoning	: Urban
LPS Zoning	: Residential
R-Code	: N/A
Use Type	: R20
Use Class	: Child Care Premises

Site Details

Lot Area	: 1029m ² & 726 m ²
Street Tree(s)	: Yes
Street Furniture (drainage pits etc)	: Yes
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.

[3987 Draft DAP Responsible Authority Report](#)

[3987 Town Planning Report](#)

[3987 Development Plans](#)

[3987 Development Transport Impact Statement](#)

[3987 Acoustic Assessment](#)

[3987 Development Waste Management Plan](#)

[3987 Development Stopping Sight Distance Assessment](#)

[3987 Safe Intersection Sight Distance Assessment](#)

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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.

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 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.

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OFFICER RECOMMENDATION (3987)

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.1 (Lot No. 5) Islip Court, Bateman & No's 2a & 2b (Lot 4) Broadhurst Crescent, Bateman.