

LATE ITEM – UP22/4001 – CALL UP OF RAR FOR PROPOSED CHILD CARE CENTRE PREMISES – NO. 38 – 40 (LOTS 1 - 4) POINT WALTER ROAD, BICTON (REC) (ATTACHMENT)

Ward : Bicton - Attadale - Alfred Cove
 Category : Operational
 Application Number : DAP-2022-6
 Property : No. 38 - 40 (Lots 1 - 4) Point Walter Road, Bicton
 Proposal : Proposed Child Care Centre Premises
 Applicant : Mr Tony Watson, M W Urban
 Owner : Spearwood Land 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>

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KEY ISSUES / SUMMARY

- This RAR was called up to Council for information in accordance with Local Planning Policy 1.1.
- Approval is sought for a childcare centre premises at No. 38 - 40 (Lots 1 - 4) Point Walter Road, Bicton. The cost of the development is \$2.25 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.
- The proposed building is designed to accommodate 81 children and 15 staff members. The design proposes 515m² floor area and 585m² of outdoor play area. The premise is inclusive of amenities associated with childcare, such as a reception area, staff rooms and a kitchen, with five (5) child care rooms and two (2) outdoor play areas located to the front and rear of the building;
- Proposed vehicular access and egress is via one (1) crossover connecting with Point Walter Road.
- Car parking provisions area, 17 car bays including one ACROD car bay. Of these 9 are dedicated pick up drop off bays and 7 are marked staff bays. In addition to the car parking bays, the childcare premise provides, one (1) motorcycle bay and two (2) bicycle bays.
- Operating hours proposed are from 6.30am to 6.30pm Monday to Friday.
- Landscaping, including the retention of an existing tree on site is also proposed as part of the development.
- 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 several 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 19 July 2022.
- The proposal was the subject of public consultation in accordance with LPP 1.1: Planning Process and Decision Making.
- During the advertising period a total of 34 submissions were received – 32 objecting to the proposal and 2 which neither object nor support the proposal.
- 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

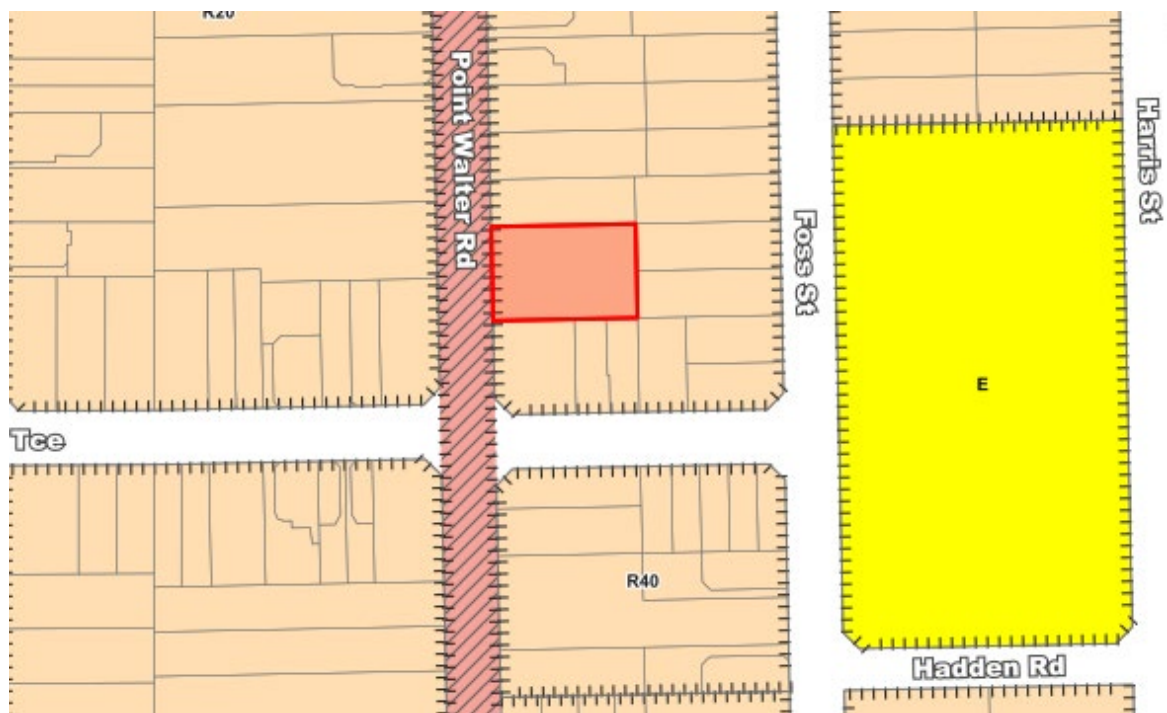


Figure 2: Zoning Map of the subject site.

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BACKGROUND

Scheme Provisions

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

Site Details

Lot Area	: 1853m ²
Street Tree(s)	: Yes
Street Furniture (drainage pits etc)	: Footpath on western side of road
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.

[4001 RAR 38 Point Walter Road Bicton](#)

[4001 1 Town Planning Report](#)

[4001 2 Supporting Submission](#)

[4001 3 Development Plans](#)

[4001 4 Landscape Plan](#)

[4001 5 Traffic Impact Statement](#)

[4001 6 Traffic Statement Addendum](#)

[4001 7 Acoustic Report](#)

[4001 8 Waste Management Plan](#)

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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 2011* the City has prepared a responsible authority report which outlines the relevant issues to assist the JDAP in making its determination.

FINANCIAL IMPLICATIONS

Not 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 (4001)

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. 38 – 40 (Lot 1- 4) Point Walter Road, Bicton.