



Metro Outer Joint Development Assessment Panel Minutes

Meeting Date and Time: Wednesday, 1 November 2023; 9:30am
Meeting Number: MOJDAP/283
Meeting Venue: Electronic Means

This DAP meeting was conducted by electronic means (Zoom) open to the public rather than requiring attendance in person

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Eugene Koltasz
Presiding Member, Metro Outer JDAP



Attendance

DAP Members

Eugene Koltasz (Presiding Member)
Gabriela Poezyn (A/Deputy Presiding Member)
Jason Hick (Third Specialist Member)
Cr Adrian Hill (Local Government Member, City of Joondalup)
Cr Nige Jones (Local Government Member, City of Joondalup)

Officers in attendance

Tim Thornton (City of Joondalup)
Laura Kelliher (City of Joondalup)

Minute Secretary

Claire Ortlepp (DAP Secretariat)

Applicants and Submitters

Trent Will (Taylor Burrell Barnett)
Farida Farrag (Taylor Burrell Barnett)
Jay Barr (Sagewood Early Learning)
Greg Hensman (Sagewood Early Learning)

Members of the Public / Media

Nil.

1. Opening of Meeting, Welcome and Acknowledgement

The Presiding Member declared the meeting open at 9:37am on 1 November 2023 and acknowledged the traditional owners and paid respect to Elders past and present of the land on which the meeting was being held.

The Presiding Member announced the meeting would be run in accordance with the DAP Standing Orders 2020 under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

1.1 Announcements by Presiding Member

The Presiding Member advised that in accordance with Section 5.16 of the DAP Standing Orders 2020 which states '*A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the DAP meeting unless the Presiding Member has given permission to do so.*', the meeting would not be recorded.

This meeting was convened via electronic means (Zoom). Members were reminded to announce their name and title prior to speaking.

Eugene Koltasz
Presiding Member, Metro Outer JDAP



2. Apologies

Karen Hyde (Deputy Presiding Member)

3. Members on Leave of Absence

Nil.

4. Noting of Minutes

DAP members noted that signed minutes of previous meetings are available on the [DAP website](#).

5. Declaration of Due Consideration

All members declared that they had duly considered the documents.

6. Disclosure of Interests

DAP Member, Karen Hyde, declared an indirect pecuniary interest in item 9.1. Ms Hyde works as a consultant for Taylor Burrell Barnett, the applicant for the Item.

In accordance with section 6.2 and 6.3 of the DAP Standing Orders 2020, the Presiding Member determined that the member listed above, who had disclosed an indirect pecuniary interest, was not permitted to participate in the discussion and voting on the item.

7. Deputations and Presentations

7.1 Jay Barr & Greg Hensman (Sagewood Early Learning) addressed the DAP in support of the recommendation for the application at Item 9.1 and responded to questions from the panel.

7.2 Trent Will & Farida Farrag (Taylor Burrell Barnett) addressed the DAP in support of the recommendation for the application at Item 9.1 and responded to questions from the panel.

7.3 The City of Joondalup addressed the DAP in relation to the application at Item 9.1 and responded to questions from the panel.

8. Form 1 – Responsible Authority Reports – DAP Applications

Nil.

Eugene Koltasz
Presiding Member, Metro Outer JDAP



9. Form 2 – Responsible Authority Reports – DAP Amendment or Cancellation of Approval

9.1 Lot 2 (1) Lyell Grove, Woodvale

Development Description: Child Care Premises
Proposed Amendments: Amendment to approved hours of operation
Applicant: Trent Will (Taylor Burrell Barnett)
Owner: Drop and Run Pty Ltd
Responsible Authority: City of Joondalup
DAP File No: DAP/22/02166

REPORT RECOMMENDATION

Moved by: Cr Nige Jones

Seconded by: Cr Adrian Hill

That the Metro Outer Joint Development Assessment Panel resolves to:

1. **Accept** that the DAP Application reference DAP/22/02166 as detailed on the DAP Form 2 dated 4 August 2023 is appropriate for consideration in accordance with regulation 17 of the *Planning and Development (Development Assessment Panels) Regulations 2011*;
2. **Approve** DAP Application reference DAP/22/02166 in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provisions of the City of Joondalup *Local Planning Scheme No. 3*, to modify condition 5 of the approval dated 14 April 2023 for Child Care Premises at Lot 2 (1) Lyell Grove, Woodvale, as follows:

Amended Conditions

5. The hours of operation for the centre shall be between 7:00am to 6.30pm Monday to Friday, and 8:00am to 1:00pm Saturdays. Staff are permitted on site up to 30 minutes before and after these operating hours.

New Advice Notes

This approval relates to modification of DAP/22/02166 (City reference: DA21/1292) to extend the Monday to Friday hours of operation from 6:00pm to 6:30pm only. It does not relate to the proposed extension to the hours of operation from 7:00am to 6:30am Monday to Friday.

All other conditions and requirements detailed on the previous approval dated 14 April 2022 shall remain unless altered by this application.

Eugene Koltasz
Presiding Member, Metro Outer JDAP



The Report Recommendation was put and CARRIED (4/1).

For: Eugene Koltasz
Gabriela Poezyn
Jason Hick
Cr Adrian Hill

Against: Cr Nige Jones

REASON: The City’s recommendation is considered to be appropriate at this stage as it is balanced given the concerns raised by the submissions received as part of the consultation process. Once the child care centre has commenced operation and it has been possible to assess its impact on the residential neighbours, the request for the 6.30am opening time could be revisited.

10. State Administrative Tribunal Applications and Supreme Court Appeals

The Presiding Member noted the following SAT Applications -

Current SAT Applications				
File No. & SAT DR No.	LG Name	Property Location	Application Description	Date Lodged
DR75/2022 DAP/18/01543	City of Joondalup	Portion of 9040 (34) Kallatina Drive, Iluka	Mixed Commercial Centre (Iluka Plaza)	02/05/2022
DR135/2023 DAP/23/02447	City of Rockingham	Lot 622 (No.2) Aurea Boulevard, Golden Bay	Proposed mixed commercial development (Golden Bay Neighbourhood Centre)	11/08/2023
DR98/2023 DAP/22/02379	City of Swan	Lot 31 (No.1487) Neaves Road, Bullsbrook	Proposed roadhouse	16/06/2023

11. General Business

The Presiding Member announced that in accordance with Section 7.3 of the DAP Standing Orders 2020 only the Presiding Member may publicly comment on the operations or determinations of a DAP and other DAP members should not be approached to make comment.

12. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 10:10am.

Eugene Koltasz
Presiding Member, Metro Outer JDAP