Assessment Against the Child Care Planning Guideline 2021

427-435 Burwood Road, Belmore

Consideration		Response
Part 3 – Matters for Consideration		
3.1 - Site Selection and Location		
Objective: To ensure that appropriate zone considerations are assessed when selecting a site.		
C1	For proposed developments in or adjacent to a residential zone, consider:	Due to the local centre context of the site and location of existing commercial uses immediately adjacent to the site, the potential amenity impacts to residential properties are minimal.
	· the acoustic and privacy impacts of the proposed development on the residential properties	The Acoustic Assessment prepared by Benbow Environmental confirms that the proposed centre-based child care facility will not exceed the relevant noise criteria, subject to the inclusion of the recommendations made in the report relating to windows and the installation of a series of acoustic barriers adjacent to the outdoor play areas and plant equipment storage area. Accordingly, the proposal will have no significant adverse acoustic impact upon the surrounding residential properties. Despite the proposed roof and external wall penetrations to facilitate the proposed outdoor play areas, appropriate acoustic barrier will be installed to ensure that noise spill to adjoining residential properties is minimised. A solid, 2.3 metre high acoustic barrier is recommended along the eastern perimeter of the ground floor outdoor play area and a solid 1.5 metre high acoustic barrier is also recommended at the eastern perimeter of the first floor outdoor play area.

Consideration		Response
		The skilful adaptive design of the existing building minimises privacy and overlooking impacts to surrounding residential properties. Due to their location and proposed external wall/acoustic barriers the outdoor play areas are not directly visible from the surrounding residential properties. In terms of new openings, all windows are orientated towards the southern at-grade car park within the site or west to the existing local centre zone along Burwood Road, with the exception of one new window at the first floor of the eastern elevation. Despite this, the window will be appropriately located so that it is orientated towards the adjoining car park at 17-19 Acacia Lane. Visual privacy to surrounding residential properties to the east is maintained on this basis.
·	the setbacks and siting of buildings within the residential context	The building envelope and setbacks of the existing building are being retained as part of the proposal and are consistent with the setbacks and siting of neighbouring commercial development on Burwood Road.
·	Visual amenity impacts (e.g. additional building bulk and overshadowing)	The envelope of the existing building on site is being retained, with new penetrations in the roof and southern elevation, and therefore the overall perceived bulk and scale of the development already located on site will remain unchanged. The maximum height of the development (within the northeast portion of the site) also remains unchanged. On this basis, the proposed development will not result in any additional overshadowing impacts to adjoining properties.
·	traffic and parking impacts of the proposal on residential amenity.	The Traffic and Parking Assessment prepared by McLaren Traffic Engineering confirms that the proposed development will not have any unacceptable traffic parking implications. In accordance with Chapter B1 of Canterbury Development Control Plan (CDCP) 2012, sufficient on-site parking is provided within the existing at-grade car park. The increase in traffic activity is expected to be minimal and will not have any unacceptable impact to the road network capacity.

Consideration	Response
For proposed developments in commercial and industrial zones, consider: · potential impacts on the health, safety and wellbeing of children, staff and visitors with regard to local environmental or amenity issues such as air or noise pollution and local traffic conditions · the potential impact of the facility on the viability of existing commercial or industrial uses.	The site is conveniently located within an existing local centre that is well serviced by public transport and close to existing community services and retail/commercial offerings. Accordingly, the site is considered suitable for the proposed development. There is a pedestrian crossing located directly opposite the site provide safe and equitable access to the western side of Burwood Road and is a short walking distance from both Bus route 415 and 942 and Belmore Railway Station. The indoor play rooms will be appropriately screened and protected from local environmental and climatic conditions and the outdoor play areas provide sufficient shading devices despite being open to the sky. The development retains the existing driveways located on Burwood Road and Acacia Lane, permitting one-way traffic flow through to minimise traffic impacts on the surrounding networks and controls traffic movement for increased safety within the site. In terms of potential impacts on the viability of the existing local centre of Belmore, the proposed development facilitates the adaptive reuse of an existing underutilised building that will support the needs community members that work and live in surrounding centre as well as encourage additional employment opportunities.
For proposed developments in public or private recreation zones, consider: · the compatibly of the proposal with the operations and nature of the community or private recreational facilities · if the existing premises is licensed for alcohol or gambling	The proposed development is not within a public or private recreation zone.

Consideration		Response
	· if the use requires permanent or casual occupation of the premises or site · the availability of on site parking · compatibility of proposed hours of operation with surrounding uses, particularly residential uses · the availability of appropriate and dedicated sanitation facilities for the development.	
	For proposed developments on school, TAFE or university sites in Special Purpose zones, consider: · the compatibly of the proposal with the operation of the institution and its users · the proximity of the proposed facility to other uses on the site, including premises licensed for alcohol or gambling · proximity to sources of noise, such as places of entertainment or mechanical workshops · proximity to odours, particularly at agricultural institutions · previous uses of a premises such as scientific, medical or chemical laboratories, storage areas and the like	The proposed development is not located on a school, TAFE, or university site.
Objective: To ensure that the site selected for a proposed child care facility is suitable for the use.		
C2	When selecting a site, ensure that:	
	· the location and surrounding uses are compatible with the proposed development or use	By virtue of its permissibility within the B2 Local Centre zone, the proposed child care facility use is compatible with surrounding commercial development.
	· the site is environmentally safe including risks such as flooding, land slip, bushfires, coastal hazards	This site is environmentally safe from any landslip, bushfires, and coastal hazards and the development has been designed in accordance with Council's stormwater and flood management controls contained within Chapter B5 of the CDCP 2012.

Consideration	Response
	The site is considered to be free from any environmental risk or hazards on this basis.
· there are no potential environmental contaminants on the land, in the building or the general proximity, and whether hazardous materials remediation is needed	A Preliminary Site Investigation has been included with the application which demonstrates that that the site is suitable for the proposed child care centre use.
· the characteristics of the site are suitable for the scale and type of development proposed having regard to: – length of street frontage, lot configuration, dimensions and overall size – number of shared boundaries with residential properties – the development will not have adverse environmental impacts on the surrounding area, particularly in sensitive environmental or cultural areas	The adaptive reuse and external façade upgrades are of a design, configuration, and scale that is compatible with the surrounding streetscape and neighbouring development. The site does not share any of its boundaries with residential properties. The siting and configuration of the indoor and outdoor play areas within the existing building footprint and distance of the site from the nearest residential properties located on the eastern side Acacia Lane minimises impact to these properties, and as such, the site is considered suitable for the proposed development. The accompanying Noise Impact Assessment and Traffic and Parking Assessment Report determine that the proposed child care facility will have no significant adverse environmental impact upon the locality, subject to the inclusion of relevant recommendations. Further, the site is not within any sensitive environmental or cultural areas.
· where the proposal is to occupy or retrofit an existing premises, the interior and exterior spaces are suitable for the proposed use	The proposed development includes a range of internal and external building alterations to facilitate a well-considered centre-based child care facility design. The proposal also includes significant external façade upgrades to ensure that the building provides a positive streetscape contribution that is in keeping with the existing and desired future character of the surrounding local centre. The proposed alterations allow for the development of a high-quality design comprising indoor and outdoor spaces that provide a range of both passive and active play experiences, which also exceed the minimum unencumbered

Consideration		Response
		indoor and outdoor space requirements in accordance with Regulation 107 and 108 of the Education and Care Services National Regulations and Part 4 of the Child Care Planning Guideline 2021.
·	there are suitable drop off and pick up areas, and off and on street parking	Parking for 23 motor vehicles (including one (1) accessible space) is proposed within the southern portion of the site which satisfies the requirements of Chapter B1 of CDCP 2012. Access to the parking will be provided from Acacia Lane via an existing driveway and the driveway located on Burwood Road will be used as exit only, permitting one way traffic flow through the site. This arrangement will minimise any disruption to traffic on the surrounding road network. The Traffic and Parking Assessment Report included with the application confirms that the proposed development will provide sufficient pick-up and drop-off parking to accommodate the 112 place child care centre.
·	the characteristics of the fronting road or roads (for example its operating speed, road classification, traffic volume, heavy vehicle volumes, presence of parking lanes) is appropriate and safe for the proposed use	The site has a street frontage to Burwood Road to the west which is an Unclassified Regional Road, and Acacia Lane to the east which is a local laneway, both of which have been deemed capable of accommodating the traffic generated by the proposed use in accordance with the submitted Traffic and Parking Assessment Report. Vehicles will enter and exit the site in a forward direction, ensuring that traffic safety and flow is not unduly impeded by the child care facility.
·	The site avoids direct access to roads with high traffic volumes, high operating speeds, or with high heavy vehicle volumes, especially where there are limited pedestrian crossing facilities	The proposed traffic arrangements ensure that traffic safety risks are minimised by utilising the driveway on Acacia Lane as entry only and the driveway on Burwood Road as exit only which allows one-way traffic flow through site and eases traffic impacts on the surrounding road network. There is a pedestrian crossing located directly in front of the site on Burwood Road which provides adequate traffic calming adjacent to the proposed vehicular exit of the site. Potential traffic safety hazards are further minimised on this basis.

Consideration		Response
	· it is not located closely to incompatible social activities and uses such as restricted premises, injecting rooms, drug clinics and the like, premises licensed for alcohol or gambling such as hotels, clubs, cellar door premises and sex services premises.	Whilst it is acknowledged that the site is located within an existing commercial centre, the proposed child care facility is not located adjacent to any incompatible social activities or uses. The proposed development is well serviced by public transport and encourages the co-location of services and facilities to serve the needs of community members that work and live in and the area surrounding the local commercial centre in accordance with the objectives of the B2 Local Centre zone. On this basis, the proposed development is an appropriate contextual fit within the local centre of Belmore.
Objective: To ensure that sites for child care facilities are appropriately located.		
C3	A child care facility should be located:	
	· near compatible social uses such as schools and other educational establishments, parks and other public open space, community facilities, places of public worship	The proposed child care facility is located within 550 m (i.e. 7 minute walk) of St Joseph's Catholic Primary School, 650 m (i.e. 8 minute walk) of All Saints Grammar School and 700 m (i.e. 8.5 minute walk) of Belmore South Public Primary School. Terry Lamb Reserve and Belmore Sports Ground is located within 500 m (i.e. 5 minute walk) from the subject site. The site is also within 150 m (i.e. 2 minute walk) of Belmore Medical Centre, 350 m (i.e. 4 minute walk) from Belmore Church of Christ, 550 m (i.e. 7 minute walk) of Salvation Army Church, and 800 m (i.e. 10 minute walk) of St Albans Anglican Church.
	· near or within employment areas, town centres, business centres, shops	The proposed child care centre is located within the Belmore local centre which contains local shops, businesses, community facilities including a medical centre and places of public worship, Belmore Railway Station and a range of employment opportunities.
	· with access to public transport including rail, buses, ferries	The subject site is well serviced by public transport. Bus stops are located on Burwood Road, within 110 m (i.e. 1 minute walk) of the site, providing access to Strathfield, Chiswick and Campsie via the 942 and 415 Bus Routes.

Consideration		Response
		Belmore Railway Station is located approximately 200 m north (i.e. 3 minute walk) of the proposed child care centre.
·	in areas with pedestrian connectivity to the local community, businesses, shops, services and the like.	The proposed child care facility is located within the local centre of Belmore which provides a range of community facilities, business, shops, and services.
Objective: To ensure that sites for child care facilities do not incur risks from environmental, health or safety hazards.		
C4	A child care facility should be located to avoid risks to children, staff or visitors and adverse environmental conditions arising from: · proximity to: – heavy or hazardous industry, waste transfer depots or landfill sites – LPG tanks or service stations – water cooling and water warming systems – odour (and other air pollutant) generating uses and sources or sites which, due to prevailing land use zoning, may in future accommodate noise or odour generating uses – extractive industries, intensive agriculture, agricultural spraying activities · any other identified environmental hazard or risk relevant to the site and/ or existing buildings within the site.	The proposed child care facility is located within a local centre, at the interface of the R3 Medium Density zone to the east and will not be impacted upon by adverse environmental conditions arising from surrounding land uses or environmental hazard. The site is not located in close proximity to any potentially hazardous land use. In terms of the surrounding commercial development, there are no uses that are considered to generate any hazardous or offensive odours.
3.2 - Local character, streetscape and the public domain interface		
Objective: To ensure that the child care facility is compatible with the local character and surrounding streetscape.		
C5	The proposed development should:	
·	contribute to the local area by being designed in character with the locality and existing streetscape	The proposed upgrades to the external facades has been designed with regard to the character and scale of development envisaged for the surrounding

Consideration		Response
		locality. The proposed architectural design and articulation of the western building façade fronting Burwood Road will create visual interest within the prevailing streetscape.
·	Build on the valued characteristics of the neighbourhood and draw from the physical surrounds, history and culture of place	The proposed development retains the existing building and site layout and facilitates a series of improvements of the façade to further improve the streetscape presentation of the site and compliment other adjoining commercial and mixed-use developments within the existing local centre of Belmore.
·	reflect the predominant form of surrounding land uses, particularly in low density residential areas	The existing building envelope will be retained as part of the proposal and is consistent with the form and diverse style of the development that surrounds the site within the Belmore local centre. The locality of the site is characterised by commercial and mixed use development in the form of two (2) and three (3) storey buildings of varying architectural design and era, with nil boundary setbacks to Burwood Road. Several sites within the local centre contain off-street parking majority of which are located at the southern end of the centre, including the subject site.
·	recognise and respond to predominant streetscape qualities, such as building form, scale, materials and colours	The proposal retains the existing built form on site which is compatible with the scale and form of adjoining buildings within the surrounding Belmore local centre, including improvements to the external building facades to improve streetscape presentation.
·	Include design and architectural treatments that respond to and integrate with the existing streetscape and local character	The development maintains the existing built form character on site and improves streetscape presentation through a range of upgrade works to the materials and finishes of the external building facades. The materials and colours proposed are compatible with surrounding existing development, ensuring that the proposed child care facility will not detract from the streetscape.
·	use landscaping to positively contribute to the streetscape and neighbouring amenity	Planting is proposed to enhance and identify the upgraded building entrance, which will soften the building's street presentation and provide a separation between the child care facility and the public domain.

Consideration			Response
	·	integrate car parking into the building and site landscaping design in residential areas.	The proposed development relies on the existing car park on site.
	·	In R2 Low Density Residential zones, limit outdoor play space to the ground level to reduce impacts on amenity from acoustic fences/barriers onto adjoining residences, except when good design solutions can be achieved.	The site is not located within a residential zone.
Objective: To ensure clear delineation between the child care facility and public spaces.			
C6	Create a threshold with a clear transition between public and private realms, including:		
	·	fencing to ensure safety for children entering and leaving the facility	An open slatted steel fence is proposed along the site's boundary fronting Burwood Road and Acacia Lane, demarcating private and public areas. Access to the facility is provided via separate entry and exit driveways and a secure and easy identifiable pedestrian entrance is also proposed along the Burwood Road frontage.
	·	windows facing from the facility towards the public domain to provide passive surveillance to the street as a safety measure and connection between the facility and the community	The public domain will be visible from several areas within the child care centre. The building entrance and ground floor lobby, reception, westernmost indoor play rooms on the ground floor, and first floor outdoor play area and staff office windows are oriented towards Burwood Road. This will act as a means of passive surveillance and connection with the community.
	·	integrating existing and proposed landscaping with fencing.	The existing building has nil setbacks to the western, north and eastern boundaries and both the existing and proposed fencing appropriately integrates with the fencing scheme implemented on the southern adjoining property.
C7	On sites with multiple buildings and/or entries, pedestrian entries and spaces associated with the child care facility should be differentiated to improve legibility for visitors and children by changes in materials, plant species and colours.		The pedestrian entrance is clearly identifiable via the southern car park and the Burwood Road frontage. The child care facility has been designed to be distinctive within the streetscape whilst remaining compatible with the context of the surrounding area.

Consideration		Response
C8	Where development adjoins public parks, open space or bushland, the facility should provide an appealing streetscape frontage by adopting some of the following design solutions: · clearly defined street access, pedestrian paths and building entries · low fences and planting which delineate communal/ private open space from adjoining public open space · minimal use of blank walls and high fences.	The proposed facility does not adjoin any public parks, open space, or bushland.
Objective: To ensure that front fences and retaining walls respond to and complement the context and character of the area and do not dominate the public domain.		
C9	Front fences and walls within the front setback should be constructed of visually permeable materials and treatments. Where the site is listed as a heritage item, adjacent to a heritage item or within a conservation area front fencing should be designed in accordance with local heritage provisions.	An 'open' style slatted fence, which has a high level of permeability, provided along the site boundary fronting Acacia Lane and Burwood Road. The site is not a heritage item and is not located within a heritage conservation area.
C10	High solid acoustic fencing may be used when shielding the facility from noise on classified roads. The walls should be setback from the property boundary with screen landscaping of a similar height between the wall and the boundary.	The site does not have a frontage to any classified roads.
3.3 - Building orientation, envelope and design		
Objective: To respond to the streetscape and site, while optimising solar access and opportunities for shade.		
C11	Orient a development on a site and design the building layout to:	
	· ensure visual privacy and minimise potential noise and overlooking impacts on neighbours by: – facing doors and windows away from private open space, living rooms and bedrooms in adjoining residential properties	Majority of openings are orientated towards the car park on site and Burwood Road, with the exception of one new window on the eastern faced fronting Acacia Lane. Despite this, the window will be orientated towards the adjoining car park at 17-19 Acacia Lane and therefore avoids overlooking into the residential properties located to the southeast of the site.

Consideration		Response
	– placing play equipment away from common boundaries with residential properties – locating outdoor play areas away from residential dwellings and other sensitive uses	The outdoor play areas are appropriately located within the central portion of the site and will be bounded by the external walls of the existing building as well as solid acoustic barriers at their eastern edge. On this basis the outdoor play areas will not be directly visible from any residential property and will be directed away from all site boundaries.
·	optimise solar access to internal and external play areas	The internal and external play areas will receive adequate solar access through the implementation of the open-air design in the roof form through the creation of a new roof void.
·	avoid overshadowing of adjoining residential properties	The application proposes to largely retain the existing building envelope and therefore no additional overshadowing impacts are expected. Notwithstanding this, due to the location and orientation of the site, unreasonable overshadowing impacts to the residential properties located on the eastern side of Acacia Lane are unlikely.
·	minimise cut and fill	Cut and fill not proposed. Minor excavation works are solely proposed to accommodate stormwater upgrades.
·	ensure buildings along the street frontage define the street by facing it	The existing building is orientated towards the primary street frontage (i.e. main building entrance fronts and is accessed via Burwood Road).
·	ensure that where a child care facility is located above ground level, outdoor play areas are protected from wind and other climatic conditions.	The proposed first floor outdoor play area is enclosed by the external walls and acoustic barriers with roof void above. Several shading devices are also proposed within these areas as identified within the accompanying Landscape Plans prepared by Site Image. This provides suitable protection from climatic conditions including wind.
Objective: To ensure that the scale of the child care facility is compatible with adjoining development and the impact on adjoining buildings is minimised.		
C12	The following matters may be considered to minimise the impacts of the proposal on local character:	

Consideration		Response
·	building height should be consistent with other buildings in the locality	The application retains the overall 2 storey building height and perceived scale of the existing building and is therefore considered to be consistent with the existing development in the surrounding B2 Local Centre zone.
·	building height should respond to the scale and character of the street	The locality of the subject site comprises commercial and mixed-used development in the form of two (2) and three (3) storey buildings with nil setbacks to Burwood Road of varying scale and architectural design. The scale of the proposed development is consistent with the character of the surrounding streetscape.
·	setbacks should allow for adequate privacy for neighbours and children at the proposed child care facility	The subject site is located within B2 Local Centre zone and the envelope and setbacks of the existing building are being retained. On this basis, the proposed development will not result in any additional bulk and scale impacts to the surrounding residential properties.
·	setbacks should provide adequate access for building maintenance	The setbacks of the existing building are being retained.
·	setbacks to the street should be consistent with the existing character.	The existing setback to Burwood Road is being retained.
Objective: To ensure that setbacks from the boundary of a child care facility are consistent with the predominant development within the immediate context.		
C13	Where there are no prevailing setback controls minimum setback to a classified road should be 10 metres. On other road frontages where there are existing buildings within 50 metres, the setback should be the average of the two closest buildings. Where there are no buildings within 50 metres, the same setback is required for the predominant adjoining land use.	The setbacks of the existing building are being retained.
C14	On land in a residential zone, side and rear boundary setbacks should observe the prevailing setbacks required for a dwelling house.	The site is not located within a residential zone.
Objective: To ensure that buildings are designed to create safe environments for all users.		

Consideration		Response
C15	Entry to the facility should be limited to one secure point which is:	
	· located to allow ease of access, particularly for pedestrians	The existing pedestrian entrance along the Burwood Road frontage is proposed to be upgraded with stair and ramp access and associated landscaping and therefore will be clearly identifiable and allow ease of access.
	· directly accessible from the street where possible	The main building entry will be directly accessible from Burwood Road.
	· directly visible from the street frontage	The main building entry will be orientated towards Burwood Road and therefore will be visible from the street frontage.
	· Easily monitored through natural or camera surveillance	The main building entrance is orientated towards the shopfronts of the existing commercial and retail developments fronting Burwood Road and therefore will receive adequate natural surveillance.
	· Not access through an outdoor play area	The proposed child care centre will not be accessed via the proposed outdoor play area.
	· In a mixed use development, clearly defined ad separate from entrance to other uses in the building.	The proposed child care facility is not located within a mixed-use development.
Objective: To ensure that child care facilities are designed to be accessible by all potential users.		
C16	Accessible design can be achieved by:	
	· providing accessibility to and within the building in accordance with all relevant legislation	An Access Report has been prepared by BCA Logic and accompanies the application. The Report confirms that the proposed child care facility is able to comply with the requirements of the BCA and all relevant legislation.
	· linking all key areas of the site by level or ramped pathways that are accessible to prams and wheelchairs, including between all car parking areas and the main building entry	A new lift will provide access between the ground and first floor. Additionally, ramped access is provided from the car park and the Burwood Road frontage to the ground floor child-care facility entrance.
	· providing a continuous path of travel to and within the building, including access between the street entry and car parking and	A continuous path of travel is provided to the building between the street and the main entrance. Lift access is provided within the building between all floors.

Consideration		Response
	main building entrance. Platform lifts should be avoided where possible	
	· minimising ramping by ensuring building entries and ground floors are well located relative to the level of the footpath. NOTE: The National Construction Code, the Discrimination Disability Act 1992 and the Disability (Access to Premises – Buildings) Standards 2010 set out the requirements for access to buildings for people with disabilities.	Ramping has been minimised where possible, noting the site's topographic and flooding constraints. Some ramping is required to enable entry from the street to the ground floor facility entrance.
3.4 - Landscaping		
Objective: To provide landscape design that contributes to the streetscape and amenity		
C17	Appropriate planting should be provided along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space. Use the existing landscape where feasible to provide a high quality landscaped area by:	
	· reflecting and reinforcing the local context	The proposed landscaping scheme has been designed to provide further visual interest along the Burwood Road frontage.
	· incorporating natural features of the site, such as trees, rocky outcrops and vegetation communities into landscaping.	No significant natural features exist on the site.
C18	Incorporate car parking into the landscape design of the site by:	
	· planting shade trees in large car parking areas to create a cool outdoor environment and reduce summer heat radiating into buildings	The application proposes to retains the existing car park area and introduces plantings at the main building entry to improve streetscape presentation.
	· taking into account streetscape, local character and context when siting car parking areas within the front setback	The application proposes to retain the existing car park which is consistent with the layout configuration of the car parking areas of adjoining properties on Burwood Road, including the site to the south.
	· using low level landscaping to soften and screen parking areas.	Low level planting is proposed to the Burwood Road frontage, providing softening and screening to the street whilst allowing adequate visibility through the site.

Consideration		Response
3.5 - Visual and acoustic privacy		
Objective: To protect the privacy and security of children attending the facility.		
C19	Open balconies in mixed use developments should not overlook facilities nor overhang outdoor play spaces.	The proposed child care facility does not form part of a mixed use development.
C20	Minimise direct overlooking of indoor rooms and outdoor play spaces from public areas through: · appropriate site and building layout · suitably locating pathways, windows and doors · permanent screening and landscape design.	The proposed child care facility has been designed to minimise overlooking from public areas. The orientation of window openings and use of a range of screening material on the western boundary minimises overlooking from Burwood Road. Additionally, the installation of solid acoustic barriers at the southern edge of the outdoor play areas will also ensure that these spaces will not be directly visible from adjoining properties. Existing and proposed slatted fencing will also minimise overlooking into the site form the public domain.
Objective: To minimise impacts on privacy of adjoining properties.		
C21	Minimise direct overlooking of main internal living areas and private open spaces in adjoining developments through: · appropriate site and building layout · suitable location of pathways, windows and doors · landscape design and screening.	Due to the local centre context of the site and location of existing commercial uses immediately adjacent to the site, the potential privacy impacts to residential properties are minimal. Due to the retention of the external walls of the existing building and the siting and screening (i.e. acoustic barriers) of outdoor play areas, overlooking of the private open space and inner living spaces of dwellings surrounding the site is minimised.
Objective: To minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments.		
C22	A new development, or development that includes alterations to more than 50 per cent of the existing floor area, and is located adjacent to residential accommodation should:	Given the site location and context, the potential acoustic impacts to residential properties are minimal.

Consideration		Response
	· provide an acoustic fence along any boundary where the adjoining property contains a residential use. (An acoustic fence is one that is a solid, gap free fence).	A solid, 2.3 metre high acoustic barrier is recommended along the southern perimeter of the ground floor outdoor play area and a solid 1.5 metre high acoustic barrier is also recommended at the southern perimeter of the first floor outdoor play area.
	· ensure that mechanical plant or equipment is screened by solid, gap free material and constructed to reduce noise levels e.g. acoustic fence, building, or enclosure.	Mechanical plant will be located within the building.
C23	A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters: · identify an appropriate noise level for a child care facility located in residential and other zones · determine an appropriate background noise level for outdoor play areas during times they are proposed to be in use · determine the appropriate height of any acoustic fence to enable the noise criteria to be met.	A Noise Impact Assessment has been prepared by Benbow Environmental accompanies the application and identifies the appropriate noise level for a child care facility, the appropriate background noise level for outdoor play areas during times of use, and the measures required to ensure that the appropriate levels are met.
3.6 - Noise and air pollution		
Objective: To ensure that outside noise levels on the facility are minimised to acceptable levels.		
C24	Adopt design solutions to minimise the impacts of noise, such as: · creating physical separation between buildings and the noise source · orienting the facility perpendicular to the noise source and where possible buffered by other uses · using landscaping to reduce the perception of noise · limiting the number and size of openings facing noise sources · using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens)	The proposed design solution to minimise noise impacts consists of: - Installation of a 2.3 metre high acoustic barrier at the southern boundary of the ground floor outdoor play area; and - Installation of a 1.5 metre high acoustic barrier at the southern boundary of the first floor play area. Additionally, the proposed outdoor play areas will be enclosed by the eastern, northern and southern external walls of the building which provides acoustic

Consideration		Response
	· using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and soffits · locating cot rooms, sleeping areas and play areas away from external noise sources.	buffering. This will mitigate noise spill and adverse acoustic impact to neighbouring properties. The cot rooms are proposed to be located and orientated away from outdoor play areas and the public domain, further reducing the transfer of sound from external noise sources.
C25	An acoustic report should identify appropriate noise levels for sleeping areas and other non play areas and examine impacts and noise attenuation measures where a child care facility is proposed in any of the following locations: · on industrial zoned land · where the ANEF contour is between 20 and 25, consistent with AS 2021 – 2000 along a railway or mass transit corridor, as defined by State Environmental Planning Policy (Infrastructure) 2007 · on a major or busy road · other land that is impacted by substantial external noise.	The Noise Impact Assessment prepared by Benbow Environmental has identified the appropriate noise levels for sleeping and non-play areas. The Assessment confirms that the proposed centre-based child care facility will comply with the relevant criteria, subject to the inclusion of the recommendations made in the report relating to restrictions to the operation of the openings to indoor play areas.
Objective: To ensure air quality is acceptable where child care facilities are proposed close to external sources of air pollution such as major roads and industrial development.		
C26	Locate child care facilities on sites which avoid or minimise the potential impact of external sources of air pollution such as major roads and industrial development.	The proposed child care facility is located in an existing local centre and is not in proximity of major roads and industrial establishments likely to emit pollution.
C27	A suitably qualified air quality professional should prepare an air quality assessment report to demonstrate that proposed child care facilities close to major roads or industrial developments can meet air quality standards in accordance with relevant legislation and guidelines. The air quality assessment report should evaluate design considerations to minimise air pollution such as:	The preparation of an air quality assessment report is not deemed necessary given the context of the site.

Consideration		Response
	· creating an appropriate separation distance between the facility and the pollution source. The location of play areas, sleeping areas and outdoor areas should be as far as practicable from the major source of air pollution · using landscaping to act as a filter for air pollution generated by traffic and industry. Landscaping has the added benefit of improving aesthetics and minimising visual intrusion from an adjacent roadway · incorporating ventilation design into the design of the facility	
3.7 - Hours of operation		
Objective: To minimise the impact of the child care facility on the amenity of neighbouring residential developments.		
C28	Hours of operation within areas where the predominant land use is residential should be confined to the core hours of 7.00am to 7.00pm weekdays. The hours of operation of the proposed child care facility may be extended if it adjoins or is adjacent to non-residential land uses.	The child care facility is proposed to operate between 7:00am and 6:00pm weekdays.
C29	Within mixed use areas or predominantly commercial areas, the hours of operation for each child care facility should be assessed with respect to its compatibility with adjoining and co-located land uses.	The proposed development is located within the Belmore Local Centre and the proposed hours are considered appropriate based on the site context.
3.8 - Traffic, parking and pedestrian circulation		
Objective: To provide parking that satisfies the needs of users and demand generated by the centre.		
C30	Off street car parking should be provided at the rates for child care facilities specified in a Development Control Plan that applies to the land. Where a Development Control Plan does not specify car parking rates, off street car parking should be provided at the following rates: · Within 400 metres of a metropolitan train station: – 1 space per 10 children	Off-street parking has been provided in accordance with the requirements of Part B5 of BDCP 2015, and therefore complies with Council's parking requirements. Whilst the CDCP 2012 contains the relevant controls applying to the proposed development, consideration of the proposed car parking rates in the Draft Canterbury Bankstown Development Control Plan 2021 have also been

Consideration		Response
	– 1 space per 2 staff. Staff parking may be stack or tandem parking with no more than 2 spaces in each tandem space. · In other areas: – 1 space per 4 children. · A reduction in car parking rates may be considered where: – the proposal is an adaptive re-use of a heritage item – the site is in a B8 Metropolitan Zone or other high density business or residential zone – the site is in proximity to high frequency and well connected public transport – the site is co-located or in proximity to other uses where parking is appropriately provided (for example business centres, schools, public open space, car parks) – there is sufficient on street parking available at appropriate times within proximity of the site.	considered and discussed in section 4.9.2 of the Statement of Environmental Effects which accompanies the application.
C31	In commercial or industrial zones and mixed use developments, on street parking may only be considered where there are no conflicts with adjoining uses, that is, no high levels of vehicle movement or potential conflicts with trucks and large vehicles.	Car parking is provided on site.
C32	A Traffic and Parking Study should be prepared to support the proposal to quantify potential impacts on the surrounding land uses and demonstrate how impacts on amenity will be minimised. The study should also address any proposed variations to parking rates and demonstrate that: · the amenity of the surrounding area will not be affected · there will be no impacts on the safe operation of the surrounding road network.	A Traffic and Parking Assessment has been prepared by McLaren Traffic Engineering and demonstrates that the proposal will not have any unacceptable impacts to the amenity of the surrounding area or road network. Further, the report demonstrates that the 23 car spaces located on site are sufficient to accommodate the proposed 112 place child care centre.

Consideration		Response
Objective: To provide vehicle access from the street in a safe environment that does not disrupt traffic flows.		
C33	Alternate vehicular access should be provided where child care facilities are on sites fronting: · a classified road · roads which carry freight traffic or transport dangerous goods or hazardous materials. The alternate access must have regard to: · the prevailing traffic conditions · pedestrian and vehicle safety including bicycle movements · the likely impact of the development on traffic.	The proposed development does not frontage a classified road or any road that may carry freight traffic or transport dangerous goods or hazardous materials. Safe and accessible vehicular access is provided to the site from Acacia Lane.
C34	Child care facilities proposed within cul-de-sacs or narrow lanes or roads should ensure that safe access can be provided to and from the site, and to and from the wider locality in times of emergency.	The child care facility is not located within a cul-de-sac or narrow road.
Objective: To provide a safe and connected environment for pedestrians both on and around the site.		
C35	The following design solutions may be incorporated into a development to help provide a safe pedestrian environment: · separate pedestrian access from the car park to the facility · defined pedestrian crossings included within large car parking areas · separate pedestrian and vehicle entries from the street for parents, children and visitors · pedestrian paths that enable two prams to pass each other · delivery and loading areas located away from the main pedestrian access to the building and in clearly designated, separate facilities	The following measures, intended to provide a safe pedestrian environment, have been incorporated into the design of the proposed development: · Separate pedestrian access is proposed from the car park to the facility; · Separate pedestrian and vehicle entries are proposed from Burwood Road; and · One way traffic is permitted through the site only; and · Vehicles can enter and leave the car park in a forward direction.

Consideration		Response
	· in commercial or industrial zones and mixed use developments, the path of travel from the car parking to the centre entrance physically separated from any truck circulation or parking areas · vehicles can enter and leave the site in a forward direction.	
C36	Mixed use developments should include: · driveway access, manoeuvring areas and parking areas for the facility that are separate to parking and manoeuvring areas used by trucks · drop off and pick up zones that are exclusively available for use during the facility's operating hours with spaces clearly marked accordingly, close to the main entrance and preferably at the same floor level. Alternatively, direct access should avoid crossing driveways or maneuvering areas used by vehicles accessing other parts of the site · parking that is separate from other uses, located and grouped together and conveniently located near the entrance or access point to the facility	The proposed child care facility is not part of a mixed-use development.
C37	Car parking design should:	
	· include a child safe fence to separate car parking areas from the building entrance and play areas	All off-street car parking is provided within the car park on site and is suitably separated from the building entrance and play areas located on the ground floor above.
	· provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards	One (1) accessible car parking space is provided in accordance with the relevant Australian Standards and is positioned as close as possible to the main building entry.
	· include wheelchair and pram accessible parking.	One (1) wheelchair accessible car parking space is provided in accordance with the relevant Australian Standards. All parking spaces are designed to enable a pram to be removed from, placed in, and placed near the parked vehicle.

Consideration		Response
Part 4 - Applying the National Regulations to development proposals		
A. Internal physical environment		
4.1 Indoor space requirements		
Regulation 107 - Education and Care Services National Regulations	Every child being educated and cared for within a facility must have a minimum of 3.25m² of unencumbered indoor space. (If this requirement is not met, the concurrence of the regulatory authority is required under the SEPP.)	<u>*Ground floor*</u> — 0-2 years play room (16 children): 66.95m² — 0-2 years play room (16 children): 73.38m² — 2-3 years play room (20 children): 65.02m² — 2-3 years play room (20 children): 77.29m² <u>*First floor*</u> — 3-6 years play room (20 children): 64.93m² — 3-6 years play room (20 children): 68.71m² A total of 416.28m² of unencumbered indoor space is provided, equating to a total of 3.7m² per child. Concurrence of the regulatory authority is therefore not required.
	All unencumbered indoor spaces must be provided as a secure area for children. The design of these spaces should consider the safe supervision of children.	All unencumbered indoor spaces are secure and enable the safe supervision of children by staff at all times.
	Applicants should also note that regulation 81 requires that the needs for sleep and rest of children at the service be met, having regard to their ages, development stages	The sleep and rest needs of children are met in accordance with regulation 81. Two (2) sleep rooms are proposed to accommodate sleep and rest needs.

Consideration	Response
and individual needs. Development applications should indicate how these needs will be accommodated.	
Verandahs may be included when calculating indoor space with the written approval from the regulatory authority. (For a verandah to be included as unencumbered indoor space, any opening must be able to be fully closed during inclement weather. It can only be counted once and therefore cannot be counted as outdoor space as well as indoor space)	Verandahs are excluded from unencumbered indoor space calculations.
Storage areas including joinery units are not to be included in the calculation of indoor space.	Storage areas are excluded from unencumbered indoor space calculations.
It is recommended that a child care facility provide: · A minimum of 0.3m^3 per child of external storage space · A minimum of 0.2m^3 per child of internal storage space.	A total of 104.79m^3 of external storage area is proposed, equating to 0.9m^3 per child and a total of 46.39m^3 of internal storage area is proposed, equating to 0.4m^3 per child.
Storage does not need to be in a separate room or screened, and there should be a mixture of safe shelving and storage that children can access independently.	The proposed storage areas include a combination of safe shelving and storage that can be independently accessed by children.
Storage of items such as prams, bikes and scooters should be located adjacent to the building entrance.	Pram storage space is provided located within the ground floor level, adjacent to the foyer and building entrance.
Where an external laundry service is used, storage and collection points for soiled items should be in an area with separate external access, away from children.	An on-site laundry is proposed and, as such, an external laundry service will not be used.

Consideration		Response
4.2 Laundry and hygiene facilities		
Regulation 106 - Education and Care Services National Regulations	There must be laundry facilities or access to laundry facilities; or other arrangements for dealing with soiled clothing, nappies and linen, including hygienic facilities for storage prior to their disposal or laundering.	An on-site laundry is proposed to manage soiled clothing, nappies, and linen. The laundry will include hygienic facilities for storage of soiled material prior to their disposal or laundering.
	The laundry and hygienic facilities must be located and maintained in a way that does not pose a risk to children.	The proposed laundry is located on the ground floor and away from play areas, thereby minimising any potential risk to children. The laundry will be maintained to a high standard of hygiene and safety.
	Child care facilities must also comply with the requirements for laundry facilities that are contained in the National Construction Code.	The proposed child care facility complies with the requirements for laundry facilities contained in the National Construction Code.
	The type of laundry facilities provided must be appropriate to the age of children accommodated.	The proposed laundry facilities are appropriate to the age of children it will service.
	On site laundry facilities should contain: · A washer or washers capable of dealing with the heavy requirements of the facility · A dryer · Laundry sinks · Adequate storage for soiled items prior to cleaning · An on site laundry cannot be calculated as usable unencumbered play space for children.	The on-site laundry contains a washer, dryer, sinks, and storage space capable of meeting the requirements of the facility. The laundry is excluded from unencumbered indoor space calculations.
	A facility that does not contain on site laundry facilities must make external laundering arrangements.	An on-site laundry is proposed and, as such, external laundry arrangements will not be required.
	Any external laundry facility providing services to the facility needs to comply with any relevant Australian Standards.	

Consideration		Response
4.3 Toilet and hygiene facilities		
Regulation 109 - Education and Care Services National Regulations	A service must ensure that adequate, developmentally and age appropriate toilet, washing and drying facilities are provided for use by children being educated and cared for by the service; and the location and design of the toilet, washing and drying facilities enable safe use and convenient access by the children.	Adequate and appropriate toilet, washing, and drying facilities are provided in the proposed child care facility. The location and design of these facilities enable safe and convenient use by children. The facilities are contained within centrally located amenities rooms at both the ground and first floor, each accessible from indoor and outdoor play areas.
	Child care facilities must comply with the requirements for sanitary facilities that are contained in the National Construction Code.	The proposed child care facility complies with the requirements for sanitary facilities contained in the National Construction Code.
	Toilet and hygiene facilities should be designed to maintain the amenity and dignity of the occupants. Design considerations could include: · Junior toilet pans, low level sinks and hand drying facilities for children · A sink and handwashing facilities in all bathrooms for adults · Direct access from both activity rooms and outdoor play areas · Windows into bathrooms and cubicles without doors to allow supervision by staff · External windows in locations that prevent observation from neighbouring properties or from side boundaries.	The design of toilet and hygiene facilities ensure that the amenity and dignity of occupants is maintained. Junior toilet pans, low level sinks and hand drying facilities are provided for children and sink and handwashing facilities are provided in all bathrooms for adults. Direct access to the toilet and hygiene facilities is provided from both indoor and outdoor play areas. Windows are proposed into bathrooms and cubicles without doors are proposed to allow supervision by staff. External windows are located so as to prevent observation from neighbouring properties or from side boundaries.

Consideration		Response
4.4 Ventilation and natural light		
Regulation 110 - Education and Care Services National Regulations	Services must be well ventilated, have adequate natural light, and be maintained at a temperature that ensures the safety and wellbeing of children.	The design and placement of door and window openings ensures that the child care facility is well ventilated, receives adequate natural light, and is maintained at an appropriate temperature.
	Child care facilities must comply with the light and ventilation and minimum ceiling height requirements of the National Construction Code. Ceiling height requirements may be affected by the capacity of the facility.	The proposed child care facility complies with the light and ventilation and minimum ceiling height requirements contained in the National Construction Code.
	To achieve adequate natural ventilation, the design of the child care facilities must address the orientation of the building, the configuration of rooms and the external building envelope, with natural air flow generally reducing the deeper a building becomes.	The proposed building alterations include penetration of a large portion of the roof form of the existing building which significantly increases the extent of natural light and air flow achieved within the building and provides an adequate level of amenity to all play areas and rooms.
	It is recommended that child care facilities ensure natural ventilation is available to each indoor activity room.	The design and placement of door and window openings ensures that natural ventilation is available to each indoor activity room.
	When designing child care facilities consideration should be given to: · Providing windows facing different orientations · Using skylights as appropriate · Ceiling heights.	Careful consideration of window orientation and ceiling heights has informed the design of the proposal Window and door openings are oriented to face different directions, providing natural ventilation and light. The proposed roof penetration will also maximise solar access to internal areas of the budling. Similarly, the proposed ceiling heights facilitate natural ventilation and light.
	Designers should aim to minimise the need for artificial lighting during the day, especially in circumstances where room depth exceeds ceiling height by 2.5 times.	The design and placement of door and window openings minimises the need for artificial lighting during the day, as adequate natural light is received to all areas within the centre due to the proposed roof penetration

Consideration		Response
	It is recommended that ceiling heights be proportional to the room size, which can be achieved using raked ceilings and exposed trusses, creating a sense of space and visual interest.	Ceiling heights are proportional to the size of rooms.
4.5 Administrative space		
Regulation 111 - Education and Care Services National Regulations	A service must provide adequate area or areas for the purposes of conducting the administrative functions of the service, consulting with parents of children and conducting private conversations.	A reception space, a meeting room, and a staff/meeting room are proposed within the child care centre. These areas will be used for conducting the administrative functions of the service, consulting with parents of children, and conducting private conversations.
	Design considerations could include closing doors for privacy and glass partitions to ensure supervision.	The design of the proposed administrative spaces includes closable doors for privacy and glass partitions for supervision.
	When designing administrative spaces, consideration should be given to functions which can share spaces and those which cannot. Sound proofing of meeting rooms may be appropriate where they are located adjacent to public areas, or in large rooms where sound can easily travel.	The location and design of administrative spaces has been informed by the functional and acoustic requirements of the spaces.
	Administrative spaces should be designed to ensure equitable use by parents and children at the facility. A reception desk may be designed to have a portion of it at a lower level for children or people in a wheel chair.	The design of the proposed reception and sign in spaces ensure equitable use by both parents and children at the child care facility.
4.6 Nappy change facilities		
Regulation 112 - Education and Care Services	Child care facilities must provide for children who wear nappies, including appropriate hygienic facilities for nappy changing and bathing.	Appropriate and hygienic facilities are proposed for nappy changing and bathing activities.

Consideration		Response
National Regulations	All nappy changing facilities should be designed and located in an area that prevents unsupervised access by children.	The proposed nappy changing facilities are located directly adjacent to the indoor and outdoor play areas, ensuring direct supervised access of children at all times.
	Child care facilities must also comply with the requirements for nappy changing and bathing facilities that are contained in the National Construction Code.	The proposed child care facility is capable of complying with the requirements for nappy changing and bathing facilities contained in the National Construction Code.
	In circumstances where nappy change facilities must be provided, design considerations could include: · Properly constructed nappy changing bench or benches · A bench type baby bath within one metre from the nappy change bench · The provision of hand cleansing facilities for adults in the immediate vicinity of the nappy change area · A space to store steps · Positioning to enable supervision of the activity and play areas	The proposed nappy changing room and facilities are capable on including well-constructed nappy changing benches, bench type baby baths, hand cleansing facilities and a space to store steps. The location of the nappy change room and facilities enable supervision of adjacent play areas.
4.7 Premises designed to facilitate supervision		
Regulation 115 - Education and Care Services National Regulations	A centre-based service must ensure that the rooms and facilities within the premises (including toilets, nappy change facilities, indoor and outdoor activity rooms and play spaces) are designed to facilitate supervision of children at all times, having regard to the need to maintain their rights and dignity.	The design of all rooms and facilities within the child care centre allows for direct supervision of children at all times, whilst maintaining the rights and dignity of children, staff, and parents/carers.
	Child care facilities must also comply with any requirements regarding the ability to facilitate supervision that are contained in the National Construction Code.	The proposed child care facility is capable of complying with the requirements for supervision contained in the National Construction Code.

Consideration		Response
	Design considerations should include:	
	· Solid walls in children's toilet cubicles (but no doors) to provide dignity whilst enabling supervision	The design of children's toilet cubicles comprises solid walls with no doors. This provides dignity whilst enabling supervision.
	· Locating windows into bathrooms or nappy change areas away from view of visitors to the facility, the public or neighbouring properties	Windows into proposed bathrooms and nappy change areas are oriented away from direct view of visitors to the facility, the public, and neighbouring properties.
	· Avoiding room layouts with hidden corners where supervision is poor, or multi room activity rooms for single groups of children	The design and layout of rooms within the child care facility minimises hidden corners and does not include any multi-level rooms, so as to ensure appropriate supervision of children at all times.
	· Avoiding multi-level rooms which compromise, or require additional staffing, to ensure proper supervision. If multi-level spaces are proposed, consideration should be given to providing areas that can be closed off and used only under supervision for controlled activities.	
4.8 Emergency and evacuation procedures		
Regulations 97 and 168 - Education and Care Services National Regulations	Facility design and features should provide for the safe and managed evacuation of children and staff from the facility in the event of a fire or other emergency.	The design of the child care facility allows for the safe and managed evacuation of children and staff from the facility in the event of an emergency. The BCA Report prepared by BCA Logic concludes that the proposed development can comply with the relevant fire and evacuation provisions of the Building Code of Australia (BCA).
	Multi-storey buildings with proposed child care facilities above ground level may consider providing additional measures to protect staff and children. For example:	The multi-storey child care facility provides additional measures to protect staff and children.

Consideration		Response
	· Independent emergency escape routes from the facility to the ground level that would separate children from other building users to address child protection concerns during evacuations · Child appropriate handrails and barriers if shared fire stairs are utilised · A safe haven or separate emergency area where children and staff can muster during the initial stages of a fire alert or other emergency. This would enable staff to account for all children prior to evacuation.	Sufficient area is proposed adjacent to the first floor stairs, providing a 'safe haven' where children and staff can muster during the initial stages of a fire alert or other emergency.
	For all child care facilities an emergency and evaluation plan should be submitted with a DA and should consider: · The mobility of children and how this is to be accommodated during an evacuation · The location of a safe congregation/assembly point, away from the evacuated building, busy roads and other hazards, and away from evacuation points used by other occupants or tenants of the same building or of surrounding buildings · How children will be supervised during the evacuation and at the congregation/assembly point, relative to the capacity of the facility and governing child-to-staff ratios.	An emergency and evaluation plan is included within the Plan of Management accompanying this DA and details all relevant considerations.
B. External Physical Environment		
4.9 Outdoor space requirements		
Regulation 108 - Education and Care Services	An education and care service premises must provide for every child being educated and cared for within the facility	A total of 825.44m^2 of unencumbered outdoor space is proposed, equating to 7.37m^2 per child.

Consideration		Response
National Regulations	to have a minimum of 7.0m^2 of unencumbered outdoor space. (If this requirement is not met, the concurrence of the regulatory authority is required under the SEPP.)	Concurrence of the regulatory authority is therefore not required.
	A verandah that is included within indoor space cannot be included when calculating outdoor space and vice versa.	Verandahs are excluded from unencumbered indoor space calculations.
	Calculating unencumbered space for outdoor areas should not include areas of dense hedges or plantings along boundaries which are designed for landscaping purposes and not for children's play.	Boundary hedges and plants are excluded from unencumbered outdoor space calculations.
	When new equipment or storage areas are added to existing services, the potential impact on unencumbered space calculations and service approvals must be considered.	An existing child care facility does not exist on the site.
	Where a covered space such as a verandah is to be included in outdoor space it should: · Be open on at least one third of its perimeter · Have a clear height of 2.1 metres · Have a wall height of less than 1.4 metres where a wall with an opening forms the perimeter · Have adequate flooring and roofing · Be designed to provide adequate protection from the elements	The ground floor deck area included in the unencumbered outdoor space calculations is open and has a clear height of 2.7m. The timber flooring is adequate for use and the roofing is designed to provide protection from the elements.
4.10 Natural environment		
Regulation 113 - Education and Care Services	The approved provider of a centre-based service must ensure that the outdoor spaces allow children to explore and experience the natural environment.	The proposed outdoor play areas include various built and natural features and are designed to allow children to explore and experience the natural environment. These include the following:

Consideration		Response
National Regulations		· Raised sandpits; · Slides; · Artificial turf groundcover and softball mounds; · Play equipment (i.e. timber fort, timber tepee, balancing logs); · Sensory pathway/bicycle track; and · Herb planting and vegetable gardens.
	Creating a natural environment to meet this regulation includes the use of natural features such as trees, sand and natural vegetation within the outdoor space.	The proposed outdoor play areas include various natural features such as trees, sand, and natural vegetation.
	Shrubs and trees selected for the play space must be safe for children. Avoid plant species that risk the health, safety and welfare of the facility's occupants, such as those which: · Are known to be poisonous, produce toxins or have toxic leaves or berries · Have seed pods or stone fruit, attract bees, have thorns, spikes or prickly foliage or drop branches	The proposed landscaping scheme does not contain any plant species that may pose risk to the health, safety, or welfare of occupants.
	The outdoor space should be designed to: · Provide a variety of experiences that facilitate the development of cognitive and physical skills, provide opportunities for social interaction and appreciation of the natural environment · Ensure adequate supervision and minimise opportunities for bullying and antisocial behaviour	The proposed outdoor play areas include various built and natural features (i.e. play equipment, outdoor furniture trees, sand, and vegetation) that allow for the development of cognitive and physical skills and provide opportunities for social interaction and appreciation of the natural environment. The design and layout of the outdoor play areas, outdoor furniture, and play equipment maximises supervision and interaction and minimises opportunities for bullying and antisocial behaviour.

Consideration		Response
	· Enhance outdoor learning, socialisation and recreation by positioning outdoor urban furniture and play equipment in configurations that facilitate interaction.	
4.11 Shade		
Regulation 114 - Education and Care Services National Regulations	The approved provider of a centre-based service must ensure that outdoor spaces include adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun.	The proposed outdoor play areas will be appropriately shaded by vegetation and shade structures.
	Outdoor play areas should be provided with controlled solar access throughout the year.	The proposed outdoor play areas will be appropriately shaded by vegetation and shade structures that will facilitate controlled solar access throughout the year.
	Outdoor play areas should:	
	· Have year-round solar access to at least 30 per cent of the ground area, with no more than 60 per cent of the outdoor space covered.	As demonstrated in the architectural plans prepared by SuperContext appropriate solar access is provided to the outdoor play areas.
	· Provide shade in the form of trees or built shade structures giving protection from ultraviolet radiation to at least 30 per cent of the outdoor play area	At least 30% of the outdoor play areas is able to be shaded by vegetation, proposed play and shade structures.
	· Have evenly distributed shade structures over different activity spaces.	The proposed outdoor play areas will be appropriately shaded by trees and shade structures distributed over different activity spaces.
	Existing stands of trees, particularly in rear setbacks, should be retained to provide shaded play areas. Species that suit local soil and climatic conditions and the character of the environment are recommended.	Not applicable.
	Dense shrubs should be planted around the site perimeter so they don't obstruct supervision. Pruning shrubs on the underside may create shaded play nooks underneath.	Dense boundary planting is not considered necessary based on the context of the site.

Consideration		Response
	Planting for shade and solar access is enhanced by: · Placing appropriately scaled trees near the eastern and western elevations · Providing a balance of evergreen and deciduous trees to give shade in summer and sunlight access in winter.	The eastern and western boundaries are appropriately shaded by the external walls of the building envelope. A combination of tree plantings are proposed within the play areas so as to give shade in the summer and sunlight access in the winter.
	Built structures providing effective shade include: · Permanent structures (pergolas, sails and verandahs) · Demountable shade (marquees and tents) · Adjustable systems (awnings) · Shade sails.	Portions of the roof being retained will provide effective shade to outdoor play spaces.
	Shade structures should not create safety hazards. Support systems such as upright posts should be clearly visible with rounded edges or padding. Vertical barriers at the sides of shade structures should be designed to prevent children using them for climbing.	The proposed shade structures, including portions of the roof form being retained are constructed so as to minimise safety hazards and prevent climbing.
	Shade structures should allow adults to view and access the children's play areas, with a recommended head clearance of 2.1 metres. The floor area underneath the structure should be of a sufficient size and shape to allow children to gather or play actively.	The proposed shade structures allow for adult viewing and access to the play areas and allow children to gather and play actively beneath the structures. Majority of the shading is provided by the portions of the roof being retained and therefore provide adequate clearance above the play areas.
4.12 Fencing		
Regulation 104 - Education and Care Services National Regulations	Any outdoor space used by children must be enclosed by a fence or barrier that is of a height and design that children preschool age or under cannot go through, over or under it.	Each of the outdoor play areas are enclosed by closed by the external walls of the existing envelope to the east, north and west, and by acoustic barriers along their eastern perimeter.
	Child care facilities must also comply with the requirements for fencing and protection of outdoor play	The proposed child care facility complies with the requirements for fencing and protection of outdoor play spaces contained in the National Construction Code.

Consideration	Response
spaces that are contained in the National Construction Code.	
Fencing at child care facilities must provide a secure, safe environment for children and minimise access to dangerous areas.	The proposed perimeter barriers are of a height, material and design that ensures a secure, safe environment for children and minimises access to dangerous areas (i.e. adjacent car park and nearby roads).
Fencing also needs to positively contribute to the visual amenity of the streetscape and surrounding area.	The external walls/proposed barriers of the outdoor play areas will not be visible form the streetscape.
In general, fencing around outdoor spaces should: · Prevent children climbing over, under or though fences · Prevent people outside the facility from gaining access by climbing over, under or through the fence · Not create a sense of enclosure.	The external walls/proposed barriers surrounding the outdoor play areas is of a height, material and design that does not allow children or people outside the facility to go through, over or under it. Notwithstanding, the barriers will not create a sense of enclosure due to the extent of penetrations made to the roof and other sections of the southern building elevation.
Design considerations for side and rear boundary fences could include: · Being made from solid prefinished metal, timber or masonry · Having a minimum height of 1.8 metres · Having no rails or elements for climbing higher than 150mm from the ground.	The proposed side and rear boundary fences are of closed timber paling construction and have a height ranging from 1.8m to 2.3m. No rails or elements for climbing are higher than 150mm from the ground.
Fencing and gates should be designed to ensure adequate sightlines for vehicles and pedestrian safety in accordance with Australian Standards and Roads and Maritime Services Traffic Management Guidelines.	In accordance with the relevant Australian Standards and Roads and Maritime Services Traffic Management Guidelines, the proposed eastern and western fencing and gates maintain adequate sightlines for vehicles and pedestrian safety.
Gates should be designed to prevent children leaving/entering unsupervised by use of childproof locking systems.	Childproof locking systems can be included on all gates to prevent children leaving/entering unsupervised.

Consideration		Response
4.13 Soil assessment		
Regulation 25 - Education and Care Services National Regulations	Subclause (d) of regulation 25 requires an assessment of soil at a proposed site, and in some cases, sites already in use for such purposes as part of an application for service approval.	The Detailed Site Investigation prepared by Geotechnical Consultants Australia and accompanying this DA includes an assessment of soil at the site of the proposed child care centre.
	With every service application one of the following is required: · A soil assessment for the site of the proposed education and care service premises · If a soil assessment for the site of the proposed child care facility has previously been undertaken, a statement to that effect specifying when the soil assessment was undertaken · A statement made by the applicant that states, to the best of the applicant's knowledge, the site history does not indicate that the site is likely to be contaminated in a way that poses an unacceptable risk to the health of children.	
	To ensure consistency between the development consent and the service approval application, a soil assessment should be undertaken as part of the development application process.	
	Where children will have access to soil the regulatory authority requires a preliminary investigation of the soil. This includes sites with or without buildings and existing approved children's services where: · The application is to alter or extend the premises	

Consideration	Response
· The alteration or extension requires earthworks or deep excavations (exceeding a depth of one metre) · The works are going to take place in an area used for children's outdoor play or will be used for children's outdoor play after the work is completed · A soil assessment has not been undertaken at the children's service. Minor landscaping, creation of sand pits, movement of play equipment and so on do not qualify as earthworks and do not require a soil assessment. An assessment of soil for a children's service approval application may require three levels of investigation: · Stage 1 - Preliminary investigation (with or without soil sampling) · Stage 2 - Detailed site investigation · Stage 3 - Site specific human health risk assessment.	

National Quality Framework Assessment Checklist

427-435 Burwood Road, Belmore

Regulation	Proposed	Complies (Tick or Cross)
104. Fencing or barrier that encloses outdoor spaces. Outdoor space that will be used by children will be enclosed by a fence or barrier that is of a height and design that children preschool age or under cannot go through, over or under it. Note: This clause does not apply to a centre-based service primarily for children over preschool age or a family day care residence or venue for over preschool age children.	*Indicate height, materials and style on plans.*	✓
106. Laundry and hygiene facilities The proposed development includes laundry facilities or access to laundry facilities OR explain the other arrangements for dealing with soiled clothing, nappies and linen, including hygienic facilities for storage of soiled clothing, nappies and linen prior to their disposal or laundering. Laundry/hygienic facilities are located where they do not pose a risk to children	*On site or off site facilities* On-site facilities	✓
107. Unencumbered indoor space The proposed development includes at least 3.25 square metres of unencumbered indoor space for each child. Refer to regulation 107 of the Education and Care Services National Regulation for further information on calculating indoor space.	*Number of children:* 112 *Required area:* 364 sqm *Provided Area:* 416.28 sqm	✓
108. Unencumbered outdoor space The proposed development includes at least 7.0 square metres of unencumbered outdoor space for each child. Refer to regulation 108 of the Education and Care Services National Regulation for further information on calculating outdoor space, and for different requirements for out-of-school-hours care services.	*Number of children:* 112 *Required area:* 784 sqm *Provided Area:* 825.44	✓
109. Toilet and hygiene facilities The proposed development includes adequate, developmentally and age-appropriate toilet, washing and drying facilities for use by children being educated and cared for by the service. The location and design of the toilet, washing and drying facilities enable safe and convenient use by the children.	*Show number of toilets and hand basins on plan*	✓
110. Ventilation and natural light The proposed development includes indoor spaces to be used by children that — • will be well ventilated; and • will have adequate natural light; and • can be maintained at a temperature that ensures the safety and well-being of children.	*Indicate on plans and elevations how natural ventilation and lighting is achieved.*	✓

Regulation	Proposed	Complies (Tick or Cross)
111. Administrative space The proposed development includes an adequate area or areas for the purposes of conducting the administrative functions of the service; and consulting with parents of children; and conducting private conversations. Note: This space cannot be included in the calculation of unencumbered indoor space – see regulation 107	*Indicate administrative space on plans*	✓
112. Nappy change facilities (To be completed only if the proposed development is for a service that will care for children who wear nappies) The proposed development includes an adequate area for construction of appropriate hygienic facilities for nappy changing including at least one properly constructed nappy changing bench and hand cleansing facilities for adults in the immediate vicinity of the nappy change area. The proposed nappy change facilities can be designed and located in a way that prevents unsupervised access by children.	*Indicate nappy change on plans*	✓
113. Outdoor space—natural environment The proposed development includes outdoor spaces that will allow children to explore and experience the natural environment.	*Indicate on landscape plans*	✓
114. Outdoor space—shade The proposed development includes adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun.	*Indicate shade on landscape plans*	✓
115. Premises designed to facilitate supervision The proposed development (including toilets and nappy change facilities) are designed in a way that facilitates supervision of children at all times, having regard to the need to maintain the rights and dignity of the children.	*Indicate on floor plans*	✓