
427-435 Burwood Road, Belmore

Statement of Environmental Effects for
Development Application



December 2022

We create amazing places

At SJB we believe that the future of the city is in generating a rich urban experience through the delivery of density and activity, facilitated by land uses, at various scales, designed for everyone.

REF: #9183

Ver	Description	Date	Prepared By	Checked By
1	Draft	November 2022	HT	SB
2	Final	December 2022	HT	SB

Level 2, 490 Crown Street
Surry Hills NSW 2010
Gadigal Country

T 61 2 9380 9911
E planning@sjb.com.au
W sjb.com.au

SJB Planning (NSW) Pty Ltd
ABN 47 927 618 527
ACN 112 509 501

Contents

Executive Summary	5
1. Introduction	6
1.1 Overview	6
1.2 Scope and Format of the Statement of Environmental Effects	6
1.3 Supporting Plans and Documentation	6
1.4 Cost of Works	7
2. Site Description and Context	8
2.1 Site Description	8
2.2 Context and Locality	9
2.3 Surrounding Development and Land Uses	9
2.4 Existing Development on the Site	12
3. Proposed Development	14
3.1 Development Description	Error! Bookmark not defined.
3.2 Development Statistics	14
3.3 Land Use	17
3.4 External Materials and Finishes	17
3.5 Stormwater	17
3.6 Demolition	17
3.7 Parking and Vehicular Access	17
3.8 Loading/Unloading	18
3.9 Waste Management	18
3.10 Building Code of Australia (BCA) and Accessibility	18
3.11 Services and Infrastructure	18
3.12 Operational Details	18
4. Statutory Assessment	19
4.1 Section 4.15	19
4.2 Overview of Statutory and Policy Controls	19
4.3 State Environmental Planning Policy (Resilience and Hazards) 2021	20
4.4 State Environmental Planning Policy (Biodiversity and Conservation) 2021	21
4.5 State Environmental Planning Policy (Transport and Infrastructure) 2021	22
4.6 Canterbury Local Environmental Plan 2012	23
4.7 Draft Canterbury Bankstown Consolidated Local Environmental Plan 2020	27
4.8 Canterbury Development Control Plan 2012	27
4.9 Draft Canterbury Bankstown Development Control Plan 2021	41
5. Impacts of the Development	43
5.1 Bulk, Scale and Design Layout	43

5.2	Amenity Impacts on Neighbouring Properties	43
5.3	Construction Impacts	43
5.4	Privacy Impacts	44
5.5	Acoustic Impacts	44
5.6	Traffic and Car Parking	45
5.7	Social Impacts and Economic Impacts	45
5.8	The Suitability of the Site for the Development	45
5.9	The Public Interest	45
<hr/>		
6.	Conclusion	46

List of Figures

Figure 1: Aerial view of site and locality (Source: SIX Maps)

Figure 2: Location plan (Source: Google Maps)

Figure 3: Existing commercial development immediately adjoining the site to the north on the eastern side of Burwood Road

Figure 4: Existing single-storey commercial building (LJ Hooker) adjoining the site to the south on the eastern side of Burwood Road

Figure 5: Existing commercial development located directly opposite the site to the west on the western side of Burwood Road

Figure 6: Existing at-grade public car parking adjoining the site to the east on the eastern side of Acacia Lane; view east

Figure 7: Rear of residential properties (21, 23 and 25 Acacia Street) adjoining the site to the east, on the eastern side of Acacia Lane; view east

Figure 8: Rear driveways and service areas of commercial development accessed via acacia Lane, adjoining the site to the north; view west from Acacia Lane

Figure 9: Burwood Road elevation of existing building; view east from Burwood Road (Source: Google Maps)

Figure 10: Existing southern carpark and southern and eastern building elevations; view northeast from Acacia Lane (Source: Google Maps)

Figure 11: Extract of CLEP 2012 Zoning Map

Figure 12: Extract of CLEP 2012 Height of Buildings Map

Figure 13: Extract of CLEP 2012 Floor Space Ratio Map

Figure 14: Extract of CLEP 2012 Heritage Map

Figure 15: Extract of CLEP 2012 Acid Sulfate Soils Map

List of Tables

Table 1: Plans and documents prepared to accompany this statement

Table 2: Key Development Statistics

Table 3: Part 3.3 Early education and care facilities – specific development controls assessment table

Table 4: B2 Local Centre Zone Objectives Assessment Table

Table 5: DCP Compliance table - Child care centres

Table 6: DCP Compliance Table - Business Centres General

Table 7: DCP Compliance Table - Signage

Executive Summary

This Statement of Environmental Effects (SEE) has been prepared in support of a Development Application (DA) made to City of Canterbury Bankstown Council ('the Council') under Part 4 of the Environmental Planning and Assessment (EP&A) Act 1979.

The DA seeks consent to undertake partial demolition, alterations and re-use of the former Belmore RSL Club building for the purpose of a centre-based child care facility to cater for a maximum of 112 children and installation of associated illuminated signage, located at 427 Burwood Road, Belmore ('the site').

The DA and this SEE have been prepared in accordance with the EP&A Act 1979 and the Environmental Planning and Assessment (EP&A) Regulation 2021.

This SEE addresses the relevant heads of consideration listed under Section 4.15(1) of the *EP&A Act 1979* and provides an assessment of the proposed development against the relevant Environmental Planning Instruments (EPIs) and other planning controls applicable to the site and the proposal.

The key planning controls are included within:

- SEPP (Transport and Infrastructure) 2021;
- NSW Child Care Planning Guideline;
- Canterbury Local Environmental Plan (CLEP) 2012; and
- Canterbury Development Control Plan (CDCP) 2012.

The proposed development is permissible with consent in the B2 Local Centre zone under CLEP 2012 and is consistent with the broad objectives of the zone. The proposed works will facilitate the use of the existing building for the purpose of a centre-based child care facility and the internal and external building alterations will be contained within the existing building envelope. As such the maximum height and overall bulk and scale of the existing building will remain unchanged.

The provision of a new outdoor play area at the ground level, located directly below the proposed void within the roof structure, will result in a reduction to the gross floor area of the building.

This Statement demonstrates that the proposal does not result in significant adverse environmental, social, economic, or amenity impacts on adjoining properties or the neighbourhood. There are no significant constraints that would hinder the proposed development, and accordingly, the site is considered suitable.

Based on the assessment undertaken, approval of the DA is sought.

1. Introduction

1.1 Overview

This SEE has been prepared in support of a DA for consent to undertake partial demolition, internal and external alterations and use of the former Belmore RSL Club building for the purpose of a centre-based child care facility to cater for a maximum of 112 children, and installation of associated illuminated signage.

1.2 Scope and Format of the Statement of Environmental Effects

This Statement has been prepared in accordance with the requirements of Part 3, Division 1 of the EP&A Regulation 2021, and provides an assessment consistent with the heads of consideration under Section 4.15(1) of the EP&A Act 1979, which are relevant to the consent authority's assessment of the DA.

Accordingly, the SEE is structured into sections as follows:

- Section 1 - provides an overview of the project and this SEE;
- Section 2 - describes the site, locality and surrounding development;
- Section 3 - describes the proposed development and provides details of all of the proposed works;
- Section 4 - identifies the applicable statutory controls and policies, and provides an evaluation of the proposed development against the relevant controls;
- Section 5 - provides an assessment of the proposal and its likely impacts on the environment, and in particular the potential impacts on adjoining properties and the surrounding area; and
- Section 6 - provides a conclusion on the proposal.

1.3 Supporting Plans and Documentation

This Statement has been prepared with input from several technical and design documents which have been prepared to accompany this DA. These documents are included as Attachments to this statement and are identified in Table 1 below.

Document Name	Prepared by
Quantity Surveyors Report	Construction Consultants
Survey Plan	Vertex Surveyors
Preliminary Site Investigation	Geotechnical Consultants Australia
Hazardous Materials Survey	Geotechnical Consultants Australia
BCA Assessment Report	BCA Logic
Access Assessment Report	BCA Logic

Architectural Drawing Package	SuperContext Studio
Landscape Plans	Site Impact Landscape Architects
Plan of Management	Montessori Academy
Stormwater Management Plans	Stellen Consulting
Flood Risk Assessment Report	Stellen Consulting
Noise Impact Assessment	Benbow Environmental
Traffic and Parking Impact Assessment Report	McLaren Traffic Engineering
Waste Management Plan	Elephants Foot Consulting
Considerations Table	SJB Planning

Table 1: Plans and documents prepared to accompany this statement

1.4 Cost of Works

The cost of works to determine the DA fee for the proposed development has been calculated in accordance with Clause 255(1) of the EP&A Regulation 2000 and is \$5,483,985 including GST. The cost of works is detailed in the Quantity Surveyors Cost Estimate prepared by Construction Consultants provided with this Statement.

2. Site Description and Context

2.1 Site Description

The site is located at 427 and 435 Burwood Road, Belmore, and is legally described as:

- Lots 8-12 DP 11289;
- Lot 2 DP 816386; and
- Lot A DP 420721.

The location of the site is shown in Figure 1 below.



Figure 1: Aerial view of site and locality (Source: SIX Maps)

The site has an area of approximately 2354m² and is generally rectangular in shape. The site has a 55m frontage to Burwood Road to the west and Acacia Lane to the east.

Vehicular access to the site is provided via two separate driveways, located on Burwood Road and Acacia Lane.

The site is relatively flat with a slope towards Burwood Road, away from acacia Lane. The site contains no significant vegetation.

A survey plan of the site is provided with this Statement and demonstrates that there is an existing water drainage easement which traverses the at-grade car park in the southern portion of the site.

There are also two other easements for drainage reserve and electrical services relating to the site which have been made redundant.

2.2 Context and Locality

The site is located within the local commercial centre of Belmore, comprising a variety of business and retail premises, characterised by commercial and mixed-use buildings typically ranging in height from 2 to 3 storeys on Burwood Road.

Burwood Road is an unclassified Regional Road in accordance with the Transport for NSW *Schedule of Classified Roads and Unclassified Regional Roads* (Version 14, dated October 2022).

In terms of public transport, Burwood Road is serviced by the 415 and 942 bus routes and Belmore Railway Station approximately 200 metres north of the subject site.

The location of the site in this context is shown in Figure 2.

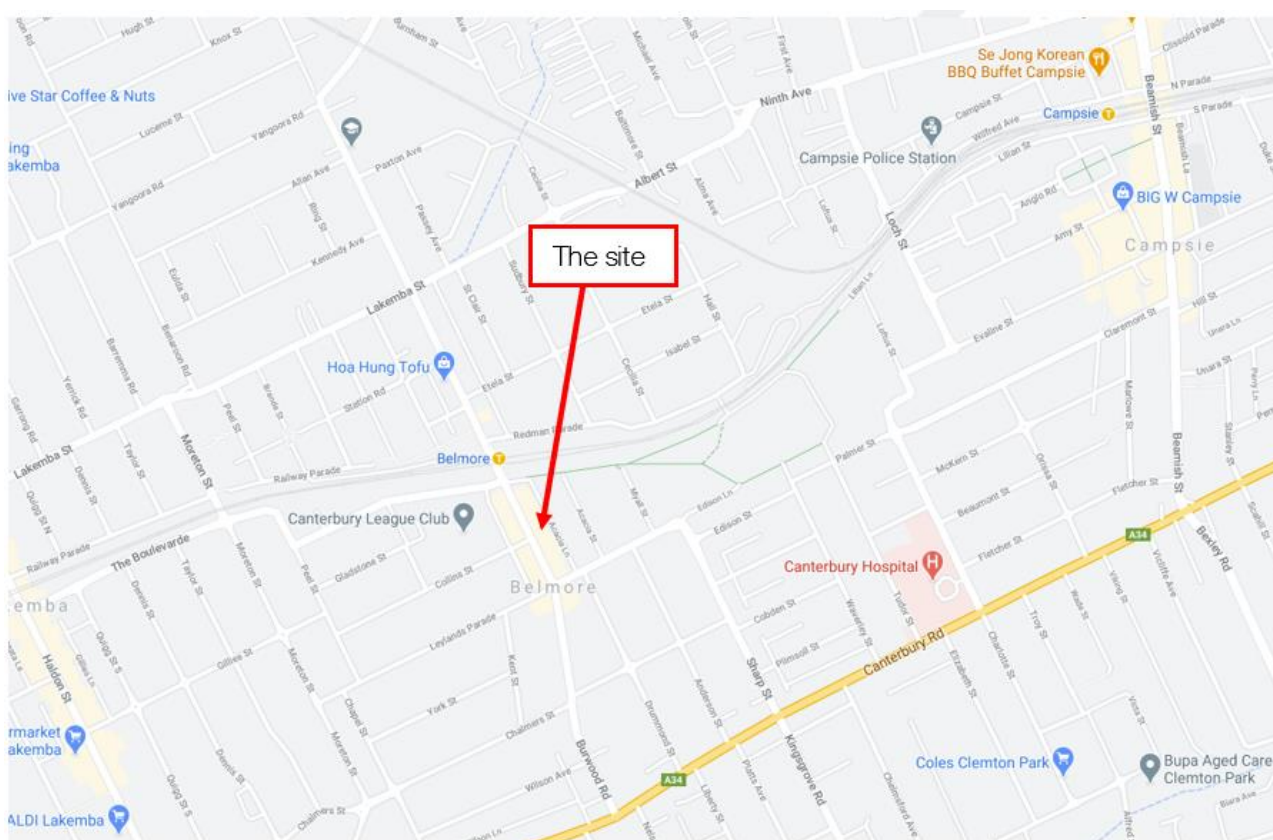


Figure 2: Location plan (Source: Google Maps)

2.3 Surrounding Development and Land Uses

The surrounding built environment is primarily commercial in nature with some adjoining sites comprising upper-level residential apartments in the form of shop-top housing. The scale of development typically ranges from 2 to 4 storeys with nil boundary setbacks to Burwood Road.

The land use and development adjoining the site are described as follows:

- Single-storey commercial building (437-441 Burwood Road) including at-grade car park operating as a Real Estate Office to the south;

- Two storeys mixed-use building (417 Burwood Road) comprising ground floor retail premises and shop-top housing above to the north;
- A series of two-storey mixed buildings located directly opposite the site to the west on Burwood Road comprising ground floor retail and business premises with shop-top housing above; and
- At-grade public car park and detached dwelling houses (21 and 23 Acacia Street) to the east within the R3 Medium Density Residential zone on the eastern side of Acacia Lane. The residential property located at 23 Acacia Street contains a single dwelling house and associated outbuildings including detached garage and garden sheds. The residential property located at 23 Acacia Street contains a 2-storey dwelling house and detached granny flat.

The existing development surrounding the site is illustrated in Figures 3 to 10.

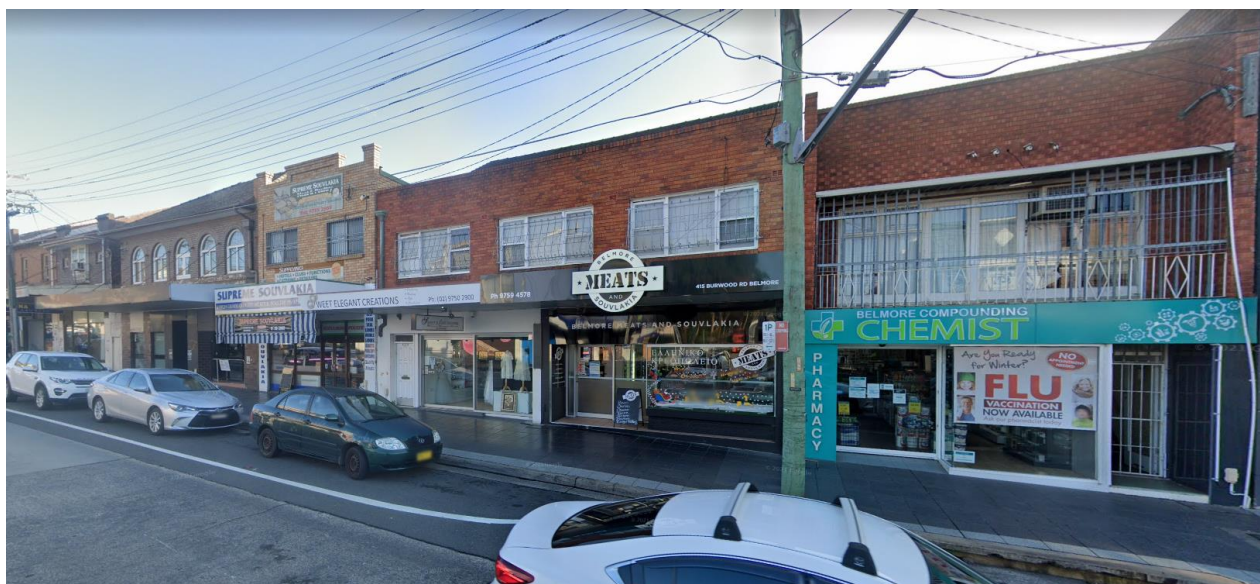


Figure 3: Existing commercial development immediately adjoining the site to the north on the eastern side of Burwood Road



Figure 4: Existing single-storey commercial building (LJ Hooker) adjoining the site to the south on the eastern side of Burwood Road



Figure 5: Existing commercial development located directly opposite the site to the west on the western side of Burwood Road



Figure 6: Existing at-grade public car parking adjoining the site to the east on the eastern side of Acacia Lane; view east



Figure 7: Rear of residential properties (21, 23 and 25 Acacia Street) adjoining the site to the east, on the eastern side of Acacia Lane; view east



Figure 8: Rear driveways and service areas of commercial development accessed via acacia Lane, adjoining the site to the north; view west from Acacia Lane

2.4 Existing Development on the Site

The site is currently occupied by the former 2-storey Belmore RSL Club building including associated at-grade car parking within the southern portion of the site.

The site has remained vacant since the club operations ceased in late 2019. It is also understood that there have been no other development approvals relating to the property following the club's use of the site.

Photographs of the site and existing building are shown in Figures 3, 4 and 5.



Figure 9: Burwood Road elevation of existing building; view east from Burwood Road (Source: Google Maps)



Figure 10: Existing southern carpark and southern and eastern building elevations; view northeast from Acacia Lane (Source: Google Maps)

3. Proposed Development

3.1 Overview

The DA seeks consent to undertake partial demolition, internal and external alterations and use of the former Belmore RSL Club building for the purpose of a centre-based child care facility to cater for a maximum of 112 children and installation of associated illuminated signage.

The proposal is detailed in the architectural drawing package prepared by SuperContext Studio and is described in the following sections of this SEE.

3.2 Internal Building Alterations

The proposed internal building alterations are summarised as follows:

- Partial demolition and reconfiguration of internal layout of the ground and first floor levels including the installation of a new lift, to accommodate:

Ground Level

- Reception/lobby room;
- Outdoor play area;
- Four (4) indoor play rooms including:
 - 0-2 years play room - 16 children
 - 0-2 years play room - 16 children
 - 2-3 years play room - 20 children
 - 2-3 years play room - 20 children
- Kitchen and laundry rooms;
- Storage rooms; and
- Staff room and bathroom facilities.

First Floor Level

- Outdoor play area;
- Two (2) indoor play rooms including:
 - 3-6 years play room - 20 children
 - 3-6 years play room - 20 children
- Storage room;
- Staff room;
- Staff office; and
- Staff bathroom facilities.

3.3 External Building Alterations

The proposed external building alterations are summarised as follows:

Roof Form

- partial demolition and alteration of the roof structure to provide a new void/opening directly above the proposed outdoor play area at ground level;

Eastern (Burwood Road) Elevation

- partial demolition and construction of a new building entry to incorporate necessary accessibility upgrades including new stair and ramp access, and associated landscaping (planter boxes).
- replacement of existing cladding with new window openings, mesh panelling, and decorative corrugated cladding including new paint finish at the first floor;
- replacement of existing cladding with new tile finish and relocation of the existing memorial plaques to the sandstone face at the ground floor;
- removal and replacement of the existing (southernmost) awning structure located above the building entry to match the façade design changes and provide continuous pedestrian cover along the street edge;

Southern (internal) Car Park Elevation

- removal and replacement of ground level entry door and stairs with new infill panels;
- removal of external wall panels and window openings to facilitate the proposed outdoor play area;
- installation of new external fire egress stairs; and

Eastern (Acacia Lane) Elevation

- installation of a new window opening on the first floor of the western building elevation fronting Acacia Lane.

3.4 Car Park Reconfiguration and Other Site Works

Details of the proposed car park reconfiguration and other site works are as follows:

- reconfiguration of existing at-grade car park including the provision of additional car parking spaces to accommodate a total of 23 car spaces (including 1 accessible space), six (6) bicycle spaces and provision of new landscaping (planter box); and
- installation of new open-style steel fence along the eastern and western property boundaries.

3.5 Signage

Three (3) business identification signs are proposed, including:

- **S1:** One (1) x illuminated wall sign comprising a company logo and individual lettering, 'Montessori Academy' with sign-face dimensions of 5.2m x 0.85m, to be located on the western building elevation fronting Burwood Road;
- **S2:** One (1) x illuminated wall sign comprising a company logo and individual lettering, 'Montessori Academy' with sign-face dimensions of 5.2m x 0.85m; to be located on the southern (internal) elevation fronting the at-grade car park; and

- **S3:** One (1) under awning sign comprising a company logo and individual lettering 'Montessori Academy' with sign face dimensions of 2m x 0.4m.

Illumination of the proposed signage will be limited to the proposed operating hours (7am to 6pm) only.

3.6 Development Statistics

The key statistics for the proposal are summarised in Table 2 below.

Element	Existing
Site Area	2354m ²
Gross Floor Area (GFA)	994m ² (excluding outdoor play areas)
Building Height	2 storeys (no change) Overall max RL height in northeast corner remains unchanged
Child care capacity	112 within the following age groups: <ul style="list-style-type: none"> — 0-2 years: 32 children — 2-3 years: 40 children — 3-6 years: 40 children
Indoor Unencumbered Space	<p><i>Ground floor</i></p> <ul style="list-style-type: none"> — 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 <p><i>First floor</i></p> <ul style="list-style-type: none"> — 3-6 years play room (20 children): 64.93m² — 3-6 years play room (20 children): 68.71m²
Outdoor Unencumbered Space	<p><i>Ground floor</i> – 534.81m²</p> <p><i>First floor</i> – 290.63m²</p>
Storage Area	<p>Indoor – 104.79m³</p> <p>Outdoor – 46.39m³</p>

Car Parking	23 spaces (including 1 accessible space)
-------------	------------------------------------------

Table 2: Key Development Statistics

3.7 Land Use

The subject site is located within the B2 Local Centre zone and the site is currently occupied by the former Belmore RSL Club building.

The proposal seeks approval for re-use of the existing building for the purpose of a centre-based child care centre including 20 staff members and cater a maximum of one-hundred and twelve (112) children within the following age groups:

- 0-2 years: 32 children
- 2-3 years: 40 children
- 3-6 years: 40 children

3.8 External Materials and Finishes

Whilst the majority of the external finishes will remain unchanged, those sections of the streetscape elevation facing Burwood Road to be upgraded will incorporate high-quality materials and finishes, as detailed in the Architectural Drawings Package prepared by SuperContext Studio.

3.9 Stormwater

Stormwater drainage collected on site will be diverted to Council's stormwater system in Acacia Lane via connection into the existing stormwater pit. Stormwater drainage works are detailed in the Stormwater Management Plans prepared by Stellen Consulting.

3.10 Demolition

The proposed development requires partial demolition of the existing roof structure to facilitate the proposed outdoor play area as well as other internal areas and external façade sections to accommodate the proposed alterations. Details of the proposed demolition have been submitted with the Architectural Drawings Package prepared by SuperContext Studio.

All demolition and excavation works will be undertaken in accordance with the provisions of Australian Standard – AS 2601.

A Site Investigation prepared by Geotechnical Consultants provides an assessment of the potential for contaminated materials within the site and concludes that the site is considered suitable for the proposed works, subject to the inclusion of the recommendations contained in the report.

3.11 Parking and Vehicular Access

The proposed development includes an at-grade car park within the southern portion of the site.

The proposed on-site parking will accommodate twenty (23) car parking spaces (including one accessible space), distributed as:

- 13 visitor (or drop-off/pick-up) spaces; and
- 10 staff spaces.

The car park will be accessed from Acacia Lane via the existing driveway.

The driveway on Acacia Lane will be entry only and the driveway located on Burwood will be restricted to exit only, permitting one-way traffic flow through the site.

A Traffic and Parking Assessment prepared by McLaren Traffic Engineering accompanies the application and concludes that the proposed site access arrangements and car parking facilities are consistent with the relevant Australian standards and are adequate to accommodate the proposed child care centre. The assessment concludes that the proposed development provides “23 car parking spaces, resulting in compliance with the Canterbury DCP 2012”.

Additionally, the report demonstrates that the proposed “13 visitor spaces and 10 staff spaces, [thereby] exceeding the anticipated parking demand of the centre”.

3.12 Loading/Unloading

Loading and unloading will occur via the southern at-grade car park during the proposed operating hours within a car parking space. A small van or the like will be utilised to undertake deliveries to the site.

3.13 Waste Management

The proposal responds to Council’s waste management guidelines noting that the centre has been provided with a suitably screened bin storage area located behind the building in the eastern portion of the site.

A Waste Management Plan has been prepared by Elephants Foot Consulting and accompanies the application.

3.14 Building Code of Australia (BCA) and Accessibility

The proposed development can comply with the relevant Australian Standards, provisions of the Building Code of Australia (BCA) and the *Disability Discrimination Act (DDA) 1992* as detailed in the Building Code of Australia Assessment Report and Access Report, both prepared by BCA Logic which accompany the application.

3.15 Services and Infrastructure

Existing services contained within Burwood Road will be utilised or upgraded as required for the proposed development.

3.16 Operational Details

The child care centre is proposed to operate Monday to Friday from 7 am to 6 pm.

An Operational Plan of Management has been prepared by Montessori Academy and accompanies the application.

4. Statutory Assessment

4.1 Section 4.15

Section 4.15 of the *EP&A Act 1979* sets out the statutory matters for consideration against which the proposed development is to be evaluated. The matters for consideration under Section 4.15 are as follows:

“(1) Matter for consideration – general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development of the subject of the development application:

(a) the provisions of:

- (i) any environmental planning instrument, and*
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- (iii) any development control plan, and*
- (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
- (vi) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),*

that apply to the land to which the development application relates,

- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) the suitability of the site for the development,*
- (d) any submissions made in accordance with this Act or the regulations,*
- (e) the public interest.”*

The matters for consideration identified in S4.15(1)(a) of the *EP&A Act 1979* are addressed in the following section. Subsections (b) to (e) of S4.15(1) of the *EP&A Act 1979* are addressed in Section 5 of this SEE.

4.2 Overview of Statutory and Policy Controls

The EPIs and other statutory planning documents and policies which are relevant to the assessment of the proposed development pursuant to S4.15(1)(a) are identified below.

4.2.1 State Environmental Planning Policies

- State Environmental Planning Policy (Biodiversity Conservation) 2021;
- State Environmental Planning Policy (Resilience and Hazards) 2021; and
- State Environmental Planning Policy (Transport and Infrastructure) 2021.

4.2.2 Local Environmental Plans

- Canterbury Local Environmental Plan (CLEP) 2012.

4.2.3 Proposed Environmental Planning Instruments

- Draft Canterbury Bankstown Local Environmental Plan (CBLEP) 2020.

4.2.4 Development Control Plans

- Canterbury Development Control Plan (CDCP) 2012.

4.2.5 Provisions of any planning agreement

- Not applicable.

4.2.6 Matters prescribed by the Regulations

Clause 61 of the Environmental Planning and Assessment Regulation 2021 prescribes matters that Council must take into consideration prior to the determination of a development application, including:

“Division 1 Determination of development applications—the Act, s 4.15(1)(a)(iv)”

61 Additional matters that consent authority must consider:

“(1) In determining a development application for the demolition of a building, the consent authority must consider the Australian Standard AS 2601—2001: The Demolition of Structures...”

Demolition

All demolition will be undertaken in accordance with Australian Standard - AS 2601. A Waste Management Plan for demolition and construction accompanies the application.

4.3 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 of State Environmental Planning Policy (Resilience and Hazards) 2021 prescribes a statutory process associated with the development of land that is contaminated and needs remediation.

The site has historically been used for commercial purposes and no major disturbance of the existing sealed surfaces of the site is proposed.

A Preliminary Site Investigation (PSI) prepared by Geotechnical Consultants Australia accompanies the application demonstrating that a site investigation and historical review of previous uses of the site have been undertaken.

The PSI identifies *“there were no visible or aromatic indicators of potential contamination. There were also no obvious features associated with any underground tanks (bowzers, breather pipe, inlet valve and piping) or odour that would indicate the potential for contamination.”* On this basis, the PSI concludes the site is suitable for the proposed use.

Accordingly, it is considered that the site is consistent with the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 and can be made suitable for the proposed land use.

4.4 State Environmental Planning Policy (Biodiversity and Conservation) 2021

The relevant clauses of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 have been considered in the following sections.

4.4.1 Chapter 11 Georges River Catchment

The site is identified as being within the George's River Catchment, and as such, is subject to assessment under Chapter 11 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021. Clause 11.6 requires Council, in determining an application for development within the Catchment, to broadly consider the following principles:

- The aims, objectives, and planning principles of the plan;
- The likely effect of the development on adjacent or downstream local government areas;
- The cumulative impact of the development on the Georges River or its tributaries;
- Any relevant plans of management, including any River and Water Management Plans approved by the Minister for Environment and the Minister for Land and Water Conservation and best practice guidelines approved by the Department of Urban Affairs and Planning (all of which are available from the respective offices of those Departments);
- The Georges River Catchment Regional Planning Strategy (prepared by, and available from the offices of, the Department of Urban Affairs and Planning);
- All relevant State Government policies, manuals, and guidelines of which the council, consent authority, public authority or person has notice; and
- Whether there are any feasible alternatives to the development or other proposal concerned.

The proposed development is consistent with the relevant aims, objectives, and planning principles of Chapter 11, which are intended to maintain and improve the water quality and river flows of the Catchment, to protect and enhance its environmental quality.

The proposal incorporates on-site stormwater detention measures and construction will be undertaken in accordance with the accompanying Stormwater Concept Plan prepared by Stellen Consulting. As such, no adverse impact to adjacent and downstream local government areas or the Catchment is likely.

No plans of management apply to the subject site and all relevant State policies are addressed within this Statement.

The proposed development has been designed to maximise its feasibility and is deemed the most viable alternative.

Consequently, it is considered that the proposal is consistent with the principles of Chapter 11 of State Environmental Planning Policy (Biodiversity and Conservation) 2021.

4.5 State Environmental Planning Policy (Transport and Infrastructure) 2021

4.5.1 Chapter 3 Educational establishments and child care facilities

Chapter 3 of State Environmental Planning Policy (Transport and Infrastructure) 2021 aims to improve regulatory certainty and efficiency through a consistent planning regime for educational establishments and early education and care facilities across NSW. The provisions contained in Chapter 3 support greater flexibility in the location of educational establishments and child care facilities, along with providing for consultation with relevant public authorities during the assessment process.

Chapter 3 applies to the State, and therefore applies to the subject site.

This Chapter sets out specific development controls for Child Care Facilities under Part 3.3 Early Education and Care Facilities – specific development controls. The proposed development has been assessed against the Clauses under this Part as follows:

3.22 Centre-based child care facility—concurrence of Regulatory Authority required for certain development	The proposed development complies with regulation 107 (indoor unencumbered space requirements), and 108 (outdoor unencumbered space requirements) of the Education and Care Services National Regulations, with at least 3.25m ² of indoor space per child, and at least 7m ² outdoor space per child provided. Therefore, further concurrence is not required.
3.23 Centre-based child care facility—matters for consideration by consent authorities	<p>The proposed development has taken into consideration, and is consistent with, the provisions of the NSW Child Care Planning Guideline.</p> <p>An NSW Child Care Planning Guidelines Compliance Assessment prepared by SJB Planning is provided in Section 4.5.2.</p>
3.24 Centre-based child care facility in Zone IN1 or IN2—additional matters for consideration by consent authorities	The zoning of the land is neither IN1 General Industrial nor IN2 Light Industrial.
3.25 Centre-based child care facility—floor space ratio (FSR)	The site is not located within the R2 Low Density Residential zone and therefore a maximum FSR of 0.5:1 does not apply.
3.26 Centre-based child care facility—non-discretionary development standards	The proposed development complies with the non-discretionary standards set out in Part 2 of Clause 3.26.
3.27 Centre-based child care facility—development control plans	Any provisions set out within the Canterbury Development Control Plan 2012 (CDCP) relating to operational or management plans or arrangement (including hours of operation), demonstrated need or demand for child care services, proximity of facility to other centres, or any other design principle (in Part 2), matter for consideration (in Part 3) or regulatory requirement (in Part 4) contained in the NSW Child Care Planning Guideline, does not apply to the development.

Table 3: Part 3.3 Early education and care facilities – specific development controls assessment table

4.5.2 NSW Child Care Planning Guideline

An assessment of the proposed child care centre against the NSW Child Care Planning Guideline gazetted on 1 October 2021, is provided with this SEE.

4.6 Canterbury Local Environmental Plan 2012

4.6.1 Land Use and Permissibility

The site is located within the B2 Local Centre zone under CLEP 2012 as illustrated in the extract of the Land Zoning Map in Figure 11.

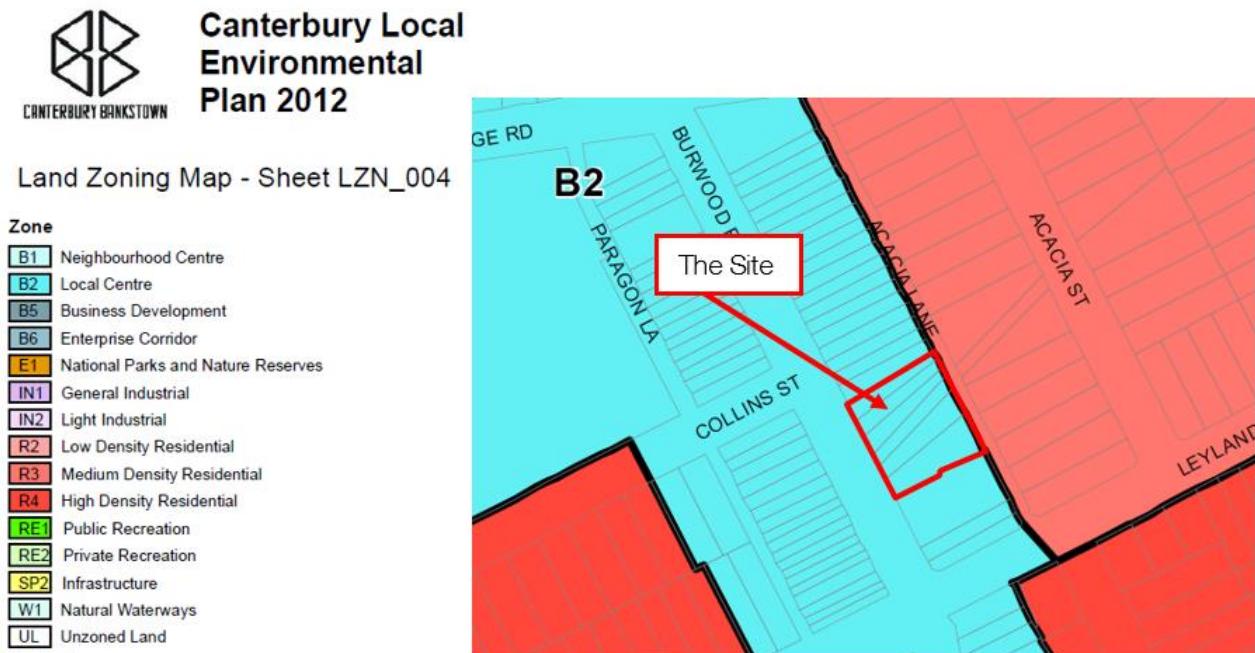


Figure 11: Extract of CLEP 2012 Zoning Map

The proposal is categorised as a ‘Centre-based child care facility’, which is defined by CLEP 2012 as follows:

“centre-based child care facility means—

- (a) a building or place used for the education and care of children that provides any one or more of the following—
 - (i) long day care,
 - (ii) occasional child care,
 - (iii) out-of-school-hours care (including vacation care),
 - (iv) preschool care, or
- (b) an approved family day care venue (within the meaning of the Children (Education and Care Services) National Law (NSW))”

The DA also seeks consent to install signage associated with the proposed centre-based child care facility, including three separate ‘business identification signs’, which is defined by CLEP 2012 as follows:

“business identification sign means a sign—

- (a) that indicates—
 - (i) the name of the person or business, and
 - (ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and

- (b) that may include the address of the premises or place and a logo or other symbol that identifies the business,
but that does not contain any advertising relating to a person who does not carry on business at the premises or place.”

As identified in the land use table of CLEP 2012 relating to the B2 Local Centre zone, Centre-based child care facilities and business identification signs are permitted with development consent in this zone.

The proposed development is also consistent with the objectives of the B2 Local Centre zone as detailed in Table 4.

Objective	Comment
<i>To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.</i>	The proposed centre-based child care facility will provide valuable child care services to accommodate the needs of residents and members of the workforce of the surrounding local centre.
<i>To encourage employment opportunities in accessible locations.</i>	The proposal will provide child care facilities for local residents that are well-served by public transport being located in close walking distance to bus routes and the Belmore Railway Station on Burwood Road.
<i>To maximise public transport patronage and encourage walking and cycling.</i>	The proposed child care centre is conveniently located within the existing local commercial centre of Belmore and walking distance of Belmore Railway Station and bus routes located on Burwood Road and therefore maximises public transport patronage.
<i>To facilitate and support investment, economic growth and development for active, diverse and well-designed centres.</i>	The proposed development will support investment and provide for economic growth through the introduction of a centre-based child care facility and the creation of new employment opportunities within the Belmore local centre.

Table 4: B2 Local Centre Zone Objectives Assessment Table

4.6.2 Height of Buildings (Clause 4.3)

Clause 4.3 of CLEP 2012 establishes an 18m maximum building height for the site, as illustrated in the extract of the Height of Buildings Map included in Figure 12.

Height Of Building Map -
Sheet HOB_004

Maximum Building Height (m)

B	4
I	8.5
J	9.5
K	10
L1	11
L2	11.5
M	12
N1	13.5
N2	14
P	18
Q	20
R	21
S	24
T1	26
T2	27
U1	30
U2	33

Cadastre

Cadastre 17/06/2020 © Canterbury - Bankstown Council

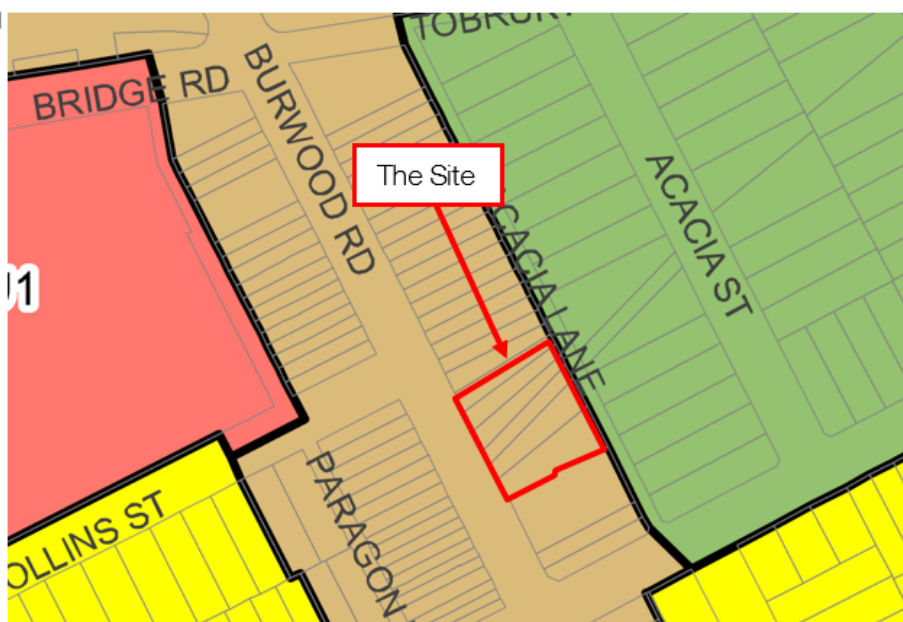


Figure 12: Extract of CLEP 2012 Height of Buildings Map

Whilst the proposal includes internal and external alterations to an existing building, the maximum height of the existing building will remain unchanged.

4.6.3 Floor Space Ratio (Clause 4.4)

Clause 4.4 of CLEP 2012 relating to maximum floor space ratio (FSR) for new development, does not apply to the subject site as illustrated in the extract of the Floor Space Ratio Map included in Figure 13. Therefore, there is no maximum FSR applicable to the development under CLEP 2012.

Floor Space Ratio Map -
Sheet FSR_004

Maximum Floor Space Ratio (n:1)

D	0.5
I	0.75
L	0.9
N	1
O	1.1
Q	1.3
R	1.4
S1	1.5
S2	1.6
S3	1.8
T1	2
T2	2.4
U1	2.5
U2	2.75
V	3

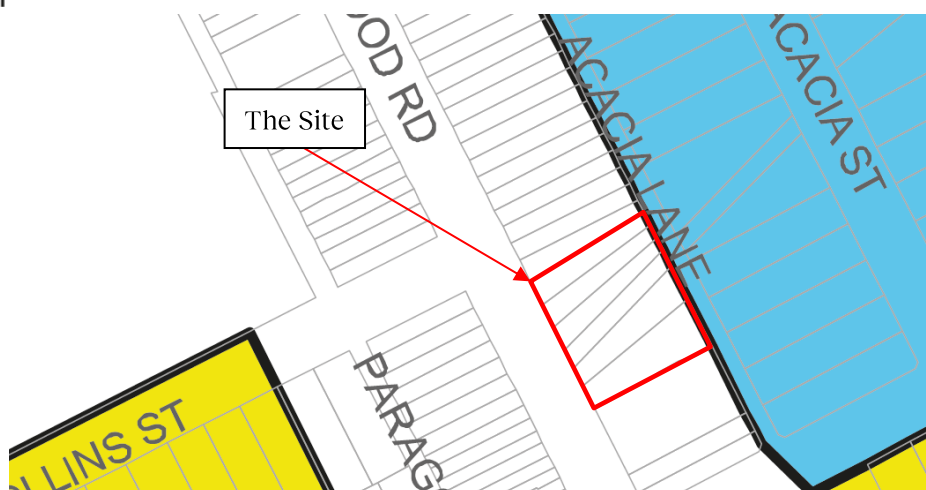


Figure 13: Extract of CLEP 2012 Floor Space Ratio Map

4.6.4 Heritage Conservation (Clause 5.10)

The site is not a listed item of heritage within Schedule 5 of CLEP 2012, nor is it within an identified conservation area.

There are several heritage items located within the wider locality, with the closest item being the interwar former post office building (Item No. I12) located approximately 100 metres north of the site on Burwood Road.

Whilst there are heritage items located in the wider locality within the Belmore local centre on Burwood Road located to the north of the site, these items are not in the immediate proximity of the site, as illustrated in the extract of the Heritage Map included in Figure 14.

Additionally, the application proposes alterations to an existing building and the existing building envelope and overall bulk and scale of the building will remain unchanged.

On this basis, the proposed development will not impact the environmental heritage of the wider locality.

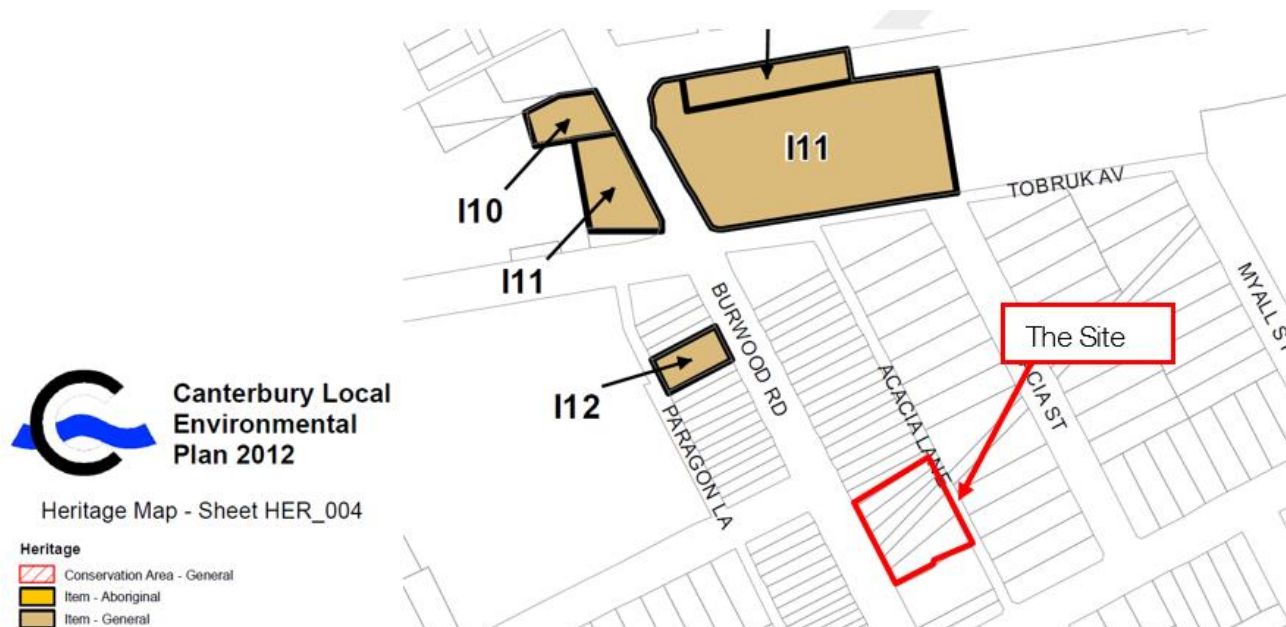


Figure 14: Extract of CLEP 2012 Heritage Map

4.6.5 Earthworks (Clause 6.2)

Clause 6.2 requires consent for earthworks and identifies matters for consideration to ensure development involving earthworks will not have a detrimental impact on environmental functions and processes, neighbouring development, heritage, or features of surrounding land.

The proposed development includes internal and external alterations to an existing building and does not involve any excavation works other than those associated with any necessary upgrade works to facilitate stormwater management.

All excavation works will be undertaken within the site boundary and are capable of complying with relevant Conditions of Consent in relation to the maintenance of the structural integrity of adjacent development.

The proposed development does not include the removal of existing structures, trees, and vegetation on the site is not likely to result in any adverse natural or built environmental impact. The site is not a heritage-listed item and is not located in close proximity to any item of heritage significance.

Accordingly, it is considered that the proposal is consistent with the provisions of Clause 6.2.

4.6.6 Acid Sulfate Soils (Clause 6.1)

Clause 6.1 seeks to minimise the impacts of Acid Sulfate Soils on the environment. Classes of acid sulphate soils have been applied to land throughout the LGA and mapped on the Acid Sulfate Soils Map.

An extract of the Acid Sulphate Soils Map is provided in Figure 15.

The extract of the Acid Sulphate Soils Map identifies that the site is not located within any Acid Sulphate Soils zone.



Figure 15: Extract of CLEP 2012 Acid Sulfate Soils Map

4.7 Draft Canterbury Bankstown Consolidated Local Environmental Plan 2020

A Planning Proposal for the consolidation of Bankstown Local Environmental Plan 2015 and Canterbury Local Environmental Plan 2012 was submitted by the City of Canterbury Bankstown Council in October 2019. The Draft Canterbury Bankstown Consolidated Local Environmental Plan (CBLEP) 2020 received Gateway Determination on 20 February 2020.

Following the completion of the public exhibition on 22 May 2020, the Draft CBLEP 2020 is currently under consideration by the Department of Planning and Environment and the Draft Consolidated Development Control Plan to support the new consolidated LEP will come into effect once the Draft LEP is gazetted.

The relevant LEP clauses including Height of Building, Floor Space Ratio and Heritage as identified and addressed in Section 4.6 remain unchanged as part of the Draft CBLEP and therefore these matters remain applicable to the subject site.

4.8 Canterbury Development Control Plan 2012

CDCP 2012 is the primary development control plan applicable to development within the former Canterbury local government area (LGA).

CDCP 2012 contains detailed guidelines and controls for development, which supplement the development standards and provisions contained in CLEP 2012.

An assessment of the proposal against the following provisions of CDCP 2012 is provided in Table 6 below:

- Chapter F2 – Child Care Centres;

- Chapter D – Business Centres General;
- Chapter F1 – Signage;
- Chapter B5 – Stormwater and Flood Management;
- Chapter B6 – Energy and Water Conservation; and
- Chapter B9 – Waste.

The following sections assess the proposed development against the relevant sections of the DCP.

4.8.1 Child Care centres (Chapter F2)

Control	Comment	Compliance
F2.2 – Compliance with Licensing Requirements		
<i>C1 Before submitting a development application, it is recommended that applicants contact the relevant licensing authority (NSW Department of Education and Communities) to determine the requirements for licensing so that these can be incorporated into the design of the child care centre. Applicants will be required to lodge a statement with the development application that the proposal will comply with the Education and Care Services National Regulation and the National Quality Standard.</i>	Consultation with the relevant licensing authority has been carried out and the proposed building alterations are well-considered that will facilitate a quality and purposeful child care centre design. The proposed child care centre will comply with the Education and Care Service National Regulation and the National Quality Standard.	Yes
F2.3 – Location and Demand Analysis		
<i>C1 A location analysis is required to be lodged with a development application for a new child care centre or alterations and additions to an existing child care centre. The location analysis is to be in the form of a map that indicates the following within a 750m radius: (a) All existing child care centres, including the capacity of each centre; (b) Schools; (c) Parks; and (d) Community facilities.</i>	Clause 3.27 of the SEPP (Transport and Infrastructure) 2021 states that a provision of a development control plan that specifies a requirement, standard or control in relation to ages, groupings, numbers or the like, of children, as well as site selection and location does not apply to development for the purpose of a centre-based child care facility. On this basis, the standards of the SEPP prevail in this instance.	Yes
<i>C2 A demand analysis identifying the need for the child care centre and additional child care places in the proposed location supported by demographic and statistical analysis is to be lodged with the development application.</i>	Clause 3.27 of the SEPP (Transport and Infrastructure) 2021 states that a provision of a development control plan that specifies a requirement, standard or control in relation to ages, groupings, numbers or the like, of children, as well as site selection and location does not apply	Yes

Control	Comment	Compliance
	to development for the purpose of a centre-based child care facility. On this basis, the standards of the SEPP prevail in this instance.	
<i>C3 Child care centres are not to be located within 400m walking distance of an existing child care centre (measured via footpath).</i>	<p>Clause 3.27 of the SEPP (Transport and Infrastructure) 2021 states that a provision of a development control plan that specifies a requirement, standard or control in relation to ages, groupings, numbers or the like, of children, as well as site selection and location does not apply to development for the purpose of a centre-based child care facility. On this basis, the standards of the SEPP prevail in this instance.</p> <p>Notwithstanding, it has not been identified that the proposed child care centre is located within 400 metres of an existing child care centre.</p>	Yes
<i>C4 In circumstances where a child care centre complies with the 400m walking distance requirement but is located in close proximity to an existing children's centre, the following additional controls apply:</i> <i>(a) The concentration of the child care centres must not have an adverse impact concerning noise, loss of privacy, traffic generation and on street parking; and</i> <i>(b) New child care centres must not be located on land adjoining land where an existing child care centre is located.</i> <i>(c) A demonstrated need for additional child care places in the location, supported by demographic and statistical analysis, can be shown.</i>	<p>Clause 3.27 of the SEPP (Transport and Infrastructure) 2021 states that a provision of a development control plan that specifies a requirement, standard or control in relation to ages, groupings, numbers or the like, of children, as well as site selection and location does not apply to development for the purpose of a centre-based child care facility. On this basis, the standards of the SEPP prevail in this instance.</p>	Yes
<i>C5 Child care centres should be located on corner sites, where possible.</i>	The development provides for the adaptive reuse of an underutilised building in an existing local centre that is well serviced by public transport. The site has two street frontages and includes a car parking area with sufficient car spaces to accommodate the proposed child care centre. The site, whilst not being located in a corner, is suitable for the proposal on this basis.	Yes

Control	Comment	Compliance
<i>C6 Child care centres are generally not supported within a cul-de-sac or dead end street.</i>	N/A	N/A
<i>C7 Child care centres are to be located close to, or adjacent to, community focal points such as neighbourhood centres, community buildings, parkland, sports ground and schools, wherever possible.</i>	The site is suitably located within the local centre of Belmore and therefore satisfies this provision.	Yes
<i>C8 Proposals to locate a child care centre on, or adjoining, industrial land may need additional environmental analysis and associated testing to determine any conflicting land uses.</i>	N/A	N/A
<i>C9 Child care centres will not be permitted on major roads, or within 30m of a major road.</i>	N/A	N/A
F2.4 Minimum Dimensions		
<i>C1 The minimum required site frontage for a child care centre development is 20m.</i>	The site has a site frontage to Burwood Road and Acacia Lane of 55 metres.	Yes
<i>C2 Council may be prepared to consider sites with a frontage between 15m and 20m if the following conditions are met: (a) The children's centre allocates a minimum of 25% of the places to 0-2 year olds; (b) The applicant can demonstrate that sufficient on-street parking or convenient long stay off-street parking is available; (c) The applicant complies with the parking/traffic requirements of this DCP; (d) The site frontage width can accommodate the parking spaces required for the drop off and pick up of children as outlined below; and (e) The proposed centre is likely to have minimal effect on the amenity of adjoining residential properties.</i>	N/A	N/A
<i>C3 Child care centres are generally not supported in two (2) storey buildings.</i>	The proposed child care centre will be provided as part of an adaptive reuse of an existing, underutilised building that is centrally located within the local centre of Belmore. The proposed child care centre design is well considered through a range of improvements throughout the building	Yes

Control	Comment	Compliance
	<p>both internally and externally and will facilitate a high-quality facility overall.</p> <p>Due to the local centre context of the site, amenity impacts ordinarily associated with 2-storey built form within a residential setting are minimised. The existing 2-storey built form is therefore suitable on this basis.</p>	
F2.6 Car Parking		
<i>C1 Refer to Part B1 – Transport and Parking of this DCP for parking provision rates for child care centres.</i>	<p>The applicable parking rate for child care centres set out in Control C1 in Section B1.3.1 General Parking Rates is as follows:</p> <p><u>Centre based child care centres</u></p> <p><i>1 space per 2 staff.</i> <i>Minimum 2 spaces per child care centre.</i></p> <p>A total of 23 car spaces are proposed on site, comprising:</p> <ul style="list-style-type: none"> • 11 staff spaces; and • 12 parent (drop-off/pick-up) spaces <p>Accordingly, the application complies with the relevant CDCP 2012 car parking rate for child care centres.</p> <p>Notwithstanding this, a Traffic and Parking Impact Assessment Report accompanies this application which concludes that the 23 car spaces proposed are sufficient to accommodate a 112-place child care centre on the site.</p> <p>In addition to compliance with the relevant car parking rate for child care centres contained within the CDCP 2012, the Traffic and Parking Impact Assessment Report demonstrates that the development also complies with the NSW Child Care Planning Guideline car parking rate (applying to sites within 400 metres of a railway station) of one (1) space per ten (10) children and one (1) space per two (2) staff members.</p>	Yes

Control	Comment	Compliance
C2 All car parking is to be behind the front building line.	The existing car parking location and arrangement on site are being retained to accommodate the proposed child care centre.	Yes
C3 All parking and manoeuvring areas are to be suitably signposted, drained and line marked.	All parking and on-site manoeuvring areas will be suitably signposted, drained and line-marked.	Yes
C4 Suitably signposted parking is to be provided on the street immediately in front of the centre, and on the same side of the street as the centre, for the dropping off and picking up of children. This may require the identification and signposting of 10 minute time restricted parking for 2 hours during peak periods (7.00-9.00 am and 4.00-6.00 pm).	All pick-up/drop-off spaces and staff car parking will be contained wholly within the site.	Yes
C5 The number of drop off/pick up spaces is to be in accordance with the following table:	A total of 13 drop-off/pick-up spaces are proposed.	Yes

Number of children	Number of drop off/pick up spaces to be provided
Up to 16	1
17-30	2
31-40	3

Table F.1: Number of Drop Off/Pick Up Spaces

F2.7 Facilities and Layout

C1 Provide space and facilities, and design the internal and external layout, in accordance with the National Quality Framework and any associated requirements of the licensing authority.	The Architectural Drawings prepared by SuperContext Studio included with this application demonstrate that the proposed child care centre design satisfies the relevant layout requirements of the National Quality Framework and associated provisions set out by the NSW Department of Education.	Yes
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

F2.8 Open Space

C1 Provide external open space that promotes a variety of learning, play and other developmental experiences.	The outdoor play area incorporates a range of play features and design elements that encourage active and passive play.	Yes
C2 Design and construct external open space that is safe, healthy, and attractive, provide visual quality to the development,	The proposed outdoor play areas are centrally located within the site with appropriate acoustic barriers and fencing	Yes

Control	Comment	Compliance
<i>and screen activities to protect neighbour's amenity.</i>	to minimise potential amenity impacts to surrounding properties. The outdoor play areas are enclosed by a "U" shaped built form and external walls/acoustic barriers with a roof void above and therefore will not be directly visible from adjoining properties.	
<i>C3 Provide a landscape proposal, prepared by a qualified landscape architect or persons with expertise in landscape design for children, that complies with the National Quality Framework for children's centres.</i>	A landscape design plan prepared by Site Image is included with the application which demonstrates compliance with the National Quality Framework.	Yes
<i>C4 Where practical take advantage of existing site conditions, identifying both desirable and undesirable elements, and emphasise the natural rather than man-made environment.</i>	The proposed child care centre incorporates well-considered adaptive re-use of an underutilised building within an existing local commercial centre which includes significant improvements and alterations such as roof and external wall penetrations to facilitate high quality experiences of the natural environment by creating new unencumbered outdoor spaces on site.	Yes
<i>C5 Ensure that the external areas are free from contamination (including lead contamination).</i>	The proposed outdoor play areas are located within the former internal area so the existing building is on site and therefore are free from any potential contamination.	Yes
<i>C6 The outdoor play space must not be occupied by any motor vehicles during operating hours.</i>	The outdoor play areas will not be occupied by motor vehicles. Due to the location of the proposed outdoor play areas, vehicular access to these spaces is restricted.	Yes.
<i>C7 Outdoor play areas between the front alignment of the building and the street will not be supported.</i>	The outdoor play areas are not located between the front alignment of the building and the street.	Yes.
F2.9 Landscape Plan Requirements		
<i>A landscape plan is required for development of a new child care centre and may be required for alterations and additions to an existing child care centre. Include the following in the landscape plan:</i>	A Landscape Design Plan is included with this application which demonstrates that the outdoor play area will be suitably screened and secured being located within the existing building envelope.	Yes

Control	Comment	Compliance
<p>(a) Boundary security fencing minimum 1.8m high and that is non-climbable;</p> <p>(b) Covered veranda and 50% of external ground area shaded;</p> <p>(c) Disability access and ease of access from outdoor areas to toilets;</p> <p>(d) An outdoor area for babies, separate from an outdoor area for older children;</p> <p>(e) Conceptual delineation of spaces into activity zones;</p> <p>(f) Sandpit and shade structure, and access to sandpit for maintenance vehicles;</p> <p>(g) Outdoor storage areas, shed, waste storage and handling facilities;</p> <p>(h) Garden bed layout with planting details, surface materials, and soft fall areas; and</p> <p>(i) Water play areas and a tap.</p>	<p>A 2.3 metre high acoustic barrier will be installed at the southern edge of the ground floor outdoor play area and the remaining boundaries will be enclosed by existing partition and perimeter walls of the building.</p> <p>The first floor outdoor play area will be enclosed at its southern boundary by a 1.5 metre high non-climbable acoustic barrier and enclosed by partition and perimeter walls of the existing building along the remaining boundaries.</p> <p>A variety of design elements have been incorporated into the outdoor play areas including stairs, elevated play fort, slide, plantings and the like to encourage a range of play experiences.</p> <p>The play areas are clearly delineated, with the 3-6 years age group play areas being located on the ground floor and the 0-3 years age group play areas being located on the first floor.</p> <p>Outdoor storage, planting and opportunity for water play is provided at each level.</p>	
F2.10 Staffing		
<p>C1 Staff ratios are to be in accordance with the National Quality Framework, and details of staffing are to be included with the development application, including staff that will meet the needs of children with special needs and children from a culturally and linguistically diverse background.</p>	<p>A total of 20 staff members (educators) will be employed to undertake the daily operations of the child care centre and this is consistent with the relevant staff ratios contained within the National Quality Framework.</p>	<p>Yes</p>
F2.11 Accessibility		
<p>C1 The building must provide access for people with a disability, by a continuous path of travel from the street and or parking area into and within every room and outdoor area used by children and staff. Access should be designed in accordance with AS 1428.1 Design for Access and Mobility, and in all respects</p>	<p>The child care centre has been designed and will be constructed in accordance with the relevant provisions of the BCA and AS1427.1.</p> <p>Refer to BCA Compliance Assessment and Accessibility Report prepared by BCA Logic which accompanies this application.</p>	<p>Yes</p>

Control	Comment	Compliance
<i>comply with Part D of the Building Code of Australia.</i>		
F2.12 Operating Hours		
<i>C1 Where a child care centre is located in a residential zone, operating hours will be restricted to: Monday – Friday 7.00 am – 7.00 pm (excluding public holidays).</i>	Whilst the proposed child care centre is not located within a residential zone, the proposed operating hours are Monday to Friday, 7am to 7pm and therefore the application satisfies this control.	Yes
F2.13 Visual and Acoustic Privacy		
<i>C1 Locate sleep rooms and play areas away from undesirable noise sources. The impacts of noise can be further reduced by barriers such as solid fencing and double-glazing.</i>	The Acoustic Report prepared by Benbow Environmental included with this application demonstrates that the wall and glazing construction within the Burwood Road elevation of the existing building provides sufficient acoustic attenuation to the indoor sleep rooms and play areas at the ground and first floors.	Yes
<i>C2 An acoustic report from a suitably qualified acoustic engineer is to be provided with a development application for a new child care centre and is to include measures to minimise noise impacts on neighbouring properties:</i> <i>(a) Orientating the child care centre to have regard to neighbouring property layout, including locating playgrounds and playroom windows and doorways away from neighbouring bedrooms;</i> <i>(b) Using double-glazing where necessary;</i> <i>(c) Planting hedges along fence lines to create a playground buffer zone; and</i> <i>(d) Include fencing that minimises noise transmission and loss of privacy (such as lapped and capped timber fencing, cement block, and brick).</i>	<p>The Acoustic Report included with the application concludes that the proposed centre-based child care facility will comply with the relevant noise criteria, subject to the inclusion of recommendations relating to the windows of indoor play areas and installation of acoustic barriers at the southern perimeter of the first and ground floor outdoor play areas as well as the open-air plant room.</p> <p>The recommended noise attenuation measures are as follows:</p> <ul style="list-style-type: none"> • 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. <p>A new window is also proposed on eastern building elevation at the first floor, fronting Acacia Lane. Due to the location of the window, this opening will be orientated towards the car park (at 17-19 Acacia Lane) and therefore does not give rise to any</p>	Yes

Control	Comment	Compliance
	privacy impacts to the residential properties located on the eastern side of Acacia Lane.	
	The existing building envelope and southern boundary fencing adjoining the car park will be retained and a new open style steel fence will be installed at the eastern and western property boundaries to ensure that the site is adequately screened and minimises noise transmission.	

Table 5: DCP Compliance Table – Child care centres

4.8.2 Business Centres – General (Chapter D)

Control	Comment	Compliance
D1.4.2 – Ground Level Interface		
<i>C1 Locate entries so that they relate to the existing street, subdivision pattern, street tree planting and pedestrian access network and are clearly visible.</i>	The location of the existing building entry remains unchanged. A range of alterations and additions are proposed to the front building entry including upgrades for accessibility and to comply with the relevant flood planning levels, as well as refurbishment to improve streetscape presentation.	Yes
<i>C2 Provide entries to upper levels from the street front façade to encourage activities on the ground floor</i>	Access to the first floor is provided via the ground floor entry. Notwithstanding this, the entire building, including the ground and first floor will be re-used and occupied by the proposed child-care facility.	Yes
<i>C3 Provide entries for service activities to rear of buildings</i>	No entries to service areas are provided at the ground level interface of the northern rear elevation of the building. Despite this, all site servicing will continue to be carried out via Acacia Lane and in the upgraded car park.	Yes
<i>C4 Provide an awning over the entry to contribute to the legibility of the development and the public domain</i>	The existing building includes two separate awning structures, including a northern awning and southern awning, located above the footpath on Burwood Road. Therefore, a continuous awning (and pedestrian cover) for the entire length of	Yes

Control	Comment	Compliance
	<p>the Burwood Road frontage is currently not provided.</p> <p>The proposal includes the removal and replacement of the existing southern awning structure so that it aligns with the northern awning structure to introduce a continuous awning along the Burwood Road frontage.</p> <p>Improved legibility and amenity for the public domain is provided in these circumstances.</p>	
<i>C5 The façade of the building shall be built to the front street boundary</i>	The existing façade of the building is not built to the boundary and is setback from the Burwood Road frontage. The proposed building alterations maintains this existing arrangement and provides for upgrades for accessibility, including both stair and ramp access to comply with the relevant provisions relating to Access for Persons with a Disability and flood planning levels.	Yes
<i>C6 A cantilevered awning from the building faced shall overhang the footpath at a minimum width of 3m</i>	<p>The existing northern and southern awning structure overhangs the footpaths above which they are located at a maximum width of 2.5 metres. The proposed replacement awning will be constructed so that it aligns with the existing northern structure.</p> <p>The proposed replacement awning will eliminate an existing gap in the awning, and therefore improves streetscape presentation and amenity for the public domain (where pedestrian cover is currently not provided full the entire width of the Burwood Road frontage). The proposed replacement awning is considered acceptable in these circumstances.</p>	Yes
<i>C7 Cantilevered awning height is to be in the range of 3.2m – 4.2m from natural ground level</i>	The height of the proposed replacement southern awning will match that of the existing northern awning to be retained and complies with the relevant height range.	Yes
<i>C8 Awnings must complement the height, depth and form of the desired character of</i>	The height, depth and form of the proposed replacement southern awning	Yes

Control	Comment	Compliance
<i>existing pattern of awnings and should match adjoining awnings so as to provide continuous pedestrian cover and eliminate</i>	will match that of the existing northern awning to be retained. The proposed replacement southern awning ensures that the existing gap in the awning will be eliminated, thereby providing continuous pedestrian cover over the footpath.	
<i>C9 Awnings shall provide sufficient protection from sun and rain</i>	The proposed replacement southern awning eliminates an existing gap over the public footpath and therefore provides adequate protection from sun and rain.	Yes
<i>C10 Posted awnings or colonnades will not be supported</i>	Posts are proposed however these will be supported by proposed planter boxes adjoining the proposed stair and ramp access within the site boundaries and are considered acceptable on this basis.	Yes

Table 6: DCP Compliance Table – Business Centres General

4.8.3 Signage (Chapter F1)

Control	Comment	Compliance
F1.2.1 – Signage Analysis and Strategy		
<i>C1 Provide a signage analysis and strategy with any development application for signage, demonstrating that the proposed signage is integrated with the design of the building, and is compatible with the immediate and surrounding locality.</i>	The architectural drawings package contains a signage plan, including elevations identifying the location and presentation of the proposed signage. The accompanying signage plan clearly demonstrates that the proposed signage is integrated with the proposed façade upgrades.	Yes
<i>C2 Consider future signage when designing new commercial and industrial buildings.</i>	The proposal relates to the re-use of an existing building and all signage proposed will be associated with the proposed child care facility.	Yes
<i>C3 The design and placement of signage to consider the following criteria:</i> a. Character of the area b. Special areas c. Views and vistas d. Streetscape, setting or landscape e. Site and building	The design and placement of the proposed signage appropriately considers and has regard to the relevant criteria in that it is compatible with the surrounding local centre context, appropriately integrates with the proposed façade upgrades and does not detract from any special areas or obscure significant views/vistas.	Yes

Control	Comment	Compliance
F1.2.2 - General Design and Siting Controls		
<i>C1 Signage is not permitted to project above the predominant building scale. In particular do not interrupt any views, vistas or skylines, interrupt pedestrian movement, or cause overshadowing.</i>	The proposed signage does not project above the building scale.	Yes
<i>C2 Signage shall complement the streetscape, landscape or building.</i>	The proposed signage integrates with the proposed façade design upgrades and complements the surrounding streetscape.	Yes
<i>C3 Relate signage to the architectural lines and detail on a building façade or in the absence of architectural detail or decoration, relate to the design lines of adjoining buildings. Do not obscure significant features such as doors, windows and architectural detailing.</i>	The proposed signage relates and appropriately integrates with the building façade and does not obscure significant features.	Yes
<i>C4 Landscape features, landscaping and architectural features are to be used to blend signage in with the surroundings and integrate with the building or site.</i>	New landscaping is provided at the Burwood Road frontage that will complement the proposed façade upgrades and associated signage.	Yes
<i>C5 Signage is not to dominate in term of scale, number, proportion and form or any other attributes.</i>	The proposed signage does not dominate in terms of any aspect. Only one sign will be visible from each perspective (i.e., Burwood Road frontage, Internal southern elevation and under the awning).	Yes
<i>C6 The amount of signage may be limited due to the cumulative impact on a locality or a building.</i>	The extent of proposed signage is considered appropriate for the site.	Yes
<i>C7 Design and place signage so that it does not have any detrimental effect on occupants of residential properties.</i>	The proposed signage will not be orientated towards residential properties.	Yes
F1.3.2 - Business Zones		
<i>C1 Signage types permitted in business zones include:</i> <i>f. Fascia sign;</i> <i>g. Return-end of awning sign;</i> <i>h. Under awning sign;</i> <i>i. Above awning sign;</i> <i>j. Blade sign (wall, ceiling or hang);</i> <i>k. Colonnade fascia sign;</i> <i>l. Vertical banner sign.</i>	Two wall signs and an awning sign is proposed.	Yes

Control	Comment	Compliance
<i>C2 Signage shall complement the spatial qualities and respond to the different functions of the various parts of a business centre.</i>	The proposed signage provides an appropriate level of business identification for the proposed child care centre and complements the surrounding local centre zone.	Yes
<i>C3 Affix signage to the building.</i>	Complies.	Yes
<i>C4 Roof signs are not permitted.</i>	Roof signage is not proposed.	Yes
<i>C5 Signage is not to restrict the view into the main sales area of the shop.</i>	Complies.	Yes
<i>C6 Under awning signs should not at any point be lower than 2.6m from natural ground level.</i>	Complies.	Yes
<i>C7 Under awning signs are limited to one sign per tenancy.</i>	Complies	Yes
<i>C8 Other signs less than 2.6m above the ground level are not to project more than 0.5m from the wall.</i>	N/A	N/A
<i>C10 Conceal or integrate the light source to any illuminated signage within the sign. Illuminated signage is only permitted where it does not compromise residential amenity or result in unacceptable glare.</i>	The source of illumination will be within the proposed signage and will not be orientated towards residential properties.	Yes
<i>C11 Signage is not to face directly into land that is residentially zoned (for instance at the boundary of a business zone).</i>	Complies.	Yes
F1.4.1 - Illuminated Signs		
<i>C1 Brightly illuminated signs (and some illuminated signs altogether) may not be compatible with heritage items or significant streetscapes.</i>	The proposed signage will provide an appropriate level of illumination within the existing local centre context.	Yes
<i>C2 Signage shall be located so that it is not close to, or directly visible from, the windows of habitable rooms of residential properties.</i>	Complies.	Yes
<i>C3 Minimise the spill effects or escape of light beyond the subject sign. The lighting intensity of signage must be capable of modification or control after installation.</i>	The proposed signage is able to comply with this requirement.	Yes.

Control	Comment	Compliance
<i>C4 Council may impose a curfew on sign illumination between 11pm to 7am, or restrict illumination to hours of operation where it is considered that residential properties maybe adversely impacted.</i>	Illumination of the proposed signage will be limited to the proposed operating hours (7am to 6pm) only.	Yes
<i>C5 Conceal or integrate the light source to any illuminated signage within the sign.</i>	The light source will be concealed within the proposed signs.	Yes

Table 7: DCP Compliance Table – Signage

4.8.4 Stormwater and Flood Management (Chapter B5)

The subject site is identified as being affected by overland flooding by the Cooks River overland flow path generated by a large upstream catchment. Several upgrades to the building entry along the Burwood Road frontage and the car parking area including the installation of new stair and ramp access are proposed to ensure that all finished floor levels comply with the relevant flood planning levels.

In terms of on-site drainage, stormwater collected will be diverted to Council's stormwater system in Acacia Lane via connection into the existing stormwater pit and is consistent with the relevant stormwater management controls contained in Chapter B5 of the CDCP 2012.

Stormwater drainage works are detailed in the Stormwater Management Plans prepared by Stellen Consulting.

4.8.5 Energy and Water Conservation (Chapter B6)

The proposed building alterations will facilitate a child care centre design that is consistent with the energy and water conservation provisions applying to the development under Chapter B6 of the CDCP 2012.

4.8.6 Waste (Chapter B9)

Chapter B9 of the CDCP 2012 identifies waste management and minimisation controls. In accordance with these provisions, a waste storage area is provided at ground level within the eastern portion of the site adjacent to Acacia Lane and will be screened by the installation of a new steel mesh enclosure and therefore will not be visible when viewed from the public domain. There is also ample opportunity provided within the building for waste storage if required.

Accordingly, the proposed waste storage area will be appropriately screened and will have no adverse impacts on the existing streetscape, building presentation or amenity of surrounding residential properties within the adjoining R3 Medium Density Residential zone.

Waste will be collected by a private contractor from the on-site bin storage area.

Further detail regarding waste management is provided within the Waste Management Plan included with the application.

4.9 Draft Canterbury Bankstown Development Control Plan 2021

The Draft Canterbury Bankstown Development Control Plan 2021 ('Draft DCP') consolidates the existing Canterbury and Bankstown DCPs to support the Draft consolidated Canterbury Bankstown LEP 2021 and will come into effect once the Draft LEP is gazetted.

4.9.1 Chapter 10.1 – Centre-Based Child Care Facilities

The majority of the controls relating to child care centres generally remain unchanged in Chapter 10.1 of the Draft DCP, and the proposed development in its current form is consistent with the draft provisions for site layout and building envelopes, access, building design, access to sunlight, acoustic privacy, open space, landscaping, safety and security.

The Draft DCP does, however, introduce a new car parking rate for centre-base child care facilities which is addressed in Section 4.9.2 below.

4.9.2 Chapter 3.2 – Parking

Chapter 3.2 of the draft DCP stipulates the provides the following car parking rate for centre-based child care centres:

“1 car space per 4 children; and 2 additional car spaces for the exclusive use of any associated dwelling”

Based on a proposed maximum capacity of 112 children, the proposed development would therefore require a total of twenty-eight (28) car spaces in accordance with this rate and results in a shortfall of five (5) spaces.

Despite this, Traffic and Parking Impact Assessment prepared by McLaren which accompanies the application concludes the following:

- The proposed development complies with the relevant car parking rate stipulated in the CDCP 2012 currently applying to the site as well as the rate contained in the NSW Child Care Planning Guideline 2021 (for sites within 400 metres of a railway station);
- The proposed 23 car spaces (distributed as 13 drop-off/pick-up spaces and 10 staff spaces) exceeds the anticipated parking demand generated by the centre in accordance with the Roads and Maritime Services Validation Trip Generation Surveys Child Care Centres Analysis Report (September 2015); and
- Review of previous approvals relating to the former club use and associated building additions (including DA 7660/1994), relied upon the publicly accessible parking spaces located off-site, at 17-19 Acacia Lane.

In light of the above, the Traffic and Parking Impact Assessment concludes that the proposed 23 car spaces proposed on site are sufficient to accommodate the proposed child care centre and the shortfall of five (5) based on the Draft DCP parking rate is considered acceptable on this basis.

5. Impacts of the Development

This section of the SEE identifies potential impacts which may occur as a result of the proposed development and are relevant matters for the consideration of the DA under S4.15(1)(b) to (e) of the EP&A Act 1979.

5.1 Bulk, Scale and Design Layout

The envelope of the existing building on site is being retained and therefore the overall perceived bulk and scale of the development already located on site will remain unchanged. On this basis, the proposed development will not result in any additional visual bulk, overshadowing or solar access impacts to adjoining properties and the public domain.

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 indoor and outdoor space requirements in accordance with Regulations 107 and 108 of the Education and Care Services National Regulations and Part 4 of the Child Care Planning Guideline 2021 as demonstrated in the Child Care Planning guideline Assessment Table provided with this SEE.

5.2 Amenity Impacts on Neighbouring Properties

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 skilful adaptive design of the existing building minimises privacy and overlooking impacts to surrounding residential properties. The siting and screening of outdoor play areas and orientation of window openings on the eastern and southern elevations prevent overlooking of the private open space and inner living spaces of properties to the northeast. Due to their location, the outdoor play areas are not directly visible from the inner living spaces of surrounding properties.

In terms of bulk, scale and streetscape appearance, the development maintains the existing envelope and overall perceived scale of the building and improves the presentation of the site through an updated façade design using a range of contemporary materials and finishes.

The proposed development facilitates the adaptive reuse of an underutilised building within an existing commercial centre and is appropriately located to ensure potential acoustic and privacy impacts to surrounding residential properties within the adjoining R3 Medium Density zone are minimised.

Having regard to the above, it is considered that the site location and proposed use of the existing building is an appropriate contextual fit within the B2 Local Centre zone and surrounding locality.

5.3 Construction Impacts

Given the nature of the development and context of the site, the potential construction impacts will be minimal. The Preliminary Site Investigation, included with the application concludes that the site is considered suitable for the proposed works.

Hours of construction will be undertaken in accordance with Council's requirements and adjoining properties will be notified prior to commencement of works on site. All construction waste will be disposed of in an appropriate manner and in accordance with relevant waste management regulations and policies as demonstrated within the Waste Management Plan included with the application.

In terms of potential construction noise impacts, a range of mitigation measures will be implemented on site during construction to ensure noise transmission is minimised as demonstrated within the recommendations of the Acoustic Report prepared by Benbow Environmental which accompanies the application. Examples of such measures are as follows:

- Staggering the use of noisy equipment;
- Minimising the need for vehicle reversing by arranging one-way traffic flow through the site;
- Orientating the equipment so that noise emissions are directed away from the sensitive noise receivers within the adjoining R3 Medium Density Residential zone; and
- Regularly inspecting and maintaining plant equipment to minimise noise and vibration increases.

5.4 Privacy Impacts

Due to the location of the site and other adjoining dwellings located on the eastern side of Acacia Lane, there is minimal opportunity for overlooking onto surrounding residential properties.

Whilst the development incorporates the installation of new openings at the first floor of the external walls of the buildings, these new penetrations are orientated towards the southern car park area on site and adjoining commercial properties within the surrounding local centre, with the exception of one new window opening on the eastern (Acacia Lane) building elevation.

Despite this, the new window is appropriately located within the northernmost portion of the elevation and is therefore orientated towards the public car park at 17-19 Acacia Lane. In this regard, visual privacy of residential properties located to the east of the site is maintained.

The outdoor play areas are sited within the central portion of the building footprint and enclosed by the remaining external walls of the built form and acoustic barriers. Therefore, adequate separation between the outdoor play areas that are open to the sky and surrounding residential properties is provided and due to their location, the outdoor play areas will not be directly visible from these properties.

5.5 Acoustic Impacts

Despite the proposed roof and external wall penetrations to facilitate the proposed outdoor play areas, appropriate acoustic attenuation measures will be implemented and installed to ensure that noise spill to adjoining residential properties is minimised.

A Noise Impact Assessment prepared by Benbow Environmental is included with the application and confirms that the proposed centre-based child care facility will comply with the relevant noise criteria, subject to the implementation of a range of noise mitigation measures relating to the installation of acoustic barriers surrounding the outdoor play areas.

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.

Due to the location of the proposed outdoor play areas, acoustic treatment/fencing along the site boundaries is not required as demonstrated within the Noise Impact Assessment.

5.6 Traffic and Car Parking

The Traffic and Parking Assessment included with this application demonstrates the increase in traffic activity associated with the proposed centre is expected to be minimal and will not have any unacceptable impact to the road network capacity. Further, the report concludes that the proposed twenty (23) car spaces proposed on site are sufficient to accommodate the proposed child care centre.

Vehicles will enter and exit the site in a forward direction, and the existing driveways will be utilised to permit one way traffic flow through the site, ensuring that traffic safety and existing conditions, particularly along Burwood Road, are not unduly impeded by the proposed development.

In accordance with the relevant car parking rate contained within the CDCP 2012, sufficient on-site car parking is provided to accommodate the proposed 112 place child care centre. 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 considered and discussed in section 4.9.2 of this SEE.

5.7 Social Impacts and Economic Impacts

The proposal will not give rise to any adverse social impacts. The proposal will have a positive social impact, improving the quality and availability of child care services in the locality and providing development that is in keeping with the desired future character of the surrounding local centre.

The proposal provides greater activation and surveillance of the public domain, compared to the current vacant, underutilised building.

The proposed facility will introduce child care services within walking distance of the Belmore Railway Station and encourages the co-location of employment and community services being located within the existing local commercial centre of Belmore.

Furthermore, the facility will generate employment for the local community with twenty (20) directly employed staff and additional jobs created through ancillary services and construction. Accordingly, no adverse economic impacts are expected as a result of the proposed development.

5.8 The Suitability of the Site for the Development

The preceding sections of this report demonstrate that the site is suitable for the proposed development and that the proposal is consistent with the objectives of the B2 Local Centre zone.

There are no significant natural or cultural constraints that would hinder the proposed development and the proposed development does not result in significant impacts on neighbouring properties or the surrounding area. 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.

5.9 The Public Interest

The proposal will deliver the adaptive reuse of an existing underutilised building and introduce high-quality child care services within an existing local centre which is consistent with the objectives of the B2 Local centre zone. The proposal is in the public interest on this basis.

6. Conclusion

The DA seeks consent to undertake partial demolition, alterations and re-use of the former Belmore RSL Club building for the purpose of a centre-based child care facility to cater for a maximum of 112 children, and installation of associated illuminated signage, located at 427 Burwood Road, Belmore.

The proposed works and use of the site are consistent with the objectives of the B2 Local Centre zone under CLEP 2012 and are permitted with consent. The proposal is also consistent with the relevant provisions of the State Environmental Planning Policy (Transport and Infrastructure) 2021 and the NSW Child Care Planning Guidelines.

The proposal has been assessed against the relevant planning instruments, demonstrating that the development is suitable for the site and unlikely to generate any adverse impacts on the built or natural environment.

The proposed development is compatible with the character of the surrounding locality and will not lead to any significant adverse bulk and scale, amenity, or traffic impacts. The presentation of the existing building will be improved through the implementation of contemporary materials, finishes and architectural design features and therefore provide a positive streetscape contribution to Burwood Road.

The proposed child centre design is well-considered and has been developed to manage and prevent any potential conflict with adjoining land uses and surrounding residential properties. There are no significant constraints that would hinder the proposed development and therefore the site is considered suitable on this basis.

The development will deliver a well-designed child care facility within an existing underutilised building within a prominent location that is well-serviced by public transport, which is consistent with the objectives of the zone and is in the public interest.

Based on the assessment undertaken, approval of the application is warranted.