

Statement of Environmental Effects



28 & 30 FORREST ROAD EAST HILLS 2213

Title Details:	Lot No 37 and 38, Section 1 on DP 14650
Proposal:	Development Application (DA) for a 'Child Care Centre'.
Owner:	Sydney Wide Formwork
Author:	Melissa Neighbour, Sky Planning
Consent Authority:	Canterbury-Bankstown Council
Date:	26 July 2023

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Appendix 1: Childcare Planning Guidelines

Supporting Documents

- **Architectural Plan Set**, *Dawsonvu*, dated 19.06.23.
- **Acoustic report**, *VMS Australia*, dated 18 April 2023
- **Arborist Report**, *McArdle Arboricultural Consultancy*, dated 26th May 2023.
- **Geotech Report**, *Compaction & Soil Testing Services Pty Ltd*, dated May 2023
- **Stormwater Drainage Plans**, *ANA Civil Pty Ltd*, dated 14.12.2022.
- **Pre-DA meeting minutes**, *Canterbury-Bankstown Council*
- **Traffic report**, *ANA Civil Pty Ltd*, dated 14.11.2022.
- **Landscape Plans**, *B+E Landscape Architects*, dated 14 June 2023
- **Waste Management Plan**, *Dawsonvu*, dated 09.05.2023.

This report comprises an assessment of the project with respect to S.4.15 of the Environmental Planning and Assessment Act, 1979. This report has been prepared on the basis of information available at the date of publication. While we have tried to ensure the accuracy of the information in this publication, Sky Property and Planning Trust accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance in information in this publication. No part of this document may be reproduced, distributed, or transmitted in any form or by any means without the prior written permission of Sky Planning, except in the case of brief quotations where authorship is acknowledged.

1 Introduction

This Statement of Environment Effects has been prepared as part of a development application to the Canterbury-Bankstown Council seeking consent for a child care centre on Lot No 37 and 38, Section 1 on DP 14650, 28 & 30 Forrest Road East Hills 2213. The centre-based child care facility will cater for 120 children at maximum capacity.

This Statement is based on, and should be read in conjunction with, the architectural drawings and supporting technical documents submitted under separate cover with the DA.

It provides information on the following:

- Description of the site and locality;
- Description of the proposed child care centre development;
- Assessment of relevant environmental planning considerations under Section 4.15 of the EP&A Act including compliance with planning instruments, environmental impacts, site suitability and the public interest

The following regulatory frameworks are applicable to the site and to child care centres:

- *The Environmental Planning and Assessment Act 1979*
- *The Environmental Planning and Assessment Regulation 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017, including Childcare planning guidelines*
- *Canterbury-Bankstown Local Environmental Plan 2023*
- *Canterbury-Bankstown Development Control Plan 2023*

This report provides the applicant's assessment against these provisions and requirements, and concludes that the development is appropriate, and generally consistent with existing planning controls and intent for the area. The development is not anticipated to impact adversely upon the amenity of the locality and it represents an efficient use of well-located land.

Therefore, having regard to the benefits of the proposal which will contribute towards providing valuable community and child care services, and taking into account the absence of adverse environmental, social or economic impacts, Council's approval of the application is therefore sought, subject to relevant and reasonable conditions.

2 Site and Context Analysis

The address of the subject site is 28 & 30 Forrest Road East Hills 2213, and legally described as Lot No 37 and 38, Section 1 on DP 14650.

The suburb of East Hills is located within the boundaries of Canterbury-Bankstown Council Local Government Area (LGA) and is situated approximately 26 kilometres south-west of the Sydney CBD.

The site is located within East Hills area, which is an R2 Low Density residential zone. Development in the immediate vicinity consists of predominantly single storey and two-storey pitched roof dwellings.

The site contains a single storey dwelling on each of its lot and the total combined area is approximately 2,324.8 sqm and combined street frontage of 30.48m. The site is generally rectangular in shape with its frontage towards Forrest Road. Current improvements on the site are a single storey and a two-storey dwelling on site 28 and 30 Forrest Road respectively.

The immediate surrounding area comprises of R2 Low Density residential zone which includes a mix of single storey residential dwellings. The immediate building adjoining Lot 38 on its East is the East Hills Baptist Church and the building on the west of Lot 37 is a new constructed modern two-storey dwelling. The architectural styles along Forrest Road vary from traditional to modern.

Several bus stops are located in front of the subject site and the East Hills Train station is just 4 mins walk from the site. Refer to Figure 1 for the existing view of the subject



Figure 1: Site Context (Source: SIX Maps)

3 The Proposal

This DA seeks consent to develop the subject lot for the purposes of a child care centre. This development is defined as a 'Centre-based child care facilities' within the LEP 2023. This development is permissible with consent in the R2 low-density residential zone.

The development is proposing:

- Demolition of the existing dwellings, associated structures and landscape
- early site preparation works including earthworks for site levels;
- construction and use of a 2-storey child care centre building; and
- ancillary basement car parking area, outdoor play areas, landscaping, stormwater management and utility services connections.

Architectural drawings of the proposed child care centre prepared by Dawsonvu, dated 19.06.2023 are submitted separately with the DA.

The childcare centre will consist of 120 places, 17 staff and 40 car park spaces. And will operate between 7 am and 6 pm Monday to Friday.

The relevant Childcare areas will be located within the ground floor with outdoor play areas, while staff and administrative areas will be located on the first floor.

The outdoor play areas will provide a variety of safe learning experiences. Key features include:

- amphitheatre area
- sandpit
- soft fall play areas with equipment
- lawn area
- musical / sensory outdoor wall panel
- play area with sandstone boulder edging, tee pee, timber balance logs and stepping logs.

The parking facilities will be located underground and accessed via a driveway from Forrest Road. There are 39 parking spaces provided, complying with Councils requirements.

Architects Design Statement

The concept was formed through the immediate site context. Celebrating the site was paramount in the realisation of the program. Amalgamation of the two sites in response

to the site context is the main design ideology behind this work.

All the rooms have access to the external views through its new doors and windows while enjoying the warm winter sun.

The building form is pushed back to the rear of the site providing ample setbacks on all the sides of the property keeping in relation with the existing adjoining properties within the streetscape. A single level building form is best suited in relation to the local surrounding existing architecture which also minimises the overshadowing.

Supporting documents:

This application for the proposed development should be read in conjunction with the following plans and specialist's reports, submitted under separate cover:

- Architectural Plan Set, Dawsonvu, dated 19.06.2023.
- Acoustic report, VMS Australia, dated 18 April 2023
- Arborist Report, McArdle Arboricultural Consultancy, dated 26th May 2023.
- Geotech Report, Compaction & Soil Testing Services Pty Ltd, dated May 2023
- Stormwater Drainage Plans, ANA Civil Pty Ltd, dated 14.12.2022.
- Pre-DA meeting minutes, Canterbury-Bankstown Council
- Traffic report, ANA Civil Pty Ltd, dated 14.11.2022.
- Landscape Plans, B+E Landscape Architects, dated 14 June 2023
- Waste Management Plan, Dawsonvu, dated 09.05.2023.

It is noted that a pre-lodgement was conducted for the proposed development on the 13th of July 2022. The updated design has taken into consideration the key issues indicated by the Council officer during the meeting and the post meeting notes email sent out on the 11th of September 2022. This DA has appropriately addressed all matters raised during the pre-DA meeting. Please refer to the pre-DA meeting minutes submitted with this DA.

4 Statutory Planning Framework

4.1 State Environmental Planning Policies

The proposed development is subject to the following State Environmental Planning Policies.

➤ ***State Environmental Planning Policy (Resilience and Hazards) 2021***

According to Clause 4.6 of this SEPP, Council may not consent to the carrying out of any development on land unless it has considered whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose for which the development is proposed to be carried out.

Response: As the land will be used for the purposes of Centre based childcare facilities, the likelihood of contamination is low. In this regard, it is considered that the site is suitable for the proposed use and that no further investigation is warranted.

➤ ***State Environmental Planning Policy (Transport and Infrastructure) 2021***

Response: The current version of the State Environmental Planning Policy (Transport and Infrastructure) 2021 and associated Child Care Planning Guidelines were gazetted on 17 February 2023

The SEPP has been introduced to facilitate the effective delivery of educational establishments and early education and care facilities across the State of NSW.

The table below provides discussions against the relevant provisions of the SEPP.

In accordance with the SEPPS outlined discretionary standards, this statement addresses the assessment of the development against the Child Care Planning Guidelines in Section 5 of this Statement.

Chapter 3 Educational establishments and child care facilities

Part 3.3 Early education and care facilities—specific development controls

Clause	SEPP Provision	Proposed Development
3.22	Centre-based child care facility—concurrence of Regulatory Authority required for certain development	The proposed development complies with relevant Education and Care Services

		National Regulations and the concurrence of the Regulatory Authority to the DA is therefore not required.
3.23	Centre-based child care facility—matters for consideration by consent authorities: Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the Child Care Planning Guideline, in relation to the proposed development.	The Child Care Planning Guideline is addressed in Section 5 of this Statement.
3.24	Centre-based child care facility in Zone IN1 or IN2—additional matters for consideration by consent authorities	N/A
3.25	Centre-based child care facility—floor space ratio Development consent must not be granted for the purposes of a centre-based child care facility in Zone R2 Low Density Residential if the floor space ratio for the building on the site of the facility exceeds 0.5:1.	The floor space ratio of the proposed childcare centre is 0.4:1
3.26	Centre-based child care facility—non-discretionary development standards. (2) The following are non-discretionary development standards for the purposes of section 4.15(2) and (3) of the Act in relation to the carrying out of development for the purposes of a centre-based child care facility— (a) location—the development may be located at any distance from an existing or proposed early education and care facility, (b) indoor or outdoor space (i) for development to which regulation 107 (indoor unencumbered space requirements) or 108 (outdoor unencumbered space requirements) of the Education and Care Services National Regulations applies—the unencumbered area of indoor space and the unencumbered area of outdoor space for the development	The proposed development complies with the non-discretionary development standards and the DA is not able to be refused on the basis of distance from another child care facility, indoor or outdoor space, site area or dimensions, or colour of building materials or shade structures.

	<p>complies with the requirements of those regulations, or</p> <p>(ii) for development to which clause 28 (unencumbered indoor space and useable outdoor play space) of the Children (Education and Care Services) Supplementary Provisions Regulation 2012 applies—the development complies with the indoor space requirements or the useable outdoor play space requirements in that clause,</p> <p>(c) site area and site dimensions—the development may be located on a site of any size and have any length of street frontage or any allotment depth,</p> <p>(d) colour of building materials or shade structures—the development may be of any colour or colour scheme unless it is a State or local heritage item or in a heritage conservation area.</p>	
3.27	<p>Centre-based child care facility—development control plans</p> <p>(1) A provision of a development control plan that specifies a requirement, standard or control in relation to any of the following matters (including by reference to ages, age ratios, groupings, numbers or the like, of children) does not apply to development for the purpose of a centre-based child care facility—</p> <p>(a) operational or management plans or arrangements (including hours of operation),</p> <p>(b) demonstrated need or demand for child care services,</p> <p>(c) proximity of facility to other early education and care facilities,</p> <p>(d) any matter relating to development for the purpose of a centre-based child care facility contained in—</p>	<p>Noted. The relevant provisions in the Canterbury Bankstown DCP 2023 are not applicable due to this SEPP.</p>

	<p>(i) the design principles set out in Part 2 of the Child Care Planning Guideline, or</p> <p>(ii) the matters for consideration set out in Part 3 or the regulatory requirements set out in Part 4 of that Guideline (other than those concerning building height, side and rear setbacks or car parking rates).</p>	
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4.2 Canterbury-Bankstown Local Environmental Plan 2023

➤ Zoning and Objectives

The subject size is zoned R2 Low-Density Residential pursuant to Canterbury-Bankstown Local Environmental Plan 2023 with 'Centre-based childcare facilities' permissible in the zone with consent.

The stated objectives of the R2 zone are as follows:

- *To provide for the housing needs of the community within a low-density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To allow for certain non-residential uses that are compatible with residential uses and do not adversely affect the living environment or amenity of the area.*
- *To ensure suitable landscaping in the low density residential environment.*
- *To minimise and manage traffic and parking impacts.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To promote a high standard of urban design and local amenity.*

Response: It is considered that the proposed development very specifically meets the objectives of the Zone R2 Low-Density Residential. This opinion is justified on the basis that the proposal will be an alternative land use to the low-density residential area that will provide an essential facility and service to the community. Considering the area is a future residential growth precinct for the East Hills, a child care centre will be able to meet the needs of working families within the area.

This opinion is justified on the basis that the proposal upgrades existing two ageing dwellings with new well-designed Childcare Centre with a modern aesthetic, which is consistent with the developing character of the area, compatible with the surrounding residential uses and does not adversely affect the living amenity of the East Hills. Refer Figure-2 below for the Land Zoning map.

The works proposed will significantly improve the design and aesthetic quality of the site through its built form in an appropriate bulk and scale and with a well-designed landscape treatment in the front setback, side and rear. The proposed development will improve the existing visual presentation to the public street.

The proposal is compatible with the zone objectives, surrounding character and intended use of the site and area. There are no statutory zoning or zone objectives that are an impediment to the granting of approval to the proposed development.

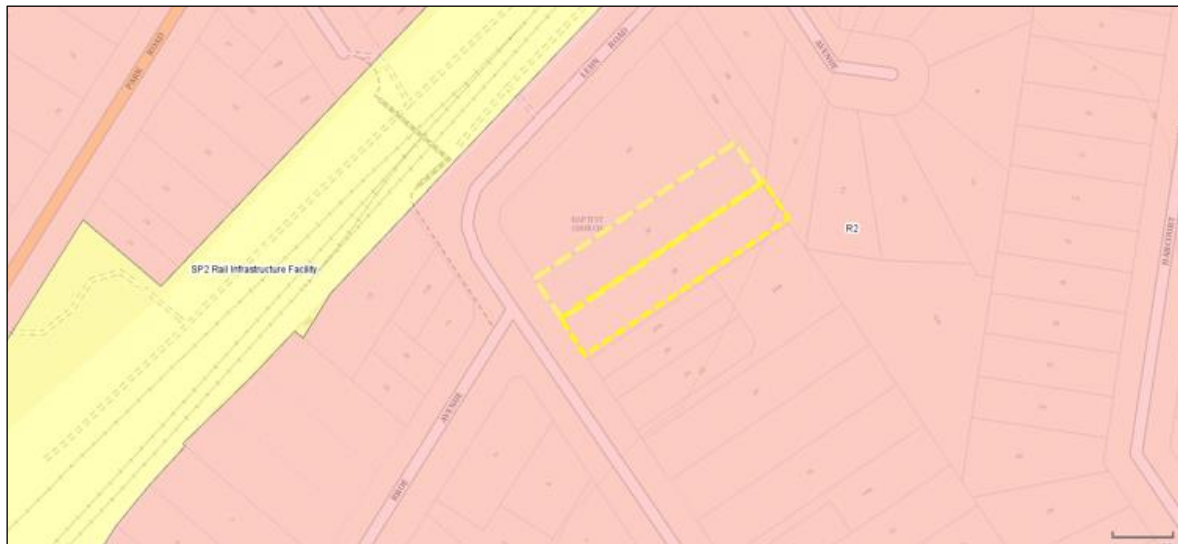


Figure-7 Zoning Map (Source: NSW Planning Portal)

➤ **Height and Floor Space Ratio (LEP Clauses 4.3 and 4.4)**

Height of Building = 9m

Response: The proposed development has a maximum building height of 7.7m and such complies with the maximum building height requirement of 9m

FSR = 0.4:1

Response: The proposed development has a maximum floor space ratio of 0.4:1 and such complies with the maximum floor space ratio requirement of 0.4:1.

➤ **Acid Sulfate Soils**

The stated objectives are-

- (1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.

Response: The site is identified as a class 5 Acid Sulfate soil. The proposed development is for the construction of a Child Care Centre, replacing two existing dwellings. The site has historically been used primarily for residential purposes.

A Preliminary Site Investigation Report has been prepared by CSTS. A qualified consultant from CSTS inspected the site on the 12th of April 2023.

At the time of the inspection, the site comprised two (2) houses, both houses on the site were determined to be in good condition; however, the use of asbestos as a building material in the walls of the houses was not ruled out. As such, CSTS recommends a hazard material survey be undertaken in the house prior to demolition. The surrounding area of low density residential zoning is considered to be of low risk to the site. The exceedance of lead concentration found within test-pit 5 was located within the front yard of Lot 37. High levels of heavy metals such as lead are relatively common within the Greater Sydney Region. The presence lead could be due to several contaminating activities such as; the use of lead paints, leaded petroleum leakage, the use of lead piping or unsafe renovation practices on the site. Potential exposure routes include dermal exposure to contaminated soil, ingestion of plants grown the site following the plant uptake of lead and the ingestion of contaminated soil by small children on site. The main exposed population is the future users of the site. To further assess the extent of contamination, soil testing should be conducted on the site post demolition.

Please refer to the full report by CSTS submitted under separate cover with this DA.

➤ **Earthworks**

- (1) *The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.*

Response: The proposed cut and fill will not disrupt the soil stability of the land, neighbouring uses, cultural or heritage items or any features of surrounding land. Appropriate measures will be taken to mitigate any impacts caused to the development site and neighbourhood due to the cut and fill.

Please refer to the Waste Management Plan prepared by Dawsonvu submitted under separate cover with this DA.

4.3 Canterbury-Bankstown Development Control Plan 2023

Chapter 3.2 Parking, Chapter 3.3 Waste Management and Chapter 10.1 Childcare centres under the Canterbury-Bankstown Development Control Plan 2023 provide the

primary controls for the development of the centre-based child care centres.

CHAPTER 3.2 PARKING

Section 2 – Off-street parking rates

The stated objectives are:

O1 To ensure development meets the car, bicycle and service vehicle parking demands generated by various land uses.

O2 To minimise on-street car parking to ensure road safety and visual aesthetics.

Response: The proposed rate of parking provision for the child care centres will be adequate within the subject site. The proposed parking will be located in the basement level easily accessible from Forrest Road and will not aesthetically hinder the streetscape or proposed landscape. Ample space for turning bay have been provided within the site to allow the entering and existing vehicles drive only in the forward direction.

CHAPTER 3.3 - WASTE MANAGEMENT

The stated objectives are:

O1 To maximise resource recovery and encourage source separation of waste, reuse and recycling by ensuring development provides adequate and appropriate bin storage and collection areas.

O2 To ensure development incorporates well-designed and adaptable bin storage areas and collection facilities that are convenient and accessible to occupants.

O3 To maximise residential amenity and minimise adverse environmental and health related impacts associated with waste management such as odour and noise from bin storage and collection areas.

O4 To ensure bin storage and collection areas are designed to integrate with and meet the requirements for Council's domestic waste services.

O5 To ensure development facilitates all waste streams being handled, stored and collected in a manner to reduce risk to health and safety of all users including maintenance (such as caretakers), collection staff and contractors (and required vehicles and equipment).

O6 To integrate bin storage and collection areas with the building form and landscape to avoid adverse visual impacts on the streetscape and neighbourhood.

O7 To assist in achieving Federal and State Government waste minimisation and diversion targets as set by relevant legislation, regulations and strategies.

Response: Please refer to the Waste Management Plan prepared by Dawsonvu, dated 09.05.2023 attached with this submission.

CHAPTER 10 – OTHER DEVELOPMENT

10.1 Centre-Based Childcare Facilities

Section 1 - Introduction

The objectives are:

O1 To regulate the effective and orderly development of child care facilities in Canterbury Bankstown.

O2 To ensure child care facilities support the health and well-being of children, staff, parents and visitors.

O3 To ensure child care facilities contribute to the sustainability of Canterbury-Bankstown.

O4 To achieve good design in terms of building form, bulk, architectural treatment, visual amenity and landscape.

O5 To ensure child care facilities are compatible with the prevailing suburban character and amenity of residential areas.

O6 To concentrate intensive trip generating child care facilities in locations most accessible to rail transport to maximise transport choice and reduce the reliance on cars.

O7 To provide safe and convenient access for children, staff, parents and visitors.

O8 To ensure child care facilities do not adversely impact on the safety and efficiency of the surrounding road system.

O9 To achieve high levels of personal and property safety and security.

O10 To achieve sustainable outcomes through design including such matters as:

(a) access and circulation;

(b) adherence to local context and streetscape;

(c) passive surveillance and presence to street;

(d) adaption to the existing vegetation and landform;

(e) energy efficiency by providing natural ventilation and natural light as part of the building orientation.

Response: It is considered that the proposed development meets each of these objectives as shown by full compliance with all the Controls as demonstrated in the numerical table below under Section 4.4 of this report.

Section 2 – Traffic Management

The objectives are:

O1 To concentrate intensive trip generating child care facilities in locations that are most accessible to rail transport.

O2 To ensure the location and size of child care facilities maintain the existing environmental capacity and service levels of streets.

O3 To avoid locating child care facilities within close proximity to another existing or approved child care facility unless it can be demonstrated that the cumulative impacts relating to traffic generation and on-street car parking are within acceptable limits for the area.

O4 To limit the size of child care facilities in established residential areas to ensure this type of trip generating activity does not adversely impact on the existing residential amenity.

Response: This report has examined the existing traffic volume, traffic characteristics and parking requirements with the potential traffic and parking implications of the proposed childcare centre at No. 28 & 30 Forest Rd, East Hills. The proposal will provide thirty-nine (39) on-site parking spaces and a disabled car space provided in the shared zone. The site is also serviced by an abundance of On-Street parking facilities and within very close proximity East Hills Station.

The proposal is intent of the City of Canterbury – Bankstown planning controls and satisfies the Canterbury Bankstown DCP 2023.

In conclusion, the proposed development will not have a negative impact to the existing traffic network, nor will it have any unacceptable parking implications. Please refer to the Traffic Assessment report, prepared by Ana Civil P/L, dated 14 November 2022 attached a separate document along with this submission for a detailed assessment.

Section 3–Site Layout And Building Envelopes

The objectives are:

O1 To ensure sites are of sufficient size to provide for children numbers, staff ratios, buildings, dwellings, setbacks to adjoining land, parking spaces, driveways, vehicle manoeuvring areas, pedestrian access, open space, landscaping and the like.

O2 To ensure the design of child care facilities satisfies the needs of children and staff, and provides a safe environment and easy access for people.

O3 To ensure child care facilities are compatible with the prevailing character and amenity of the locality of the development.

O4 To ensure the design of child care facilities provides a reasonable separation to neighbouring properties and avoids an unreasonable sense of enclosure.

O5 To provide a sense of openness around the play areas within child care facilities.

Response: It is considered that the proposed development meets each of these objectives as shown by full compliance with all the Controls as demonstrated in the table below.

Controls

DCP Provision	Controls	Proposed Development	Compliance
Storey Limit	<p>3.1 The storey limit for child care facilities is two storeys.</p> <p>3.2 Child care facilities in the business zones must solely locate on the first storey (i.e. the ground floor) or the second storey of a building to ensure the safe evacuation of children during emergencies.</p> <p>3.3 Facilities or activities for children aged 0–2 years must solely locate on the first storey (i.e. the ground floor) of a building to ensure the safe evacuation of children during emergencies.</p>	<p>The childcare centre is located in the R2 low-density residential zone and will consist of only two levels.</p> <p>Architect has astutely planned all the facilities room for all children are located in the ground floor level only for easy evacuation in circumstances of emergencies.</p>	Yes
Setbacks	<p>3.4 The minimum setback for child care centres in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R4 High Density Residential is:</p> <p>(a) 5.5 metres to the primary road frontage;</p>	<p>The front, rear and the side setbacks are compliant with the controls dictated within the Canterbury Bankstown DCP 2023.</p>	Yes

	<p>(b) 3 metres to the secondary road frontage; and</p> <p>(c) 1.5 metres to the side boundary.</p> <p>3.7 Council will determine the minimum setbacks for child care centres in zones other than Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R4 High Density Residential based on the setbacks of the street and the surrounding buildings.</p> <p>3.7 Council may require development that adjoins land in the business zones, industrial zones or rail corridors to have greater setbacks to protect the amenity of children and staff from air and noise pollutants.</p> <p>3.8 Child care centres must ensure the siting of outdoor areas (such as a balcony or deck) and outdoor play areas avoids:</p> <p>(a) A living area or bedroom of an adjoining dwelling.</p> <p>(b) A road and driveway that may have noise or a possible pollution impact on children.</p> <p>(c) Any other potential noise or pollution source.</p> <p>(d) Any potential traffic hazard locations where an out-of-control vehicle may injure children</p>	<p>The proposed development is planned in such a way that the adequate setbacks on all the four sides of the proposed CCC help to protect the visual and acoustic privacy of the building from the adjoining properties.</p>	
Access	3.9 Child care facilities must be easily accessible to	The 39 car parking facilities will be located in the basement	Yes

	people with disabilities and must comply with the Building Code of Australia and Australian Standard AS 1428.1–2021, Design for access and mobility.	level and accessed via a driveway from Forrest Road.	
Car parks	The siting and design of car parks and driveways must ensure the safe movements of people and vehicles to and from child care facilities.	The proposed parking will be located in the basement level accessible from Forrest Road. and will not aesthetically hinder the streetscape or proposed landscape. Ample space for turning radius have been provided within the site to allow the entering and existing vehicles drive only in the forward direction.	Yes

Section 4 – Building Design and Energy Efficiency

The objectives are:

O1 To promote good architectural quality.

O2 To ensure facade designs and building footprints integrate into the overall building form and enhance the desired contemporary street character.

O3 To incorporate energy efficiency measures in the design, construction and occupation of child care facilities.

O4 To ensure front fences are compatible with the building design and have a visually open style and attractive appearance.

O5 To avoid unreasonable impact on the living environment or residential amenity of neighbouring dwellings and the surrounding area.

Response: The design of the childcare centre including the height, setback, form and massing of the development is complimentary and compatible with that establishment within the site's visual catchment.

It is considered that the resultant development is compatible with and will complement the developing character of Forrest Road. Careful siting has been employed to respond to the site topography. The proposal is compliant with the maximum building height development standard.

The design and construction of the proposal will have no adverse impacts on privacy, overshadowing or amenity towards the surrounding development.

DCP Provision	Controls	Proposed Development	Compliance
Energy efficiency	<p>4.1 Child care facilities must make efficient use of natural resources and optimise amenity in the design, construction and occupation of buildings and facilities, such as:</p> <p>(a) good orientation and natural light to rooms and play areas;</p> <p>(b) limiting building depth to provide natural cross-ventilation and natural light;</p> <p>(c) minimal use of mechanical ventilation;</p> <p>(d) use of sun shading devices;</p> <p>(e) preventing UV factor to open areas; and</p> <p>(f) ensuring the development adapts to the existing topography by avoiding excessive cut and fill.</p>	<p>The proposed development is designed with adequate setbacks and a high-quality landscape plan to ensure high internal amenity, including fresh air access for all habitable rooms.</p> <p>It facilitates breeze paths for air circulation and incorporates design elements for efficient heating and cooling.</p>	Yes
Access to sunlight	<p>4.2 The design of buildings should achieve a northern orientation to maximise solar access.</p> <p>4.3 The design of buildings must ensure that:</p> <p>(a) At least one living area of a dwelling on an adjoining site must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Where this requirement</p>	<p>It is considered that the proposed windows and doors, in the ground floor and first floor will provide adequate solar access to all the habitable spaces within the entire childcare centre. The proposed sky lights in the upper glazing level will provide enhanced natural lighting to the first floor level.</p> <p>The building will not diminish the majority of the direct solar access to the adjoining</p>	Yes

	<p>cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.</p> <p>(b) A minimum 50% of the required private open space for a dwelling that adjoins a development receives at least three hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected private open space.</p>	<p>properties that is currently enjoyed.</p> <p>Please refer to the shadow diagrams attached within the Architectural Plan set.</p>	
Building design	<p>4.4 Child care facilities with 29 children or less in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R4 High Density Residential may locate in:</p> <p>(a) an existing dwelling house; or</p> <p>(b) a purpose-built facility provided the external building design gives the appearance of a dwelling house.</p> <p>4.5 Child care facilities with more than 29 children in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R4 High Density Residential must locate in a purpose-built facility. The external building design must give the appearance of a dwelling house.</p> <p>4.6 Development for the purpose of new buildings</p>	<p>The building design and its modest and low-lying built form will comply with the low-density character of the area. The development will contribute positively to the streetscape with high quality architectural design.</p> <p>The development for a childcare centre is a compatible use with the surrounding residential area and it's design is consistent with the surrounding low density built form. The childcare centre is of a high architectural design and will contribute to the identity of place and help to build a sense of community in the newly established residential estate.</p>	Yes

	<p>must incorporate architectural elements to articulate the building form and avoid large expanses of blank walls. Architectural elements may include but not be limited to:</p> <p>(a) Defining the base, middle or top of a building using different materials and colours.</p> <p>(b) Incorporating horizontal or vertical elements such as recessed walls or banding.</p> <p>(c) Incorporating recessed or partially recessed balconies within the building wall.</p> <p>(d) Defining the window openings, fenestration, balustrade design, building entrances, and doors.</p> <p>(e) Using sun shading devices.</p> <p>(f) Any other architectural feature to the satisfaction of Council.</p> <p>4.7 Development for the purpose of new buildings must provide active frontages to the streets and must orientate buildings and pedestrian entrances to the streets.</p>		
Roof design	<p>4.9 Development for the purpose of new buildings must have roof designs that:</p> <p>(a) unify separate or attached buildings with a contemporary architectural appearance; and</p>	<p>The roof of the proposed development integrates into its overall design, ensuring the bulk and scale are not overbearing, given the Site's flat and level nature.</p>	Yes

	(b) combine good quality materials and finishes	The materials of the proposed roof will combine good quality materials and finishes. Please refer to the roof plan attached within the Architectural Plan set.	
Front fences	<p>4.10 The maximum fence height for front fences is 1.8m.</p> <p>4.11 The external appearance of a front fence along the front boundary of the site must ensure:</p> <p>(a) the section of the front fence that comprises solid construction (not including pillars) does not exceed a fence height of 1m above ground level (existing); and</p> <p>(b) the remaining height of the front fence comprises open style construction such as spaced timber pickets or wrought iron that enhance and unify the building design.</p> <p>4.12 Council does not allow the following types of front fences:</p> <p>(a) chain wire, metal sheeting, brushwood, and electric fences; and</p> <p>(b) noise attenuation walls.</p>	Fencing and landscaping work together to provide a clear threshold between the child care centre and the public domain. Front fencing is slated and therefore is visually permeable. Please refer to the Architectural Plans and Landscape Plans which illustrate this design strategy.	Yes

Section 5–Acoustic Privacy

The objectives are:

O1 To ensure child care facilities do not adversely impact on the residential amenity of adjoining dwellings and the surrounding area.

O2 To install appropriate acoustic privacy measures which are compatible with the prevailing character of residential areas.

Response: The proposed development is planned in such a way that the adequate setbacks on all the four sides of the dwelling help to protect the visual and acoustic privacy of the building from the adjoining properties.

Traffic noise generated by the Childcare Centre along with the road network and traffic noise intrusion to the CCC were predicted and shown to be compliant.

Please refer to the DA noise Impact Assessment report prepared by VMS Australia attached as a separate document along with this submission for a detailed assessment.

Section 6–Open space and Landscape

The objectives are:

O1 To provide appropriate landscaping and outdoor play areas in child care facilities.

O2 To provide useable open space on the street frontage for canopy trees and deep soil zones.

O3 To provide landscaping that softens the appearance of buildings, car parks and service areas.

O4 To provide useable private open space to dwellings that form part of child care facilities.

O5 To provide children with access to natural environments by way of trees, gardens and natural grass.

Response: The landscape design proposed on the front, side and the rear setbacks will enhance the overall design of the site and towards the street frontage enhancing the street character towards Forrest Road. The front setback is increased in the proposal design allowing for greater landscaping to the streetscape.

The proposed landscape area will ensure to provide privacy and amenity to the occupants of the building whilst preserving the significant natural features of the site.

Please refer to the Landscape Plan prepared by B+E Landscape Architects submitted with this application.

Section 7–Safety And Security

The objectives are:

O1 To incorporate safety and security measures in the design of buildings and facilities.

O2 To ensure entrances are clearly visible from the street.

O3 To minimise the potential for intruders to enter a building.

Response: The CCC is facilitated with maximum views of the street through the building entries and windows to reduce opportunities for crime. This provides a sense of security and passive surveillance for the occupants to be aware of who is entering or exiting the building.

Section 8–Site Facilities And Services

The objectives are:

O1 To ensure site facilities integrate into the overall building form, and achieve good design in terms of architectural treatment and visual amenity.

O2 To ensure the design, construction, and operation of kitchens and food premises achieve satisfactory standards of hygiene.

Response: The design, construction and the operation of the kitchen located on the ground floor will aim to achieve high standards of hygiene.

The garage bin is well located within the side setbacks and will not visually affect the streetscape or the building.

4.4 Numerical Compliance Table

Standard		Requirement	Proposed	Compliance
Car space	Parking	1 car space / 4 children + 2 additional car spaces for the exclusive use of any associated dwelling.	39 car spaces + 1 disabled space in shared zone	Yes
		1 disable parking space / 100 car spaces provided		

Storey limit	2	2	Yes
Setbacks	- Front – 5.5m - Side – 1.5m	- Front – 10.7 m. - Side – 1.5 & 1.52m	Yes
Deep soil zones	- Frontage – 2m - Perimeter around outdoor play area- 1.5m	- Frontage – 2m - Perimeter around outdoor play area- 1.5m	Yes
Front fences	1.8m maximum	Less than 1.8m	Yes
Hours of Operation	- Monday to Friday- 7am to 6pm	- Monday to Friday- 7am to 6pm	Yes
Safety and Security	1.8m high lapped timber fence	Fencing will be provided for acoustic treatment	Yes

4.5 EP&A Act 1979, Section 4.15 Evaluation – Matters for Consideration

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, the subject of the development application and the provisions of any environmental planning instrument (EPI'S).

- ***The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations [Section 4.15 (1) (a)]***

Response: The proposal is permissible and generally in accordance with the development standards contained within Canterbury-Bankstown Local Environmental Plan 2023 and the Canterbury-Bankstown DCP 2023 as addressed in this Statement.

- ***The likely impacts of that development, including environmental impacts on both the natural and built environments and the social and economic impacts in the locality [Section 4.15 (1) (b)]***

Response: The proposed development is for Centre-based child care facilities within an area this is intended to provide a positive social and economic impact on the locality by providing a much-needed service within the residential precinct. It is considered that the development is compatible with the character and intended use of the area.

➤ ***The suitability of the site for the development [Section 4.15 (1) (c)]***

Response: The site meets all the Canterbury-Bankstown Council criteria, aims and objectives and generally meets the applicable development controls. Having regard to this assessment, it is considered that the land is suitable for the intended development.

➤ ***The suitability of the development when considering public interest [Section 4.15 (1) (e)]***

Response: The proposed development is consistent with the objectives of the Environmental Planning and Assessment Act in so far as it promotes the co-ordinated and orderly, and economic use and development of the land. The proposal will not unreasonably impact upon the environment, the character of the locality or upon the amenity of adjoining properties. As a result, it is considered that the development, subject to conditions, is consistent with the public interest.

5 Summary of Proposal

Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts.

Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, the application is submitted to Council for assessment and granting of development consent.

The proposal succeeds when assessed against the Heads of Consideration pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended. It is our professional opinion that the application should be granted development consent subject to conditions.

Appendix 1: Childcare Planning Guidelines Assessment

The 'Child Care Planning Guidelines' provide controls and regulations for development purposes as a centre-based child care facility. These guidelines are taken into consideration as delegated by the Chapter 3 Educational establishments and child care facilities under the *State Environmental Planning Policy (Transport and Infrastructure) 2021*

Criteria	Response:
3.1 Site selection and location	
<p>C1 For proposed developments in or adjacent to a residential zone, consider:</p> <ul style="list-style-type: none"> the acoustic and privacy impacts of the proposed development on the residential properties the setbacks and siting of buildings within the residential context traffic and parking impacts of the proposal on residential amenity. 	<p>A noise report has been prepared and concludes acceptable noise levels will be generated.</p> <p>The site suitably sits within the existing residential context.</p> <p>The traffic report concludes there are no traffic engineering reasons why a development consent cannot be granted.</p> <p>Complies.</p>
<p>C2 When selecting a site, ensure that:</p> <ul style="list-style-type: none"> the location and surrounding uses are compatible with the proposed development or use the site is environmentally safe including risks such as flooding, land slip, bushfires, coastal hazards there are no potential environmental contaminants on the land, in the building or the general proximity, and whether hazardous materials remediation is needed the characteristics of the site are suitable for the scale and type of development proposed having regard to: <ul style="list-style-type: none"> size 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 where the proposal is to occupy or retrofit an existing premises, the interior and exterior spaces are suitable for the proposed use 	<p>As addressed in Section 2 and Section 4.4.1 of the Statement of Environmental Effects, the proposed child care facility is considered to be located upon a suitably compatible site.</p>

<ul style="list-style-type: none"> • there are suitable drop off and pick up areas, and off and on street parking • the type of adjoining road (for example classified, arterial, local road, cul-de-sac) is appropriate and safe for the proposed use • 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. 	
<p>C3 A child care facility should be located:</p> <ul style="list-style-type: none"> • near compatible social uses such as schools and other educational establishments, parks and other public open space, community facilities, places of public worship • near or within employment areas, town centres, business centres, shops • with access to public transport including rail, buses, ferries • in areas with pedestrian connectivity to the local community, businesses, shops, services and the like. 	<p>The subject site is appropriately located within a recently established residential estate and will provide childcare services to the surrounding community.</p>
<p>C4 A child care facility should be located to avoid risks to children, staff or visitors and adverse environmental conditions arising from:</p> <ul style="list-style-type: none"> • proximity to: <ul style="list-style-type: none"> - 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 	<p>The facility is not in close proximity to these uses.</p>
<h3>3.2 Local character, streetscape and the public domain interface</h3>	
<p>C5 The proposed development should:</p> <ul style="list-style-type: none"> • contribute to the local area by being designed in character with the locality and existing streetscape • reflect the predominant form of surrounding land uses, particularly in low density residential areas • recognise predominant streetscape qualities, such as building form, scale, materials and colours • include design and architectural treatments that respond to and integrate with the existing streetscape 	<p>The building design and its modest and low-lying built form will comply with the low-density character of the area. The development will contribute positively to the streetscape with high quality architectural design.</p>

<ul style="list-style-type: none"> • use landscaping to positively contribute to the streetscape and neighbouring amenity • integrate car parking into the building and site landscaping design in residential areas. 	
<p>C6 Create a threshold with a clear transition between public and private realms, including:</p> <ul style="list-style-type: none"> • fencing to ensure safety for children entering and leaving the facility • 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 • integrating existing and proposed landscaping with fencing. 	<p>Fencing and landscaping work together to provide a clear threshold between the child care centre and the public domain. Please refer to the Architectural Plans and Landscape Plans which illustrate this design strategy.</p> <p>Complies.</p>
<p>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.</p>	<p>N/A there is one entry from street level.</p>
<p>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:</p> <ul style="list-style-type: none"> • 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. 	<p>N/A.</p>
<p>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.</p>	<p>Front fencing is slated and therefore is visually permeable. Please refer to the Architectural Plans which illustrate this design strategy.</p> <p>Complies.</p>
<p>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.</p>	<p>N/A. Please refer to the Noise impact report attached with the development application.</p>
<h3>3.3 Building orientation, envelope and design</h3>	
<p>C11 Orient a development on a site and design the building layout to:</p> <ul style="list-style-type: none"> • ensure visual privacy and minimise potential noise and overlooking impacts on neighbours by: <ul style="list-style-type: none"> - facing doors and windows away from private open space, living rooms and bedrooms in adjoining residential properties 	<p>Development has been designed in meet these requirements. Please refer to the Architectural Plans submitted under separate cover.</p> <p>Complies.</p>

<ul style="list-style-type: none"> - placing play equipment away from common boundaries with residential properties - locating outdoor play areas away from residential dwellings and other sensitive uses • optimise solar access to internal and external play areas • avoid overshadowing of adjoining residential properties • minimise cut and fill • ensure buildings along the street frontage define the street by facing it • ensure that where a child care facility is located above ground level, outdoor play areas are protected from wind and other climatic conditions. 	
<p>C12 The following matters may be considered to minimise the impacts of the proposal on local character:</p> <ul style="list-style-type: none"> • building height should be consistent with other buildings in the locality • building height should respond to the scale and character of the street • setbacks should allow for adequate privacy for neighbours and children at the proposed child care facility • setbacks should provide adequate access for building maintenance • setbacks to the street should be consistent with the existing character 	<p>The building height is consistent with other buildings in the locality which are predominately 1-2 storey dwellings.</p> <p>Complies.</p>
<p>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.</p>	<p>DCP setbacks apply.</p>
<p>C14 On land in a residential zone, side and rear boundary setbacks should observe the prevailing setbacks required for a dwelling house.</p>	<p>Prevailing setbacks are acknowledged and respected.</p>
<p>C15 The built form of the development should contribute to the character of the local area, including how it:</p> <ul style="list-style-type: none"> • respects and responds to its physical context such as adjacent built form, neighbourhood character, streetscape quality and heritage • contributes to the identity of the place • retains and reinforces existing built form and vegetation where significant • considers heritage within the local neighbourhood including identified heritage items and conservation areas • responds to its natural environment including local landscape setting and climate • contributes to the identity of place 	<p>The development for a childcare centre is a compatible use with the surrounding residential area and it's design is consistent with the surrounding low density built form. The childcare centre is of a high architectural design and will contribute to the identity of place and help to build a sense of community in the newly established residential estate.</p> <p>Complies.</p>

<p>C16 Entry to the facility should be limited to one secure point which is:</p> <ul style="list-style-type: none"> • located to allow ease of access, particularly for pedestrians • directly accessible from the street where possible • directly visible from the street frontage • easily monitored through natural or camera surveillance • not accessed through an outdoor play area. • in a mixed-use development, clearly defined and separate from entrances to other uses in the building. 	<p>Both the vehicular and pedestrian access to the site is from Forrest Road only.</p>
<p>C17 Accessible design can be achieved by:</p> <ul style="list-style-type: none"> • providing accessibility to and within the building in accordance with 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 • providing a continuous path of travel to and within the building, including access between the street entry and car parking and 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. <p>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.</p>	<p>Development fully complies with the NCC. Please refer to the Architectural Plans submitted under separate cover.</p>
<h3>3.4 Landscaping</h3>	
<p>C18 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:</p> <ul style="list-style-type: none"> • reflecting and reinforcing the local context • incorporating natural features of the site, such as trees, rocky outcrops and vegetation communities into landscaping. 	<p>Please refer to the Landscape Plans submitted under separate cover. Complies.</p>
<p>C19 Incorporate car parking into the landscape design of the site by:</p> <ul style="list-style-type: none"> • planting shade trees in large car parking areas to create a cool outdoor environment and reduce summer heat radiating into buildings • taking into account streetscape, local character and context when siting car parking areas within the front setback • using low level landscaping to soften and screen parking areas. 	<p>All carparking is provided on basement level.</p>

3.5 Visual and acoustic privacy	
C20 Open balconies in mixed use developments should not overlook facilities nor overhang outdoor play spaces.	N/A – not a mixed use development.
C21 Minimise direct overlooking of indoor rooms and outdoor play spaces from public areas through: <ul style="list-style-type: none"> • appropriate site and building layout • suitably locating pathways, windows and doors • permanent screening and landscape design. 	Indoor play areas are well set back from the street so not to incur any direct overlooking. The outdoor area will be screened with planting and fencing. Complies. Please refer to the Architectural Plans and the Landscape Plans submitted under separate cover.
C22 Minimise direct overlooking of main internal living areas and private open spaces in adjoining developments through: <ul style="list-style-type: none"> • appropriate site and building layout • suitable location of pathways, windows and doors • landscape design and screening. 	Please refer to the Architectural Plans submitted under separate cover.
C23 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: <ul style="list-style-type: none"> • 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). • 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. 	Please refer to the Noise Impact Assessment prepared by VMS Australia, dated 18 April 2023 which proposes the following: <ul style="list-style-type: none"> • Solid continuous boundary barrier with a minimum total height of 1.8m from the ground level (can be Colorbond or equivalent) • Solid continuous boundary barrier with a minimum total height of 2.1m from the ground level and a minimum surface density of 10kg/m² (can be made of lapped and capped timber, brick, masonry or equivalent acoustic barrier) • Solid continuous boundary barrier with a minimum total height of 2.4m from the ground level and a minimum surface density of 10kg/m² (can be made of lapped and capped timber, brick, masonry or equivalent acoustic barrier)
C24 A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters: <ul style="list-style-type: none"> • 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 	Please refer to the Noise Impact Assessment prepared by VMS Australia, dated 18 April 2023. Complies.
3.6 Noise and air pollution	

<p>C25 Adopt design solutions to minimise the impacts of noise, such as:</p> <ul style="list-style-type: none"> • 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) • 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. 	<p>Please refer to the Noise Impact Assessment prepared by VMS Australia, dated 18 April 2023. Complies.</p>
<p>C26 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:</p> <ul style="list-style-type: none"> • 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 	<p>Please refer to the Noise Impact Assessment prepared by VMS Australia, dated 18 April 2023. Complies.</p>
<p>C27 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.</p>	<p>The site is appropriately located within a low density residential estate.</p>
<p>C28 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:</p> <ul style="list-style-type: none"> • 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 	<p>N/A</p>
<p>3.7 Hours of operation</p>	

C29 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.	Proposed Hours of operation are 7am to 6pm.
C30 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.	N/A
3.8 Traffic, parking and pedestrian circulation	
C31 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.	The proposed development will not have a negative impact to the existing traffic network nor will it have any unacceptable parking implications.
C32 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.	Please refer to Traffic and Parking Impact Assessment, prepared by Ana Civil P/L, dated 14 November 2022 attached as a separate document.
C33 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: <ul style="list-style-type: none"> • the amenity of the surrounding area will not be affected • there will be no impacts on the safe operation of the surrounding road network. 	
C34 Alternate vehicular access should be provided where child care facilities are on sites fronting: <ul style="list-style-type: none"> • a classified road • roads which carry freight traffic or transport dangerous goods or hazardous materials. The alternate access must have regard to: <ul style="list-style-type: none"> • the prevailing traffic conditions • pedestrian and vehicle safety including bicycle movements • the likely impact of the development on traffic. 	
C35 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.	
C36 The following design solutions may be incorporated into a development to help provide a safe pedestrian environment: <ul style="list-style-type: none"> • separate pedestrian access from the car park to the facility 	

<ul style="list-style-type: none">• 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• 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.	
<p>C37 Mixed use developments should include:</p> <ul style="list-style-type: none">• 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 manoeuvring 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.	
<p>C38 Car parking design should:</p> <ul style="list-style-type: none">• include a child safe fence to separate car parking areas from the building entrance and play areas• provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards`• include wheelchair and pram accessible parking.	
4.1 Indoor space requirements	
<p>Every child being educated and cared for within a facility must have a minimum of 3.25m2 of unencumbered indoor space.</p>	<p>3.52m2 indoor space provided per child – a total of 455 sqm for 120 children. Complies.</p>
<p>Unencumbered indoor space excludes any of the following:</p> <ul style="list-style-type: none">• passageway or thoroughfare (including door swings) used for circulation• toilet and hygiene facilities• nappy changing area or area for preparing bottles• area permanently set aside for the use or storage of cots• area permanently set aside for storage• area or room for staff or administration	<p>Noted.</p>

<ul style="list-style-type: none"> • kitchens, unless the kitchen is designed to be used predominately by the children as part of an educational program e.g. a learning kitchen • on-site laundry • other space that is not suitable for children. 	
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.	Development will comply.
When calculating indoor space requirements, the area required for any additional child may be waived when the child is being cared for in an emergency circumstance as set out in regulation 123(5) or the child is being educated or cared for in exceptional circumstances as set out in regulation 124(5) and (6) of the National Regulations.	Noted.
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 and individual needs. Development applications should indicate how these needs will be accommodated.	The childcare centre has been designed in accordance with these requirements.
Verandahs may be included when calculating indoor space with the written approval from the regulatory authority.	Noted.
4.2 Laundry and hygiene facilities	
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. The laundry and hygienic facilities must be located and maintained in a way that does not pose a risk to children.	The childcare centre has been designed in accordance with these requirements.
Child care facilities must also comply with the requirements for laundry facilities that are contained in the National Construction Code.	Centre will comply with National Construction Code.
4.3 Toilet and hygiene facilities	
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	The childcare centre has been designed in accordance with these requirements.
Child care facilities must comply with the requirements for sanitary facilities that are contained in the National Construction Code.	Centre will comply.

4.4 Ventilation and natural light	
Services must be well ventilated, have adequate natural light, and be maintained at a temperature that ensures the safety and wellbeing of children.	Development will comply.
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.	Development will comply.
4.5 Administrative space	
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.	Development will comply.
4.6 Nappy change facilities	
Child care facilities must provide for children who wear nappies, including appropriate hygienic facilities for nappy changing and bathing. All nappy changing facilities should be designed and located in an area that prevents unsupervised access by children	Centre will comply.
Child care facilities must also comply with the requirements for nappy changing and bathing facilities that are contained in the National Construction Code.	Centre will comply with National Construction Code.
4.7 Premises designed to facilitate supervision	
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	Complies. Please refer to architectural plans provided under separate cover.
Child care facilities must also comply with any requirements regarding the ability to facilitate supervision that are contained in the National Construction Code.	Development will comply.
4.8 Emergency and evacuation procedures	
Regulation 168 sets out the list of procedures that a care service must have, including procedures for emergency and evacuation. Regulation 97 sets out the detail for what those procedures must cover including: <ul style="list-style-type: none"> • instructions for what must be done in the event of an emergency 	Development will comply.

<ul style="list-style-type: none"> • an emergency and evacuation floor plan, a copy of which is displayed in a prominent position near each exit • a risk assessment to identify potential emergencies that are relevant to the service. 	
4.9 Outdoor space requirements	
An education and care service premises must provide for every child being educated and cared for within the facility to have a minimum of 7.0m ² of unencumbered outdoor space.	7m ² outdoor space provided per child – a total of 980 sqm for 120 children. Complies.
<p>Where a covered space such as a verandah is to be included in outdoor space it should:</p> <ul style="list-style-type: none"> • 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 (refer to Figure 8). 	Complies. Please refer to landscape design plans provided under separate cover.
4.10 Natural environment	
The approved provider of a centre-based service must ensure that the outdoor spaces allow children to explore and experience the natural environment.	Complies. Please refer to landscape design plans provided under separate cover.
4.11 Shade	
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.	Complies. Please refer to landscape design plans provided under separate cover.
<p>Controlled exposure to daylight for limited periods is essential as sunlight provides vitamin D which promotes healthy muscles, bones and overall wellbeing. Outdoor play areas should be provided with controlled solar access throughout the year. Outdoor play areas should:</p> <ul style="list-style-type: none"> • 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. • 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 • have evenly distributed shade structures over different activity spaces. 	Complies. Please refer to landscape design plans provided under separate cover.
<p>Built structures providing effective shade include:</p> <ul style="list-style-type: none"> • permanent structures (pergolas, sails and verandahs) • demountable shade (marquees and tents) • adjustable systems (awnings) • shade sails. 	Complies. Please refer to landscape design plans provided under separate cover.

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. 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

4.12 Fencing

Fencing at child care facilities must provide a secure, safe environment for children and minimise access to dangerous areas. Fencing also needs to positively contribute to the visual amenity of the streetscape and surrounding area. In general, fencing around outdoor spaces should:

- prevent children climbing over, under or through fences
- prevent people outside the facility from gaining access by climbing over, under or through the fence
- not create a sense of enclosure.

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. 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. Gates should be designed to prevent children leaving/entering unsupervised by use of childproof locking systems (refer to Figure 11).

Fencing and landscaping work together to contribute positively to the visual amenity a clear threshold between the child care centre and the public domain.

4.13 Soil assessment

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. 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

Refer to Preliminary Site Investigation report prepared by CSTS, dated 5 May 2023 included as a separate attachment.

a way that poses an unacceptable risk to the health of children.	
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