

3 Matters for consideration

3.1 Site selection and location

Objective: To ensure that appropriate zone considerations are assessed when selecting a site.

C1 For proposed developments in or adjacent to a residential zone, consider:

- 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

Objective: To ensure that appropriate zone considerations are assessed when selecting a site

Response:

The proposed childcare facility is ideally located to service the demand of this locality. An acoustic report is provided and concludes the acoustic impacts of the proposed childcare on the residential properties are negligible.

A traffic report is provided concluding that traffic and parking impacts of the proposal on residential amenity is negligible, and no traffic engineering reasons the proposal should not be approved.

In terms of privacy impacts on neighbours, the proposed childcare is separated from the surrounding residential dwellings by the landscape buffer area. There is also boundary fencing installed between the proposed childcare and the surrounding residents.

Any impact in terms of acoustic and visual privacy on neighbouring residential dwellings is considered moderated during the business hours. In the evenings and weekends, the centre is closed and there are no impacts on neighbour amenity.

C2

When selecting a site, ensure that:

- 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:
 - 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
- 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.

The site is suitable for the proposed centre based childcare facility for the following reasons

- The proposed design provides for the purpose-built facility in a residential area fronting local road Fenwick Crescent allowing for good access for the childcare.
- The proposed childcare site is environmentally safe and does not have environmental hazards such as bushfire
- Traffic and parking report indicates the proposed childcare facility has been designed to protect the visual and acoustic amenity of surrounding residential uses and no unreasonable adverse amenity impacts are expected. The acoustic noise assessment has been prepared which demonstrates no adverse impacts on surrounding land uses and developments.
- The proposed childcare facility is compatible with surrounding uses in the area and is not located close to restricted or licensed premises.

Objective: To ensure that sites for child care facilities are appropriately located

C3

A childcare facility should be located:

- near compatible social uses such as schools and other educational establishments, parks and other public open space, community facilities, places of public worship
- 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.

The site is appropriately located for the following reasons

- The proposed childcare is located close to the Goulburn Railway Tennis Club, Tambelin School
- The site is located in close proximity to local community uses, businesses, shops and services as it is close to Goulburn CBD area
- The site is located adjacent to a bus stop on Fenwick Crescent where route 825, 821A and 821B are running to surrounding areas of Goulburn.

Objective: To ensure that sites for child care facilities do not incur risks from environmental, health or safety hazards.

C4

A child care facility should be located to avoid risks to children, staff or visitors and adverse environmental conditions arising from:

- proximity to:
 - heavy or hazardous industry, waste transfer depots or landfill sites
 - LPG tanks or service stations
 - water cooling and water warming systems
 - odour (and other air pollutant) generating uses and sources or sites which, due to prevailing land use zoning, may in future accommodate noise or odour generating uses
 - extractive industries, intensive agriculture, agricultural spraying activities
- any other identified environmental hazard or risk relevant to the site and/ or existing buildings within the site.

N/A. The proposed childcare facility is not located close to any known environmental, health or safety hazards.

3.2 Local character, streetscape and the public domain interface

Objective: To ensure that the child care facility is compatible with the local character and surrounding streetscape

C5

The proposed development should:

- contribute to the local area by being designed in character with the locality and existing streetscape
- 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
- use landscaping to positively contribute to the streetscape and neighbouring amenity
- integrate car parking into the building and site landscaping design in residential areas.

The proposed childcare is a single-story structure and the characteristics similar to the residential dwellings around the area.

The varied building form and combinations of building materials contribute to the visual interests of streetscape and locality.

C6

Create a threshold with a clear transition between public and private realms, including:

- fencing to ensure safety for children entering and leaving the facility
- 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

The proposal provides a clear transition between public and private realms

- The proposed childcare facility has been designed by a qualified architect where it incorporates boundary fencing, landscaping and other measures to clearly delineate the facility from the surrounding public domain.
- The windows provide passive surveillance to the street as a safety measure and connection between the facility and the community.
- Fencing is provided around the childcare facility for the safe and secure environment for the childcare centre.

C7

On sites with multiple buildings and/or entries, pedestrian entries and spaces associated with the childcare facility should be differentiated to improve legibility for visitors and children by changes in materials, plant species and colours.

The site has a main pedestrian entry from Fenwick Crescent which is well separated from surrounding residential sites. The entry is clearly delineated through building design, paths and landscaping to improve amenity for future users.

C8

Where development adjoins public parks, open space or bushland, the facility should provide an appealing streetscape frontage by adopting some of the following design solutions:

- clearly defined street access, pedestrian paths and building entries
- low fences and planting which delineate communal/ private open space from adjoining public open space
- minimal use of blank walls and high fences.

The site is not directly adjoined by public parks, open spaces or bushland.

Objective: To ensure that front fences and retaining walls respond to and complement the context and character of the area and do not dominate the public domain

C9

Front fences and walls within the front setback should be constructed of visually permeable materials and treatments.

Where the site is listed as a heritage item, adjacent to a heritage item or within a conservation area front fencing should be designed in accordance with local heritage provisions.

The proposed fencing is built grey aluminium fence which are visually permeable materials and treatments.

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.

Not applicable. Fenwick Crescent is a not a classified road.

Objective: To respond to the streetscape and site, mitigate impacts on neighbours, while optimising solar access and opportunities for shade.

C11

Orient a development on a site and design the building layout to:

- ensure visual privacy and minimise potential noise and overlooking impacts on neighbours by:
 - facing doors and windows away from private open space, living rooms and bedrooms in adjoining residential properties
 - 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 childcare facility is located above ground level, outdoor play

The childcare building is designed in providing visual privacy and overlooking impacts from the residential properties.

The proposed outdoor play areas are located away from the surrounding residential dwellings.

It is also set back from the surrounding residential dwellings to avoid overshadowing of adjoining residential properties.

Objective: To ensure that the scale of the child care facility is compatible with adjoining development and the impact on adjoining buildings is minimised.

C12

The following matters may be considered to minimise the impacts of the proposal on local character:

- 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 childcare facility

- setbacks should provide adequate access for building maintenance
- setbacks to the street should be consistent with the existing character.

The childcare is a single-story building which is consistent with the 8.5m building height, and approximately sited.

The front setback to the southern boundary is 6m which provides adequate access for building maintenance and consistency with the existing street character.

Objective: To ensure that setbacks from the boundary of a child care facility are consistent with the predominant development within the immediate context.

C13

Where there are no prevailing setback controls minimum setback to a classified road should be 10 metres. On other road frontages where there are existing buildings within 50 metres, the setback should be the average of the two closest buildings. Where there are no buildings within 50 metres, the same setback is required for the predominant adjoining land use.

The proposed building setbacks are consistent with existing setbacks in the area and will not adversely impact on neighbouring uses and developments.

C14

On land in a residential zone, side and rear boundary setbacks should observe the prevailing setbacks required for a dwelling house.

N/A. The site is not a residential zone.

Objective: To ensure that buildings are designed to create safe environments for all users

C15

Entry to the facility should be limited to one secure point which is:

- 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.

Entry to the childcare facility is limited to one secure point. The entry is designed to allow ease of access for pedestrians and not accessed through an outdoor play area. The entry is directly visible from the street frontage Fenwick Crescent, which provide access for natural surveillance.

Objective: To ensure that childcare facilities are designed to be accessible by all potential users

C16

Accessible design can be achieved by:

- providing accessibility to and within the building in accordance with all relevant legislation
- 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. 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.

The proposed new design is accessible in accordance with the requirements under the National Construction Code, the Discrimination Disability Act 1992, and the Disability (Access to Premises – Buildings) Standards 2010.

3.4 Landscape

Objective: To provide landscape design that contributes to the streetscape and amenity

C17

Appropriate planting should be provided along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space. Use the existing landscape where feasible to provide a high-quality landscaped area by:

- reflecting and reinforcing the local context
- incorporating natural features of the site, such as trees, rocky outcrops and vegetation communities into landscaping.

Landscaping is provided along the boundaries to provide a high-quality incorporating local context and natural features of the site.

C18

Incorporate car parking into the landscape design of the site by:

- planting shade trees in large car parking areas to create a cool outdoor environment and reduce summer heat radiating into buildings
- 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.

The proposed car parking is situated at the front of the building. Trees are proposed along the carpark to soften and screen parking from the streets.

3.5 Visual and acoustic privacy

Objective: To protect the privacy and security of children attending the facility

C19

Open balconies in mixed use developments should not overlook facilities nor overhang outdoor play spaces.

The site is not located in a mixed-use development.

C20

Minimise direct overlooking of indoor rooms and outdoor play spaces from public areas through:

- appropriate site and building layout
- suitably locating pathways, windows and doors
- permanent screening and landscape design.

The placement of windows and doors help to reduce the overlooking of indoor rooms and outdoor play spaces from the public areas.

Objective: To minimise impacts on privacy of adjoining properties.

C21

Minimise direct overlooking of main internal living areas and private open spaces in adjoining developments through:

- appropriate site and building layout
- suitable location of pathways, windows and doors
- landscape design and screening.

The proposed landscaping along the boundaries will minimise the direct overlooking of the main internal living areas, private open spaces in the surrounding residential developments.

Objective: To minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments

C22

A new development, or development that includes alterations to more than 50 per cent of the existing floor area, and is located adjacent to residential accommodation should:

- 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.

The proposal does not include mechanical plant or equipment within the proximity to the sites side boundaries. A Noise Assessment Report has been prepared and indicates that the proposed childcare facility will not adversely impact on the acoustic privacy of neighbouring uses (including residential uses). The recommendations have been incorporated in the proposed building and site design.

C23

A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters:

- identify an appropriate noise level for a child care facility located in residential and other zones
- determine an appropriate background noise level for outdoor play areas during times they are proposed to be in use
- determine the appropriate height of any acoustic fence to enable the noise criteria to be met.

The Noise Assessment Report recommendations have been incorporated into the design of the childcare facility and no adverse impact on the acoustic privacy of neighbouring uses are expected.

3.6 Noise and air pollution

Objective: To ensure that outside noise levels on the facility are minimised to acceptable levels.

C24

Adopt design solutions to minimise the impacts of noise, such as:

- creating physical separation between buildings and the noise source
- orienting the facility perpendicular to the noise source and where possible buffered by other uses
- using landscaping to reduce the perception of noise

- limiting the number and size of openings facing noise sources
- using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens)
- 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.

The Noise Assessment Report indicates that the site is not subject to adverse outside noise levels. The proposal has been designed to minimise noise impacts on both surrounding land uses and sites, while also minimising the childcare facilities exposure to noise level impacts.

C25

An acoustic report should identify appropriate noise levels for sleeping areas and other non play areas and examine impacts and noise attenuation measures where a child care facility is proposed in any of the following locations:

- on industrial zoned land
- where the ANEF contour is between 20 and 25, consistent with AS 2021 – 2000
- along a railway or mass transit corridor, as defined by State Environmental Planning Policy (Infrastructure) 2007
- on a major or busy road
- other land that is impacted by substantial external noise.

N/A. The site is not situated in the one of the listed locations and the site is not subject to adverse noise impacts from its location, context, zoning or proximity to noisy land uses.

Objective: To ensure air quality is acceptable where child care facilities are proposed close to external sources of air pollution such as major roads and industrial development.

C26

Locate childcare facilities on sites which avoid or minimise the potential impact of external sources of air pollution such as major roads and industrial development.

The childcare is not located in proximity to any major roads and industrial development that would create any external sources of air pollution.

C27 A suitably qualified air quality professional should prepare an air quality assessment report to demonstrate that proposed child care facilities close to major roads or industrial developments can meet air quality standards in accordance with relevant legislation and guidelines.

The air quality assessment report should evaluate design considerations to minimise air pollution such as:

- 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

N/A. The proposed child care facility is not close to major roads or industrial developments.

3.7 Hours of operations

Objective: To minimise the impact of the child care facility on the amenity of neighbouring residential developments.

C28

Hours of operation within areas where the predominant land use is residential should be confined to the core hours of 7.00am to 7.00pm weekdays. The hours of operation of the proposed childcare facility may be extended if it adjoins or is adjacent to non-residential land uses.

The proposed operating hours will be from 7.00am to 7.00pm weekdays and will not operate on weekends or public holidays.

C29 Within mixed use areas or predominantly commercial areas, the hours of operation for each child care facility should be assessed with respect to its compatibility with adjoining and co-located land uses

N/A.

3.8 Traffic, parking and pedestrian circulation

Objective: To provide parking that satisfies the needs of users and demand generated by the centre.

C30

Off street car parking should be provided at the rates for child care facilities specified in a Development Control Plan that applies to the land.

Where a Development Control Plan does not specify car parking rates, off street car parking should be provided at the following rates:

Within 400 metres of a metropolitan train station:

- 1 space per 10 children
- 1 space per 2 staff. Staff parking may be stack or tandem parking with no more than 2 spaces in each tandem space.

In other areas:

- 1 space per 4 children.

A reduction in car parking rates may be considered where:

- the proposal is an adaptive re-use of a heritage item
- the site is in a B8 Metropolitan Zone or other high-density business or residential zone
- the site is in proximity to high frequency and well-connected public transport
- the site is co-located or in proximity to other uses where parking is appropriately provided (for example business centres, schools, public open space, car parks)
- there is sufficient on street parking available at appropriate times within proximity of the site.

The applicable rate is 1 space per 4 children which at 112 places equates to 28 car spaces. The proposed childcare centre proposes a total of 29 carparking spaces on site which complies with the parking generation rate under the Guidelines.

C31

In commercial or industrial zones and mixed use developments, on street parking may only be considered where there are no conflicts with adjoining uses, that is, no high levels of vehicle movement or potential conflicts with trucks and large vehicles.

N/A. The site is not situated in commercial or industrial zone or within a mixed-use development.

C32

A Traffic and Parking Study should be prepared to support the proposal to quantify potential impacts on the surrounding land uses and demonstrate how impacts on amenity will be minimised. The study should also address any proposed variations to parking rates and demonstrate that:

- the amenity of the surrounding area will not be affected
- there will be no impacts on the safe operation of the surrounding road network

A new Traffic Impact and Parking Assessment Report prepared by Solution Traffic Engineers is submitted with the DA which demonstrates that the proposal will not generate significant or adverse traffic impacts on surrounding road network, nor will the amenity of the surrounding area be affected.

Objective: To provide vehicle access from the street in a safe environment that does not disrupt traffic flows

C33

Alternate vehicular access should be provided where childcare facilities are on sites fronting:

- a classified road
- roads which carry freight traffic or transport dangerous goods or hazardous materials.

The alternate access must have regard to:

- the prevailing traffic conditions
- pedestrian and vehicle safety including bicycle movements
- the likely impact of the development on traffic.

The site does not front a classified road or a road which carry freight traffic or transport dangerous goods or hazardous materials. As such an alternative vehicular access is not required.

C34

Childcare 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.

N/A. The site is not located within a cul-de-sac or narrow lane.

Objective: To provide a safe and connected environment for pedestrians both on and around the site.

C35

The following design solutions may be incorporated into a development to help provide a safe pedestrian environment:

- separate pedestrian access from the car park to the facility
- defined pedestrian crossings included within large car parking areas
- separate pedestrian and vehicle entries from the street for parents, children and visitors
- pedestrian paths that enable two prams to pass each other
- delivery and loading areas located away from the main pedestrian access to the building and in clearly designated, separate facilities
- 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.

The proposed childcare provides a safe pedestrian environment by incorporating:

- Delivery and loading areas are located at the end of the car parking area which is away from the main pedestrian access to the building and clearly designated as separate facilities.
- The vehicles to the childcare can enter and leave the site in a forward direction.

C36

Mixed use developments should include:

- driveway access, manoeuvring areas and parking areas for the facility that are separate to parking and manoeuvring areas used by trucks
- drop off and pick up zones that are exclusively available for use during the facility's operating hours with spaces clearly marked accordingly, close to the main entrance and preferably at the same floor level. Alternatively, direct access should avoid crossing driveways or 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.

N/A. The proposal is for a childcare centre only.

C37

Car parking design should:

- 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.

The car parking is located on the front of the building with 29 car parking spaces in accordance with the relevant Australian Standard. The proposed accessible parking is located close to the proposed accessible path of travel to the building entrance.