

# Statement of Environmental Effects

Child Care Centre Proposed Alterations and Additions

13 and 15 Chatham Avenue, Taree

Lot 1 DP783905 and Lot 2 DP783906

Prepared For: PTS Preschool Pty Ltd

Date: 20 June 2025

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**town planning**

and complying development

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<b>Title:</b>	STATEMENT OF ENVIRONMENTAL EFFECTS
<b>Project:</b>	Child Care Centre Proposed Alterations and Additions 13 and 15 Chatham Avenue, Taree Lot 1 DP783905 and Lot 2 DP783906
<b>Client:</b>	PTS Preschool Pty Ltd
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Figure 1.1 Site Location

# 1 Introduction

This Statement of Environmental Effects (SEE) has been prepared to accompany a Development Application for proposed Child Care Centre Alterations and Additions at 13 and 15 Chatham Avenue, Taree (Lot 1 DP783905 and Lot 2 DP783906). The subject lands are defined as (Number 13) Lot 1 DP 783905 with land area of 632m<sup>2</sup> and (Number 15) Lot 1 DP 783906 with a land area of 1164 m<sup>2</sup>. The site of the proposed development is shown in **Figure 1**.

## Figure 1 a and b – Site Location

Source: MidCoast Council Online Mapping  
North ^





The decision-making process for the proposed development falls under Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act). The Council, in deciding whether consent should be granted, must examine and consider relevant matters for consideration. This report is intended to assist in this decision making process and to provide information that satisfies the requirements of Section 4.15 of the EP&A Act as addressed in **Table 1**.

**Table 1 Section 4.15 Matters**

(a) the provisions of: (i) any environmental planning Instruments;	All relevant provision of the <i>Greater Taree Local Environmental Plan 2010</i> has been considered within this report.
(ii) Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved);	The draft Midcoast Local Environmental Plan endorsed by Council on 26 February 2025 proposes to retain the R1 zoning of the land and the proposed development will remain permissible in that zone.
(iii) any development control plan	The relevant provisions of the Greater Taree Development Control Plan 2010 are addressed within Section 4 of this report.
(iiia) and planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4;	The subject land is not known to be subject to a planning agreement.
(iv) the regulations (to the extent that they prescribe matters for the purpose of this paragraph)	Not Applicable.
(v) (Repealed)	-
(b) The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;	See below.

- context and setting	The subject land is in a mixed commercial, educational and residential setting in Chatham. The proposed development is considered consistent with the general context and setting in the locality.
- Access, transport, and traffic	The proposal is consistent with the scale of development indicated in Council's planning policies and is not expected to adversely impact on the function of the local road network.
- Utilities	The subject land is serviced by all essential services.
- Heritage	Not applicable.
- Flora and Fauna	The proposed does not require the removal of any significant vegetation to facilitate the development.
- Natural Hazards	There are no natural hazards that will adversely affect the proposed development.
- Site Design and Internal Design.	Site design and Internal design is considered appropriate.
(c) The suitability of the site for the development	
Does the proposal fit within the locality?	The proposal is compatible with existing and likely future developments within the surrounding locality.
Site attributions conducive to the development	Site attributions are considered to be conducive to the development.
(d) Any submissions made in accordance with this Act or the regulations;	For Council consideration.

The proposed development is not an integrated development and the subject site is not located within the Coastal Zone.

This SEE provides an assessment of the impacts of the proposed development.

## 1.1 Development Permissibility

The land is zoned R1 General Residential under the provisions of Greater Taree Local Environmental Plan 2010 (LEP 2010).

The R1 Land Use Table in LEP 2010 is as follows:

### *Zone R1 General Residential*

#### *1 Objectives of zone*

- To provide for the housing needs of the community.*
- To provide for a variety of housing types and densities.*
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

#### *2 Permitted without consent*

*Home occupations*

#### *3 Permitted with consent*

*Advertising structures; Attached dwellings; Backpackers' accommodation; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Boat sheds; Building identification signs; Cemeteries; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Early education and care facilities; Educational establishments; Emergency services facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health services facilities; Home businesses; Home industries; Hostels; Hotel or motel accommodation; Information and education facilities; Jetties; Moorings; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Residential flat buildings; Respite day care centres; Restaurants or cafes; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Service stations; Serviced apartments; Sewerage systems; Shop top housing; Take away food and drink premises; Tank-based aquaculture; Veterinary hospitals; Water recreation structures; Water supply systems.*

#### *4 Prohibited*

*Any development not specified in item 2 or 3*

The proposed development is a centre-based child facility. LEP 2010 defines a centre-based child facility as:

*centre-based child care facility means—*

*(a) a building or place used for the education and care of children that provides any one or more of the following—*

- (i) long day care,*
- (ii) occasional child care,*
- (iii) out-of-school-hours care (including vacation care),*

(iv) *preschool care,*

The proposed development is permissible in the R1 General Residential zone. It is consistent with the zone objectives given that it will provide a much needed facility to meet the day to day needs of the residents of Taree.

There are two primary development standards in LEP 2010 that apply to the land being a maximum floor space ratio of 0.6:1 and a maximum building height of 8.5 metres. The proposed development does not exceed these two development standards.

## **1.2 Site Context**

15 Chatham Avenue, Taree is currently operated as the Darwin Montessori Early Learning Centre. 13 Chatham Avenue is currently a dwelling house. Both lots (the subject land) front Chatham Avenue being the former Pacific Highway route. Immediately to the west of the subject land is Chatham Public School.

The subject land is located in a mixed commercial, educational and low-density residential environment in the Chatham area.

## 2 Proposed Development

15 Chatham Avenue, Taree is currently used to provide child care facilities being the which is the Darwin Montessori Early Learning Centre. The centre provides a long day care service for 3 months – 5 years old children.

The centre prides itself on putting the children first and meeting each child's individual needs. The Montessori method of education allows students to learn through practicing tasks and to develop a sense of order, coordination, concentration and independence. In a Montessori classroom, children are free to respond to their natural tendency to work in areas that they are showing interests and our learning environment is suitable to the developmental ages of children.

Given the increased need for child care facilities in Taree, the owners of Darwin Montessori Early Learning Centre have purchased 13 Chatham Avenue, Taree with the aim of expanding the current facility and increasing the number of children from 28 to 68. The proposed development will also enable the provision of more modern facilities for families.

The proposed development is depicted in the plans prepared by Collins W Collins that accompany the Development Application.

It is proposed to construct a single storey purpose built building for use as an extension to the existing child care centre, including parking for 13 cars.

The centre is proposed to operate between 8.00am and 6.00pm Monday to Friday.

The proposed building utilises a building form that is characteristic of the low density residential area surrounding the site. This includes the use of a mixture of facing materials, rendered walls, aluminium window frames and cladding, and a flat roof form. As such, the proposed development will generally appear from Chatham Avenue as being residential in character.

The subject land has dwelling located thereon and contains no native trees or vegetation. The existing dwelling at 13 Chatham Avenue is proposed to be demolished.

The proposed development will be connected to water and sewerage infrastructure.

## 3 State Planning Policies

### 3.1 SEPP (Transport and Infrastructure) 2021

#### 3.1.1 Clause 2.122

The proposed development does not qualify as a traffic generating development with relevant size and/or capacity under *Clause 2.122* of the *SEPP (Transport and Infrastructure) 2021* and is not fronted by a TfNSW classified road. Accordingly, formal referral to Transport for NSW (TfNSW) is unnecessary and the application can be assessed by Mid-Coast Council officers accordingly.

#### 3.1.2 Chapter 3

Chapter 3 Educational establishments and child care facilities of SEPP (Transport and Infrastructure) 2021 states:

##### *3.1 Aims of Chapter*

*The aim of this Chapter is to facilitate the effective delivery of educational establishments and early education and care facilities across the State by—*

- (a) improving regulatory certainty and efficiency through a consistent planning regime for educational establishments and early education and care facilities, and*
- (b) simplifying and standardising planning approval pathways for educational establishments and early education and care facilities (including identifying certain development of minimal environmental impact as exempt development), and*
- (c) establishing consistent State-wide assessment requirements and design considerations for educational establishments and early education and care facilities to improve the quality of infrastructure delivered and to minimise impacts on surrounding areas, and*
- (d) allowing for the efficient development, redevelopment or use of surplus government-owned land (including providing for consultation with communities regarding educational establishments in their local area), and*
- (e) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and*
- (f) aligning the NSW planning framework with the National Quality Framework that regulates early education and care services, and*
- (g) ensuring that proponents of new developments or modified premises meet the applicable requirements of the National Quality Framework for early education and care services, and of the corresponding regime for State regulated education and care services, as part of the planning approval and development process, and*

*(h) encouraging proponents of new developments or modified premises and consent authorities to facilitate the joint and shared use of the facilities of educational establishments with the community through appropriate design.*

Section 3.23 Centre-based child care facility outlines the matters for consideration by consent authorities when assessing applications for child care facilities. It states:

*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 requirements of the relevant Child Care Planning Guideline are addressed in Chapter 4 of this SEE.

## 4 Child Care Planning Guideline

This Guideline (NSW Government September 2021) establishes the assessment framework to deliver consistent planning outcomes and design quality for centre-based child care facilities in NSW.

### 4.1 Part 2

Part 2 of the Guideline outlines the Design Quality Principles that are appropriate for Child Care Facilities. Each of these principles is addressed below.

#### *Principle 1 - Context*

*Good design responds and contributes to its context, including the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.*

*Well-designed child care facilities respond to and enhance the qualities and identity of the area including adjacent sites, streetscapes and neighbourhood.*

*Well-designed child care facilities take advantage of its context by optimising access by walking and public transport, public facilities and centres, respecting local heritage, and being responsive to the demographic, cultural and socio-economic makeup of the facility users and surrounding communities.*

**The proposed development is well designed and located in Chatham within close proximity to the town services and facilities. It will enhance the identity of the area and is responsive to the natural and built features of the Chatham locality.**

#### *Principle 2 - Built form*

*Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the surrounding area.*

*Good design achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements. Good design also uses a variety of materials, colours and textures.*

*Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.*

*Contemporary facility design can be distinctive and unique to support innovative approaches to teaching and learning, while still achieving a visual appearance that is aesthetically pleasing, complements the surrounding areas, and contributes positively to the public realm.*

**The proposed development has a contemporary design that is not out of character with the surrounding residential environment. It is appropriate in bulk and scale and presentation to Chatham Avenue.**

*Principle 3 - Adaptive learning spaces*

*Good facility design delivers high quality learning spaces and achieves a high level of amenity for children and staff, resulting in buildings and associated infrastructure that are fit-for-purpose, enjoyable and easy to use. This is achieved through site layout, building design, and learning spaces' fit-out.*

*Good design achieves a mix of inclusive learning spaces to cater for all children and different modes of learning. This includes appropriately designed physical spaces offering a variety of settings, technology and opportunities for interaction.*

**The proposed development includes modern active learning spaces that will provide a high level of amenity and will be conducive to quality teaching of children.**

*Principle 4 - Sustainability*

*Sustainable design combines positive environmental, social and economic outcomes.*

*This includes use of natural cross ventilation, sunlight and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and re-use of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.*

**The proposed development includes design features that promote a cross ventilation and access to sunlight thereby reducing the reliance on technology. Water recycling has also been incorporated into the design.**

*Principle 5 - Landscape*

*Landscape and buildings should operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.*

*Well-designed landscapes make outdoor spaces assets for learning. This includes designing for diversity in function and use, age-appropriateness and amenity.*

*Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.*

**The proposed development contributes positively to the street frontage and provides high-quality on-site landscape outcomes.**

*Principle 6 - Amenity*

*Good design positively influences internal and external amenity for children, staff and neighbours. Achieving good amenity contributes to positive learning environments and the well-being of children and staff.*

*Good amenity combines appropriate and efficient indoor and outdoor learning spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, service areas and ease of access for all age groups and degrees of mobility.*

*Well-designed child care facilities provide comfortable, diverse and attractive spaces to learn, play and socialise.*

**The proposed facility has been designed with amenity being a focus for future users. Efficient space usage and the provision of easy internal access and outdoor connectivity contribute to a high level of amenity being achieved.**

#### *Principle 7 - Safety*

*Well-designed child care facilities optimise the use of the built and natural environment for learning and play, while utilising equipment, vegetation and landscaping that has a low health and safety risk, and can be checked and maintained efficiently and appropriately.*

*Good child care facility design balances safety and security with the need to create a welcoming and accessible environment. It provides for quality public and private spaces that are inviting, clearly defined and allow controlled access for members of the community. Well-designed child care facilities incorporate passive surveillance and Crime Prevention Through Environmental Design (CPTED).*

*Well designed vehicular parking and access minimise traffic safety risks on children and staff.*

**The facility has been designed to reduce conflict points that could result in reduced safety for its users. It creates a welcome and accessible environment with ensuring safety for children and staff.**

## **4.2 Part 3**

Part 3 of the Guideline outlines the Matters for Consideration when selecting a site that is appropriate for Child Care Facilities. Each of these objectives of Part 3 are addressed below.

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

*For proposed developments in or adjacent to a residential zone, particularly if that zone is for low density residential uses consider:*

- *the acoustic and privacy impacts of the proposed development on the residential properties*
- *the setbacks and siting of buildings within the residential context*
- *visual amenity impacts (e.g. additional building bulk and overshadowing, local character)*
- *traffic and parking impacts of the proposal on residential amenity and road safety*

**The site is located in a residential zone and all of the above-mentioned issues have been assessed and considered in the design of the proposed development.**

*Objective: To ensure that the site selected for a proposed child care facility is suitable for the use.*

*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:*
  - *length of street frontage, lot configuration, dimensions and overall size*
  - *number of shared boundaries with residential properties*
- *the development will not have adverse environmental impacts on the surrounding area, particularly in sensitive environmental or cultural areas*
- *where the proposal is to occupy or retrofit an existing premises, the interior and exterior spaces are suitable for the proposed use. Where the proposal relates to any heritage item, the development should retain its historic character and conserve significant fabric, setting or layout of the item.*
- *there are suitable and safe drop off and pick up areas, and off and on street parking*
- *the characteristics of the fronting road or roads (for example its operating speed, road classification, traffic volume, heavy vehicle volumes, presence of parking lanes) is appropriate and safe for the proposed use*
- *the site avoids direct access to roads with high traffic volumes, high operating speeds, or with high heavy vehicle volumes, especially where there are limited pedestrian crossing facilities*
- *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 subject site is considered suitable for the proposed development and will have no adverse impacts on the surrounding area.**

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

*A child care facility should be located:*

- *near compatible social uses such as schools and other educational establishments, parks and other public open space, community facilities, places of public worship*
- *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 subject land is close to the business centres of Chatham and Taree.**

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

*A child care facility should be located to avoid environmental conditions arising from proximity to:*

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

**The subject land is not located near any of the above-mentioned facilities or uses.**

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

*The proposed development should:*

- *contribute to the local area by being designed in such a way to respond to the character of the locality and existing streetscape*
- *build on the valued characteristics of the neighbourhood and draw from the physical surrounds, history and culture of place*

- *reflect the predominant form of surrounding land uses, particularly in low density residential areas*
- *recognise and respond to 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 and local character*
- *use landscaping to positively contribute to the streetscape and neighbouring and neighbourhood amenity*
- *integrate car parking into the building and site landscaping design in residential areas*

**The proposed development is consistent with the local character and streetscape.**

*Objective: To ensure clear delineation between the child care facility and public spaces  
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 a connection between the facility and the community*
- *integrating existing and proposed landscaping with fencing.*

*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.*

*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.*

**There is a clear delineation between the proposed development and streetscape.**

*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.*

*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.*

*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.*

**There is no front fence proposed.**

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

*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 where a child care facility is located above ground level, outdoor play areas are protected from wind and other climatic conditions.*

**The design of the proposed development has taken into account the above-mentioned items and responds to the streetscape and site, mitigates impacts on neighbours, while optimising solar access and opportunities for shade.**

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

*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 child care facility*

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

**The height and setbacks of the proposed development are consistent with the local character of the area.**

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

*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.*

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

**Setbacks from the boundary of a child care facility are consistent with the predominant development within the immediate locality.**

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

*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.

**The above-mentioned matters have been included in the design of the proposed development.**

*Objective: To ensure that child care facilities are designed to be accessible by all potential users.*

*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.*

**Accessible design has been included in the proposed development.**

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

*Appropriate planting should be provided along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space.*

- *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, pedestrian safety and context when siting car parking areas within the front setback*
- *using low level landscaping to soften and screen parking areas.*

**A Landscape Plan outlining appropriate and considered landscaping for the proposed development will be prepared and included with the Construction Certificate documentation.**

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

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

*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.*

*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.*

**The design of the proposed development ensures the protection of the privacy of children and provide a secure learning environment.**

*Objective: To minimise impacts on privacy of adjoining properties.*

*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 design protects the privacy of adjoining residents.**

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

*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.*

*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.*

**An Acoustic Report for the proposed development is included with the Development Application.**

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

*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.*

**Design solutions to ensure minimisation of external noise has been incorporated into the design of the proposed development.**

*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.*

*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.*

*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.*

**The proposed development is not located near any external sources of air pollution.**

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

*Hours of operation 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.*

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

**The proposed development will have operating hours within those noted above.**

Objective: To provide parking that satisfies the needs of users and the demand generated by the centre and to minimise conflicts between pedestrians and vehicles.

*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:*

*1 space per 4 children.*

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

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

**A Traffic Assessment for the proposed development has been prepared and is included with the Development Application. Findings of this assessment are discussed in this SEE.**

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

*Alternate vehicular access should be provided where child care facilities are on sites fronting:*

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

*The alternate access must have regard to:*

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

*Child care facilities proposed within cul-de-sacs or via 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.*

**Access to the proposed development will be safe and not adversely impact traffic flows.**

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

*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 and defined/ separate paths 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, loading and vehicle turnaround areas located away from the main pedestrian access to the building and in clearly designated, separate facilities*
- *minimise the number of locations where pedestrians and vehicles cross each other*

*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 above design solutions have been considered in the design of the proposed development.**

## 5 Local Development Controls

### 5.1 Part H

Part H of Council's Development Control Plan 2010 outlines the requirements for all residential development in the Taree area. Part H states:

*The Greater Taree LGA features a range of residential zones which permit a variety of residential accommodation types and densities within existing urban areas and future release areas. This chapter establishes the objectives, principles and controls which will guide the design of residential development in the LGA.*

The objectives of Part H are as follows:

- *Encourage a variety and choice of housing types and sizes in localities;*
- *Ensure new housing integrates with the surrounding scale and character of the locality;*
- *Ensure that the impact of new housing on the amenity of surrounding properties is minimised.*

The proposed development is consistent with the objectives of Part H of DCP 2010.

An assessment against the other provisions of Part H2 is provided below.

- *H2.1 Site Coverage and lot requirements – 65% maximum site coverage is not exceeded*
- *H2.2 Building Setbacks – Building setbacks are consistent with residential requirements.*
- *H2.3 Building Height – This section requires the maximum building height to be 8.5m. The development complies.*
- *H2.4 Car parking – Requirements achieved.*
- *H2.5 Private open space – Adequate private open space is provided.*
- *H 2.6 Solar access and Overshadowing – solar access is adequate and no adverse overshadowing will occur.*
- *H 2.7 Acoustic and Visual Privacy – there will be no impacts on the acoustic or visual privacy of nearby residents.*

## 5.2 Part G

Part G of DCP 2010 outlines the access and parking requirements for developments. A Traffic and Parking Assessment has been undertaken for the proposed development and is included with the Development Application. The Assessment concludes:

*The current operation provides for 5 onsite parking spaces with the redevelopment to provide 13 onsite parking spaces including two stacked spaces for staff parking and 1 accessible space with a shared area.*

*Under Council's DCP requirements the redevelopment of the centre will be required to provide 17 onsite parking spaces.*

*The proposal as provided for assessment proposes to provide 13 onsite parking spaces including two stacked spaces and 1 accessible space with a shared area.*

*In order to address the DCP requirement shortfall data was obtained from the centre outlining the peak periods for drop off and pick up times. This data indicated the peak period for drops off in the morning was between 8.00 am and 9.00am with generally 22 children being dropped off during this period with the remainder (6) generally being dropped off between 9.00am and 10.00am. The afternoon pick up the peak period was between 4.00pm and 5.00pm where generally 21 children are picked up with the remainder (7) picked up between 3.00pm and 4.00pm.*

*Utilising Council's DCP carparking rate requirements a maximum of 5 carparking spaces are required to service the current operation during these peak periods.*

*Considering the peak operating times and Council's DCP requirements for the increase in catering for 68 children the operation would be required to provide a total of 14 onsite carparking spaces. (ie. 80% of 68 children / 1 space per 4 children).*

*Under this assessment it indicates there is still a shortfall of 1 onsite parking space to be provided.*

*Any on street overflow parking that is required as a result of the possible onsite parking to be provided is considered not to have any major impacts in the foreseeable future. Currently there is an existing long bus zone provided along the frontage of the Chatham Public School is not used based on advice from the local bus companies.*

*This bus zone is located adjacent to the centre and as part of a development approval for this redevelopment it is recommended the length of the bus zone be reduced by 36.0m (6 parking spaces at 6.0m long) to reduce any impacts on the residences located to be east of the centre and open up this currently underutilised space for on street parking.*

*Existing operation is accessed via a single 3.50m wide domestic driveway located off Chatham Avenue. Under the redevelopment proposal the operation will provide two (2) 6.0m wide driveway accesses at the eastern and western ends of the new site (No 13 and 15). In order to minimise any carpark traffic flow issues, it is proposed that all users will access the site via the proposed eastern driveway and exit the site via the western driveway.*

*The redeveloped operation will continue to utilise the kerbside bin service. There is no requirement to provide / allow for onsite removal of refuse / garbage as the amount to be generated by the operation is considered to be minimal.*

*Neither the TfNSW Guidelines nor the MCC DCP prescribe the requirements for the provision of accessible / disabled parking. The Building Code of Australia (BCA) the requirements for the provision of accessible / disabled parking to be provided.*

*In accordance with Table D3.5 of the BCA it prescribes the following.*

- *Class 9b – School or other assembly building.*

*Provide 1 space for every 100 carparking spaces or part thereof.*

*The proposed redevelopment will provide one accessible parking space and shared area.*

*Deliveries to the site during operating hours will be via the driveway accesses to be provided as part of the operation. In an attempt to minimise impacts on the drop off and pick up times management should negotiate with the operators that all deliveries are made outside of these times to minimise perceived impacts.*

*Emergency Service vehicles will access the site via the proposed access driveways to be provided off Chatham Avenue.*

### 5.3 Part I

Part I of DCP 2010 applies to commercial development. An assessment against the performance criteria of Part I is provided below.

#### *Layout/Design*

*The layout and location of business zone uses must consider potential future noise and amenity conflicts for both the subject development and adjoining/nearby development.*

*Where development fronts the street or any other public place (including car parking areas and pedestrian thoroughfares) the development must be designed so that it addresses the street or public place.*

*New development must not detract from significant existing views and vistas.*

**The layout has considered the potential future noise impact on adjoining residents and is considered appropriate. The development addresses the street front and does not detract from existing views or vistas.**

#### *Built Form and Appearance*

*Buildings should have a similar mass and scale to create a sense of consistency. Within business zones, generally there will be gradation of massing from a dense inner core to a less dense outer edge to provide an appropriate interface with land uses in the adjoining zones and symmetry to the building.*

*Business development must feature high quality architectural design and a built form that promotes a sense of place and contemporary character for all business zones.*

*Development in business zones must be compatible with surrounding business development in terms of appearance, type, bulk and scale, design and character.*

*Building wall planes must contain variations and architectural design features in their front facades in order to provide visual interest.*

*Where multiple tenancies are located within the one building, each tenancy must be defined by appropriate architectural design features (eg. the integration of vertical elements into the façade).*

*Consideration is to be given to the interface where the building and awning abuts an adjoining development to ensure compatibility.*

*Roof forms should be appropriately designed to respond to the built form of other nearby business development. The design of roofs may adopt traditional forms found in the immediate locality, or alternatively they may adopt a more contemporary appearance to juxtaposition to traditional roof forms. However, it must be clearly demonstrated that the proposed roof form relates appropriately to the existing adjoining development.*

*Service infrastructure such as air conditioning and other plant must be screened from public view and must be incorporated into the design of the building.*

*Site facilities such as loading, waste storage, servicing and other infrastructure shall be designed to minimise the visual impact on the public domain and impacts on neighbours.*

**The proposed development has been designed to present a design outcome that takes into account the above requirements and achieves an outcome that will contribute to the existing built environment of the surrounding residential zone.**

#### *Pedestrian Amenity*

*Business development must be designed to facilitate high levels of pedestrian amenity and permeability, including access and facilities for cyclists.*

*Development is to incorporate appropriate measures for convenient, weather sheltered access for pedestrians, including access to other land.*

*Buildings should be designed to minimise overshadowing of pedestrian thoroughfares and footpaths wherever possible.*

**The building is designed to enable ease of pedestrian access to the building and the protection of pedestrians during adverse weather.**

#### *Public Domain*

*Development must include a high quality landscape design including a co-ordinated package of street furniture and lighting that enhances the character of the business zone. The design of landscaping and the public domain must be generally in accordance with Part N of this DCP.*

*The building and landscape design is to be complementary to ensure legible, safe, comfortable and easy access for pedestrians from the street frontages, within the business zone and to adjoining land, where appropriate.*

*Street tree and open space plantings are to provide generous shade for pedestrians.*

*All signage and advertising is to be designed in a coordinated manner.*

**The proposed development will include comprehensive landscaping.**

*Parking and Access*

*The visibility of parking areas at street frontages shall be minimised through parking layout and design, building location and design and landscaping treatments. Bitumen and cars are not to be the dominant features of the landscape.*

*Parking areas shall be designed to enable legible, safe, comfortable and easy access for pedestrians from the street frontages, within the centre and to adjoining land, where appropriate*

*Car parking shall be provided in accordance with Part G of this DCP.*

**Proposed parking is appropriate for the development and complies with all Council requirements.**

## 6 Impact Assessment

### 6.1 Vegetation

There is no native vegetation required to be removed for the proposed development.

### 6.2 Acid Sulfate Soils

The subject land is classified as Class 5 ASS under the provisions of GTCC LEP 2010. There will be no impact on Acid Sulfate Soils.

### 6.3 Contamination

The subject land is not identified as potentially contaminated on Council's mapping.

### 6.4 Aboriginal Heritage

There are no known Aboriginal heritage items on the land.

### 6.5 Flooding

The subject site is not subject to flooding.

### 6.6 Noise and Air Quality

The subject land is located in a medium level noise environment and any noise generated from the proposed development has the potential to impact nearby residents.

An Acoustic Assessment for the proposed development was prepared by Matrix Thornton and is included with the Development Application. This Assessment concluded:

*Noise from children playing outside at the centre is predicted to comply with the guideline if the children are playing for less than two hours a day. Minor exceedances of the guideline are predicted if more than two hours of outdoor play is required for all the children at the facility. We recommend staggering the playtime so that only half the children are playing outside at any time. Noise could also be mitigated by increasing the height of the boundary fence to 2.4m.*

*Noise to the neighbouring school hall at Chatham Public School will be satisfactory.*

*Traffic noise into the centre will be generally satisfactory.*

*Noise from traffic generated by the development will be satisfactory.*

It is submitted that the proposed development, with appropriate noise control measures, will not have an adverse impact on the local environment.

## **6.7 Stormwater Management**

A Preliminary Stormwater Management Plan for the proposed development has been prepared by WDG in accordance with MidCoast Councils' Site Stormwater Drainage Guidelines (2022).

This plan is included with the Development Application and demonstrates that the management of stormwater from the proposed development can be effectively achieved.

## 7 Conclusion

Information presented in this Statement of Environmental Effects indicates that the proposed Child Care Centre Alterations and Additions at 13 and 15 Chatham Avenue, Taree (Lot 1 DP783905 and Lot 2 DP783906) is consistent with the relevant Local and State planning instruments.

The proposed development meets the requirements of the NSW Child Care Planning Guideline and will provide a much needed facility for the Taree and Chatham communities.

The potential impact of the proposed development has been examined in detail and the environmental impacts have been found to be acceptable or able to be managed so that there are no detrimental impacts. The proposed development will not adversely impact upon the surrounding environment and nearby residents.