

Attachment 4 - Wollongong Development Control Plan (DCP) 2009 Assessment

CHAPTER C5: CHILD CARE CENTRES

This Chapter relates both to construction of new building and alterations to existing buildings to create child care centre.

| Control | Comment | Complies |
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| <p><u>7.1 Maximum Capacity of Centre and Staffing Levels</u></p> <p>In non-residential zones, Council may accept a maximum capacity of greater than 49 children.</p> <p>DoCS maximum number of children 90 (<i>* superseded by new legislation</i>)</p> <p>Number of children and staff to be in accordance with Childrens Services Regulation 2004 (<i>* superseded by new legislation</i>)</p> | <p>60 children centre proposed, however the regulatory framework has changed and approval is granted for centres with more than 80 children (no limit imposed).</p> <p>The proposed number of staff and children are:</p> <p>0-2 years: 20</p> <p>2-3 years: 20</p> <p>3-5 years: 20</p> <p>Total: 60 children</p> <p>Staff: 11 staff proposed which is consistent with the Regulation, which requires 1 staff per 4 children 0-2 years, 1 staff per 5 children 2-3 years and 1 staff per 10 children 3-5 years). Total staff required = 11</p> | Yes |
| <p><u>7.2 Location and Site Selection</u></p> <p>Child care centres will not be supported upon a site within a 90 metre straight line distance from any designated road (arterial or sub-arterial road),</p> <p>2. Any new child care centre will not be permitted within a 500 metre radius from any service station.</p> <p>3. Any new child care centre will not be permitted within a 500 metre radius from any industry or warehouse distribution facility involving the use or storage of any dangerous goods as listed under the Dangerous Goods Code.</p> <p>4. As a precautionary approach, new child care centres must not be located within a 400 metre radius from any existing or approved telecommunications or radio-communications tower or base station or a high voltage electricity transmission line (ie with a voltage of 33 kilovolts or more).</p> <p>5. Child care centres will not be permitted within a 500 metre radius of any of the following industries /</p> | <p>Site is not located within 90m of designated road.</p> <p>Site is not within 500m of a service station</p> <p>Site is not within a 500 metre radius from any industry or warehouse distribution facility involving the use or storage of any dangerous goods as listed under the Dangerous Goods Code.</p> <p>It is not known whether the site is within 400m of a tower or base station.</p> <p>Site is not located within</p> | <p>No – areas of NC identified in bold</p> |

activities, due to potential adverse air or noise emission impacts upon the child care centre:

- (a) Extractive industries;
- (b) Intensive agriculture;
- (c) Agricultural spraying activities; or
- (d) Waste transfer depot or landfill site.

6. Where a child care centre is proposed upon a known or potentially contaminated site, the applicant will be required to submit to a site contamination investigation report and a remediation action plan with the Development Application in accordance with the requirements of the Contaminated Land Management Policy Guidelines contained in Part E of this DCP.

7. Child care centres will generally not be supported within any industrial zoned land, due to concerns over environmental quality and land use conflicts.

8. Child care centres are prohibited within a 150 metre radius of any existing or approved medical clinic or facility providing drug treatment and / or drug counselling services.

9. Child care centres are prohibited within a 150 metre radius of any existing or approved sex service premises, restricted premises or a gun shop.

10. Child care centres will not be supported within any mixed use development where the centre is independent of the other land use in the building. However, a mixed use development involving a ground floor work based child care centre which is ancillary to an upper level commercial office building may be considered where it is satisfactorily demonstrated that the centre is ancillary to the principal commercial office development above and will be restricted only to the care of young children whose parents work in the commercial offices above the centre. Any such centre must provide satisfactory car parking either at- grade or within the first basement car parking level directly below the child care centre with appropriate security lift access only for staff and parents with children in the centre to the secured car parking level.

500m of those industries.

Preliminary Site Investigation has been provided. No concerns are raised with regard to contamination.

Zone is not industrial.

Site is not within 150m of medical facility.

Site is within 150m of a sex services premises, being a brothel fronting Auburn Street to the west of the site. There is however no direct line of sight available from the subject site to the sex services premises and no impact on children or their families is expected.

The centre is located within a mixed use development however the centre would not be associated with those tenancies.

Car parking provided within first basement directly below the child care centre

Lift 3 will service both the CCC and the commercial components of the development and accordingly is not

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| <p><u>7.3 Building Design, Appearance and Neighbourhood Character</u></p> <p>Any new child care centre must comply with the relevant maximum floor space ratio and height controls for the site as set out in Wollongong Local Environmental Plan 2009.</p> <p>2. The design of the child care centre should relate to the slope and topography of the site, in order to restrict cut and fill earthworks. However, any land re-shaping works will be restricted to a maximum 1 metre cut and a maximum 1 metre fill and must not result in any potential adverse overland run-off problems to adjoining properties.</p> <p>4. A minimum 20m road frontage width is required for a child care centre</p> <p>5. Child care centres should be single storey in height. However, a maximum two storey height limit applies for child care centres.</p> <p>7. The front setback of the building shall be determined by means of site analysis. The setback must be the average of the existing setbacks of the two properties on either side of the site. (Refer to Figure 1 below).</p> <p>15. The front door and at least two windows to a building must face the street. The street number of a building must be visible from the street (daylight and at night) and made of a reflective material to allow visitors and emergency vehicles to easily identify the location of the building.</p> | <p>available just to staff and parents.</p> <p>Overall building does not comply with the permitted FSR.</p> <p>Substantial excavation is required to facilitate the construction of the overall building</p> <p>CCC is located at the rear of mixed use building with no direct street frontage. Notwithstanding this, the subject site has a 32m frontage to Atchison Street</p> <p>Single storey / use of one level proposed.</p> <p>Child care centre located at the rear of proposed mixed use building with no direct street frontage. Notwithstanding this, proposed 0m front setback to Atchison Street is generally in keeping with the recent development of a comparable scale to the north but not the southern property.</p> <p>Child care centre located at the rear of proposed mixed use building with no direct street frontage. Notwithstanding this, proposed building front door faces Atchison Street. No details provided regarding street number, can be conditioned</p> | <p>No</p> |
| <p><u>7.4 Indoor Areas</u></p> <p>The building should be designed to achieve optimal solar access opportunities into the playroom areas of the centre and to maximise the use of natural ventilation and light within each room of the facility.</p> | <p>Playroom areas are shown on the floorplan.</p> <p>Western windows do not</p> | <p>Yes and no (areas of non-compliances identified in</p> |

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| <p>2. The provision of external window shades is recommended for any westward facing windows in any building.</p> | <p>show additional shading, and none considered necessary.</p> | <p>bold)</p> |
| <p>3. The use of safety glass and safety markers (permanent motif or other decorative treatment on or etched into the glass of sufficient magnitude to be readily apparent) at child and adult height is required for all child care centres.</p> | <p>Safety glass is a matter for CC /fitout stage.</p> | |
| <p>4. All doors and windows within a child care centre must be provided with insect screens, to minimise the number of mosquitoes and flies entering the building.</p> | <p>Insect screens are a matter for CC /fitout stage.</p> | |
| <p>5. Fluorescent light tubes are not recommended for internal lighting as they can flicker, hum, cause glare and headaches, emit UV radiation and so forth. Building design should take advantage of natural lighting. Energy efficient compact fluorescent light bulbs with softer toned colours do not have the undesirable characteristics of fluorescent light tubes. No rooms are to require constant artificial lighting during the day to maintain adequate light levels. Indoor lighting should comply with Australian Standards (AS1680 suite of Standards).</p> | <p>Internal lighting is a matter for CC /fitout stage.</p> | |
| <p>The indoor play areas of a centre must have at least 3.25 square metres of unencumbered indoor space per licensed child that is exclusively for the use of the children.</p> | <p>The general notes plan (drawing A0.00) confirms all play areas satisfy 3.25m² per child.</p> | |
| <p>Child care centres catering for over 30 places and not more than 39 places must have separate indoor play areas for 0-3 years and 3-6 years. Child care centres involving 40 places and over must provide separate indoor play areas for children aged 0-2 years, 2-3 years and 3-6 years. This requirement is designed to ensure the safety of all children and to provide a quality learning environment for each relevant age group.</p> | <p>Separate indoor play areas provided.</p> | |
| <p>The windows of indoor play areas are to be located with a northern orientation and shall receive at least three hours of sunlight between the hours of 9.00am and 3.00pm for June 21.</p> | <p>Indoor playroom for 3-5yo faces north and would achieve unobstructed sunlight. Indoor play rooms for 2-3yo and 0-2yo with no northern orientation (are there glass walls in between?)</p> | |
| <p>Each playroom area should have a separate entry point. The entry point to each playroom area should not cross over with another playroom entry point.</p> | <p>Each playroom has separate entry.</p> | |
| <p>Each playroom has its own storeroom/cupboard and bed storage.</p> | <p>Separate storerooms provided (3-5yo and 2-3yo)?</p> | |
| <p>7.4.4 Staff Respite Room & Private Consultation Room</p> | <p>Separate staff, meeting and administration rooms</p> | |

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| <p>1. The child care centre must have:</p> <p>(a) A room or an area that is used only for administration of the service and for private consultation between staff and parents; and</p> <p>(b) A room or an area located away from the areas used by children to be used for respite of staff.</p> | <p>are provided.</p> | |
| <p>7.4.5 Sleeping Room</p> <p>1. A sleeping room(s) must be provided in the child care centre for children under 2 years of age.</p> <p>2. An individual cot must be provided for each child under the age of 2 years. The cots must be located in separate cot room(s) with a maximum number of 6 cots per room. The cot room must be designed to provide adequate ventilation, visual access/supervision of each cot, doors to prevent noise, door widths to allow for a cot to be moved through the doorway in an emergency and a separation between cots of at least 800 millimetres to prevent cross infection.</p> | <p>Cot room provided for under 2yr olds.</p> <p>2 x 10 cot rooms</p> | |
| <p>7.4.6 Toilet and Washing Facilities</p> <p>1. All child care centres must have suitable toilet facilities, hand washing and bathing facilities that are safe and appropriate to the ages of the children at the centre.</p> <p>2. A centre based children's facility must provide toilet facilities in accordance with the requirements of the Building Code of Australia for Class 9b buildings (early childhood centres).</p> <p>3. The toilet and washroom facilities should be directly accessible to and visible from each play area and outdoor play space.</p> <p>4. The floor of the toilet and washing area should be washable and with a non-slip finish and graded.</p> <p>5. The hand wash basins should be mounted between 570mm and 600mm high.</p> <p>6. The toilet and washing facility must be naturally ventilated and mechanically ventilated.</p> | <p>Toilet and handwashing facilities provided.</p> <p>Compliance with BCA is recommended as condition of consent.</p> | |
| <p>7.4.7 Nappy Change Area</p> <p>1. A nappy change area and facilities are required in child care centres catering for children under the age of 3 years in accordance with Children's Services Regulations. Additionally, the nappy change area must:</p> <p>(a) Be adjacent to the sleep room and have adequate ventilation and visibility;</p> | <p>Nappy change facilities not shown</p> | |

(b) Be separated from the kitchen/bottle preparation area by an airlock; and

(c) Ensure suitable storage (within the staff person's reach) for towels, soap, nappies etc.

2. The toilet and washing facility must be naturally ventilated and mechanically ventilated.

3. The nappy change area must have separate hand washing facilities, bathing facilities and 1 nappy change mat for every 5 children under 3 years of age. Thermostatic controlled hot water must be provided to all sinks.

7.4.8 Bottle Preparation Area

1. A bottle preparation area is required in child care centres catering for children under the age of 3 years. The bottle preparation area must be separated from the nappy change area by an airlock, or placed away from the nappy change area. The bottle preparation area must:

(a) Be adjacent to the play room and have adequate ventilation and visibility;

(b) Contain a double sink for hand washing and food preparation with temperature controlled water;

(c) Provide suitable storage (out of reach of children/in reach of staff) for disinfectants, food preparation utensils, cups, plates etc;

(d) Be inaccessible to children; and

(e) Have bench space adequate for food preparation, a microwave oven, bar fridge, sterilising units and draining areas for toys and equipment to drain after the disinfecting procedure.

7.4.9 Kitchen Area

1. The provision of a separate kitchen area is required within the child care centre for safe food preparation. The kitchen area must be constructed in accordance with the Children's Services Regulation 2004, Food Act 2003 and the Australian Standard *AS 4674 -2004 Design, Construction and Fit-out of Food Premises*. The kitchen must be separate from any play room, toilet and washing area or sleeping room.

2. The kitchen area must be equipped with a stove or microwave, refrigerator, a suitable waste disposable & recyclable container facility, sink and a hot and cold water supply.

3. The kitchen must have a door, half-gate or other barrier to prevent any unsupervised entry by children

Bottle preparation area provided.

Kitchen provided and has door barrier.

into the kitchen.

4. Kitchen areas should include lockable cupboards and shelving so as to prevent children from gaining access to any harmful substance or equipment.

5. Where it is intended to serve food from the Child Care Centre, a food business is required to be registered with Council and notified to the NSW Food Authority (www.foodnotify.nsw.gov.au).

7.4.10 Rest Area

1. A suitable quiet rest area is required to be provided in a child care centre for the care of a child who becomes unwell. This rest area should have a sofa bed, stretcher or mattress and in an easily supervised area.

7.5 Outdoor Areas

In accordance with best practice principles, outdoor spaces are to provide for a variety of experiences through the provision of different spaces within the outdoor area. These different areas are to be:

(a) Open areas for activities such as running;

(b) Quiet areas; and

(c) Active areas.

2. A centre must have at least 7 square metres of useable outdoor play space for each child aged 0 to 6 years (i.e. each licensed child care place) that is exclusively for the use of children.

3. Outdoor play areas should have a separate sandpit for each designated age group and a variety of ground surfaces such as sand, grass, soil, soft fall, hard surfaces and mounding. The outdoor play areas shall provide both natural shading as well as incorporate appropriate artificial shade screen structures. The heat absorption qualities and texture of materials must be suitable, with surfaces such as bitumen (due to surface temperature exceeding 45 degrees in summer) being avoided. Soft impact surfaces should be supplied under play equipment. Non-slip hard paving should be used for play with wheeled toys, access to the building, and use under verandahs and covered areas.

4. Outdoor play spaces are to be:

(a) Located away from the main entrance of the child care centre, car parking areas or vehicle circulation areas. A child care centre must separate the car parking area and any outdoor play area with a safety fence and gates.

(b) Safe in relation to the location of roads. Where the outdoor play space adjoins a road, details of fencing

Dedicated rest/ sick area not shown, but able to be accommodated in admin/staff rooms.

The general notes plan (Drawing A0.00) confirms 7m² per child is provided.

Landscape Plan dated June 2016 shows the playground has only one (1) sandpit for all age groups, shade and variety of surface (including soft fall).

The outdoor area is separated from the car park, main entrance and driveways due to its rear, ground floor location.

Not adjoining roads

No, areas of NC shown in bold

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| <p>designed to minimise potential impact from motor vehicle accidents must be provided with the development application. Measures might include erection of an Armco barrier or similar. Landscaping should be provided to absorb emissions and noise from vehicles.</p> <p>(c) Integrated with indoor space and provide direct and easy access between those areas.</p> <p>Of a design and layout to enable clear lines of sight to all areas of the outdoor space to allow direct staff supervision from other areas of the child care centre.</p> <p>(e) Orientated to take advantage of natural sunlight and shade, with the most desirable orientation being north and north east.</p> <p>(f) Located away from existing and potential noise and environmental pollution sources.</p> <p>(g) Located away from the living/bedroom windows of surrounding dwellings where it is a predominantly residential area.</p> <p>(h) Inaccessible from public areas outside the child care centre, except in the case of an emergency evacuation or centre deliveries such as sand replacement, unless as a security system is in place which grants access, in the form of a swipe card for example, only to authorised persons, such as families and other authorised visitors.</p> <p>(i) Located away from areas where objects can be projected down onto play areas and designed to ensure it is not overlooked by the adjoining property, including balconies.</p> <p>(j) Adequately fenced on all sides. Any fences to the street must be see-through to encourage passive visual surveillance of the street and enhance the vibrancy of the area.</p> <p>(k) Designed with an outdoor storage area for the storage of outdoor equipment without being part of the outdoor play area and without inhibiting supervision of children (no less than 12m in size).</p> <p>(l) Provided with an impermeable roof structure to provide protection from inclement weather (or transition area). This should be 2.5sqm per licensed place or 10% of the total site, with a minimum width of 4m.</p> <p>(m) A minimum of one (1) sandpit is required within the outdoor play area for each designated age group. The minimum depth of a sandpit must be 600mm.</p> <p>(n) A physical division, in the form of a low level fence (1 metre high) or a similar structure, is to be maintained between the play spaces provided for children under the age of three years, and children over the age of three</p> | <p>Direct access from indoor areas to external play areas is provided.</p> <p>Playgrounds have access to sunlight.</p> <p>Not adjoining roads</p> <p>Predominantly not a residential area</p> <p>Play areas are not accessible from public due to fencing and position.</p> <p>Not overlooked by balconies due to ground floor awning</p> <p>Considered adequately fenced, can be conditioned</p> <p>Outdoor storage area not shown</p> <p>Only shade cloths provided; roof structure extends over a small proportion of the play area only</p> <p>Only one (1) sandpit provided for all age groups</p> <p>No fence appears to be proposed between play spaces for under 3yo</p> |
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years to ensure that younger children have access to adequate spaces and equipment. Where the service offers more than 49 places, the playground should be separated into three age groups – 0-2 years, 2-3 years and 3-5 years.

5. Outdoor play spaces are to be adequately shaded in accordance with Shade for Child Care Services published by the NSW Cancer Council, guidelines provided by the NSW Health Department and Australian Standards in relation to the provision of shade structures in play areas. The following solar protection measures should be taken as a minimum:

(a) 50% of all outdoor areas should be shaded during the hours of 10.00am to 3.00pm Eastern Summer Time which may be provided by trees, awnings or other structures to the satisfaction of Council;

(b) Sandpits (with a cover) are to be provided with year round full protective shade;

(c) Outdoor teaching areas are to be provided with year round protective shade;

(d) Outdoor eating areas are to be provided with year round shade.

6. All play areas and play equipment should comply with the Playground Safety Standard AS4685:2004 (Part 1-6).

7. Suitably sized rainwater tanks are required for new child care centres based on water requirements and plumbed for these purposes. The lid to any such rainwater tank must be locked to prevent any accidental entry by children.

7.6 Car Parking, Access and Pedestrian Safety

A car parking and traffic impact assessment study must accompany any Development Application for a new child care centre or in circumstances where an existing centre proposes an increase in the total number of children or a change in the mix of 0- 2, 2-3 and 3 -6 year aged children within the centre is proposed. The car parking and traffic impact assessment study must be prepared by a suitably qualified and experienced traffic consultant.

2. The car parking and traffic impact assessment study should address a range of matters including (but not necessarily limited to) the following:

(a) Existing prevailing traffic conditions, including AADT traffic volumes on key roads in the locality;

(b) The likely traffic generation rate of the proposed centre, taking into account the size and location of the centre, the intended catchment area of the centre and

and over 3yo.

No separate play spaces for age groups are provided.

Shade is provided to external play areas.

Can be conditioned

**Unsatisfactory
stormwater referral**

Traffic Impact Assessment provided.

No

the proximity of the centre to public transport services;

(c) The current level of service for key intersections in the locality of the site;

(d) The predicted level of service for key intersections in the locality of the site;

(e) The likely impact of the proposed development on existing traffic flows upon the local road network;

(f) The suitability of the proposed access arrangements into / from the car parking area in the centre, taking in account current and future anticipated traffic conditions;

(g) Any pedestrian and traffic safety issues;

(h) Car parking requirements for the proposed centre;

(i) Written justification for any variation to the parking requirements (if any proposed); and

(j) Recommended road upgrading works (including footpath improvements) required to satisfactorily cater for the development.

3. Parking and access must comply with the car parking requirements contained in Part E of this DCP and Australian Standard AS2890.1.

Parking should be provided on-site at a rate of one (1) space for each member of staff present at any one time plus one (1) visitor space for each 6 children or part thereof.

5. All parking (staff and visitor) is to be provided in the one location, preferably adjacent to the entrance of the centre. Any increase in staff or children may require additional car parking. Any change to the ages of children that affects staffing ratios will require a variation to consent and a revised number of parking spaces.

6. The car parking area must also provide at least one (1) parking bay for service vehicles and emergency vehicles (ie ambulance).

8. All Child Care Centres should make provision for a minimum of three (3) parking spaces (ie with unobstructed car parking dimensions of **3.2m x 5.5m**), located at the entrance to the Centre for people with mobility issues or parents with young children requiring the use of strollers. At least, one (1) of these spaces is to be a designated disabled person's parking space.

9. The car parking area is to be designed to ensure:

(a) The safe drop off and collection of children;

(b) Direct and safe pedestrian access to and from the

Parking rates for the WCC are identified in Chapter E3.

12 OR 13 spaces (inconsistency in TIA report) proposed for both retail and child care centre in basement 1. These spaces are for staff, parents and visitors.

The carpark would be accessible for a small rigid vehicle at most.

Two (2) stroller & one (1) disabled space of minimum dimensions are provided.

entrance of the centre;

(c) Safe movement and parking of all staff, parent, visitor and service vehicles; and

(d) Forward access to and from the car park.

10. The use of tandem or stacked parking will not be supported.

11. Drive-through car parking layouts are not supported, since such layouts often result in the queuing of vehicles back onto the road carriageway, during peak drop off and pick up periods.

12. The vehicular and pedestrian access points to / from the centre are to be appropriately signposted.

13. The car parking area shall be suitably line marked and delineated by appropriate signage and pavement line marking. This shall include the line-marking and signposting of disabled car parking spaces, staff parking arrangements, emergency and service vehicle parking bays.

14. Parking spaces and vehicle access points are to be located to ensure the safe movement of children to and from the centre. Pedestrian access must be segregated from car park accessway with clearly defined paths and fencing (ie min. 1000mm – max.1200 mm height) between the facility and the road reserve and between the car park and the facility entry. This fencing must not obstruct sight distance between pedestrians and vehicles.

15. Pedestrian safety measures (eg pedestrian crossings and refuges etc) may be required to be installed, if the child care centre site is situated on a main collector road and is characterised by relatively high traffic volumes, especially during peak drop off / pick up periods.

16. All vehicles entering and leaving the site shall be able to do so in a forward direction. The need to reverse vehicles within the site should be minimised.

17. New child care centres will not be permitted upon sites on or directly opposite intersections. For existing child care centres on or opposite an intersection, driveways will not be permitted in the locations shown by heavy lines in Figure 2 in AS2890.1:2004, driveways shall not be permitted within 6m of the front property boundary on the intersecting street (note: this equates to approximately 10m from the kerb return of the intersecting street).

19. A suitable waste disposal and recycling bin storage area is required. This storage area shall be positioned to enable direct access by a private garbage truck contractor. On-site waste collection should be

No identified safe paths of travel to young children and parents; access aisle is common to residential flats and other uses. Plans show speed humps and signs to be implemented to identify presence of children.

Direct access from car park to centre entrance is provided via lift 3. Sign posting could be conditioned

The access design needs to demonstrate adequate pedestrian sight lines can be provided to ensure that the safety of passing pedestrians.

Atchison Street is not a collector road

Complaint manoeuvring appears to be generally available

Not adjacent to intersections

The proposed waste collection arrangements for the childcare centre and commercial premises are unsatisfactory. The

undertaken outside the opening hours of centre, especially during peak drop off or pick up periods, in order to minimise any potential vehicular or pedestrian conflicts.

20. The gradient of the driveway is to be no greater than specified in AS2890.1:2004 in the Australian Standard. The maximum change in gradient is to be 12.5%.

7.7 Signage and Outdoor Lighting

Advertising shall be limited to not more than one (1) sign per child care centre which is to be displayed wholly upon the centre site.

2. The single advertising sign shall have a maximum area of 0.5 square metres and serve only to identify the name and contact details of the child care centre and the hours of operation.

3. Outdoor lighting should be installed within the car parking area and pathways leading towards the entry and at the entry to the child care centre.

4. The outdoor lighting shall be designed and constructed to minimise any potential adverse amenity or glare impacts upon adjoining properties. The type of lighting to be installed must be in accordance with the requirements of Australian Standard AS 1158.

7.9 Fencing and Gates

Double (i.e. two consecutive) gates or a door and a gate must be provided at the entrance of the centre for the purpose of preventing the children from leaving the premises unsupervised;

2. Side (behind the building setback) and rear unscaleable fencing shall be at least 1.8 metres in height. Solid front fences and walls shall be a maximum of 1.2m above ground level in height;

3. Fences shall be constructed of materials compatible with the proposed building and shall minimise opportunities for graffiti and be in character with the surrounding property fences in the locality. However, a 1.8 metre high lapped and capped timber fencing or palisade fencing with brick infill supports is recommended.

Extruded aluminium panel, metal sheet or chain wire fencing will not be supported.

5. Gates shall be the same height as the fence, self closing, see-through and be secure. All gates must be

proposed 1100ltr bins should not be collected from the street. On-site waste collection would need to be carried out outside of normal business hours for safety reasons. The applicant will need to provide details of how commercial waste will be collected.

Can be conditioned

No details of signage or lighting are provided – matter for CC and fitout.

Yes

Double gates provision not shown

No

Fence details shown on floorplan and landscape plan are satisfactory.

Can be conditioned

fitted with a child-proof locks and latches and must be capable of being permanently locked.

6. The height and type of fencing and gates for the facility shall be shown on the required landscape plan.

7.10 Landscaping and Vegetation

An Arborist's report must be provided with the Development Application for any existing trees on the subject site or adjoining properties. The report must include an assessment of all existing trees, especially the trees proposed to be removed as a result of the development. The report should also provide any recommendations in relation to the retention of specific trees on-site as well as necessary tree protection measures.

2. A 1.5 metre minimum landscaped strip along the street frontage must be incorporated into the landscape plan. Low shrubs and ground covers should be used so as not to impede vehicular sight lines.

3. A 1.5 metre landscape strip must be provided along the side and rear boundaries to protect the visual and acoustic privacy of adjoining properties and to provide buffer screen planting around the car parking and outdoor playing areas. In addition, the play area must incorporate suitable small shade tree planting and low shrubs in raised garden beds.

4. Landscaping in the outdoor play area(s) must not include any of the types of plants listed below:

(a) Plants known to produce toxins;

(b) Plant with high allergen properties;

(c) Plants with profuse scented flowers or known to attract high numbers of bees, spiders or insects;

(d) Plant species which produce small nuts or fruits;

(e) Plant species with thorns or spiky foliage and branches; or (f) Any weed or noxious plant species.

5. A deep soil zone is required to allow for tree and shrub planting to provide shade, screening, amenity and encourage bird life. The zone is to have a minimum width of 3 metres located along the rear boundary of the property or be 7% of the total site area located where existing trees are to be retained elsewhere on the site. The minimum 1.5 metre deep landscape strip required in sub-clause 3 may be included in the 3 metre wide deep soil zone.

6. Low branching trees in pedestrian traffic areas or within outdoor play areas must be avoided.

It is noted that the development impacts upon trees from adjacent sites. The applicant will be required to submit letters of consent and TMO applications for the removal of these trees as they cannot be conditioned as a part of this consent.

Child care centre located at the rear of proposed mixed use building with no direct street frontage

Approx. 1.5m landscape strip proposed along side and rear boundaries

Can be conditioned

No DSZ proposed

None proposed

Yes

7. Areas likely to be subject to high water demand are to be fitted with a water efficient drip irrigation system. Irrigation should use rainwater collected from an on-site rainwater tank. However, any rainwater tank must be designed to prevent opening the tank lid and to prevent access into the tank by inquisitive children.

Can be conditioned

8. A detailed landscape plan (minimum scale 1:100) based on the Arborist's report must be prepared by a suitably qualified landscape professional and submitted with all development applications for child care centres. It must contain the following:

Landscape plan provided

- (a) Trees to be retained and means of protection;
 - (b) Proposed trees to be removed;
 - (c) Proposed building materials for all paved and hard standing areas;
 - (d) Proposed height and type of fencing and gates to be used in the centre (must be childproof);
 - (e) Details of the proposed location, size at maturity and names of all plants proposed to be planted within the site;
 - (f) Location of outdoor play areas / play equipment & consideration of the effects of outdoor play on the compaction and erosion of soil and vegetation (raised garden beds are an effective method of avoiding this problem);
 - (g) Separation of outdoor space into active and quiet areas;
 - (h) Separation of outdoor space according to age ranges, including the locations of low fencing or other structures which divide the outdoor spaces;
 - (i) Outdoor spaces which include a variety of surfaces such as grass, sand, soft porous paving and the like. Surfaces shall comply with Australian Standards;
 - (j) Size of plants at maturity, container sizes, quantities, staking and spacing; and
- Details of all surfaces and edge treatments;
- (k) Details of the location of a cold water tap within the outdoor play area.

7.11 Stormwater Drainage

All child care developments must meet the stormwater drainage requirements of Council's Drainage Design Code and On-site Detention Code contained in Part E of this DCP. A general stormwater drainage concept plan together with calculations is required to be

Council's stormwater engineer has provided an unsatisfactory referral.

No

submitted with the Development Application.

2. For rearward sloping sites, a stormwater drainage easement will be required to be created over downstream properties. In this regard, written documentary evidence will be required to be submitted with the Development Application which proves that satisfactory arrangements have been made with the downstream property owners for the construction of stormwater drainage pipes from the site over the downstream properties as well as the creation of suitable a drainage easement.

7.12 Soil Erosion and Sediment Control Measures

A soil erosion and sedimentation control plan shall be submitted with the Development Application for any proposal which involves disturbance of the soil surface and/or vegetation of the site, or the placement of any fill upon the site. The soil erosion and sedimentation control plan shall identify recommended soil erosion and sediment control measures to be used, during any excavation or construction phase of the development.

2. The soil erosion and sedimentation control plan shall be prepared in accordance with the requirements of Chapter E22: Soil Erosion and Sediment Control in this DCP.

Soil erosion and sediment control is addressed in the concept detention plan. Standard conditions of consent are recommended.

Yes, with conditions

7.13 Visual and Acoustic Privacy

1. Where a site might be affected by external noise sources, the child care centre shall be designed to minimise any impact on the children and staff.
2. An acoustic report (may be required where in the opinion of Council, the proposed child care centre may cause potential adverse noise impacts upon an adjoining property. The report must be prepared by a suitably qualified and experienced acoustical consultant (preferably a member of the Association of Australian Acoustical Consultants or the Australian Acoustic Society).

The acoustic report should address a range of matters, including (but not necessarily limited to) the following:

- (a) Identify the current LA90 background noise level at the boundary of the closest adjoining property to the subject site;
- (b) Predict the likely LA1 maximum and LA10 maximum average noise emission levels likely to arise from outdoor play areas and internal areas of the centre, based upon the total number of children proposed in the centre;
- (c) Recommend what specific noise attenuation measures to be incorporated into the design of the centre in order to address the potential noise emission impacts upon any adjoining property; and
- (d) Certify in the report that the development is capable of operating without causing any nuisance to adjoining properties and is also able to operate without any undue noise disturbance from external sources.

5. Fencing 1.8m high with acoustic properties satisfactory to Council (i.e. brick, masonry, lapped timber fencing) shall be constructed on all rear and side boundaries adjacent to play areas.

Landscaping should be provided along the side boundaries to provide privacy and noise attenuation measures.

6. No public address systems should be installed at the centre.

7.14 Accessibility & Mobility for People With A Disability

Any new child care centre development or major alterations and additions to an existing child care centre must provide a continuous path of travel from the disabled car parking spaces into and within every room and outdoor playground area used by children in the centre.

Acoustic report required to quantify potential impacts on residential amenity

No

The raised play areas of the child care facility appear to be accessed only through the use of stairs. This does not comply with the Disability Discrimination Act and should be amended so these areas can be accessed by disabled people.

No

2. Any new child care centre or major alterations and

Standard conditions of

additions to an existing child care centre shall comply with the requirements of the Building Code of Australia (Part C), Part E of this DCP (Access & Facilities for People with a Disability) and the relevant Australian Standards, namely:

(a) AS1428.1 (2001) Design for Access and Mobility - General Requirements for Access - New Building Work;

(b) AS1428.2 (1992) Design for Access and Mobility - Enhanced and Additional Requirements - Building and Facilities;

(c) AS1428.4 (2002) Design for Access and Mobility - Tactile Ground Surface Indicators for the Orientation of People with a Vision Impairment;

(d) AS1428.3 (1992) Design for Access and Mobility - Requirements for Children and Adolescents with Physical Disabilities; and

(e) Any other relevant Australian Standard, to achieve compliance with the requirements of the Disability Discrimination Act 1992.

7.15 Safety and Security

Child care centres are to provide natural surveillance of access points and are to incorporate windows on the front façade to ensure visibility and natural surveillance;

2. Entry to a child care centre is to be limited to one secure point, which is to be:

(a) Appropriately located to allow ease of access;

(b) Adequately sign posted;

(c) Well lit;

(d) Accessible by pedestrians and motorists, with priority given to pedestrians;

(e) Safe from pedestrian and vehicle transition areas;

(f) Visible from the street with a direct access path;

(g) Of a sufficient size to prevent congestion, taking into consideration the capacity of the child care centre;

(h) Monitored through natural surveillance;

(i) Provided with a covered area (minimum 5sqm) over the door; and

(j) Incorporate a transitional space, which is to be adequately fenced and separated from the entrance.

3. Entry into the child care centre is not to be through any outdoor play area used by children for child safety and security reasons.

4. BCA specifications relating to structural considerations, fire resistance, access and egress, services and equipment and health and amenity.

7.16 Emergency Evacuation

Prior to the issue of an Occupation Certificate for the child care centre, a "Fire Safety and Evacuation Plan" complying with AS3745 must be prepared by a suitably

consent are recommended.

Natural surveillance available from windows and external play areas.

Single entry point only proposed

There may be some congestion at the common lobby during peak times. Double gate system should be provided prior to arriving at the lift when exiting the CCC

Standard conditions would require compliance with BCA.

Can be conditioned

Yes

Yes

qualified person and submitted with the development application addressing prescribed considerations.

7.17 Hours of Operation

1. For any child care centre within a residential area or adjoining a residential area, the hours of operation shall generally be limited to 7.00 am to 6.00 pm, Monday to Friday. Operating hours outside these times will be considered on their merits. Where an application proposes operating hours outside these times, a noise impact assessment report must be submitted with the Development Application.

2. The noise impact assessment report must be prepared by a suitably qualified and experienced acoustic consultant. The report must satisfactorily demonstrate that the hours of operation will not adversely impact upon any adjoining residential neighbours and must recommend appropriate noise mitigation measures which may be necessary, in order to maintain the amenity of surrounding residential properties.

7.18 Waste Management

1. The provision of a suitable waste and recycling storage facility is required; should be located adjacent to the access way for the car parking area and be serviced by a waste contractor outside the hours of operation of the child care centre, especially the peak drop off and pick up periods.

2. The proposed waste and recycling storage facility should be designed in accordance with Chapter E7 Waste Management.

Proposed hours are 6.30am-6.30pm Monday to Friday; noise impact assessment not provided

Council's Environment Officer has provided an unsatisfactory referral due to the lack of supporting acoustic documentation.

No

Unsatisfactory traffic referral - The proposed waste collection arrangements for the childcare centre and commercial premises are unsatisfactory. The proposed 1100ltr bins should not be collected from the street. On-site waste collection would need to be carried out outside of normal business hours for safety reasons. The applicant will need to provide details of how commercial waste will be collected.

No

CHAPTER D13 – WOLLONGONG CITY CENTRE

2 Building form

| <i>Objectives/controls</i> | <i>Comment</i> | <i>Compliance</i> |
|---|--|-------------------|
| <u>2.1 General</u> | | |
| <u>2.2 Building to street alignment and street setbacks</u> | | |
| <ul style="list-style-type: none"> Build to the street alignment or specified setback (0m) with 4m minimum further setback above street frontage height. | 0m to street frontage height then 4m to blade wall of building above SFH | Yes |

| Objectives/controls | Comment | Compliance | | | | | | | | | | | | | | | |
|---|---|----------------------|----------------------|-------------------------------|----|----|---|-----|-----|---|----|----|--------------------|-----|-----|---|---|
| <p><u>2.3 Street frontage heights in commercial core</u></p> <ul style="list-style-type: none"> Street frontage height of between 12-24m required. | 12m proposed | Yes | | | | | | | | | | | | | | | |
| <p><u>2.4 Building depth and bulk</u></p> <ul style="list-style-type: none"> Max floor plate size 900sqm above 12m building height; max depth 18m | The maximum building depth measured across the shortest axis is 16m for that part of the tower above the podium. | Yes | | | | | | | | | | | | | | | |
| <p><u>2.5 Side and rear building setbacks and building separation</u></p> <table border="1"> <thead> <tr> <th>Building condition</th><th>Minimum side setback</th><th>Minimum rear setback</th></tr> </thead> <tbody> <tr> <td>Up to street frontage heights</td><td>0m</td><td>0m</td></tr> <tr> <td>Residential uses (habitable rooms) between street frontage height and 45m</td><td>12m</td><td>12m</td></tr> <tr> <td>All uses (including non-habitable residential) between street frontage height and 45m</td><td>6m</td><td>6m</td></tr> <tr> <td>All uses above 45m</td><td>14m</td><td>14m</td></tr> </tbody> </table> | Building condition | Minimum side setback | Minimum rear setback | Up to street frontage heights | 0m | 0m | Residential uses (habitable rooms) between street frontage height and 45m | 12m | 12m | All uses (including non-habitable residential) between street frontage height and 45m | 6m | 6m | All uses above 45m | 14m | 14m | <p><u>Northern boundary</u> 0m for that part of the building built to the SFH. Min 8m to the tower L1-12; L13 – min 9m; L14 – 10m.</p> <p><u>Southern boundary</u> 0m for that part of the building built to the SFH. Minimum 8m setback to tower from the southern boundary (L4-8, ;</p> <p><u>Eastern (rear) boundary</u> CC is setback 9.5m; min 9.33m setback L1-8; 12.035m to L9-14.</p> | <p>No – variation sought in relation to side boundary setbacks from levels 4-14 and rear setbacks for that part of the building above 45m in height.</p> |
| Building condition | Minimum side setback | Minimum rear setback | | | | | | | | | | | | | | | |
| Up to street frontage heights | 0m | 0m | | | | | | | | | | | | | | | |
| Residential uses (habitable rooms) between street frontage height and 45m | 12m | 12m | | | | | | | | | | | | | | | |
| All uses (including non-habitable residential) between street frontage height and 45m | 6m | 6m | | | | | | | | | | | | | | | |
| All uses above 45m | 14m | 14m | | | | | | | | | | | | | | | |
| <p><u>2.6 Mixed used buildings</u></p> <ul style="list-style-type: none"> Provide flexible building layouts which allow variable tenancies or uses on the first 2 floors of a building above the ground floor. Minimum floor to ceiling heights 3.3m for commercial office and 3.6m for active public uses, such as retail and restaurants in the B3 Commercial Core zone. Separate commercial service requirements, such as loading docks, from residential access, servicing needs and primary outlook. Locate clearly demarcated residential entries directly from the public street. Clearly separate and distinguish commercial and residential entries and vertical circulation. Provide security access controls to all entrances into private areas, including car parks and internal courtyards. Provide safe pedestrian routes through the site. | <p>3.3m ground floor floor-to-ceiling heights proposed;</p> <p>Common basement ramp; waste storage rooms are separated; small rigid service vehicle dock proposed on the B1 level adjacent to R visitor and NR car parking</p> <p>Residential entry is not distinguished from the commercial entry; common entry proposed.</p> <p>Commercial lift services both the CCC and the commercial tenancies.</p> <p>Inadequate detail on security arrangements proposed.</p> <p>Active frontage proposed to part of the length of the frontage</p> | No | | | | | | | | | | | | | | | |

| <i>Objectives/controls</i> | <i>Comment</i> | <i>Compliance</i> |
|--|--|-----------------------------------|
| <ul style="list-style-type: none"> Front buildings onto major streets with active uses. Avoid the use of blank building walls at the ground level. For mixed use buildings that include food and drink premises uses, the location of kitchen ventilation systems shall be indicated on plans and situated to avoid amenity impacts to residents. | <p>though this is not the dominant element due to width of driveway, services, egress points.</p> <p>Ground floor uses are not yet known; no provision has been made for ventilation in the event a food premises occupies one of the spaces</p> | |
| <u>2.7 Deep soil zone (DSZ)</u> | No DSZ provided; planting on structure only which is acceptable within the B3 zone. | No but acceptable due to B3 zone. |
| <u>2.8 Landscape design</u> | Landscape plan generally reasonable. | Yes |
| <u>2.9 Green roofs, green walls and planting on structures</u> | Planting on structure proposed. Some details provided on the landscape plan. Most details can be conditioned if consent were granted | Yes with conditions |
| <u>2.10 Sun access planes</u> | The proposal will not cast shadows on any areas subject to the sun access planes | Yes |
| <u>2.11 Development on classified roads</u> | N/A | N/A |

3 Pedestrian amenity

| <i>Objectives/controls</i> | <i>Comment</i> | <i>Compliance</i> |
|---|--|-------------------|
| <u>3.1 General</u> | | |
| <u>3.2 Permeability</u> | No identified site links affect the site | N/A |
| <u>3.3 Active street frontages</u> | | |
| <ul style="list-style-type: none"> Active frontage uses are defined as one or a combination of the following at street level: Entrance to retail. Shop front. Glazed entries to commercial and residential lobbies occupying less than 50% of the street frontage, to a maximum of 12m frontage. | <p>Single pedestrian entry proposed to service the development; lobby then splits to service the residential lift core and the CCC.</p> <p>Non-residential uses are provided on the ground floor. Frontage is dominated by services, driveway and multiple egress points which</p> | Yes and no |

| | | |
|--|---|-------------------|
| <p>Café or restaurant if accompanied by an entry from the street. Active office uses, such as reception, if visible from the street.</p> <ul style="list-style-type: none"> • In commercial and mixed use development, active street fronts are encouraged in the form of non-residential uses on ground level. • Active street fronts are required along streets for all buildings in the Commercial Core • Active ground floor uses are to be at the same general level as the footpath and be accessible directly from the street. | <p>reduce the extent of activation/ glazing to retail/ commercial uses. Ground floor level is elevated due to flooding though it is not known whether the 1% AEP plus 500mm freeboard has been provided as required; insufficient flood information provided in this regard.</p> | |
| <p><u>3.4 Safety and security</u></p> <ul style="list-style-type: none"> • Ensure that the building design allows for casual surveillance of accessways, entries and driveways. • Avoid creating blind corners and dark alcoves that provide concealment opportunities in pathways, stairwells, hallways and carparks. • Provide entrances which are in visually prominent positions and which are easily identifiable, with visible numbering. • Provide adequate lighting of all pedestrian access ways, parking areas and building entries. Such lighting should be on a timer or movement detector to reduce energy consumption and glare nuisance. • Provide clear lines of sight and well-lit routes throughout the development. • Where a pedestrian pathway is provided from the street, allow for casual surveillance of the pathway. • For large scale retail and commercial development with a GFA of over 5,000m², provide a 'safety by design' assessment in accordance with the CPTED principles. • Provide security access controls where appropriate. • Ensure building entrance(s) including pathways, lanes and arcades for larger scale retail and commercial developments are directed to signalised intersections rather than mid-block in the Commercial zone. | <p>Natural surveillance will be available from Level 1 and 2 balconies which are oriented towards the street. Some concerns regarding concealment and entrapment opportunities within the front ground floor façade and the basements.</p> <p>Lack of detail on security arrangements</p> <p>CPTED report not provided as required.</p> | <p>No</p> |
| <p><u>3.5 Awnings</u></p> | <p>Frontage width awning provided as required</p> | <p>Yes</p> |
| <p><u>3.6 Vehicular footpath crossings</u></p> <ul style="list-style-type: none"> • 1 vehicle access point only (including the access for service vehicles and parking for non-residential uses within mixed use developments) will be generally permitted • Double lane crossing with a maximum width of 5.4 metres may be permitted | <p>1 entry point only proposed. Driveway crossing width is 7.5m which is excessive.</p> <p>No shutter shown on the front elevation. Finish of entry is</p> | <p>No</p> |

| | | |
|--|--|------------------|
| <ul style="list-style-type: none"> Doors to vehicle access points are to be roller shutters or tilting doors fitted behind the building façade. Vehicle entries are to have high quality finishes to walls and ceilings as well as high standard detailing. No service ducts or pipes are to be visible from the street. | <p>unresolved. Undercroft/ driveway will be visible from the street frontage and northern approach due to the openings in the northern elevation. Poor design outcome.</p> | |
| <p><u>3.7 Pedestrian overpasses, underpasses and encroachments</u></p> | <p>N/A</p> | <p>N/A</p> |
| <p><u>3.8 Building exteriors</u></p> | | |
| <ul style="list-style-type: none"> Adjoining buildings (particularly heritage buildings) are to be considered in the design of new buildings in terms of appropriate alignment and street frontage heights; setbacks above street frontage heights; appropriate materials and finishes selection; façade proportions including horizontal or vertical emphasis; Balconies and terraces should be provided, particularly where buildings overlook parks and on low rise parts of buildings. Gardens on the top of setback areas of buildings are encouraged. Articulate facades so that they address the street and add visual interest. External walls should be constructed of high quality and durable materials and finishes with 'selfcleaning' attributes, such as face brickwork, rendered brickwork, stone, concrete and glass. Finishes with high maintenance costs, those susceptible to degradation or corrosion from a coastal or industrial environment or finishes that result in unacceptable amenity impacts, such as reflective glass, are to be avoided. To assist articulation and visual interest, avoid expanses of any single material. Limit opaque or blank walls for ground floor uses to 30% of the street frontage. Maximise glazing for retail uses, but break glazing into sections to avoid large expanses of glass. Highly reflective finishes and curtain wall glazing are not permitted above ground floor level A materials sample board and schedule is required to be submitted with applications for development over \$1 million or for that part of any development built to the street edge. Minor projections up to 450mm from building walls in accordance with those permitted by | <p>The development by virtue of its scale and setbacks does not reflect the desired future character for the locality as outlined in the applicable planning controls.</p> <p>It is noted that the proposal has been reviewed by the DRP who raised numerous concerns regarding form expression and composition.</p> <p>Balconies are provided to all units; some overlooking the street.</p> <p>A colour & material schedule has been provided.</p> <p>There is no lift overrun proposed;; no details on rooftop services though a condition could be imposed if consent were granted requiring integration of services into the overall building design.</p> | <p>No</p> |

| | | |
|--|---|------------|
| <p>the BCA may extend into the public space providing it does not fall within the definition of GFA and there is a public benefit.</p> <ul style="list-style-type: none"> The design of roof plant rooms and lift overruns is to be integrated into the overall architecture of the building. | | |
| <p><u>3.9 Advertising and signage</u></p> | No signage identified | N/A |
| <p><u>3.10 Views and view corridors</u></p> <ul style="list-style-type: none"> Existing views shown in Figure 3.12 are to be protected to an extent that is practical. Align buildings to maximise view corridors between buildings | <p>Figure 3.12 of the DCP identifies significant view corridors within the city centre including the</p> <p>The site is not located within the nominated view corridors.</p> <p>The scale and bulk of the building measured in terms of FSR and building setbacks is contrary to others controls, potentially impacting upon available views from nearby sites.</p> | Yes and no |

4 Access, parking and servicing

| <i>Objectives/controls</i> | <i>Comment</i> | <i>Compliance</i> |
|--|--|-------------------|
| <p><u>4.1 General</u></p> | | |
| <p><u>4.2 Pedestrian access and mobility</u></p> <ul style="list-style-type: none"> Main building entry points should be clearly visible from primary street frontages and enhanced as appropriate with awnings, building signage or high quality architectural features that improve clarity of building address and contribute to visitor and occupant amenity. The design of facilities (including car parking requirements) for disabled persons must comply with the relevant Australian Standard and the Disability Discrimination Act 1992. The development must provide at least one main pedestrian entrance with convenient barrier free access in all developments to at least the ground floor. The development must provide continuous access paths of travel from all public roads and spaces as well as unimpeded internal access. Pedestrian access ways, entry paths and lobbies must use durable materials commensurate with the standard of the adjoining public domain. Building entrance levels and footpaths must comply with the longitudinal and cross grades specified in AS 1428.1, AS/NZS | <p>As noted elsewhere within this report, the ground floor of the building is elevated. Pedestrian access is available from a single entry point, via stairs or a chair lift to the common lobby.</p> <p>Disabled persons' car parking is proposed within the basement car parking levels, with access throughout the building available via the lifts.</p> <p>Universal access, including access for parents/carers with prams seeking to access the CCC from the street frontage, will not be available as there is no pedestrian ramp from the frontage.</p> <p>The finish of pedestrian pathways and the like can be dealt with by consent conditions.</p> | Yes and no |

4.3 Vehicular driveways and manoeuvring areas

- Driveways should be:
 - i) Provided from lanes and secondary streets rather than the primary street, wherever practical.
 - ii) Located taking into account any services within the road reserve, such as power poles, drainage pits and existing street trees.
 - iii) Located a minimum of 6m from the nearest intersection
 - iv) If adjacent to a residential development setback a minimum of 1.5m from the relevant side property boundary.
- Vehicle access is to be designed to:
 - i) Minimise the impact on the street, site layout and the building façade design; and
 - ii) If located off a primary street frontage, integrated into the building design.
- All vehicles must be able to enter and leave the site in a forward direction without the need to make more than a three point turn
- Driveway widths must comply with the relevant Australian Standards.
- Car space dimensions must comply with the relevant Australian Standards.
- Driveway grades, vehicular ramp width/grades and passing bays must be in accordance with the relevant Australian Standard
- Access ways to underground parking should not be located adjacent to doors or windows of the habitable rooms of any residential development.

4.4 On-site parking

- On-site parking must meet the relevant Australian Standard
- Council may require the provision of a supporting geotechnical report prepared by an appropriately qualified professional as information to accompany a development application to Council.
- Car parking and associated internal manoeuvring areas which are surplus to Council's specified parking requirements will count towards the gross floor area, but not for the purpose of determining the necessary parking.
- Any car parking provided in a building above ground level is to have a minimum floor to ceiling height of 2.8m so it can be adapted to another use in the future.

Appropriate driveway location; does not appear to conflict with any services in the road reserve.

Driveway width is excessive; impacts on the public domain, pedestrian amenity and design quality of the building

Vehicles can turn on site and leave in a forward direction.

Driveway width is excessive.

Car spaces, driveway grades and the like appear to generally comply with relevant standards. Additional pram car space required to service the CCC as per Chapter C5 of the DCP

Basement parking provided. Car parking numbers appear to be generally acceptable though a wider space is required for pram parking in conjunction with the CCC as required by Chapter C5.

Disabled persons' car parking provided.

No

Yes

| | | |
|--|---|-------------------|
| <ul style="list-style-type: none"> On-site vehicle, motorcycle and bicycle parking is to be provided in accordance with Part E of this DCP. To accommodate people with disabilities, minimum of 1% of the required parking spaces to be provided as disabled persons' car parking. | | |
| <p>4.5 Site facilities and services</p> | | |
| <p><i>Mail boxes</i> – provide in an accessible location adjacent to the main entrance; integrated into a wall where possible and be constructed of materials consistent with the appearance of the building.</p> | <p>The building is serviced by the major utilities and some augmentation of existing services is expected to facilitate the development.</p> | <p>Yes and no</p> |
| <p>Letterboxes to be secure and of sufficient size</p> | | |
| <p><i>Communication structures, air conditioners and service vents</i> - locate satellite dish and telecommunication antennae, air conditioning units, ventilation stacks and any ancillary structures in an appropriate manner.</p> | <p>A bank of letter boxes is provided inside the residential lobby. Conditions can be imposed to ensure these meet the requirements of the DCP.</p> <p>No rooftop ancillary structures or services shown on the plans.</p> | |
| <p><i>Waste storage and collection</i></p> | <p>Provision has been made for waste storage rooms within basements. On-street collection is proposed which is unacceptable in this instance having regard to the scale and nature of the uses proposed; and the inner city location of the site.</p> | |
| <p><i>Service docks and loading/unloading areas</i></p> | <p>Small loading dock provided within the upper basement level to accommodate a small rigid vehicle for servicing, the suitability of which is questionable given the nature and size of the CCC and commercial tenancies on site.</p> | |
| <ul style="list-style-type: none"> Provide adequate space within any new development for the loading and unloading of service/delivery vehicles. Preferably locate service access off rear lanes, side streets or rights of way. Screen all service doors and loading docks from street frontages and from active overlooking from existing developments. Design circulation and access in accordance with AS2890.1. | | |

5 Environmental management

| <i>Objectives/controls</i> | <i>Comment</i> | <i>Compliance</i> |
|--|--|-------------------|
| 5.2 Energy efficiency and conservation | BASIX certificates submitted indicate the BASIX targets are satisfied by the residential units | Yes |

| | | |
|--------------------------------|---|---------------------|
| <u>5.3 Water conservation</u> | BASIX certificates submitted indicate the BASIX targets are satisfied by the residential units | Yes |
| <u>5.4 Reflectivity</u> | No concerns are raised in regards to material reflectivity. Limit material reflectivity by consent condition. | Yes with conditions |
| <u>5.5 Wind mitigation</u> | A wind impact statement is required as the height of the building is more than 32m. | No |
| <u>5.6 Waste and recycling</u> | Waste management arrangements are unsatisfactory | No |

6 Residential development standards

Refer to SEPP 65 and ADG assessment.

8 Works in the public domain

Removal of street trees and provision of footpath paving is required, in compliance with the requirements of the Public Domain Technical Manual. These matters could be dealt with by conditions if approval were to be granted.

CHAPTER E1: ACCESS FOR PEOPLE WITH A DISABILITY

A Statement of Compliance Access for People with a Disability accompanied the development application.

Five (5) of the units are provided as adaptable units as required by the ADG and Wollongong DCP 2009. The access report confirms that these units achieve the adaptability requirements of AS4299. Five (5) disabled persons' car parking spaces are provided within the residential car park to service the adaptable units. Lift access is available to level 13. The lift does not service Level 14 of the development.

Access to the main pedestrian entry from Atchison Street is obtained via stairs and chair lift. As raised elsewhere within the report, the provision of a chair lift as the only method of disabled persons' access from the street frontage is not ideal.

CHAPTER E2: CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

| <i>Control/objective</i> | <i>Comment</i> | <i>Compliance</i> |
|--------------------------|---|-------------------|
| <u>3.1 Lighting</u> | No lighting shown. It is likely that some lighting will be provided at the main entrance to the building, under the awning and within the car park. No light spill impacts are expected; this can be conditioned. | Yes |

| | | |
|--|---|------------|
| <u>3.2 Natural surveillance and sightlines</u> | <p>Opportunities for natural surveillance of the Atchison Street footpath will be available from the retail spaces during business hours. Some opportunities for natural surveillance of the street will be available from the balconies and internal living areas of the units above.</p> <p>Some concerns regarding poor sightlines throughout the basements, with no clear lines of sight available into the lift lobbies which may create a potential concealment and entrapment opportunity.</p> | Yes and no |
| <u>3.3 Signage</u> | No signage proposed | N/A |
| <u>3.4 Building design</u> | <p>Some concealment opportunities exist within the façade of the building created by the configuration of the driveway and multiple egress points; potential concealment opportunities also exist within the basement due to the configuration of the walkways to the lift lobbies being concealed from view.</p> <p>No security access measures are outlined in the application.</p> | No |
| <u>3.5 Landscaping</u> | Landscaping treatment only proposed within the CCC to the rear of the ground floor and on structure within the COS. | Yes |
| <u>3.6 Public open space and parks.</u> | N/A | N/A |
| <u>3.7 Community facilities and public amenities</u> | N/A | N/A |
| <u>3.8 Bus stops and taxi ranks</u> | N/A | N/A |

CHAPTER E3: CAR PARKING, ACCESS, SERVICING/LOADING FACILITIES AND TRAFFIC MANAGEMENT

In accordance with Objective 3J-1 of the ADG, on land zoned, or sites within 400m of lands zoned, B3 or B4 in a nominated regional centre, the minimum car parking requirement for residents and visitors is set out in the RTA's *Guide to Traffic Generating Development*.

Using the RTA Guide, the development requires 45 residential car parking spaces and 10 residential visitor car parking spaces. Car parking for the commercial tenancies and child care centre are determined using the rates in Chapter E3 of WDCP and the resulting requirement is 3 car spaces to service the retail/ commercial tenancies; and 10 car spaces for the child care centre inclusive of pram parking. The parking provision is compliant and spaces are appropriately located. Motorcycle and bicycle storage is also provided for within the development at the specified rate.

Schedule 1 (Clause 7.1 of Chapter E3) requires that provision be made for on-site servicing and deliveries (loading/ unloading). A large rigid vehicle is required for servicing purposes in the case of a

shop top housing development. A small rigid vehicle is accepted for smaller business/ retail premises for servicing while a small- medium sized rigid vehicle is required for a child care centre. Provision has been made within the basement for a small loading dock with sufficient dimensions to accommodate a small rigid vehicle. On-site manoeuvring is available to enable a small rigid vehicle to exit the loading zone and leave in a forward direction.

Clause 8 specifies that driveway widths must satisfy AS2890. In this case a driveway ramp width of 6.1m is required; a ramp / driveway width of 7.6m is proposed which is excessive, impacting on the quality of the streetscape, pedestrian amenity and availability of on-street car parking in front of the site.

The proposal has been considered by Council's Traffic Section who remains dissatisfied with the proposal.

CHAPTER E6: LANDSCAPING

Council's Landscape Officer has assessed the application and provided conditions should the application be approved.

CHAPTER E7: WASTE MANAGEMENT

The applicant has submitted a Site Waste Minimisation and Management Plan as required by the DCP dealing with demolition and construction waste.

An operational waste management plan has also been submitted which deals with ongoing waste management associated with the residential and commercial components of the development. The waste generation rates used are based on expected waste generation from a restaurant as there are no specified rates of expected waste generation for a child care centre in the DCP. In any event the rates specified appear to be generally reasonable. Separate waste rooms are proposed for the residential and commercial components of the development as required by the DCP. Large (1100L MGBs) will be used to store waste in the basement waste store and it is proposed that the bins will be moved via the vehicular ramp to the kerb side for collection by private contractor. The frequency of collection is not known.

The development complies with the relevant requirements of the DCP in the following respects:-

- separate and self-contained waste management systems for the residential and the non-residential components;
- garbage storage room at the basement level;
- waste storage for the commercial component of the building calculated having regard to the anticipated waste generation rates of the intended occupants;
- the garbage storage room must be designed to accommodate the number of bins required for the development. The storage room must be located in a position which is accessible by all residents for the depositing of waste and for the relocation of bins to the collection position.
- The garbage storage room must be designed to accommodate bins with dimensions as indicated in Appendix 6.

As detailed in this report, the development does not make provision for on-site collection as required by Chapter E3. Chapter E7 states that where the number of bins proposed can be accommodated within 50% of the development's frontage on collection day, bins may be collected from a kerbside location. In instances where kerbside bin collection cannot be accommodated or is not appropriate due to safety or functional constraints, bins must be collected onsite.

Where onsite collection is required the development must be designed to allow for on-site access by garbage collection vehicles with dimensions as detailed in Appendix 7. The proposed collection vehicle must be nominated in the DA documentation and must be supported by evidence demonstrating that such a collection service is readily available.

The site must be configured so as to allow collection vehicles to enter and exit the site in a forward direction and so that collection vehicles do not impede general access to, from or within the site.

Access driveways to be used by collection vehicles must be of sufficient strength to support such vehicles.

The development does not provide for a communal green waste bin to accept waste from any landscaped areas located on the site.

The proposed waste management arrangements have been reviewed by Council's Traffic Section and are unsatisfactory. On-site collection is required for development of this scale.

CHAPTER E9: HOARDINGS AND CRANES

Conditions are recommended in relation to WorkCover requirements pertaining to the use of hoardings and cranes in conjunction with the construction of the proposed development.

CHAPTER E12: GEOTECHNICAL ASSESSMENT

The application has been reviewed by Council's Geotechnical Engineer in relation to site stability and the suitability of the site for the development. Appropriate conditions have been recommended and in the event the application is approved.

CHAPTER E13: FLOODPLAIN MANAGEMENT & CHAPTER E14: STORMWATER MANAGEMENT

The land is identified in Council's records as being located within a medium flood risk precinct.

Council's Stormwater Engineer requested additional information during the assessment, which has not been provided by the applicant:-

- Insufficient information has been submitted to adequately assess the application and its likely impacts. Further information prepared by a suitably qualified civil engineer is required to be provided demonstrating how the proposal will meet the relevant requirements of Chapter E13 of Wollongong DCP 2009, including the objectives, performance criteria, and prescriptive controls within Schedule 10 – Other Floodplains.
- The key flooding issues for the subject proposal relate to floor levels and flood affectation within the locality.
- The proposed development needs to be designed such that it accepts and caters for upslope surface runoff from adjoining properties in a 'failsafe' manner without affecting any other property.
- All stormwater overland flows including those from the OSD facility need to be clearly indicated on the Stormwater Concept Plan and designed to replicate natural overland flows.
- The status of the existing drainage easement at the north-west corner of the site needs to be addressed with the Development Application.
- Pump systems will not be permitted to discharge stormwater from sites grading away from the roadway, except for the specific purpose of draining underground/basement car parks. The stormwater being pumped from a basement car park shall be limited to sub-soil drainage and runoff from the driveway that drains towards the basement. Stormwater to be extracted from the basement car park will need to be pumped to a pit inside the property boundary and then gravity fed to the street kerb or nearby Council pit.

In addition to all the above, the comments below need to be addressed to Council's satisfaction:-

1. The proposal does not satisfy Clause 7.3(3)(b) & (c) of the Wollongong LEP 2009 and performance criteria 6.4.2(d) and Section 7 of Chapter E13 of the Wollongong DCP 2009 in relation to flood storage. It is proposed to reduce the amount of flood storage on the site; and analysis of the effect on flood levels of similar development on other sites in the area has not been undertaken. However, a cumulative impact assessment is NOT recommended to be undertaken. Rather, the development proposal shall be amended to ensure no net loss of flood storage on the site in any storm event (including the PMF event). Detailed pre and post development flood storage volume calculations should be provided to demonstrate compliance with this requirement.
2. The plans indicate an intention to place a significant amount of fill on the eastern side of the site above the natural ground level. Reference is made to the provided stormwater plan - pit No. 2.1 has a TP RL12.80. Details of the retaining wall including a cross-section shall be provided for further assessment. There appears to be an intention to fill on the site within the floodplain, which is contrary to Section 7 of Chapter E13 of the Wollongong DCP 2009. The proposal must ensure no net loss of flood storage on the site in any storm event. Detailed pre and post development flood storage volume calculations should be provided to demonstrate compliance with this requirement.
3. The proposed zero building set-back from the southern boundary will obstruct the overland flow path from adjoining properties which is contrary to section 11.3.17 of Chapter E14 of the WDCP2009. No obstruction to the overland flow of stormwater runoff from adjacent properties

is permitted. Allowance must be made for this overland flow component and adequately catered for on the subject property. The diversion of this overland flow to the street, the rear of the subject property or in any other direction other than that in which it would naturally flow will not be permitted. In addition, the proposed filling will obstruct the overland flow of stormwater runoff which will cause ponding on the upslope property which is not supported.

4. The proposed method of disposal from the development is contrary to section 11.3.2 of Chapter E14 of the WDCP2009. The capacity of the stormwater system into which stormwater from the development discharges into, must be checked in accordance with Section 9(b)(v). If part of the stormwater system is found to not have the required capacity, then that part must be augmented/ amplified to take the additional flow.
5. Paved areas and driveways falling towards Council's footpath must be provided with a full driveway width grated box drain at the property boundary as per Section 11.3.18. (4) of Chapter E14 of the Wollongong DCP 2009.
6. Demonstrate how the stormwater runoffs from the roof top terrace/ communal open spaces are managed.
 - a. In respect to all the above, a revised stormwater plan and calculations shall be provided for further assessment. The revised stormwater plan shall be compatible with the architectural and Landscape Plans as per Section 13.1(1)(a) of Chapter E14 of the Wollongong DCP 2009.

Further discussion is provided in the report under Clause 7.3 of Wollongong LEP 2009.

CHAPTER E19: EARTHWORKS (LAND RESHAPING WORKS)

Excavation is proposed to give effect to the proposed basement car park. The main concern raised in relation to the earthworks proposed when considered with regard to the requirements of this DCP chapter relate to the potential impacts of the works on the local drainage systems, overland flow characteristics and flood storage. Clause 4.1(6) states that:-

"The alteration of overland flow or local drainage shall not be permitted to adversely impact on adjoining or adjacent properties. No net loss of flood storage and /or conveyance will be permitted. In this regard, Council may require the developer to undertake a flood study to demonstrate the likely impacts and make recommendations for the design of the proposed earthworks."

As detailed elsewhere within the report, a flood study has not been supplied in support of the proposal and accordingly it is not known what the like likely impacts of the development will be in this regard.

CHAPTER E21: DEMOLITION AND ASBESTOS MANAGEMENT

The applicant has submitted a Site Waste Minimisation and Management Plan as required by the DCP. This plan deals with demolition and construction waste. The contamination assessment also identified the presence of hazardous materials (namely asbestos), within the existing dwelling to be demolished. These will be appropriately disposed of by an appropriately qualified contractor.

If approved, conditions of consent could be imposed in relation to the appropriate handling, storage and disposal of demolition wastes including any hazardous materials. This would include the requirement to comply with AS2601.

CHAPTER E22: SOIL EROSION AND SEDIMENT CONTROL

If approved, conditions of consent could be imposed to ensure the implementation of appropriate sediment and erosion control measures during works.