

ATTACHMENT 5- CHILD CARE PLANNING GUIDELINE ASSESSMENT

Controls/objectives	Comment	Compliance
3. Matters for consideration		
<u>3.1 Site selection and location</u>		
<p><i>To ensure that appropriate zone considerations are assessed when selecting a site</i></p> <ul style="list-style-type: none"> <i>Potential impacts on the health, safety and wellbeing of children, staff and visitors with regard to local environmental and amenity issues such as air or noise pollution and local traffic conditions</i> <i>The potential impact of the facility on the viability of existing commercial or industrial uses.</i> 	<p>The acoustic and privacy impacts of the proposed childcare centre on adjoining residential properties are satisfactory and have been addressed through an acoustic report, and building design that directs that provides a northerly aspect to the centre, away from adjoining residential properties.</p> <p>The child care centre is proposed on land that is at the northern extent of the R2 Low Density Residential zoning, and has an interface with land zoned RU1 Primary Production.</p> <p>The proposal is not consistent with the existing local character of the area. In this location, the site is currently not easily visible from the Princes Highway, with a very well vegetated frontage- the proposed development will result in the removal of the majority of vegetation in the road reserve both in front of the site and for the extent of the deceleration land, making the subject site and development more visually prominent. The building from the Princes Highway presents as a three storey structure of significant bulk and scale, which is generally incongruous with nearby residential development that is predominantly single dwelling houses, of two storey construction that enjoy good building separation in a landscaped setting.</p> <p>The adjoining site to the north is zone RU1 Primary Production and the land use is a colliery. The adjoining site at this location is also heavily vegetated, and land immediately adjoining the site subject to an easement. The likelihood of future development adjoining the proposed development is minimal, and as such, the visual impact of the proposal is unlikely to be mitigated over time by further development.</p>	No

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<p><i>To ensure that the site selected for a proposed child care facility is suitable for the use</i></p> <ul style="list-style-type: none"> <i>Ensure location and surrounding area is appropriate for the use</i> <i>Ensure the site is appropriate for the use</i> 	<p>Whilst the site is not mapped as bush fire prone land, it is located in close proximity to significant vegetation that poses a bushfire risk to the proposed development. The proposal was referred to the NSW RFS for comment – appropriate conditions of consent were recommended, noting that the NSW RFS requires an 88b restriction over adjoining land for the establishment and maintenance of an APZ. The environmental impacts of the tree removal are adverse, and as such, the determining authority has not been satisfied that the site is suitable for use as a child care centre.</p> <p>The subject site has frontage to the Princes Highway and the proposal relies on the construction of a deceleration lane to enable appropriate and safe access to the Centre, with associated significant retaining works in the road reserve and public domain works. The retaining works, although necessary for the deceleration lane, are not supported as they will create an ongoing significant maintenance burden to Council for the benefit of a private development, and the works are therefore not in the public interest.</p> <p>It is also noted that there are limited pedestrian crossing facilities in the immediate vicinity of the proposal along the Princes Highway.</p>	No
<p><i>To ensure that sites for child care facilities are appropriately located</i></p> <ul style="list-style-type: none"> <i>Proximity to compatible land uses</i> <i>Proximity to employment, residential uses, public transport and pedestrian connectivity</i> 	<p>The site is located in close proximity to the bus service along the Princes Highway, and is also located in proximity to a number of primary schools. A “Good Start” Centre based child care service is located on Midgley Street.</p> <p>The proposal is located approximately 770 metres from the commercial zoned land within Corrimal Town Centre. A footpath is provided to this area.</p>	Yes
<p><i>To ensure that sites for child care facilities do not incur risks from environmental, health or safety hazards</i></p> <ul style="list-style-type: none"> <i>Not located in proximity to hazardous industry or uses</i> 	<p>The site adjoins land that is used for an extractive industry, being South Bulli Colliery. An air quality assessment was not provided in</p>	No

Controls/objectives	Comment	Compliance
<ul style="list-style-type: none"> Proximity to potential hazardous future uses 	<p>support of the proposed development.</p> <p>A Detailed Site Investigation provided in relation to site contamination indicates that the site is suitable for its intended use.</p>	
3.2 Local character, streetscape and the public domain interface		
<p>To ensure that the child care facility is compatible with the local character and surrounding streetscape</p> <ul style="list-style-type: none"> Proposal is compatible with local area and reflective of the predominant land use Appropriate use of landscaping Integrate landscaping 	<p>The proposal does not reflect the predominant low density residential form of the area.</p> <p>The proposal is significant in terms of bulk and scale, and its isolated appearance on Princes Highway, as well as the proposed works within the public domain and the removal of vegetation, serve to exacerbate the obtrusiveness of the building.</p> <p>The proposal does not limit outdoor play areas to the ground level, which would assist in reducing the built form across the site, and this cannot occur within the current scheme due to the co-location of the group home on the site. The demands placed on the site area have resulted in the need to provide basement parking.</p>	No
<p>To ensure clear delineation between the child care facility and public spaces</p> <ul style="list-style-type: none"> Clear transition between public and private spaces including fencing, passive surveillance 	<p>The built form provides sufficient delineation between the private and public areas, and the centre has sufficient windows along the eastern elevation to provide passive surveillance to the Princes Highway.</p> <p>The building provides a clearly defined access and building entry as well as built form that will provide delineation from the adjoining site to the north.</p> <p>The front entry provides access for users of both the child care facility and the proposed respite day care facility. Access to these separate uses from the foyer area are not clearly delineated/ consolidated for each respective use, with the potential for confusion for way finding from the entry area.</p>	No
<p>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</p>	<p>Some screening to the front elevation is visually permeable.</p> <p>The front walls of the building are provided with landscaping that will</p>	No

Controls/objectives	Comment	Compliance
<ul style="list-style-type: none"> Front fences and walls within the front setback should be constructed or visually permeable materials and treatments 	<p>soften the appearance of the built form.</p> <p>The proposed retaining wall in the road reserve for the deceleration land construction is a significant structure, as is the retaining wall located along the southern boundary of the site- both of these walls will dominate the public domain.</p>	
3.3 Building orientation, envelope and design		
<p>To respond to the streetscape and site, while optimising solar access and opportunities for shade</p> <ul style="list-style-type: none"> Minimise visual, acoustic and overlooking impacts on neighbours Optimise solar access Avoid overshadowing Minimise cut and fill Ensure buildings along the street frontage define the street by facing it When childcare facilities are located above ground level, outdoor play areas are protected from wind and other climatic conditions 	<p>The child care centre and its indoor and outdoor play areas are oriented internally to site or to the north, away from the existing adjoining residential development.</p> <p>Overshadowing – The child care centre results in some overshadowing to the adjoining residential developments. However, solar access remains compliant on these properties.</p> <p>The proposal does not attempt to minimise excavation of the site, with excavations of around 3600mm within the site, and up to 6.79m to facilitate the deceleration lane along Princes Highway</p>	No
<p>To ensure that the scale of the child care facility is compatible with adjoining development and the impact on adjoining buildings is minimised</p> <ul style="list-style-type: none"> Building height consistent with surrounding buildings and respond to scale and character of area Setbacks to allow adequate privacy for neighbours Setback to the street consistent with existing character 	<p>Adjoining development consists of one and two storey low density residential developments to the south and west of the site. The proposal, at three storeys, is generally not consistent with the prevailing building heights and scale of the area. Further the massing of the built form is along the southern boundary at the interface with the lesser residential development. The application proposes a variation to the maximum building height standard that is not supported.</p> <p>Setbacks generally allow for privacy to neighbours.</p> <p>The existing setbacks addressing Princes Highway in this location are rear setbacks to single dwellings that achieve site access via a right of carriageway from Midgley Street. The setback varies, with the two dwellings immediately to the south having a rear setback to Princes Highway of around 20 metres. The</p>	No

Controls/objectives	Comment	Compliance
	next four dwellings to the south are setback at around 6 metres to the Princes Highway. The	
<p>To ensure that setbacks from the boundary of a child care facility are consistent with the predominant development within the immediate context</p> <ul style="list-style-type: none"> Setbacks should average the two closest buildings if buildings within 50m or the required setback for the predominant adjoining land use 	<p>The Princes Highway is not a classified road in this location, and as such, the Princes Highway setback should be the average of the two closest buildings, which are setback approximately 20 metres, however they are rear setbacks not setbacks to Princes Highway as a frontage. This setback is not relevant to the proposed development .</p> <p>The required setback for the predominant land use is 6 metres, however Chapter C3 of WDCP 2009 permits a 5.5m setback, as has been achieved by the proposal.</p>	Yes
<p>To ensure that buildings are designed to create safe environments for all users</p> <p>Entry should be limited to 1 secure point which is:</p> <ul style="list-style-type: none"> accessible from street and easily monitored through natural and camera surveillance In a mixed use development, clearly defined and separate from entrances to other uses in the building 	<p>The entry to the child care centre is clear and well defined at the building frontage.</p> <p>The entrance however is common to both the child care centre and the respite day care centre, and there are multiple entry points to within the child care centre from the foyer. The foyer has components of the child care centre addressing the foyer space, creating confusion for building occupants who may be unfamiliar with the layout.</p>	No
<p>To ensure that child care facilities are designed to be accessible by all potential users</p> <ul style="list-style-type: none"> Accessibility to be consistent with all regulations continuous path of travel throughout including parking, thoroughfares and building entrance 	<p>The proposal has been supported by an Accessibility Report prepared by Vista Access Consultants and dated 20/6/2023. The report concludes that by compliance with the recommendations of the report, the development complies with the Access code of Disability (Access to Premises-Building) Standards 2010, and the Disability Access relevant sections of the BCA 2019.</p>	Yes
3.4 Landscaping		
<p>To provide landscape design that contributes to the streetscape and amenity</p> <ul style="list-style-type: none"> Appropriate planting along boundaries Incorporating car parking into the landscape design of the site 	<p>Screen planting is provided along the northern boundary of the site.</p> <p>Basement car parking is provided and as such, landscape design for this area is not warranted.</p>	Yes

Controls/objectives	Comment	Compliance
3.5 Visual and acoustic privacy		
<p>To protect the privacy and security of children attending the facility</p> <ul style="list-style-type: none"> reduce risk of neighbouring buildings overlooking the child care centre Minimise overlooking of the centre from public spaces 	<p>Balconies from the group home have eastern openings that permit overlooking of the child care centre spaces.</p> <p>The design of the centre ensures that overlooking from public spaces to indoor rooms and outdoor play areas is minimised.</p>	No
<p>To minimise impacts on privacy of adjoining properties</p> <ul style="list-style-type: none"> Appropriate design and layout to minimise overlooking into neighbouring buildings 	<p>Although not strictly a “child care centre” use, the upper floor of the child care/respite day care centre, used for day programmes, has windows that overlook the living room windows and private open space of the adjoining property to the south.</p>	No
<p>Minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments</p> <ul style="list-style-type: none"> Acoustic fencing to be provided along adjoining residential boundaries Ensure that mechanical plant or equipment is screened to reduce noise Acoustic report prepared by suitably qualified professional that identifies appropriate noise levels for the child care centre and determine appropriate background noise level for outdoor play areas 	<p>An acoustic report was provided in support of the proposal which provided a suite of recommendations considered suitable for implementation if required.</p>	Yes
3.6 Noise and air pollution		
<p>To ensure that outside noise levels on the facility are minimised to acceptable levels</p> <ul style="list-style-type: none"> Adopt design to minimise the impacts of noise Acoustic report should identify appropriate noise levels for sleeping areas and other non-play areas 	<p>As per above, an acoustic report was provided with the application that recommended a number of measures to ensure the minimisation of outside noise levels.</p> <p>It is noted that some noise barriers as required by the Acoustic Report are not accurately represented on the architectural plans.</p>	Yes
<p>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</p> <ul style="list-style-type: none"> Location on sites which avoid potential impacts from external sources of pollution 	<p>The proposed development is located on the Princes Highway. Although now declassified, the Princes Highway in this location remains a busy road.</p> <p>Further, the site adjoins land zoned and used for Primary Production – South Bulli Colliery.</p> <p>An air quality assessment has not been provided in support of the</p>	No

Controls/objectives	Comment	Compliance
	application and to demonstrate that air quality is acceptable at the site.	
<u>3.7 Hours of operation</u>		
<i>To minimise the impact of the child care facility on the amenity of neighbouring residential developments</i> <ul style="list-style-type: none"> 7.00am to 7.00pm in residential areas 	The proposed hours of operation are 7.00am to 6.00pm, Monday to Friday.	Yes
<u>3.8 Traffic, parking and pedestrian circulation</u>		
<i>To provide parking that satisfies the needs of users and demand generated by the centre and minimises conflicts between pedestrians and vehicles</i> <ul style="list-style-type: none"> Car parking rates should be consistent with the relevant DCP A traffic and parking study should be prepared to quantify potential impacts and demonstrate how impacts will be minimised 	<p>Car parking rates proposed are consistent with Chapter E3 of WDCP 2009</p> <p>A Traffic and Parking Study was provided with the application submission, and states that the proposal will not adversely impact parking, the existing road network or the amenity of the area.</p>	
<i>To provide vehicle access from the street in a safe environment that does not disrupt traffic flow</i> <ul style="list-style-type: none"> Safe vehicle access to be provided to the site 	<p>The deceleration lane proposed as part of the development aims to provide safe vehicle access to the site, however is not supported as its provision requires additional infrastructure that will create an unacceptable ongoing maintenance burden to Council. In the absence of the deceleration lane, vehicular access to the child care centre is not considered to be safe and would likely disrupt traffic flows on the Princes Highway.</p> <p>Further proposed waste collection from the deceleration lane, and intended use of the lane for ambulance parking, is likely to adversely impact road safety.</p>	No
<i>Provide a safe and connected environment for pedestrians both on and around the site</i> <ul style="list-style-type: none"> Development may include separate pedestrian and vehicle entrance, pedestrian crossings, vehicles to enter and leave the parking in a forward direction Car parking should include a child safe fence to separate car parking from building entrance, include wheelchair and pram accessible parking 	<p>The proposal provides for safe pedestrian access within and from the basement car park to the centre.</p> <p>Council's Traffic Engineer has considered both pedestrian and vehicular access as being suitable for the proposal and consistent with these requirements.</p> <p>The car park is proposed only for the childcare component of the development, and to a much lesser degree the respite day care centre. These are similar types of developments that are unlikely to result in pedestrian and vehicular</p>	Yes

Controls/objectives	Comment	Compliance
	<p>conflicts where the vehicles are trucks and/or service vehicles.</p> <p>The building entry area includes fencing to restrict access to the driveway.</p> <p>Accessible parking is located adjoining the lift area, and the carparking includes wheelchair and pram accessible parking.</p>	
4. Applying the National Regulations to development proposals		
<u>4.1 Indoor space requirements</u>		
<ul style="list-style-type: none"> 3.25m² of unencumbered indoor space per child 	<p>The proposal satisfies the minimum unencumbered indoor space area for each child.</p> <p>The Centre also achieves the minimum recommended storage requirements.</p>	Yes
<u>4.2 Laundry and hygiene facilities</u>		
<ul style="list-style-type: none"> Laundry facilities must be provided, located and maintained in a manner that does not pose any risk to children 	A secured laundry area is provided in a service area adjoining the kitchen.	Yes
<u>4.3 Toilet and hygiene facilities</u>		
<ul style="list-style-type: none"> Appropriate toilet facilities to be provided for adults and children in accordance with NCC 	Toilet facilities are provided in each indoor play area for children and at each level separately for adults.	Yes
<u>4.4 Ventilation and natural light</u>		
<ul style="list-style-type: none"> Services must be well ventilated and provide adequate natural light 	The Centre is provided with sufficient ventilation and natural light, with openable windows considered as part of the Acoustic Report.	Yes
<u>4.5 Administrative space</u>		
<ul style="list-style-type: none"> Adequate areas for the purpose of conducting administrative functions, consulting with parents and conducting private conversations 	A reception and parents' room are provided for the Centre, as well as a staff room that includes an administrative area.	Yes
<u>4.6 Nappy change facilities</u>		
<ul style="list-style-type: none"> Appropriate nappy changing facilities must be provided, consistent with the NCC 	Nappy change areas are provided to two rooms and both areas are designed to allow supervision from other parts of the rooms	yes
<u>4.7 Premises designed to facilitate supervision</u>		
<ul style="list-style-type: none"> All necessary rooms must allow appropriate surveillance and avoid areas of poor surveillance 	Two of the proposed cot rooms are subject to poor surveillance- one is observable through another cot room and the other has a poor orientation that requires a carer to	No

Controls/objectives	Comment	Compliance
	<p>leave the main room to have meaningful surveillance.</p> <p>The 2-3 years indoor play has a potential blind spot between the toilets and the crafting bench.</p>	
<u>4.8 Emergency and evacuation procedures</u>		
<ul style="list-style-type: none"> <i>Appropriate emergency and evacuation procedures</i> <i>Emergency evacuation plan to be submitted with DA considering mobility of children, safe congregation and assembly point, plan for supervision of children</i> 	<p>The proposed assembly area at Harry Hansen Park is not suitable as it is a significant distance from the centre when travelling via the Princes Highway and also requires the children/cots to cross a number of intersections and roads that are not signalled or provided with pedestrian crossings. Robson Road in particular is a reasonably busy road on which vehicles travel at speed in the vicinity of the assembly area, and is unfenced thus increasing the risk of children entering Robson Road or Wilford Street. The proposal to contain a large number (50+) of ambulant 1 to 6 year olds within a rope circle seems to be optimistic, and doesn't account for the stimulation and upheaval that an evacuation would provide.</p> <p>Harry Hansen Park provides limited, if any, shading and shelter for the evacuees upon their arrival.</p> <p>There is a conflict with evacuation routes where the respite day care egress overlaps with the child care centre, resulting in uncertainty for child protection.</p>	No
<u>4.9 Outdoor space requirements</u>		
<ul style="list-style-type: none"> <i>7m2 per child of outdoor space</i> <i>Areas not suitable for children to be excluded from outdoor space calculation</i> 	<p>The Centre complies with requirement of 7m2 per child for outdoor space</p>	Yes
<u>4.10 Natural environment</u>		
<ul style="list-style-type: none"> <i>Include aspects of natural environments in outdoor space</i> 	<p>Natural environment features are included in the landscape design</p>	Yes
<u>4.11 Shade</u>		
<ul style="list-style-type: none"> <i>Outdoor areas to include appropriate shade incorporating solar access to at least 30% of the ground area, with not more than 60% of the area covered</i> 	<p>Not more than 60% of the outdoor area is covered, and a minimum of 30% of the play areas are shaded</p>	Yes
<u>4.12 Fencing</u>		

Controls/objectives	Comment	Compliance
<ul style="list-style-type: none"> Appropriate fencing to be provided to a minimum height of 1.2m, boundary fencing to be a minimum of 1.8m height 	Fencing appears to satisfy the requirements of the regulation	Yes
4.13 Soil assessment		
<ul style="list-style-type: none"> Soil assessment is required at DA stage where children will have direct access to soil 	A Detailed Site Investigation Report No E25670.E02_Rev0 dated 8 August 2022 was carried out by EIAustralia – the report notes that the site is deemed suitable for the use as a child care centre subject to the implementation of a number of recommendations detailed within the report.	Yes