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| **Child Care Planning Guideline (September 2021)** | | |
| **Control** | **Proposal** | **Complies** |
| **Part 3 Matters for Consideration** | | |
| **3.1 Site Selection and Location** | | |
| ***Objective: To ensure that appropriate zone considerations are assessed when selecting a site.*** | | |
| **C1**  For proposed developments in or adjacent to a residential zone, consider:   1. the acoustic and privacy impacts of the proposed development on the residential properties. 2. the setbacks and siting of buildings within the residential context. 3. visual amenity impacts (e.g. additional building bulk and overshadowing, local character). 4. traffic and parking impacts of the proposal on residential amenity and road safety. | NA  The proposed child-care centre is located within an industrial area. | NA |
| ***Objective: To ensure that the site selected for a proposed child care facility is suitable for the use.*** | | |
| **C2**  When selecting a site, ensure that:   1. the location and surrounding uses are compatible with the proposed development or use 2. the site is environmentally safe including risks such as flooding, land slip, bushfires, coastal hazards 3. there are no potential environmental contaminants on the land, in the building or the general proximity, and whether hazardous materials remediation is needed 4. the characteristics of the site are suitable for the scale and type of development proposed having regard to:  * length of street frontage, lot configuration, dimensions and overall size. * number of shared boundaries with residential properties.  1. the development will not have adverse environmental impacts on the surrounding area, particularly in sensitive environmental or cultural areas. 2. where the proposal is to occupy or retrofit an existing premises, the interior and exterior spaces are suitable for the proposed use. Where the proposal relates to any heritage item, the development should retain its historic character and conserve significant fabric, setting or layout of the item. 3. there are suitable and safe drop off and pick up areas, and off and on street parking 4. the characteristics of the fronting road or roads (for example its operating speed, road classification, traffic volume, heavy vehicle volumes, presence of parking lanes) is appropriate and safe for the proposed use. 5. the site avoids direct access to roads with high traffic volumes, high operating speeds, or with high heavy vehicle volumes, especially where there are limited pedestrian crossing facilities 6. it is not located closely to incompatible social activities and uses such as restricted premises, injecting rooms, drug clinics and the like, premises licensed for alcohol or gambling such as hotels, clubs, cellar door premises and sex services premises | The child care centre component of the development is proposed to be constructed in on land zoned IN1 to which a child care centre is permissible with consent. The applicant provided a Hazard Analysis Report in respect to the existing petrol station located at 1 Dunn Road, Smeaton Grange, prepared by Whamcorp Pty Ltd to determine if the proposed child care centre will be impacted by the existing service station. The analysis reviews the original Preliminary Hazard Assessment (PHA) for the service station and identifies the required separation distance was/is 55m. The report identifies the proposed child care centre is outside the sensitive use exclusion zone.  The other surrounding developments include vehicle display and sales centre located neighbouring the subject development site to the west at 36-38 Dunn Road, a CDC approval has been granted for the construction of Industrial Warehouses at 55 Anderson Road, neighbouring the subject site to the east and a colorbond shed distributer opposite the site at 24 Anderson Road.  Council identified data gaps in the land contamination assessment initially submitted for the proposed development. The data gap was due to an existing dam on site that was unable to be tested. Additionally, the report identified the presence of arsenic in one of the soil samples. A data gap analysis prepared by CHEC detailed dam dewatering works had been completed (previously approved under a separate application), and additional contamination investigation conducted, including additional sampling over the portion of the site where the child care centre is proposed.  The report indicated the elevated levels of arsenic identified in the original report could not be replicated. The additional samples in the portion of the site where the child care centre is proposed to be located indicated the samples were within the criteria for continued use as commercial industrial development as well as for residential (including child care uses).  The proposed design for the child care centre provides a separate vehicular entrance to the centre, which is separated from the main complex driveway. A pedestrian footpath is also provided from the front boundary to the entry of the child care centre. This has also been separated from the main complex driveway to ensure the safety of children.  The development includes adequate car parking area separated from the main industrial complex. The car park has been designed with pedestrian footpaths linking to the child care centre entry.  A Traffic and Parking Impact Assessment, and Supplementary Traffic Advice prepared by McLaren Traffic Engineering and Road Safety Consultants details Anderson Road is described as a collector road, has a speed limit of 60km/h and provides unrestricted kerbside parking. Anderson Road is a double lane dual carriage way separated by a median island. Traffic entering and exiting the site from Anderson Road, can only do so by enter and exit via a left turn only.  The traffic report details that the child care centre driveway is located at a sufficient offset distance from the main industrial complex driveway and provides adequate sight distance to oncoming traffic.  Concerns were raised with the applicant regarding the safety of the ground floor outdoor play space for the child care centre in respect to the use of the main industrial complex driveway by Heavy Rigid vehicles entering the main industrial complex driveway.  The supplementary traffic report details the acoustic fence/retaining wall will act as a barrier if a vehicle travelling eastbound were to go off course. There is no risk of vehicle travelling westbound into the child care centre due to the existing 3m wide median on Anderson Road. The main driveway of the complex is located approximately 100m south of the Anderson Road/Dunn Road roundabout, typically vehicles leaving a roundabout are travelling at lower speeds. Anderson Road is also a straight road without any concerning downgrades. The report concludes it is highly unlikely that vehicles travelling on a straight road at low speeds would lose control.  Whilst the traffic report details the unlikelihood of any vehicle accidents occurring in this location, it is recommended that a condition of consent is recommended requiring the acoustic wall and ground level outdoor play space barrier fence to be designed to withstand the force of vehicle conflict within the wall. Alternatively, bollards designed to Australian Standards shall be installed in the garden between the main driveway of the industrial complex and in front of the child care centre outdoor play space for the entire length of this frontage. | Yes |
| ***Objective: To ensure that sites for child care facilities are appropriately located.*** | | |
| **C3**  A child care facility should be located:   1. near compatible social uses such as schools and other educational establishments, parks and other public open space, community facilities, places of public worship 2. near or within employment areas, town centres, business centres, shops 3. with access to public transport including rail, buses, ferries 4. in areas with pedestrian connectivity to the local community, businesses, shops, services and the like. | The site is located within the Smeaton Grange industrial area being an employment hub for the area. Currans Hill residential area is located approximately 450m north-east of the site, and Harrington Park residential area located approximately 460m west of the site.  A bus route service is provided along Anderson Road, with bus stop being located on the boundary of the subject site and 36 Dunn Road. | Yes |
| ***Objective: To ensure that sites for child care facilities do not incur risks from environmental, health or safety hazards.*** | | |
| **C4**   1. A child care facility should be located to avoid risks to children, staff or visitors and adverse environmental conditions arising from proximity to:  * heavy or hazardous industry, waste transfer depots or landfill sites; * Liquefied Petroleum Gas (LPG) tanks or service stations, water cooling and water warming systems; * odour (and other air pollutant) generating uses and sources or sites which, due to prevailing land use zoning, may in future accommodate noise or odour generating uses; * extractive industries, intensive agriculture, agricultural spraying activities;  1. any other identified environmental hazard or risk relevant to the site and/ or existing buildings within the site. | The proposed development site is located opposite a service station at 1 Dunn Road, Smeaton Grange. When the service station was approved it contained an LPG gas cylinder which has since been removed.  The applicant provided a Hazard Analysis Report which reviewed the original Preliminary Hazard Assessment (PHA) for the service station and identifies the exclusion zone around the former LPG gas tank is 55m. The report identifies a 6.6m separation between the LPG tank exclusion zone and the outdoor play area for the child care centre.  An Air Quality report was prepared by Zephyr Environmental. The air quality study details the ambient air quality is consistent with expected particulate concentrations in Sydney and there are no existing industries in the area that are anticipated to cause adverse air quality impact to sensitive receptors including a child care centre.  A crematorium is located approximately 600m south of the subject site which has adequate environmental monitoring and safeguards in place and is therefore not expected to cause any adverse air quality impacts.  The report reviews the potential industries that could be located within the IN1 zone and concludes the industries permissible with consent within this zone could be effectively managed through good engineering practices to ensure emissions and ambient air quality standards are met.  An acoustic report and supplementary acoustic report prepared by Acouras Consultancy have been provided in support of the development application. The report indicates the outdoor noise criteria (55dBA) will be achieved with noise attenuation measures such as increased glass thicknesses and the use of acoustic fencing.  The acoustic report details the recommended noise levels should not exceed 55dBA, the adjacent industrial building within the complex are separated by external concrete walls with no openable windows/doors orientated towards the play area and therefore no adverse noise impacting the outdoor play space of the child care centre would be anticipated. | Yes |
| **3.2 Local character, streetscape and the public domain interface** | | |
| ***Objective: To ensure that the child care facility is compatible with the local character and surrounding streetscape.*** | | |
| **C5**  The proposed development should:   1. contribute to the local area by being designed in such a way to respond to the character of the locality and existing streetscape; 2. build on the valued characteristics of the neighbourhood and draw from the physical surrounds, history and culture of place; 3. reflect the predominant form of surrounding land uses, particularly in low density residential areas; 4. recognise and respond to predominant streetscape qualities, such as building form, scale, materials and colours; 5. include design and architectural treatments that respond to and integrate with the existing streetscape and local character; 6. use landscaping to positively contribute to the streetscape and neighbouring and neighbourhood amenity; 7. integrate car parking into the building and site landscaping design in residential areas; 8. in R2 Low Density Residential zones, limit outdoor play space to the ground level to reduce impacts on amenity from acoustic fences/barriers onto adjoining residence, except when good design solutions can be achieved. | The child care centre is proposed to be constructed from pre-cast concrete panels accentuated with Dulux ‘Sunshine’ coloured roller doors, vertical fins/columns.  The use of concrete and bright coloured highlight elements is a theme throughout the Smeaton Grange industrial estate and therefore the child care centre will be in keeping with other buildings in the area.  The car park has been incorporated into the architectural design of the building being located at ground level, within the child care centre building. The car park entry is secured with a roller door.  The child care centre outdoor play space and the front setback between Anderson Road and the acoustic fence for the child care centre will be extensively landscaped. A condition of consent is proposed to increase the number of shrubs and trees in the front setback area to further screen the acoustic fence from Anderson Road.  The child care centre and broader industrial complete will positively contribute to the streetscape in this area and add to the local character. | Yes |
| ***Objective: To ensure clear delineation between the child care facility and public spaces.*** | | |
| **C6**  Create a threshold with a clear transition between public and private realms, including:   1. fencing to ensure safety for children entering and leaving the facility. 2. windows facing from the facility towards the public domain to provide passive surveillance to the street as a safety measure and connection between the facility and the community. 3. integrating existing and proposed landscaping with fencing. | An acoustic fence will separate the child care centre outdoor play space from the public domain.  Passive surveillance to the street will be achieved with large glass doors from the ground floor play rooms and glass windows of the first floor programme room and dining rooms overlooking the street. | Yes |
| **C7**  On sites with multiple buildings and/or entries, pedestrian entries and spaces associated with the child care facility should be differentiated to improve legibility for visitors and children by changes in materials, plant species and colours. | A pedestrian path has been provided from the front boundary to the entry to the child care centre. Although Anderson Road has no footpath it is considered the path from the boundary to the child care centre entry creates legibility and identifies the pedestrian access to the centre. The footpath also defines the separation between the child care centre entry and the main driveway for the industrial units, improving safety for visitors to the centre. | Yes. |
| **C8**  Where development adjoins public parks, open space or bushland, the facility should provide an appealing streetscape frontage by adopting some of the following design solutions:   1. clearly defined street access, pedestrian paths and building entries; 2. low fences and planting which delineate communal/private open space from adjoining public open space; 3. minimal use of blank walls and high fences | NA | N/A |
| ***Objective: To ensure that front fences and retaining walls respond to and complement the context and character of the area and do not dominate the public domain.*** | | |
| **C9**  Front fences and walls within the front setback should be constructed of visually permeable materials and treatments. Where the site is listed as a heritage item, adjacent to a heritage item or within a conservation area front fencing should be designed in accordance with local heritage provisions. | A 2m high acoustic fence enclosing the ground floor outdoor play space, has been designed to facilitate passive surveillance with the bottom of this fence being a 1080mm high concrete wall and the top 900mm of the fencing being translucent toughened glass panels. | Yes |
| **C10**  High solid acoustic fencing may be used when shielding the facility from noise on classified roads. The walls should be setback from the property boundary with screen landscaping of a similar height between the wall and the boundary | As detailed above, there is a 2m high acoustic fence enclosing the ground floor outdoor play space for the child care centre which is required to shield the play space from the traffic noise of Anderson Road. The acoustic fence has a setback from the Anderson Road front boundary of 4.976m. Landscaping has been proposed for the front setback between the acoustic fence and Anderson Road. A condition of consent is recommended requiring increased planting within this area to further soften the look of the acoustic fence from the public domain. | Yes |
| **3.3 Building orientation, envelope, building design and accessibility** | | |
| ***Objective: To respond to the streetscape and site, while optimising solar access and opportunities for shade.*** | | |
| **C11**  Orient a development on a site and design the building layout to:   1. ensure visual privacy and minimise potential noise and overlooking impacts on neighbours by 2. facing doors and windows away from private open space, living rooms and bedrooms in adjoining residential properties 3. placing play equipment away from common boundaries with residential properties 4. locating outdoor play areas away from residential dwellings and other sensitive uses 5. optimise solar access to internal and external play areas 6. avoid overshadowing of adjoining residential properties 7. minimise cut and fill 8. ensure buildings along the street frontage define the street by facing it 9. ensure where a child care facility is located above ground level, outdoor play areas are protected from wind and other climatic conditions | The proposed child care centre has no overlooking potential, and the surrounding development have no opportunity to overlook the child care centre.  The centre will have a south-western orientation. The applicant has provided a Solar-Study which demonstrates the child care centre outdoor play spaces will achieve the minimum recommended solar access.  The *Child Care Planning Guidelines* recommends a minimum of 2 hours solar access between the hours of 8:00am and 4:00pm during the winter solstice, for at least 30% of the required outdoor play space.  The solar study provided demonstrates hourly solar access plans for the proposed development on 21 June. The plans demonstrate the ground floor outdoor play area will be provided with the required solar access between 1:30pm and 3:30pm and the required solar access for the first floor outdoor play area between 9am and 11am.  The building design includes clerestory windows to first floor playrooms to provide additional solar access. Each playroom includes large glass doors outlooking the play space which will optimise solar opportunities.  The building is designed and orientated to ensure the privacy of children is maintained. The building is built to the boundary shared with 55 Anderson Road being an industrial warehouse development, currently under construction, with this building also proposed to be built to boundary. The boundary is shared by a concrete wall and therefore no opportunities for overlooking, and acoustic privacy being maintained.  The first floor outdoor play space will be protected by climatic conditions to the north-east by the adjoining solid concrete wall, and to the southwest by the 2m translucent toughened glass translucent panels proposed for the balustrade. The building wraps around the South-west and north-west elevations. A verandah roof is provided for the first floor play space providing additional protection from the elements in this area. | Yes |
| ***Objective: To ensure that the scale of the child care facility is compatible with adjoining development and the impact on adjoining buildings is minimised.*** | | |
| ***C12***  The following matters may be considered to minimise the impacts of the proposal on local character:   1. building height should be consistent with other buildings in the locality 2. building height should respond to the scale and character of the street setbacks should allow for adequate privacy for neighbours and children at the proposed child care facility 3. setbacks should provide adequate access for building maintenance. 4. setbacks to the street should be consistent with the existing character. | The building height for the child care centre is 8.163m and is complementary with other buildings along the street front and will not dominate the streetscape. The building height for the rest of the proposed complex is further discussed in other sections of this report.  A condition of consent is recommended concerning the ongoing maintenance of the building complex.  The front setback to the child care centre is 15.8m from the front setback with the acoustic fencing around the ground floor outdoor play space being 4.976m from the front setback. The building setback is compliant with the requirements of the Camden Development Control Plan 2019. | Yes |
| ***Objective: To ensure that setbacks from the boundary of a child care facility are consistent with the predominant development within the immediate context.*** | | |
| ***C13***  Where there are no prevailing setback controls minimum setback to a classified road should be 10 metres. On other road frontages where there are existing buildings within 50 metres, the setback should be the average of the two closest buildings. Where there are no buildings within 50 metres, the same setback is required for the predominant adjoining land use. | The proposed front setback is consistent with the requirements of the Camden Development Control Plan 2019. | Yes |
| ***C14***  On land in a residential zone, side and rear  boundary setbacks should observe the prevailing setbacks required for a dwelling house. | NA - the site is zoned IN1 General Industrial. | NA |
| ***Objective: To ensure that the built form, articulation and scale of development relates to its context and buildings are well designed to contribute to an area's character.*** | | |
| ***C15***  Entry to the facility should be limited to one secure point which:   1. located to allow ease of access, particularly for pedestrians 2. directly accessible from the street where possible 3. directly visible from the street frontage 4. easily monitored through natural or camera surveillance 5. not accessed through an outdoor play area. 6. in a mixed-use development, clearly defined and separate from entrances to other uses in the building | Entry to the facility is proposed through the ‘main entry’ door located within the dedicated child care centre car park.  An entry door through to the child care centre car park is provided with pedestrian path from the front boundary of Anderson Road, beside the main driveway entry. The pathway is separated from the driveway by a safety rail The pedestrian pathway is visible from the street and does not enter the facility through the outdoor play space.  A condition of consent is recommended requiring the construction of the handrail be to Australian Standard and shall prevent vehicular pedestrian conflict.  An additional door entering into the child care centre car park is provided through from the main driveway entry of the complex. An indicative location for signage for the child care centre has been provided, and includes a sign for the child care centre at the door way through from the main complex driveway and another sign along the child care centre driveway. | Yes |
| ***Objective: To ensure that child care facilities are designed to be accessible by all potential users.*** | | |
| **C16**  Accessible design can be achieved by:   1. providing accessibility to and within the building in accordance with all relevant legislation   2 linking all key areas of the site by level or ramped pathways that are accessible to prams and wheelchairs, including between all car parking areas and the main building entry  3. providing a continuous path of travel to and within the building, including access between the street entry and car parking and main building entrance. Platform lifts should be avoided where possible  4. minimising ramping by ensuring building entries and ground floors are well located relative to the level of the footpath | An accessible pathway is provided from the front boundary to the child care centre entry.  A continuous path of travel is provided from the street, through the car park, into the building and circulating within the child care centre. The design includes a lift to access the first floor of the development.  A disabled persons bathroom is provided on both floors.  The access path from the street to the building is ramped to accommodate the fall of the site. The ramp gradient is proposed at a slope of 1:14.  A lift is proposed, however no platform lifts are proposed.  The only ramp required for the child care centre is the pedestrian path entry ramp provided from the Anderson Road boundary as described above. | Yes |
| **3.4 Landscaping** | | |
| ***Objective: To provide landscape design that contributes to the streetscape and amenity.*** | | |
| **C17**  Appropriate planting should be provided along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space. Use the existing landscape where feasible to provide a high quality landscaped area by:   1. reflecting and reinforcing the local context 2. incorporating natural features of the site, such as trees, rocky outcrops and vegetation communities into landscaping | A Landscape Plan has been provided in support of the development and demonstrates extensive landscaping to the outdoor play spaces of the child care centre.  The landscape plans for the outdoor play space include areas of timber decking, a sand pit, trees, grasses and shrubs, artificial turf, dry creek bed, tables and chairs, bridge, rubber soft fall and stepping stones, providing a combination of textures, natural elements, and interaction experiences.  A condition of consent is recommended to provide additional landscape screening/hedging in front of the acoustic fencing for the ground floor outdoor play space to reduce the visual impact of the solid acoustic fencing addressing the street.  Additional tree species are also recommended between the Anderson Road front boundary and the outdoor play space to increase the tree canopy in this area. | Yes |
| **C18**  planting shade trees in large car parking areas to create a cool outdoor environment and reduce summer heat radiating into buildings   1. taking into account streetscape, local character, pedestrian safety and context when siting car parking areas within the front setback 2. using low level landscaping to soften and screen parking areas. | The car park for the child care centre is proposed on the ground floor, within the building walls and therefore no landscaping is required for the car park. The car park for the rest of the complex is discussed under the relevant section of the Camden Development Control Plan 2019 section of the report. | Yes |
| **3.5 Visual and acoustic privacy** | | |
| ***Objective: To protect the privacy and security of children attending the facility*** | | |
| ***C19***  Open balconies in mixed use developments should not overlook facilities nor overhang outdoor play spaces. | There are no balconies for any of the proposed industrial units on this site that will have an overlooking opportunity of the child care centre outdoor play spaces. | NA |
| ***C20***  Minimise direct overlooking of indoor rooms and outdoor play spaces from public areas through:   1. appropriate site and building layout. 2. suitably locating pathways, windows and doors. 3. permanent screening and landscape design | The location of the ground floor outdoor play space being located in the front setback of the development will reduce any possible overlooking potential from the takeaway food and drink premises and Industrial Unit 2.  No windows are provided along the north-eastern boundary with the adjoining site at 55 Anderson Road due to construction of buildings on both sites being to boundary. Windows have been proposed overlooking the internal main entry driveway of the complex. Windows on the ground floor include, cot room windows, and office room windows. A condition of consent is recommended requiring the cot room windows be obscured to ensure no overlooking potential.  The first floor windows include windows to the staff room and laundry. As these rooms are not frequented by children it is considered these windows are not required to be obscured. Additional windows are provided from each of the first floor playrooms, however these windows are internal windows overlooking a hallway. A bank of windows opposite these rooms, along the external wall are provided, however these windows are obscured by decorative vertical fins.  No overlooking potential from the industrial units to the windows of the playrooms is anticipated with the use of the decorative fins obscuring the view to the child care centre and therefore the obscuring of these windows is considered unnecessary.    It is considered that there is some opportunity for trucks using the main driveway entry to overlook the ground floor outdoor play space. Despite the opportunity being limited, the applicant proposes to plant a row of Syzgium Cascade a variety of Lilly Pilly with a maturity height of 4m in this area to further limit any opportunity for overlooking into the outdoor play space. | Yes |
| ***Objective: To minimise impacts on privacy of adjoining properties.*** | | |
| ***C21***  Minimise direct overlooking of main internal living areas and private open spaces in adjoining developments through:   1. appropriate site and building layout 2. suitable location of pathways, windows and doors 3. landscape design and screening | NA. The proposed development is located within an industrial estate therefore no privacy impacts to adjoining properties is anticipated. | NA |
| ***Objective: To minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments.*** | | |
| ***C22***  A new development, or development that includes alterations to more than 50 per cent of the existing floor area, and is located adjacent to residential accommodation should:   1. provide an acoustic fence along any boundary where the adjoining property contains a residential use. An acoustic fence is one that is a solid, gap free fence 2. ensure that mechanical plant or equipment is screened by solid, gap free material and constructed to reduce noise levels e.g. acoustic fence, building, or enclosure | NA. The proposed development is located within an industrial estate therefore no privacy impacts to adjoining properties is anticipated. | NA |
| ***C23***  A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters:   1. identify an appropriate noise level for a child care facility located in residential and other zones 2. determine an appropriate background noise level for outdoor play areas during times they are proposed to be in use 3. determine the appropriate height of any acoustic fence to enable the noise criteria to be met. | An Acoustic Assessment for Industrial Development dated 17 May 2022, and an additional explanatory acoustic letter dated 18 July 2022 has been provided by Acouras Consulting.  The acoustic assessment details the outdoor noise criteria of 55dBA will be achieved in the outdoor play spaces, due to the elevation of both play spaces from Anderson Road, and the use of appropriate acoustic fencing. The closest sensitive receiver being a residential dwelling is located in excess of 400m from the proposed childcare centre will have no acoustic impacts.  6.38mm laminated glass is recommended to be used for the glazing of the child care centre and forms part of the recommended conditions of consent.  Additional acoustic assessment was conducted on 11 July 2022 between 9.00am and 9:30am where the average traffic noise level was recorded at Leq (15min) 68dBA at 1m from the kerb. The letter concluded the child care outdoor play area is setback from the kerb by 9.5m and is raised 1.2m above Anderson Road. The letter details the proposed perimeter fencing is to be a 2m high solid fencing which will ensure the outdoor environment noise level does not exceed 55dBA from external noise sources.  The fencing plan accompanying the application details the ground floor outdoor play area is proposed to be fenced using 1.08m concrete wall topped with 900mm Translucent Toughened Glass Panels. A condition of consent is recommended requiring the Translucent Glass component of the fencing be 6.38mm laminated glass; the same as that recommended for the windows of the development, to ensure the acoustic amenity of the area is maintained. | Yes |
| **3.6 Noise and air pollution** | | |
| ***Objective: To ensure that outside noise levels on the facility are minimised to acceptable levels.*** | | |
| ***C24***  Adopt design solutions to minimise the impacts of noise, such as:   1. creating physical separation between buildings and the noise source 2. orienting the facility perpendicular to the noise source and where possible buffered by other uses 3. using landscaping to reduce the perception of noise 4. limiting the number and size of openings facing noise sources 5. using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens) 6. using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and soffits 7. locating cot rooms, sleeping areas and play areas away from external noise sources. | The existing industrial activities being conducted on adjoining sites and potential future industrial activities that will occur on site and on adjoining sites formed part of the consideration for this section. Additional acoustic advice prepared by Acouras Consultancy considered this matter in the preparation of the additional acoustic advice with an extract from this letter provided below.  *‘In accordance with the NSW EPA noise policy, the operational activities of neighbouring commercial facilities should not exceed 65dBA at a nearby commercial receiver. The AAAC recommends noise levels for a childcare centre should not exceed 55dBA in the outdoor space. The adjacent commercial buildings and those within the complex are separated by external concrete walls, with no openable windows/doors orientated towards the play areas and no yard operations that would generate high noise levels.*  *It is unlikely that the operational use within the neighbouring commercial/industrial buildings would be onerously restricted due to the presence of a proposed childcare centre. Provided the operations of nearby commercial premises operate within their approved conditions, we would not anticipate there to be any adverse noise impact onto the childcare centre outdoor play space.’*  Landscaping is proposed between the acoustic fencing for the ground floor outdoor play space and the Anderson Road boundary. As detailed earlier in this report, a condition of consent is recommended increasing the number of proposed trees in this area to increase the tree canopy and to require the installation of hedging plants along the perimeter of the proposed acoustic fencing to reduce the visual impact of the concrete component of the acoustic fence to the public domain.  The cot room for the 0-1 year children is proposed to be located adjoining the main driveway entry. A condition of consent is recommended requiring the glazing of the cot room to be 6.38mm laminated glass to reduce the acoustic impact. | Yes |
| ***C25***  An acoustic report should identify appropriate noise levels for sleeping areas and other non-play areas and examine impacts and noise attenuation measures where a child care facility is proposed in any of the following locations:   1. on industrial zoned land 2. where the ANEF contour is between 20 and 25 3. along a railway or mass transit corridor, as defined by State Environmental Planning Policy (Infrastructure) 2007 4. on a major or busy road 5. other land that is impacted by substantial external noise. | As detailed above, additional acoustic advice was provided by Acouras Consultancy and details the anticipated noise levels and recommended noise attenuation measures which form part of the recommended conditions of consent. | Yes |
| ***Objective: To ensure air quality is acceptable where child care facilities are proposed close to external sources of air pollution such as major roads and industrial development*** | | |
| ***C26***  Locate child care facilities on sites which avoid or minimise the potential impact of external sources of air pollution such as major roads and industrial development***.*** | An Air Quality Assessment prepared by Zephyr Environmental dated 7 July 2022 was provided in support of the application. The report examines the potential impacts of airborne pollutants on the proposed child care centre and provides recommendations to minimise air quality impacts for the proposed childcare centre. | Yes |
| **C27**  A suitably qualified air quality professional should prepare an air quality assessment report to demonstrate that proposed child care facilities close to major roads or industrial developments can meet air quality standards in accordance with relevant legislation and guidelines. The air quality assessment report should evaluate design considerations to minimise air pollution such as   1. creating an appropriate separation distance between the facility and the pollution source. The location of play areas, sleeping areas and outdoor areas should be as far as practicable from the major source of air pollution 2. using landscaping to act as a filter for air pollution generated by traffic and industry. Landscaping has the added benefit of improving aesthetics and minimising visual intrusion from an adjacent roadway 3. incorporating ventilation design into the design of the facility | A qualitative assessment was conducted by the Air Quality Consultant. The assessment detailed the existing background ambient air quality is consistent with expected particulate concentrations in Sydney and that no existing industries in the area are anticipated to cause adverse air quality impact to sensitive receptors including a child care.  The report reviewed the approval conditions for the crematorium located in Hartley Road, Smeaton Grange, located approximately 600m to the south of the site. The approval requires the crematorium to undertake regular testing of its stack emissions to ensure they are under the limits prescribed in the *Protection of the Environment Operations (Clean Air) Regulation 2021.* An emissions testing report completed by Ektimo demonstrates the crematorium met these requirements in 2021.  Camden Valley Way is located in excess of 400m from the site. Traffic counts indicate 22,000 vehicles per day travel this road. Sufficient setback is provided from Camden Valley Way to the subject site to provide protection from these vehicle emissions.  Design recommendations have been provided by the consultant which include the requirement for air-conditioning systems to be located as far as possible from the adjacent roadway, car park and idling heavy ridged vehicle areas, by locating the air-conditioning system in the centre of the roof.  Allowances within the ventilation ductwork for (HEPA) filtration to remove fine particulate matter (PM2.5) prior to circulation through indoor areas is also suggested. These recommendations included in the proposed conditions of consent document also attached to this report.  Additional Air Quality Assessment dated 2 September 2022 was provided in respect to concerns raised regarding the ground floor outdoor play space being located adjacent to the main industrial complex driveway and potential air quality impact this may have. The additional report found neither the current nor predicted future traffic conditions of Anderson Road and the developments main driveway adjacent to the outdoor play area will result in PM2.5 concentrations that are likely to pose any unacceptable health risks to the childcare centre.  Additionally, the garden area located between the ground floor outdoor play space and the main complex driveway includes the installation of Syzgium Cascade a variety of Lilly Pilly with a maturity height of 4m, in this area creating a natural particulate filtration screen in this area. | NA |
| **3.7 Hours of operation** | | |
| ***Objective: To minimise the impact of the child care facility on the amenity of neighbouring residential developments*** | | |
| ***C28***  Hours of operation where the predominant land use is residential should be confined to the core hours of 7.00am to 7.00pm weekdays. The hours of operation of the proposed child care facility may be extended if it adjoins or is adjacent to non residential land uses | The hours of operation are proposed to be 7am to 7pm, Monday to Friday | Yes |
| **C29**  Within mixed use areas or predominantly commercial areas, the hours of operation for each child care facility should be assessed with respect to its compatibility with adjoining and co-located land uses | Should the applicant wish to extend the hours of operation, this will be subject to future assessment. The proposed hours of operation are considered suitable for the proposed development. | Yes |
| **3.8 Traffic, parking and pedestrian circulation** | | |
| ***Objective: To provide parking that satisfies the needs of users and the demand generated by the centre and to minimise conflicts between pedestrians and vehicles*** | | |
| ***C30***  Off street car parking should be provided at the rates for child care facilities specified in a Development Control Plan that applies to the land. | An off-street car park is proposed to be accessed from Anderson Road, from a driveway separated from the main industrial complex driveway entry. The proposed car park has adequate car parking spaces proposed in accordance with the requirements of the Camden Development Control Plan 2019 being at a rate of 1 space per 4 children.  80/4 = 20  20 car parking spaces are proposed for the child care development including the provision of 1 disability access car parking space.  7 of the proposed car parking spaces are stacked car parking which will be utilised for staff parking with one staff car parking space being located in the main industrial estate complex opposite the dedicated child care centre car park. This arrangement is considered acceptable as the staff will be required to park at the child care centre for long periods of time, and this will leave the remainder of the car park for use of customers bringing children to and from the centre. | Yes |
| ***C31***  In commercial or industrial zones and mixed use developments, on street parking may only be considered where there are no conflicts with adjoining uses, that is, no high levels of vehicle movement or potential conflicts with trucks and large vehicle | All required car parking spaces for the child care centre are provided on site. | *N/A* |
| ***C32***  A Traffic and Parking Study should be prepared to support the proposal to quantify potential impacts on the surrounding land uses, to optimise the safety and convenience of the parking area(s) and demonstrate how impacts on amenity will be minimised. The study should also address any proposed variations to parking rates and demonstrate that:   1. the amenity of the surrounding area will not be affected 2. there will be no impacts on the safe operation of the surrounding road network | A traffic study completed by McLaren Traffic Engineering and Road Safety provided an evaluation of the existing and future traffic conditions of the locality. The report details there will be no adverse impacts to the surrounding road network as a result of the proposed development in its entirety.  The traffic study provides swept path diagrams of the proposed child care centre car park and use of the turning bay to facilitate forward entry and exit. | Yes |
| ***Objective: To provide vehicle access from the street in a safe environment that does not disrupt traffic flow*** | | |
| ***C33***  Alternate vehicular access should be provided where child care facilities are on sites fronting:   1. a classified road 2. roads which carry freight traffic or transport dangerous goods or hazardous materials.   The alternate access must have regard to:   1. the prevailing traffic conditions 2. pedestrian and vehicle safety including bicycle movements 3. the likely impact of the development on traffic. | Anderson Road is a collector road however is located within an industrial estate and is located within a proposed mixed use development. Therefore, a secondary driveway separated from the main industrial complex main driveway entry is proposed.  A traffic report has been provided in support of the development application detailing the proposed development will have negligible impact on the existing road network.  Separate pedestrian access is provided to the child care centre from the front boundary of Anderson Road continuing parallel to the child care centre driveway. Conditions of consent are recommended requiring the hand rail for the pedestrian path be designed and installed to Australian Standards, which shall prevent vehicle pedestrian conflict and shall be designed to include an anti climb barrier between the pedestrian path and driveway. The handrail/barrier will be required to extend into the car park and wrapping the corner of the building to the extent of car parking space 8 to ensure the safety of pedestrian and children in this area. | Yes |
| ***C34***  Child care facilities proposed within cul-de-sacs or via narrow lanes or roads should ensure that safe access can be provided to and from the site, and to and from the wider locality in times of emergency. | NA | NA |
| **Objective: To provide a safe and connected environment for pedestrians both on and around the site.** | | |
| ***C35***  The following design solutions may be incorporated into a development to help provide a safe pedestrian environment:   1. separate pedestrian access from the car park to the facility 2. defined pedestrian crossings and defined/ separate paths included within large car parking areas 3. separate pedestrian and vehicle entries from the street for parents, children and visitors 4. pedestrian paths that enable two prams to pass each other 5. delivery, loading and vehicle turnaround areas located away from the main pedestrian access to the building and in clearly designated, separate facilities 6. minimise the number of locations where pedestrians and vehicles cross each other 7. in commercial or industrial zones and mixed use developments, the path of travel from the car parking to the centre entrance physically separated from any truck circulation or parking areas 8. vehicles can enter and leave the site in a forward direction 9. clear sightlines are maintained for drivers to child pedestrians, particularly at crossing locations | As detailed previously, the proposed pedestrian path for the child care centre runs parallel to driveway to the child care centre. A condition of consent is recommended requiring the handrail for the pedestrian path be engineered and designed to prevent pedestrian vehicle conflict and to provide an anti climb barrier to a minimum height of 1.2m and ensure children are unable to go under or over the handrail on to the driveway.  The car park has been designed to provide a continuous path of travel throughout the car park with a pedestrian path being provided between the stacked car parking spaces to the Child Care centre entry. A door separates the main industrial estate driveway to the child care centre car park path. The provision of the footpath throughout the car park will ensure the safety of pedestrians, including children within this area.  A condition of consent is recommended requiring the car park be artificially lit during the hours of operation to ensure a suitable level of visibility is provided in the car park at all times to ensure the safety of pedestrians within the car park.  As detailed earlier in this report, the proposed development includes a mixed use industrial development including industrial units, self storage units and a food and drink premises. A separate driveway has been provided for the exclusive use of the child care centre which is considered to benefit both the greater industrial development and the child care centre as the traffic for these uses will be separated.  The child care centre car park has been designed to facilitate forward entry and exit. A turning bay has been provided to ensure all vehicles can safely manoeuvre within the car park. | Yes |
| ***C36***  Mixed use developments should include:   1. driveway access, manoeuvring areas and parking areas for the facility that are separate to parking and manoeuvring areas used by trucks 2. drop off and pick up zones that are exclusively available for use during the facility’s operating hours with spaces clearly marked accordingly, close to the main entrance and preferably at the same floor level. Alternatively, direct access should avoid crossing driveways or manoeuvring areas used by vehicles accessing other parts of the site 3. parking that is separate from other uses, located and grouped together and conveniently located near the entrance or access point to the facility. | As detailed above a separate car park is provided for the child care centre which is separated from the central industrial unit main driveway with manoeuvring areas also separated.  Drop off and pick up for the child care centre will be through the dedicated child care centre carpark.  An indicative sign is proposed to be located to the east of the child care centre car park driveway which clearly identifies the child care centre driveway. The design of Anderson Road will result in all access to the child care centre being left in and left out reducing any vehicle conflict within this area.  The traffic report details there is sufficient separation between the child care centre driveway and the main industrial complex driveway to maintain sight distances. | Yes |
| ***C37***  Car parking design should:   1. include a child safe fence to separate car parking areas from the building entrance and play areas 2. provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards 3. include wheelchair and pram accessible parking | A continuous pedestrian path is provided from the site boundary to the child care centre entry. A condition of consent is recommended requiring the handrail for the pedestrian path be engineering and designed to prevent pedestrian vehicle conflict and to provide an anti-climb barrier to a minimum height of 1.2m to ensure children are unable to go under or over the handrail on to the driveway  Each car parking space is clearly defined on the plan, including the accessible car parking space located opposite the child care centre entry door. Council’s Engineer has reviewed the car park plans and provided a recommended condition of consent ensuring the car park is completed to Australian Standards. | Yes |