

| State Environmental Planning Policy (Industry and Employment) 2021 | |
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| Chapter 3 Advertising and Signage Section 3.1 – Aims, Objectives | Comment |
| <p>Consistency with the objectives of Chapter 3 as set out in clause 3.1 (1)(a):</p> <ul style="list-style-type: none"> a) to ensure that signage (including advertising): <ul style="list-style-type: none"> (i) is compatible with the desired amenity and visual character of an area, and (ii) provides effective communication in suitable locations, and (iii) is of high quality design and finish, and b) to regulate signage (but not content) under Part 4 of the Act, and c) to provide time-limited consents for the display of certain advertisements in transport corridors, d) to regulate the display of advertisements in transport corridors, and e) to ensure that public benefits may be derived from advertising in and adjacent transport corridors | <p>The signage is compatible with the locality of the site which consists with the existing educational establishment.</p> <p>The signage is appropriately set back from the street frontage and is designed at a scale suitable for identifying the building.</p> <p>The signs do not block any significant views and will not have a detrimental impact on the current and amenity of the surrounding area.</p> <p>The signage has been designed complementing the existing building, site and surrounding landscape.</p> |
| Chapter 3 Advertising and Signage - Division 3 Particular Advertisements | Comment |
| <p>3.16 Advertisements greater than 20 square metres and within 250 metres of, and visible from, a classified road.</p> | <p>The site adjoins a classified road and the proposed signage provides the following front setbacks:</p> <ul style="list-style-type: none"> • Signage 1: 1.9metres • Signage 2: 32.3 metres • Signage 3: 31.9 metres • Signage 3: 64.4metres <p>It is noted that the proposed signage is located within 250 metres of a classified road (Heathcote Road). However, all proposed signage is not 20 square metres or greater. The proposed signages provide the following square metres:</p> <ul style="list-style-type: none"> • Signage 1 (2800mm (H) x 1000mm (W)): 2.8sqm • Signage 2 (2800mm (H) x 600mm (W)): 1.68sqm (x 2) • Signage 3 (600mm (H) x 1000mm (W)): 0.6sqm <p>As such, the proposed signage is not require to be referred to TfNSW.</p> |

| Schedule 5 Assessment Criteria | Comment |
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| <p>Character of the area Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</p> <p>Is the proposal consistent with a particular theme for outdoor advertising in the area of locality?</p> | <p>The proposed signage is compatible with the existing educational establishment and the residential area located approximately 138 metres to the northeast and 146 metres to the northwest.</p> <p>As such, the proposed signage is considered to be consistent with the signage in the immediate locality.</p> |
| <p>Special Areas Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</p> | <p>The proposal is not envisaged to detract from the amenity or visual quality of the area.</p> |
| <p>Views and Vistas Does the proposal obscure or compromise important views? Does the proposal dominate the skyline and reduce the quality of vistas? Does the proposal respect the viewing rights of other advertisers?</p> | <p>The signage will not adversely affect important views and vistas. The signage does not dominate the streetscape, respecting the viewing rights of other advertisers.</p> |
| <p>Streetscape, Setting or Landscape Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? Does the proposal contribute to the visual interest of the streetscape, setting or landscape? Does the proposal reduce clutter by rationalising and simplifying existing advertising? Does the proposal screen unsightliness? Does the proposal protrude above buildings, structures or tree canopies in the area or locality? Does the proposal require ongoing vegetation management?</p> | <p>The signage is designed at a suitable scale that complements the existing streetscape, setting and landscape. In addition, the location of the signage is appropriate in identifying the business.</p> |
| <p>Site and Building Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? Does the proposal respect important features of the site or building, or both??</p> | <p>It is considered that the signage is consistent and is respectful with the scale of the building. The sign is not visually dominant and located appropriately to complement the architectural qualities of the building, as well as to identify the building.</p> |
| <p>Associated devices and logos with advertisements and advertising structures Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it to be displayed?</p> | <p>The signage is not envisaged to cause safety issues.</p> |
| <p>Illumination Would illumination result in unacceptable glare? Would illumination affect safety for pedestrians, vehicles or aircraft? Would</p> | <p>All proposed signage is non-illuminated, as such will not result in glare or impact the adjoining developments.</p> |

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| illumination detract from the amenity of any residence or other form of accommodation? Can the intensity of the illumination be adjusted, if necessary? Is the illumination subject to a curfew? | |
| Safety Would the proposal reduce the safety for any public road? Would the proposal reduce the safety for pedestrians or bicyclists? Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? | It is not considered to reduce the safety of pedestrians, cyclists and motorists. |

| State Environmental Planning Policy (Transport and Infrastructure) 2021 | | | |
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| Chapter 2 Infrastructure – Subdivision 2 Development in or Adjacent to Road Corridors and Road Reservations | | | |
| Provision | Requirement | Proposal | Compliance |
| Clause 2.119 Development with frontage to classified road | <p>(1) The objectives of this section are—</p> <p>(a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and</p> <p>(b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.</p> | <p>The proposal is adjacent a classified road and the traffic noise and vehicle emission is considered to unlikely impact the proposal.</p> <p>An Acoustic Report prepared by Cundall Johnston & Partners Pty Ltd and an Air Quality Assessment report prepared by SLR Consulting Australia Pty Ltd was submitted with the application. The application was referred to Council's Environmental Health section who raised no objections, subject to conditions.</p> | Complies by conditions |
| | <p>(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—</p> <p>(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and</p> <p>(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—</p> <p>(i) the design of the vehicular access to the land, or</p> <p>(ii) the emission of smoke or dust from the development, or</p> <p>(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and</p> | <p>A Traffic Assessment Report prepared by Barker Ryan Stewart was submitted with the application. The application was referred to TfNSW who raised no objections to the proposal.</p> <p>In addition, the application was referred to Council's Traffic Engineers to review the potential Traffic Impacts, who raised no objections, subject to conditions.</p> | Complies, subject to condition |

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| | (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road. | | |
| Clause 2.120 - Impact of rail noise or vibration on non-rail development | (1) This clause applies to development for any of the following purposes that is on land in or adjacent to a rail corridor and that the consent authority considers is likely to be adversely affected by rail noise or vibration: a) Residential accommodation, b) A place of public worship, c) A hospital, d) An education establishment or centre-based child care facility. | The proposed development is for a centre-based child care facility. The application was referred to TfNSW who raised no objections with the proposal. In addition, the application was referred to Council's Environmental Health section who raised no objections, subject to conditions of consent. | Complies, subject to conditions. |
| | (2) Before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines that are issued by the Planning Secretary for the purposes of this section and published in the Gazette. | The proposal has been referred to the relevant state authority in accordance with the SEPP who raised no objections. | Complies |
| | (3) If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the | No residential accommodation is proposed as part of the application. | Not applicable |

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| | <p>following LAeq levels are not exceeded:</p> <p>a) In any bedroom in the residential accommodation – 35 dB(A) at any time between 1-.00pm and 7.00am,</p> <p>b) Anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway) – 40 dB(A) at any time.</p> | | |
| Chapter 3 Educational Establishments and Child Care Facilities – Part 3.3 Early Education and Care Facilities – Specific Development Controls | | | |
| Provision | Requirement | Proposal | Compliance |
| 3.22 – Centre-based child care facility—concurrence of Regulatory Authority required for certain development | <p>This clause applies to development for the purpose of a centre-based child care facility if:</p> <p>(a) the floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the <i>Education and Care Services National Regulations</i>, or</p> <p>(b) the outdoor space requirements for the building or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those Regulations</p> | Concurrence is not required as indoor and outdoor space meet the minimum requirements. | Not applicable |
| 3.23 Centre-based child care facility matters for consideration by consent authorities | Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the Child Care Planning Guideline, in relation to the proposed development | The development application has been assessed in accordance with the relevant matters of consideration as prescribed under the Child Care Planning Guidelines 2021. | <i>Please see the table below.</i> |
| 3.24- Centre-based child care facility in Zone IN1 or | To minimise land use conflicts with existing industrial development | The site is in the R3 Medium Density Residential zone and is not located in proximity to | Not applicable |

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| IN2— additional matters for consideration by consent authorities | | an industrial development or zone. | |
| 3.26 Centre- based child care facility – non- discretionary development standards | <p>(2) The following are non-discretionary development standards for the purposes of section 4.15(2) and (3) of the Act In relation to the carrying out of development for the purposes of a centre-based child care facility—</p> <p>(a) Location – the development may be located at any distance from an existing or proposed early education and care facility.</p> | There is no approved early education and care facility directly adjoining the vicinity of the proposed childcare facility. | Complies |
| | <p>(b) Indoor or outdoor space</p> <p>(i) for development to which regulation 107 (indoor unencumbered space requirements) or 108 (outdoor unencumbered space requirements) of the <i>Education and Care Services National Regulations</i> applies—the unencumbered area of indoor space and the unencumbered area of outdoor space for the development complies with the requirements of those regulations, or</p> <p>(ii) for development to which clause 28 (unencumbered indoor space and useable outdoor play space) of the <i>Children (Education and Care Services) Supplementary</i></p> | <p>A total of 76 children area proposed at the child care facility.</p> <p><u>Required indoor/ outdoor spaces:</u></p> <p>Indoor spaces: 247sqm Outdoor spaces: 532sqm</p> <p><u>Proposed indoor/ outdoor spaces:</u></p> <p>Unencumbered indoor play areas proposed is 273.3m². Four (4) indoor play areas are proposed and consist of:</p> <ul style="list-style-type: none"> • Area 1: 53.3 m² • Area 2: 73.7m² • Area 3: 76.8m² • Area 4: 69.5 m² <p>Unencumbered outdoor play areas proposed is 574.6m². Two (2) outdoor play areas are proposed and consist of:</p> | Complies |

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| | <p><i>Provisions Regulation 2012</i> applies—the development complies with the indoor space requirements or the useable outdoor play space requirements in that clause,</p> | <ul style="list-style-type: none"> Area 1: 443.8m² Area 2: 130.8m² | |
| | (c) The development may be located on a site of any size and have a length of street frontage or any allotment depth. | The subject lot is 39, 264sqm, with a frontage of 218 metres. The site is considered to be of appropriate size for the proposed development. | Complies |
| | (d) colour of building materials or shade structures—the development may be of any colour or colour scheme unless it is a State or local heritage item or in a heritage conservation area. | <p>A schedule of colours and finishes was submitted with the application. The development will have a combination of colours and finishes appropriate for a child care facility.</p> <p>The site is not a State or local heritage item, nor is it located in a heritage conservation area.</p> | Complies |

| Part 4. Applying the National Regulations to Development Proposal | | | |
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| Provision | Requirement | Proposal | Compliance |
| Section 104 Fencing | Any outdoor space used by children at the education and care service premises is enclosed by a fence or barrier that is of a height and design that children preschool age or under cannot go through, over or under it. | <p>All outdoor play areas are enclosed by a fence.</p> <p>However, a condition will be imposed to ensure a detailed fence plan surrounding the outdoor play areas are submitted to Council prior to the issue of a construction certificate. This is to ensure the fence has been designed for children preschool age.</p> | Complies, subject to conditions. |
| Section 105 Furniture, materials and equipment | The approved provider of an education and care service must ensure that each child being educated and cared for by the education and care service has access to sufficient furniture, materials and developmentally appropriate equipment | <p>Basic details have been provided of the proposed indoor furniture.</p> <p>In addition, the proposed fixed outdoor play equipment is detailed in the landscaped plan and is considered to be</p> | Complies |

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| | | suitable for the education and care of that child. | appropriate for the intended age groups. | |
| Section 106 Laundry and Hygiene Facilities | | The proposed development includes laundry facilities or access to laundry facilities OR explain the other arrangements for dealing with soiled clothing, nappies and linen, including hygienic facilities for storage of soiled clothing, nappies and linen prior to their disposal or laundering. Laundry/hygienic facilities are located where they do not pose a risk to children. | Laundry facilities area provided and located away from the children's play areas. The application was referred to Council's Environmental Health Section who reviewed this component and raised no objections, subject to conditions. | Complies, subject to conditions. |
| Section 107 Space Requirements – Indoor Space | | The proposed development includes at least 3.25 square metres of unencumbered indoor space for each child. <i>Refer to regulation 107 of the Education and Care Services National Regulation for further information on calculating indoor space.</i> | Total Children: 76 <u>Required:</u> $3.25 \times 76 = 247 \text{ m}^2$ <u>Proposed:</u> Unencumbered indoor play areas proposed is 269.4m² . Four (4) indoor play areas are proposed and consist of: <ul style="list-style-type: none"> • Area 1: 53.3 m² • Area 2: 79.1m² • Area 3: 70m² • Area 4: 67 m² | Complies |
| Section 108 Space Requirements – Outdoor Space | | The proposed development includes at least 7.0 square metres of unencumbered outdoor space for each child. <i>Refer to regulation 108 of the Education and Care Services National Regulation for further information on calculating outdoor space, and for different requirements for out-of-school hours care services.</i> | Total Children: 76 <u>Required:</u> $7 \times 76 = 532 \text{ m}^2$ <u>Proposed:</u> Unencumbered outdoor play areas proposed is 574.6m² . Two (2) outdoor play areas are proposed and consist of: <ul style="list-style-type: none"> • Area 1: 443.8m² • Area 2: 130.8m² | Complies |
| Section 109 Toilet And Hygiene Facilities | | The approved provider of an education and care service must ensure that— (a) adequate, developmentally and age-appropriate toilet, washing and drying | All rooms have provided toilets and nappy change facilities (age dependent). These facilities have been designed where sufficient supervision is provided at all times and is accessible | Complies, subject to conditions. |

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| | <p>facilities are provided for use by children being educated and cared for by the service; and</p> <p>(b) the location and design of the toilet, washing and drying facilities enable safe use and convenient access by the children.</p> | <p>from both indoor and outdoor areas.</p> <p>In addition, the application was referred to Council's Environmental Health Section who reviewed this component and raised no objections, subject to conditions.</p> | |
| Section 10 Ventilation and Natural Light | <p>The approved provider of an education and care service must ensure that the indoor spaces used by children at the education and care service premises—</p> <p>(a) are well ventilated; and</p> <p>(b) have adequate natural light; and</p> <p>are maintained at a temperature that ensures the safety and wellbeing of children</p> | <p>Ventilation and natural light will be available to all playrooms through windows/ door openings and mechanical ventilation.</p> | Complies |
| Section 111 Administrative Space | <p>The approved provider of a centre-based service must ensure that an adequate area or areas are available at the education and care service premises for the purposes of—</p> <p>(a) conducting the administrative functions of the service; and</p> <p>(b) consulting with parents of children; and</p> <p>conducting private conversations.</p> | <p>Administrative areas have been provided to facilitate conducting the administrative functions of the service, consulting with parents of children and conducting private conversations. Submitted floor plans illustrate proposed staff and meeting rooms and reception area to carry out administrative tasks.</p> | Complies |
| Section 112 – Nappy Change Facilities | <p>The approved provider of the service must ensure that adequate and appropriate hygienic facilities are provided for nappy changing.</p> <p>(a) if any of the children are under 3 years of age, at least 1 properly constructed nappy changing bench; and</p> <p>(b) hand cleansing facilities for adults in the immediate vicinity of the nappy change area.</p> | <p>Nappy change facilities have been provided for children, including hygienic facilities for nappy changing and bathing.</p> <p>Each bathroom for children aged 0-1 and 1-2 years had been provided with a dedicated nappy change area.</p> <p>Additionally, a hand basin for adults is provided in</p> | Complies |

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| | | the immediate vicinity of the nappy change area. | |
| Section 113 Outdoor space – Natural Environment | The approved provider of a centre-based service must ensure that the outdoor spaces provided at the education and care service premises allow children to explore and experience the natural environment. | The outdoor play areas are considered to be designed to enable a safe learning environment for the children. This enables the children to engage with the natural environment. | Complies |
| Section 114 Outdoor Space – Shade | The approved provider of a centre-based service must ensure that outdoor spaces provided at the education and care service premises include adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun. | A shadow diagram was submitted with the application showing the potential shadow impacts. The outdoor play areas include trees, shade cloth structures and verandahs with roof coverings to ensure adequate protection from the sun is achieved. | Complies |
| Section 115 Premises Design to Facilitate Supervision | The approved provider of a centre-based service must ensure that the education and care service premises (including toilets and nappy change facilities) are designed and maintained in a way that facilitates supervision of children at all times that they are being educated and cared for by the service, having regard to the need to maintain the rights and dignity of the children. | All indoor playrooms have direct visual access to all outdoor play areas and to the bathrooms. Windows and glass doors have been located appropriately to achieve adequate visual supervision. The outdoor area is accessible from inside the centre. Bathrooms provide visual surveillance via the internal and external windows. This enables the bathrooms to be supervised from the internal playrooms and outdoor play areas. Additionally, the bathroom features open cubicles without doors. | Complies |

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| Section 123 Educator to Child Ratios – Centre-based Services | <p>(1) The minimum number of educators required to educate and care for children at a centre-based service is to be calculated in accordance with the following ratios –</p> <p>(a) For children from birth to 24 months of age - 1 Educator to 4 children;</p> <p>(b) For children over 24 months and less than 36 months of age – 1 educator to 5 children;</p> <p>(c) For children aged 36 months of age or over (not including children over preschool age) – 1 educator to 11 children;</p> <p>(d) For children over preschool age, 1 educator to 15 children.</p> | <p>Proposed Children ages of:</p> <ul style="list-style-type: none"> • 0-2 years old: 16 • 2-3 years old: 20 • 3-5 years old: 40 • 5 years +: n/a <p>Required Educators:</p> <ul style="list-style-type: none"> • 0-2 years old: 4 • 2-3 years old: 4 • 3-5 years old: 4 • 5 years +: n/a <p>Total of educators proposed: 14</p> | Complies |
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| Child Care Planning Guideline 2021 | | | |
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| Part 3 Matters of Consideration | Requirements | Proposal | Comments |
| 3.1 Site Selection and Location | | | |
| C1 Site Selection and Location | <p><u>Development in or adjacent to residential zone:</u></p> <p>The acoustic and privacy impacts of the proposed development on the residential properties</p> | <p>The proposed child care facility is located within an existing Educational Establishment (St. Christophers Catholic School) and the residential properties are located more than 120m from the proposed development. The proposal is considered to unlikely cause privacy concerns to the adjoining properties.</p> <p>An acoustic report is submitted with the DA which includes recommended noise mitigation measures for the childcare facility to comply with</p> | Complies, subject to conditions. |

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| | | <p>relevant noise standards.</p> <p>The application was referred to Council's Environmental Health section to review the potential noise impacts. Council's Environmental Health officer raised no objections, subject to conditions.</p> | |
| | The setbacks and siting of buildings within the residential context. | <p>The proposed development is located within an existing Educational Establishment. The location of the proposed child care does not directly adjoin any residential development.</p> <p>The setbacks of the proposed building are appropriate and generally consistent with the Liverpool DCP 2008.</p> | Complies |
| | Visual amenity impacts (e.g. additional building bulk and overshadowing, local character) | The development is consistent with the R3 Medium Density Residential character and will not result in any unreasonable impacts to the adjoining properties. | Complies |
| | Traffic and parking impacts of the proposal on residential amenity and road safety | <p>The proposed development is considered to have minimal impact on the traffic capacity of Heathcote Road and the surrounding road network.</p> <p>The application has been referred to Council's Traffic Engineers and TfNSW and raised no concerns. It is considered that the proposed development is</p> | Complies |

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| | | considered unlikely to impact the residential amenity and road safety. | |
| | <u>Developments in commercial and industrial zones</u> Potential impacts on the health, safety and wellbeing of children, staff and visitors with regard to local environmental or amenity issues such as air or noise pollution and local traffic conditions | The site is located within an R3 Medium Density Residential Zone. | Not applicable |
| | The potential impact of the facility on the viability of existing commercial or industrial uses. | The site is located within an established residential area. | Not applicable |
| C2 Site Selection and Location | The location and surrounding uses are compatible with the proposed development or use. | The development is located within an existing Education Establishment and is considered compatible with the location. | Complies |
| | The site is environmentally safe including risks such as flooding, land slip, bushfires, coastal hazards | The site is not identified as having any environmental risks, such as flood prone, bushfire prone, land slip and coastal hazards. | Complies |
| | There are no potential environmental contaminants on the land, in the building or the general proximity, and whether hazardous materials remediation is needed | <p>The remedial action plan confirms that once the recommendations of the report area implemented and validated, the site will be suitable for the proposed child care.</p> <p>The application has been referred to Council's Environmental Health section and raised no objections, subject to conditions. Conditions will be imposed to ensure that the recommendations during demolition and the construction phase</p> | Complies, subject to conditions. |

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| | | of the development will be adhered to. | |
| | <p>The characteristics of the site are suitable for the scale and type of development proposed having regard to:</p> <ul style="list-style-type: none"> Length of street frontage, lot configuration, dimensions and overall size Number of shared boundaries with residential properties | <p>The proposed development is compatible with the site. The width, length, configuration and size of the lot is considered appropriate for the proposed development.</p> <p>The proposed design ensures minimal adverse impacts for residents of surrounding properties.</p> | Complies |
| | The development will not have adverse environmental impacts on the surrounding area, particularly in sensitive environmental or cultural areas | The site is not adjacent to environmentally sensitive or cultural areas. | Not applicable |
| | 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. | The development includes the construction of a new building for the child care facility. | Not applicable |
| | There are suitable and safe drop off and pick up areas, and off and on street parking | The site accommodates suitable drop off and pick up areas. This component was reviewed by Council's Traffic Engineers who raised no objections, subject to conditions. | Complies by conditions. |
| | 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 | The development front Heathcote Road which is a classified road. The application has been reviewed by TfNSW and raised no objections to the proposal. | Complies |

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| | appropriate and safe for the proposed use | | |
| | The site avoids direct access to roads with high traffic volumes, high operating speeds, or with high heavy vehicle volumes, especially where there are limited pedestrian crossing facilities | <p>The site is located on a classified road, with a speed limit of 60km/h. During 8-9:30am and 2:30-4:30pm the speed limit is reduced to 40km/h.</p> <p>Give that children pickup/ drop-off are located within the site, the site is considered to be acceptable for the development.</p> | Complies |
| | 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. | <p>The site is located within an existing educational establishment and the surrounding sites are used for residential purposes.</p> <p>No incompatible land uses are proposed adjoining or located within the vicinity of the site.</p> | Complies |
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| C3 Site Selection and Location | Near compatible social uses such as schools and other educational establishments, parks and other public open space, community facilities, places of public worship | <p>The site is located with an existing educational establishment, with place of public worship.</p> <p><i>Note: the existing parish centre is to be demolished as part of the application.</i></p> | Complies |
| | Near or within employment areas, town centres, business centres, shops | The site is located approximately 1.1km from Wattle Grove Shopping Village. | Complies |
| | With access to public transport including rail, buses, ferries | A bus stop is located at the entrance of the site. | Complies |
| | In areas with pedestrian connectivity to the local community, businesses, shops, services and the like | As above. | Complies |

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| C4 Site Selection and Location | Proximity to: <ul style="list-style-type: none"> 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 | <p>The site is not located near water cooling or warming systems, odour generating sources, extractive industries, intensive agriculture, or agricultural spraying activities.</p> <p>It is noted that the site adjoins a classified road, however acoustic and air quality reports have been submitted with the application. These reports have confirmed that the locality is acceptable.</p> <p>In addition, there are no extractive industries within the direct vicinity of the site.</p> | Complies |
| | Any other identified environmental hazard or risk relevant to the site and/ or existing buildings within the site. | The site is not identified as containing any environmental hazards. | Complies |

3.2 Local Character, Streetscape and the Public Domain Interface

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| C5 Local Character, Streetscape and the Public Domain Interface | <ul style="list-style-type: none"> contribute to the local area by being designed in such a way to respond to the character of the locality and existing streetscape | The proposed development is not directly visible from the street frontage. However, the proposed childcare facility has been designed to be compatible with the existing streetscape and locality. | Complies |
| | <ul style="list-style-type: none"> build on the valued characteristics of the neighbourhood and draw from the physical surrounds, history and culture of place | The site is not located within a heritage sensitive area. | Not applicable |
| | <ul style="list-style-type: none"> reflect the predominant form of surrounding land uses, particularly in low density residential areas | The site is located within a R3 Medium Density Residential. | Not applicable |

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| | <ul style="list-style-type: none"> recognise and respond to predominant streetscape qualities, such as building form, scale, materials and colours; | <p>The child care facility is proposed to be single storey. The building is proposed to be constructed in a range of materials and finishes including, timber cladding and aluminium windows.</p> <p>As such, the bulk and scale, materials and colours of the development will integrate within the existing streetscape.</p> | Complies |
| | <ul style="list-style-type: none"> include design and architectural treatments that respond to and integrate with the existing streetscape and local character | As above. | Complies |
| | <ul style="list-style-type: none"> use landscaping to positively contribute to the streetscape and neighbouring and neighbourhood amenity | A landscaped plan has been submitted with the application. The proposed landscaping is deemed to be compatible with the streetscape and contribute to the neighbouring amenity. | Complies |
| | <ul style="list-style-type: none"> integrate car parking into the building and site landscaping design in residential areas | <p>Given that the proposed child care is located within an existing educational establishment, the associated parking for the child care will be provided in the existing car parking facilities onsite.</p> <p>No changes are proposed to the landscaping fronting the car park.</p> <p>However, ample landscaping is provided surrounding the proposed childcare facility, which will soften the</p> | Complies |

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| | | visual appearance of the building. | |
| | <ul style="list-style-type: none"> 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 Site is located within R3 Medium Density Residential. | Not applicable |
| C6 Local Character, Streetscape and the Public Domain Interface | <p><u>Clear a threshold with a clear transition between public and private realms, including:</u></p> <ul style="list-style-type: none"> fencing to ensure safety for children entering and leaving the facility | <p>There are no changes to the existing boundary fence.</p> <p>However, additional fencing is provided around the child care facility. A condition will be imposed to ensure a detailed fence plan surrounding the child care facility, be submitted to Council prior to the issue of a construction certificate.</p> | Complies, subject to conditions. |
| | <ul style="list-style-type: none"> windows facing from the facility towards the public domain to provide passive surveillance to the street as a safety measure and a connection between the facility and the community | Windows have been proposed facing the streetscape, which will provide passive surveillance from the facility to the street. | Complies |
| | <ul style="list-style-type: none"> integrating existing and proposed landscaping with fencing. | Landscaping is integrated with the fencing. | Complies |
| C7 Local Character, Streetscape and the Public Domain Interface | 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. | <p>The proposed child care facility is accessible via multiple footpaths from the car park and the street frontage.</p> <p>Additionally, a wayfinding sign is provided to ensure that the childcare</p> | Complies |

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| | | facility can be easily identified and located. | |
| C8 Local Character, Streetscape and the Public Domain Interface | <p>Development adjoins public parks, open space or bushland, the facility should provide an appealing streetscape frontage by adopting some of the following design solutions:</p> <ul style="list-style-type: none"> Clearly defined street access, pedestrian paths and building entries Low fences and planting which delineate communal/private open space from adjoining public open space Minimal use of blank walls and high fences. | <p>The site does not adjoin public parks, open space or bushland. However, the site has been adequately designed to provide landscaping fronting the development.</p> <p>In addition, the design of the building has avoided using blank walls.</p> | Complies |
| C9 Local Character, Streetscape and the Public Domain Interface | <p>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.</p> <p>Note: 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> | No front fence is proposed as part of the application. | Not applicable |
| 3.3 Building Orientation , envelope, building design and accessibility | | | |
| C10 Local Character, Streetscape and the Public Domain Interface | 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. | Given that the proposed development is located approximately 63.8m from Heathcote Road, an acoustic fence is not required. | Noted. |
| C11 Building orientation, envelope, building | <u>Orient a development on a site and design the building layout:</u> | The doors and windows have been | Complies |

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| design and accessibility | <p>Ensure visual privacy and minimise potential noise and overlooking impacts on neighbours by</p> <ul style="list-style-type: none"> o facing doors and windows away from private open space, living rooms and bedrooms in adjoining residential properties o placing play equipment away from common boundaries with residential properties o locating outdoor play areas away from residential dwellings and other sensitive uses | <p>appropriately located on the built form.</p> <p>Considering the child care facility is a single-storey structure, it is deemed unlikely to cause unreasonable overlooking to the adjoining sites.</p> <p>Furthermore, the outdoor play areas have been situated away from residential dwellings, featuring ample landscape screening to mitigate potential noise and privacy concerns.</p> | |
| | <ul style="list-style-type: none"> • Optimise solar access to internal and external play areas | <p>Solar access to the internal and outdoor play areas will be achieved by the building design.</p> <p>Additionally, the proposal incorporates skylight windows to increase the solar access to the internal play areas.</p> | Complies |
| | <ul style="list-style-type: none"> • Avoid overshadowing of adjoining residential properties | <p>Given that the child care facility is a single-storey structure, it is deemed unlikely to cause unreasonable overlooking to the adjoining sites.</p> | Complies |
| | <ul style="list-style-type: none"> • Minimise cut and fill | <p>Minimal cut and fill is proposed to facilitate the construction of a child care facility and perish centre.</p> | Complies |
| | <ul style="list-style-type: none"> • Ensure buildings along the street frontage define the street by facing it | <p>The building is orientated to the street known as Heathcote Road.</p> | Complies |
| | <ul style="list-style-type: none"> • Ensure where a child care facility is located above ground level, outdoor play areas | <p>The design of the development will protect the majority of outdoor play spaces</p> | Complies |

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| | are protected from wind and other climatic conditions. | from climatic conditions. There are covered courtyard areas, verandahs, shade sails, and trees proposed throughout the play spaces of the site. The building has been designed to include reverse cycle air conditioning which will facilitate a comfortable environment for children and staff members when the outside conditions are unfavourable. | |
| C12 Building orientation, envelope, building design and accessibility | <u>Following matters may be considered to minimise the impact of the proposal on local character:</u> | The surrounding locality and structures on site are predominantly single storey dwellings. The proposed child care facility are single storey and is consistent with the locality. | Complies |
| | <ul style="list-style-type: none"> building height should be consistent with other buildings in the locality | | |
| | <ul style="list-style-type: none"> building height should respond to the scale and character of the street | The height and scale of the child care is consistent with the existing character of the street. | Complies |
| | <ul style="list-style-type: none"> setbacks should allow for adequate privacy for neighbours and children at the proposed child care facility | The setbacks comply with the requirements of the DCP and are appropriate for the locality and building use. | Complies |
| | <ul style="list-style-type: none"> setbacks should provide adequate access for building maintenance | The proposed setbacks provide sufficient access for building maintenance. | Complies |
| | <ul style="list-style-type: none"> setbacks to the street should be consistent with the existing character. | The proposed front setbacks are consistent with the existing character. | Complies |
| C13 Building orientation, envelope, building design and accessibility | Where there are no prevailing setback controls minimum setback to a classified road should be 10 metres. On other road | The site adjoins a classified road and the child care provides a front setback of approximately 63.8m. | Complies |

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| | 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. | | |
| C14 Building orientation, envelope, building design and accessibility | On land in a residential zone, side and rear boundary setbacks should observe the prevailing setbacks required for a dwelling house. | The subject site is zoned R3 Medium Density Residential, and the setbacks are considered to be generally consistent with the DCP. | Complies |
| C15 Building orientation, envelope, building design and accessibility | Entry to the facility should be limited to one secure point which is: <ul style="list-style-type: none"> Located to allow ease of access, particularly for pedestrians | The childcare facility has been designed to be accessed from Heathcote Road and contains easy pedestrian access for people arriving on foot or motor vehicles. | Complies |
| | <ul style="list-style-type: none"> Directly accessible from the street where possible | The entrance to the site is visible from the street. | Complies |
| | <ul style="list-style-type: none"> Directly visible from the street frontage | The entry to the facility is directly visible from the street frontage. | Complies |
| | <ul style="list-style-type: none"> Easily monitored through natural or camera surveillance | The development is considered to provide sufficient surveillance. | Complies |
| | <ul style="list-style-type: none"> Not accessed through an outdoor play area | Access into the facility will be via the front pedestrian access from the existing car parking area or Heathcote Road. | Complies |
| | <ul style="list-style-type: none"> In a mixed-use development, clearly defined and separate from entrances to other uses in the building | The site is not located within a mixed-use development. | Complies |
| C16 Building orientation, envelope, building design and accessibility | Accessible design can be achieved by: <ul style="list-style-type: none"> providing accessibility to and within the building in | Condition will be imposed to ensure that the development adheres to the Australia Standards. | Complies, subject to conditions. |

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| | accordance with all relevant legislation | | |
| | <ul style="list-style-type: none"> 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 | As above. | Complies |
| | <ul style="list-style-type: none"> 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 | The development has been designed to provide ease of access for the end user. | Complies |
| | <ul style="list-style-type: none"> minimising ramping by ensuring building entries and ground floors are well located relative to the level of the footpath. | The building entry has been provided at grade level. | Complies |
| 3.4 Landscaping | | | |
| C17 Landscaping | <p>Appropriate planting along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space.</p> <p>Use the existing landscape where feasible to provide a high quality landscaped area by:</p> <ul style="list-style-type: none"> Reflecting and reinforcing the local context Incorporating natural features of the site, such as trees, rocky outcrops and vegetation communities into landscaping. | <p>Ample landscaping has been integrated with the fencing.</p> <p>The proposed landscape plan incorporates a variety of trees and vegetation in all landscaped area. This will enhance the site and add to the local landscape context.</p> | Complies |

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| C18 Landscaping | Incorporate car parking into the landscape design of the site by: | No changes are made to the existing carparking area. | Not applicable |
| | <ul style="list-style-type: none"> Planting shade trees in large car parking areas to create a cool outdoor environment and reduce summer heat radiating into buildings | | |
| | <ul style="list-style-type: none"> taking into account streetscape, local character, pedestrian safety and context when siting car parking areas within the front setback using low level landscaping to soften and screen parking areas. | | |

3.5 Visual and Acoustic Privacy

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| C19 Visual and Acoustic Privacy | Open balconies in mixed use developments should not overlook facilities nor overhang outdoor play spaces. | The development is not a mixed-use development. | Not applicable |
| C20 Visual and Acoustic Privacy | Minimise direct overlooking of indoor rooms and outdoor play spaces from public areas through: <ul style="list-style-type: none"> appropriate site and building layout | The site located in an appropriate area and the building layout is considered to be designed in accordance with the site attributes. | Complies |
| | <ul style="list-style-type: none"> suitably locating pathways, windows and doors | The pathways, windows and doors are appropriately located. | Complies |
| | <ul style="list-style-type: none"> permanent screening and landscape design. | Landscape screening have been incorporated around the front, side and rear elevations of the child care facility. | Complies |

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| C21 Visual and Acoustic Privacy | Minimise direct overlooking of main internal living areas and private open spaces in adjoining developments through: | The development has been designed to strategically locate outdoor play areas away from neighbouring developments through appropriate design, fencing and landscaping. | Complies |
| | <ul style="list-style-type: none"> • appropriate site and building layout • suitable location of pathways, windows and doors | The sitting of the windows and doors have been appropriately located to minimise any unreasonable overlooking to the adjoining properties. | Complies |
| | <ul style="list-style-type: none"> • landscape design and screening. | Landscape screening have been incorporated in the design. | Complies |
| C22 Visual and Acoustic Privacy | 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: | The recommendations provided in the Acoustic Report will be implemented to the design of the development. | Complies |
| | <ul style="list-style-type: none"> • provide an acoustic fence along any boundary where the adjoining property contains a residential use. An acoustic fence is one that is a solid, gap free fence • ensure that mechanical plant or equipment is screened by solid, gap free material and constructed to reduce noise levels e.g. acoustic fence, building, or enclosure. | All mechanical plants and equipment have been sufficiently screened and are appropriately located on site. | Complies |
| C23 Visual and Acoustic Privacy | A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters: | An Acoustic Assessment Report of the Proposed Child Care prepared by Cundall, dated 19 June 2023 has been | Complies |

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| | <ul style="list-style-type: none"> identify an appropriate noise level for a child care facility located in residential and other zones determine an appropriate background noise level for outdoor play areas during times they are proposed to be in use determine the appropriate height of any acoustic fence to enable the noise criteria to be met. | <p>submitted with the application.</p> <p>The submitted acoustic report has confirmed satisfactory noise level can be achieved.</p> <p>Additionally, the report was reviewed by Council's Environmental Health section and raised no objections, subject to conditions of consent.</p> | |
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3.6 Noise and air pollution

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| C24 Noise and Air Pollution | <p>Adopt design solutions to minimise the impacts of noise, such as:</p> <ul style="list-style-type: none"> creating physical separation between buildings and the noise source orienting the facility perpendicular to the noise source and where possible buffered by other uses using landscaping to reduce the perception of noise limiting the number and size of openings facing noise sources using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens) using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and soffits | <p>The application was supported by an Operational Noise Management Plan and Acoustic Assessment Report.</p> <p>The acoustic report provides recommendations about how the proposed development can be designed to assist in mitigating acoustic transfer between the subject site and the immediate locality which have been included within the conditions of consent.</p> | Complies, subject to conditions. |
| | <ul style="list-style-type: none"> locating cot rooms, sleeping areas and play areas away from external noise sources. | <p>The proposed childcare facility is not located near one of the listed external noises sources.</p> | Complies |

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| C25 Noise and Air Pollution | 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: | The site is not located within an industrial zoned land. | Not applicable |
| | <ul style="list-style-type: none"> on industrial zoned land | | |
| | <ul style="list-style-type: none"> where the ANEF contour is between 20 and 25 | Not proposed. | Not applicable |
| | <ul style="list-style-type: none"> along a railway or mass transit corridor, as defined by State Environmental Planning Policy (Infrastructure) 2007 | The site does not adjoin a railway or mass transit corridor. | Not applicable |
| | <ul style="list-style-type: none"> on a major or busy road | The site adjoins a classified road, however, the acoustic report has ensured that the childcare is sufficiently setback from the classified road and is unlikely to be impacted from traffic noise. | Complies |
| | <ul style="list-style-type: none"> other land that is impacted by substantial external noise | No other approved uses adjoin this property which will jeopardise the sites acoustic privacy. | Complies |
| C26 Noise and Air Pollution | 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 Report prepared by SLR has been submitted. Council's Environmental Health Section has reviewed the report and raised no objections, subject to the imposition of conditions. | Complies, subject to conditions. |
| C27 Noise and Air Pollution Note: A suitably qualified air quality professional should | The air quality assessment report should evaluate design considerations to minimise air pollution such as: | The acoustic report provides recommendations about how the proposed development can be designed to assist in mitigating acoustic | Complies, subject to conditions. |

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| <p>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.</p> | <ul style="list-style-type: none"> 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 | <p>transfer between the subject site and the immediate locality.</p> <p>Additionally, the recommendations from the Air quality report advised the site is suitable for the location for the proposed childcare.</p> <p>Both reports have been reviewed by Council's Environmental Health Section and raised no objections, subject to conditions of consent.</p> | |
| | <ul style="list-style-type: none"> 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 | <p>The proposed landscaping will also assist in reducing noise from the premises.</p> | Complies |
| | <ul style="list-style-type: none"> Incorporating ventilation design into the design of the facility | <p>The proposed development has incorporated ventilation into the design of the facility.</p> | Complies |
| 3.7 Hours of Operation | | | |
| <p>C28 Hours of operation</p> <p>Note: Minimise the impact of the child care facility on the amenity of neighbouring residential developments</p> | <p>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.</p> | <p>The assessment was accompanied with a Plan of Management.</p> <p>The proposed hours of operation are:</p> <ul style="list-style-type: none"> Monday to Friday: 7am to 6pm Saturday, Sunday and Public holidays: No operation <p>The application has been referred to Council's Environmental Health section and raised no objections, subject to conditions.</p> | <p>Complies, subject to conditions.</p> |

3.8 Traffic, parking and pedestrian circulation

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| C29 Hours of operation | Within mixed use areas or predominantly commercial areas, the hours of operation for each child care facility should be assessed with respect to its compatibility with adjoining and co-located land uses. | The site is located within a residential area. | Not applicable |
| <p>C30 Traffic, parking and pedestrian circulation</p> <p>Note: 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.</p> <p>Where basement car parking is provided, design should aim to:</p> <ul style="list-style-type: none"> • locate car park entries behind the building line • integrate entries with the overall building façade. Design options include ventilation grills, louvres, screening devices, 'hit and miss' brickwork and similar cladding finishes • minimise visual prominence. This can be | 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. | No onstreet parking is proposed. | Not applicable |

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| <p>done by stepping car park levels or using split levels on sloping sites</p> <ul style="list-style-type: none"> • direct visitors to this parking to minimise on-street parking. | | | |
| C31 Traffic, parking and pedestrian circulation | <p>In commercial or industrial zones and mixed use developments, on street parking may only be considered where there are no conflicts with adjoining uses, that is, no high levels of vehicle movement or potential conflicts with trucks and large vehicles.</p> | The site is located within a residential zoned land. | Not applicable |
| C32 Traffic, parking and pedestrian circulation | <p>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:</p> <ul style="list-style-type: none"> • the amenity of the surrounding area will not be affected • there will be no impacts on the safe operation of the surrounding road network. | <p>A Traffic Impact Assessment has been provided which confirms the proposal has provided off street parking that is safe for both pedestrians and vehicles.</p> <p>In addition, the proposal is unlikely to have an adverse impact on the safety of the surrounding road network.</p> <p>Council's Traffic Engineers have reviewed the report and raised no objections, subject to conditions of consent.</p> | Complies, subject to conditions. |
| C33 Traffic, parking and pedestrian circulation | <p>Alternate vehicular access should be provided where child care facilities are on sites fronting:</p> <ul style="list-style-type: none"> • a classified road | There are no changes to the existing vehicle access to the site. | Complies |

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| | <ul style="list-style-type: none"> roads which carry freight traffic or transport dangerous goods or hazardous materials. | As above. | Noted |
| | The alternate access must have regard to: | Not required. | Not applicable |
| | <ul style="list-style-type: none"> the prevailing traffic conditions | | |
| | <ul style="list-style-type: none"> pedestrian and vehicle safety including bicycle movements the likely impact of the development on traffic. | | |
| C34 Traffic, parking and pedestrian circulation | 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. | Not proposed. | Not applicable |
| C35 Traffic, parking and pedestrian circulation | <p>The following design solutions may be incorporated into a development to help provide a safe pedestrian environment:</p> <ul style="list-style-type: none"> separate pedestrian access from the car park to the facility defined pedestrian crossings and defined/ separate paths included within large car parking areas separate pedestrian and vehicle entries from the street for parents, children and visitors pedestrian paths that enable two prams to pass each other delivery, loading and vehicle turnaround areas located away from the main pedestrian access to | <p>The proposed development provides:</p> <ul style="list-style-type: none"> - Separate pedestrian access from the car park; - Separate pedestrian and vehicles entries off the street; - Egress to and from the site are to be in a forward direction; - Accessible parking space are provided onsite. <p>The proposal was referred to Council's Traffic Engineers who raised no objections, subject to conditions.</p> | Complies, subject to conditions. |

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| | the building and in clearly designated, separate facilities | | |
| | <ul style="list-style-type: none"> • minimise the number of locations where pedestrians and vehicles cross each other | | |
| | <ul style="list-style-type: none"> • 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 | | |
| | <ul style="list-style-type: none"> • vehicles can enter and leave the site in a forward direction | | |
| | <ul style="list-style-type: none"> • clear sightlines are maintained for drivers to child pedestrians, particularly at crossing locations. | | |
| C36 Traffic, parking and pedestrian circulation | <p>Mixed use developments should include:</p> <ul style="list-style-type: none"> • driveway access, manoeuvring areas and parking areas for the facility that are separate to parking and manoeuvring areas used by trucks • Drop off and pick up zones that are exclusively available for use during the facility's operating hours with spaces clearly marked accordingly, close to the main entrance and preferably at the same floor level. Alternatively, direct access should avoid crossing driveways or manoeuvring areas used by vehicles accessing other parts of the site | The site is not a mixed used development. | Not applicable |

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| | <ul style="list-style-type: none"> Parking that is separate from other uses, located and grouped together and conveniently located near the entrance or access point to the facility. | | |
| C37 Traffic, parking and pedestrian circulation | <p>Car parking design should:</p> <ul style="list-style-type: none"> Include a child safe fence to separate car parking areas from the building entrance and play areas | <p>The existing car park area is separated from the building entrance and play areas.</p> <p>Appropriate fencing has been provided to the play areas and building entrance.</p> | Complies |
| | <ul style="list-style-type: none"> Provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards | The accessible car parking has been clearly nominated on the plans and a condition of consent is recommended requiring compliance with relevant Australian Standards. | Complies, subject to conditions. |
| | <ul style="list-style-type: none"> Include wheelchair and pram accessible parking. | A disabled parking space has been provided. | Complies |

Part 1 General Controls for all Development

| Provision | Required | Proposed | Comment |
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| Section 2 – Tree Preservation | Consider impact of development on existing vegetation. | <p>Two (2) trees are proposed to be removed to facilitate the child care facility.</p> <p>An Arborist report prepared by Naturally Trees has been submitted with the application. The application was referred to Council's Landscape Officer who raised no objections, subject to conditions.</p> <p>In addition, a landscape plan was submitted proposing ample trees and vegetation to be planted onsite, which is considered acceptable.</p> | Complies, subject to conditions. |

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| Section 3 – Landscaping and Incorporation of Existing Trees | This section applies to land, which will need to provide landscaping or retain existing trees as part of a development. | A landscape plan was submitted proposing ample trees and vegetation to be planted onsite, which is considered acceptable. | Complies, subject to conditions. |
| Section 4 – Bushland and Habitat Preservation | Consider impact of development on bushland and habitats. | The proposal will have minimal to no impact on the bushland and habitats considering the location of the development. | Complies |
| Section 5 – Bushfire Risk | Land on or adjacent to bushfire prone land to comply with RFS requirements. | The site is not identified as Bushfire prone land. | Not applicable |
| Section 6 – Water Cycle Management | Consideration of stormwater and drainage | The proposed stormwater management procedures for this development have been designed in accordance with Council's Land Development Engineering Specifications, subject to conditions of consent. | Complies, subject to conditions. |
| Section 7 – Development Near a Watercourse | Consideration of impact to riparian corridors | The subject site is located more than 100m from a watercourse. | Not applicable |
| Section 8 – Erosion and Sediment Control | Sediment Control Plan or Soil and Water Management Plan required | An erosion and sediment control plan has been submitted with application DA-398/2023. A condition will be imposed to ensure the implementation of these measures. | Complies, subject to conditions. |
| Section 9 – Flooding Risk | Flood affectation of property to considered | The site is not identified as flood prone land. | Not applicable |
| Section 10 – Contaminated Land Risk | Previous use to be considered in assessing risk | Contamination on site have been assessed by a detailed site investigation and remediation action plan. Appropriate conditions of consent are recommended to ensure compliance with both reports. | Complies, subject to conditions. |
| Section 11 – Salinity Risk | Salinity Management response required for affected properties | The site is identified as containing moderate salinity potential. A salinity management response plan is not | Complies |

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| | | required, as the proposed development is not considered to pose a salinity risk. | |
| Section 12 – Acid Sulfate Soils Risk | Affected properties to consider impact of development on soils | The site is not identified as containing acid sulfate soils. | Not applicable |
| Section 14 – Demolition of Existing Development | Appropriate measures proposed | Development consent has been sought for the demolition of the existing Presbytery building and associated hard paving. Appropriate conditions will be imposed to ensure that demolition occurs in accordance with the Australian Standard. | Complies, subject to conditions. |
| Section 15 – Onsite Sewage Disposal | S68 Application required where connection to sewer not available | The site is connected to sewer. | Not applicable |
| Section 16 & 17 – Aboriginal and heritage Sites | AHIA required where items of aboriginal archaeology exist | The site has no history of containing any heritage items. | Not applicable |
| Section 20 – Car Parking and Access | <p><u>Child Cares in Residential and Industrial zones:</u></p> <ul style="list-style-type: none"> 1 space per staff member and 1 space per 10 children <p>(Stack parking of employees cars, maximum 2 deep, will be considered if there is good design for flow-through of short term car parking.) Pick up and set down of children must address their safety.</p> <ul style="list-style-type: none"> Service facilities for a van. <p><u>Education Establishments:</u></p> <p>1 Space per 1 Staff member, plus 1 Space per 30 students</p> <ul style="list-style-type: none"> Loading Facilities for a coach <p><u>Public of Public Worship:</u></p> | <p><u>Required:</u></p> <p><u>Child Care Facility</u></p> <p><u>Staff:</u> 14 Educators = 14 car parking spaces</p> <p><u>Children:</u> 76 children = 8 car parking spaces</p> <p><u>Service facilities:</u> Loading van = 1 car parking space</p> <p>Total required = 23 car parking spaces</p> <p><u>Education Establishment:</u></p> <p><u>Staff:</u> 38 Staff = 38 car parking spaces</p> <p><u>Children:</u> 650 children = 22 car parking spaces</p> | Complies |

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| | 1 space per 5sqm LFA or 1 space per 6 seats, whichever is the greater OR subject to traffic report (at the applicant's expense) if required by Council, due to the scope of a particular development | <p>Loading Facilities = 1 car space</p> <p><u>Place of Public Worship:</u> Existing Place of public worship: 315sqm</p> <p>315sqm/ 5 = 63 car parking spaces</p> <p>Total required: 170 parking spaces.</p> <p><u>Proposed:</u></p> <p>The site provides 172 car parking spaces (inclusive of 13 disabled parking spaces).</p> <p>A Traffic Impact Assessment report was submitted with the application. The site is considered to provide ample parking onsite.</p> <p><i>Note: There are no changes to the operation of the existing church and educational establishment.</i></p> | |
| Section 21 – Subdivision of Land and Buildings | This section relates to subdivision of land. | No subdivision is proposed. | Not applicable |
| Section 22 – Energy Conservation | This section applies to all development involving the use of water and energy. | The provision of BASIX does not apply. | Not applicable |
| Section 25 – Waste Management | Waste management plan shall be submitted for demolition, construction and on-going waste management. | A demolition plan and waste management plan has been submitted, which outlines procedures for demolition, construction and ongoing waste management of the premises. | Complies |
| Section 26 – Outdoor advertising and signage | Signage design, materials, colours, and placement should be visually compatible with the building, nearby signage, and the surrounding locality. | The proposed signage is considered to complement the development and the surrounding locality. | Complies |

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| | The scale of signage must be consistent with the scale of the building or the property on which it is located | The proposed signage is considered to be consistent with the scale of the building. | Complies |
| | Signs must not display offensive content, be reflective, or result in glare | The proposed signage does not contain offensive content or result in glare. | Complies |
| | Signage should complement natural features and not result in the removal, trimming or damage of trees and other vegetation | The proposed signage does not result in the removal or trimming or damage of the trees and other vegetation. | Complies |
| | Signage is to be constructed and secured in accordance with the relevant Australian Standards | Conditions will be imposed to ensure that the proposed signage is constructed in accordance with the Australian Standards. | Complies, subject to conditions |
| | New and replacement signage should be designed and located in a manner that avoids the intensification of visual clutter caused by the cumulative effect of signage within the streetscape. | The site has two existing signages located at the entrance of the site. The proposal incorporates an additional signage visible to the streetscape. Given that the signage is 2.8sqm and non-illuminated, it is considered to not cause visual clutter. | Complies |
| | <p>1. Signage displays must not contain/use:</p> <ul style="list-style-type: none"> - Flush lights; - Animated display, moving parts or simulated movement; - Complex displays that holds a driver's attention beyond glance appreciation; - Displays resembling traffic signs or signals, or giving instruction to traffic by using colours and shapes that imitate a prescribed traffic control device or works such as 'halt' or 'stop' ; or <p>A method of illumination that distracts or dazzles</p> | The proposed signage is not envisaged to detract oncoming traffic. | Complies |

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| | Signage shall not hinder driver sightlines to critical road or dazzles | The proposed signs are non-illuminated. | Not applicable |
| | Signage shall not distract a driver from or reduce the visibility and effectiveness of directional signs, traffic signals, other traffic control devices, regulatory signs or advisory signs, or to obscure information about the road alignment. | The proposed signage does not reduce the visibility and effectiveness of directional signs within the local road. | Complies |
| | Advertising signage along transport corridors should meet location criteria set out in 'Section 3.2 Sign Location Criteria' of the Transport Corridor Outdoor Advertising and Signage Guidelines for assessing development applications under SEPP 64 | The proposed signage is consistent with the Transport Corridor Outdoor Advertising and Signage Guidelines and the SEPP (Industry and Employment) 2021. | Complies |
| | Signage must not obstruct pedestrian/ bicycle paths | The proposed signage is considered to not obstruct pedestrian and bicycle paths. | Complies |
| | Signage must not create trip hazards | The signage will not create a trip hazard. | Complies |
| Section 27 – Social Impact Assessment | Social Impact Comment required for Childcare Centres (more than 20 places). | <p>The proposal accommodates 76 child care placements and a Social Impact Comment was submitted with DA-398/2023.</p> <p>The application was referred to Council's Community Planning and raised no objections.</p> | Complies |

| Part 3.8 Non-residential development in residential zone | | | |
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| Section 2 – Child Care Centres | | | |
| Provision | Provision | Provision | Comment |
| Section 2.2 Lot sizes | The maximum number of children in any centre cannot exceed 45 for 0-5 year olds; however Council may consider a maximum number of 60 children per centre of which 30% must be aged between 0-2. | <p>Pursuant to the SEPP, the proposed development would incorporate 76 children with 21% being aged between 0-2.</p> <p><i>Note: The provisions under the SEPP prevail over the provisions of the LDCP 2008.</i></p> | Not applicable |

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| | <p>The proposed child care centre must comply with open space requirements as set out in the Children Services Regulation 2004*.</p> <p><i>*Has been amended to Education and Care Services National Regulations 2011.</i></p> | <p>The open space requirements are in accordance with the <i>Education and Care Services National Regulations 2011</i>.</p> | Complies |
| Section 2.3 Site Planning | <p>1. Child care centres should be located:</p> <ul style="list-style-type: none"> • In the general vicinity of primary schools, major employment areas and recreation areas. • Within the grounds of community facilities, educational facilities or churches. • Near services such as shops, medical facilities and public transport. • On streets with widths that permit adequate safe manoeuvrability of vehicles & lines of sight for pedestrians, cyclists and vehicles; and on approach streets within the road hierarchy such as on collector streets. • Where traffic control devices do not impede vehicular access to sites. • Where the children will not be adversely affected by lead contamination, offensive noise and air pollution. • Child Care Centres must be located and designed so as not to pose health or safety risk to children using the centre. | <p>The proposed childcare is located within an existing educational establishment and place of public worship.</p> <p>The site is within close proximity to a local centre, public transport and services.</p> <p>The proposed child care facility is located approximately 63.8 metres from a classified road. It is considered there are ample distance between the childcare and the classified road.</p> <p>Furthermore, a traffic report, acoustic report, air quality report and contamination reports have been submitted to Council and have demonstrated that the site is a suitable location for the proposed development.</p> | Complies |

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| | <p>Child care centres shall not be permitted:</p> <ul style="list-style-type: none"> • Adjacent to industrial activities. - Within 300m of an existing Child Care Centre. • On classified roads. • Adjacent to railway lines. • On streets with a carriageway width of 6.5m or less. • On streets, which are cul-de-sacs. • On lots adjacent to a roundabout (including a proposed roundabout) • In areas where aircraft noise levels exceed 25 Australian Noise Exposure Forecast (ANEF). | | |
| | Site planning should be sensitive to site attributes such as; streetscape character; natural landform; existing vegetation; views and land capability. | The proposed child care facility is considered to be sensitive to the site attributes in terms of streetscape character and natural landform. | Complies |
| | The site layout should enhance the streetscape through the use of landscaping and built form. | Amply landscaping has been provided on site to assist in minimising the bulk and scale of the development. | Complies |
| | Site planning should enable buildings to address streets and public open spaces. | The proposed childcare facility would be oriented to Heathcote Road. | Complies |
| | The site layout should ensure that the external play area is maximised and enjoys solar access. | Sufficient solar access is provided to the outdoor play areas. | Complies |
| | The site layout should contribute to personal safety and to the protection of property by permitting casual surveillance of adequately lit outdoor spaces from windows and entries. | Windows have been proposed facing towards the public domain. This will provide passive surveillance from the child care facility to the street. | Complies |

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| | | In areas exposed to significant levels of off-site noise, the site layout and building forms should assist in minimising noise entry. | An Acoustic Report was submitted with the application DA-398/2023. The application was referred to Council's Environmental Health section, who reviewed the acoustic component of the development and raised no objections, subject to conditions. | Complies, subject to conditions. |
| | | The site layout should ensure that the front entrance to the Child Care Centre is easily located and accessible. | The front entrance is easily accessible and appropriately located onsite. | Complies |
| | | The layout must be designed around the site attributes such as slope; existing vegetation; land capability and/or solar access. | The development is considered to be designed around the site attributes. | Complies |
| | | The siting of windows of habitable rooms on the first floor shall minimise overlooking to the principal private open space of neighbouring properties. | The proposed childcare facility is single storey building. | Not applicable |
| | | Stormwater from the site must be able to be drained satisfactorily. Where the site falls away from the street, it may be necessary to obtain an easement over adjoining property to drain water satisfactorily to a Council stormwater system. Where stormwater drains directly to the street, there may also be a need to incorporate on-site detention of stormwater where street drainage is inadequate. Refer to Water cycle management in Part 1. | The proposal was referred to Council's Land Development Engineering section who reviewed the stormwater management system. Council's Land Development Engineers raised no objections, subject to conditions. | Complies |
| Section 2.4 Setbacks | Front setbacks: 5.5m | | The proposed child care facility has a front setback of approximately 63.8m. Note: No changes to the sitting of the existing buildings onsite. | Complies |
| | Secondary setback: 4m | | The site is not a corner allotment. | Not applicable |

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| | Verandahs, balconies, eaves and other sun control devices may encroach on the minimum front and secondary setback by up to 1m. | The site is not a corner allotment. | Not applicable |
| | <u>Side setback</u> Ground floor: 1.2m First floor: 1.2m | The proposed child care facility has a side setback of 4m. | Complies |
| | <u>Rear setback:</u> Ground floor: 4m First floor: 8m | The proposed child care facility has a rear setback of 4m. | Complies |
| | Access doors from children's internal space is 4m. | The access doors from the children's internal space provides a setback of 4m. | Complies |
| Section 2.5 Landscaped Area and Open Space | <u>Landscape area</u> A minimum of 25% of the site area shall consist of Landscaped Area, this may include lawn, deep rooted trees, garden beds and mulched areas. | The site provides more than 25% landscaped area. | Complies |
| | There must be an unencumbered area of 5 x 6m in the rear setback for the opportunity to accommodate the planting of deep rooted trees. | The site provides an unencumbered area of 5x6m in the rear setback for the planting of deep-rooted trees. | Complies |
| | A minimum of 50% of the front setback area shall be landscaped area | The site provides more than 50% landscaped area. | Complies |
| | There must be an unencumbered area of 3 x 5m in the front setback for the opportunity to accommodate deep rooted trees. | The site provides an unencumbered area of 3x5m in the front setback for the planting of deep-rooted trees. | Complies |
| | <u>Open Space</u> A proposed Child Care Centre must comply with open space requirements as set out in the Children Services Regulation 2004. | The development provides the required open space as specified under the Education and Care Services National Regulations 2011. | Complies |
| | Outdoor open space is to be located behind the childcare centre i.e. away from roads/streets. | The outdoor play area is located behind the entrance of the child care facility and away from the roads/ streets. | Complies |
| Section 2.6 Building Form, Style and Streetscape | <u>Building Appearance</u> Where large glass areas cannot be avoided appropriate shade devices shall be incorporated into the design. | Appropriate shade devices have been incorporated into the design. | Complies |

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| | The roof design shall be compatible with surrounding properties with respect to height, pitch, building materials and colour. | The roof design is considered to be compatible with the surrounding properties. | Complies |
| | The building shall be designed so that it is in character with the surrounding residential area in terms of bulk, scale, size and height. | The proposed development would be similar in bulk and scale to residential development. | Complies |
| | The front pedestrian entrance must be visible from the street. | The pedestrian entrance is visible from the streetscape. | Complies |
| | The front building facades shall be articulated. This articulation may include front porches, entries, wall indents, changes in finishes, balconies and/or verandahs. | The front building façade is articulated through various window sizes, indentations, change in finishes, entries, and roof forms. | Complies |
| | For two storey developments, the side walls shall be articulated if the wall has a continuous length of over 10m. | The proposed child care facility is single storey. | Not applicable |
| | Buildings that face two street frontages or a street and public space must address both frontages by the use of verandahs, balconies, windows or similar modulating elements. | The site does not face two street frontages. | Not applicable |
| | <u>Security</u> Entrances to buildings should be orientated towards the front of the site facing the street. | The entrance of the childcare facility is orientated to the Heathcote Road. | Complies |
| | Blank walls addressing the street frontage and other public places must be avoided. | Noted | Noted |
| Section 2.7 Landscaping and Fencing | <u>Landscaping</u> A landscape plan must be submitted to Council with the development application. Refer to Part 1 of the DCP. | A landscape plan was submitted with the application. | Complies |
| | Areas of grass are to be limited to play areas. Other landscaped areas are to be planted. | The proposal incorporates a variety of trees and vegetation in all landscaped areas. | Complies |

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| | Trees adjacent to/or within the play area, are to provide shade and allow winter sun entry. Trees adjacent to private open space areas and living rooms should provide summer shade and allow winter sun entry. | Noted | Noted |
| | Landscaping species must be appropriate to prevent injury to children. No toxic, spiky or other hazardous plant species. | The proposed landscaped species are considered to be appropriate for the development. In addition, the application was referred to Council's Landscaped Officer who raised no objections. | Complies |
| | The setback areas of development are to be utilised for canopy tree planting. The landscape design for all development must include canopy trees that will achieve a minimum 8m height at maturity within front and rear setback areas. Any tree with a mature height over 8m should be planted a minimum distance of 3m from the building or utility services. | The proposal incorporated trees with mature height of 8m in the landscaped design. | Complies |
| | Landscape planting should principally comprise of native species to maintain the character of Liverpool and provide an integrated streetscape appearance. Council will consider the use of deciduous trees in small private open space areas such as courtyards for control of local microclimate and to improve solar access. | Native species are incorporated into the landscaped plan. The application has been referred to Council's Landscaped officer who supported the application, subject to the imposition of conditions. | Complies, subject to conditions. |
| | The landscaping shall contain an appropriate mix of canopy trees, shrubs and groundcovers. Avoid medium height shrubs (0.6 – 1.8m) especially along paths and close to windows and doors. | The proposed landscaping design has been well designed and proposes an attractive mix of trees and shrubs to enhance the visual appearance of the development. | Complies |

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| | <p>Tree and shrub planting along side and rear boundaries should assist in providing effective screening to adjoining properties. The height of screening plants to be provided is 2.5 to 3m at maturity.</p> | <p>There are no changes to the landscaping along the site boundary.</p> <p>However, the proposal incorporates tree and shrub planting along the immediate front, side and rear elevations of the proposed childcare facility.</p> | Complies |
| | <p>Landscaping on any podium level or planter box shall be appropriately designed and irrigated. Landscaping on podium levels and planter boxes should be accessible from internal rooms as appropriate for gardener access.</p> | <p>All planter boxes are accessible from the internal rooms.</p> | Complies |
| | <p><u>Fencing</u> (Side behind the building setback) and rear fencing shall be 1.8m in height.</p> | <p>There are no changes to the existing boundary fence.</p> | Complies |
| | <p>Where a fence adjoins a park it shall be of a high-grade material consistent in quality with the building and the context of the park, and shall be designed to address the park.</p> | <p>The site does not adjoin a public park.</p> | Not applicable |
| | <p>Fences shall be constructed of materials compatible with the proposed building.</p> | <p>No changes are proposed to the existing boundary fence.</p> <p>However, a fence is to be constructed surrounding the outdoor play area of the child care facility. A condition will be imposed to ensure fence details will be submitted to Council prior to issue of construction certificate.</p> | Complies, subject to conditions. |
| | <p>Fencing shall be designed to minimise opportunities for graffiti.</p> | <p>In the event that graffiti is found on the fence, appropriate conditions will be imposed to ensure the graffiti is removed in a timely manner.</p> | Complies, subject to conditions. |
| | <p>Gates shall be the same height as the fence, self-closing and be secure and fitted with a childproof lock.</p> | <p>Noted</p> | Noted |

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| | Wall finishes must have low reflectivity. | Noted | Noted |
| | Front fences are to be light coloured and low in height or open form. | No front fence is proposed as part of the application. | Not applicable |
| | Fences should not prevent surveillance by the building's occupants of the main open or communal areas within the property or the street frontage. | No front fence is proposed as part of the application. | Not applicable |
| | Where noise insulation is required, consider the installation of double-glazing or other noise attenuation measures at the front of the building rather than construction of a high solid form fence. | Noted | Noted |
| | <u>Primary Frontage</u> Front fences shall have a maximum height of 1.2m, and constructed of masonry, timber and/or vegetation. | No front fence is proposed as part of the application. | Not applicable |
| | The front fence must be 30% transparent. | No front fence is proposed as part of the application. | Not applicable |
| | The front wall may exceed 1.2m (to a maximum of 1.8m) only if: <ul style="list-style-type: none"> • The fence is articulated by 1m and has landscaping in front of the fence, and • The fence does not impede safe sight lines from the street and from vehicles entering and exiting the site, and • Front fences are to be constructed of materials compatible with the proposed design of the dwelling. | No front fence is proposed as part of the application. | Not applicable |
| | <u>Secondary Frontage</u> Side fences and walls must be a maximum of 1.8m in height, and constructed of masonry, timber and/or landscaped. | The site is not a corner allotment. | Not applicable |
| | For side walls or fences along the secondary | | |

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| | frontage, a maximum height of 1.2m is required for the first 9m measured from the front boundary, the remaining fence/wall may then be stepped up to a maximum of 1.8m. | | |
| | The secondary setback is the longest length boundary. | | |
| | Side fencing facing a public street or parkland must not be constructed of sheet metal. However, metal sheet fencing is permitted on internal boundaries. | | |
| Section 2.8 Car Parking and Access | <u>Site Access</u> All vehicles shall enter and leave the site in a forward direction. | Appropriate conditions will be imposed to ensure that all vehicles will enter and exit the site in a forward direction. | Complies, subject to conditions. |
| | Dead end streets or cul-de-sacs present traffic movement and parking problems and are inappropriate locations for Child Care Centres or facilities. | Site is not located within a dead end street or cul-de-sac. | Complies |
| | <u>Location</u> To provide adequate vehicle access and on-site car parking facilities for residents and visitors. | The site provides the required parking spaces as specified under Part 1 of the LDCP 2008. | Complies |
| | To minimise reliance on on-street parking. | Noted | Noted |
| | To provide safe and easy access to and from the site for pedestrians and motorists. | The proposal is considered to provide a safe and easy access to and from the site for pedestrians and motorists. | Complies |
| | To provide adequate turning areas for manoeuvring into and out of car parking spaces and/or garages. | A traffic report and swept path diagrams have been provided with the application. The application has been referred to Council's Traffic Engineers who raised no objections, subject to conditions. | Complies, subject to conditions. |
| | To minimise the impact of driveways and parking areas on existing landscaping, landform and streetscape. | There are no changes to the existing driveways and parking areas. | Complies |

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| | To ensure pavement or driveway materials are sympathetic to the streetscape and surrounding landscape character. | It is considered that the driveway materials are sympathetic to the streetscape and surrounding landscape character. | Complies |
| Section 2.9 Amenity and Environmental Impact | <u>Noise</u> Development for childcare centres shall not be permitted in areas where aircraft noise levels exceed 25 Australian Noise Exposure Forecast (ANEF). | The site is not impacted by aircraft noise. | Complies |
| | <u>Contaminants</u> All buildings whether to be built, extended, renovated or converted shall not contain any material or substance that will cause lead or asbestos or other contamination or poisoning. | The potential for Contamination on site has been assessed by submission of a detailed site investigation and remediation action plan. Appropriate conditions of consent are recommended to ensure compliance with both reports. | Complies, subject to conditions. |
| | <u>Site Operation</u> In residential zones the days/hours of operation shall be limited to 7.00 am - 7.00 pm: Monday – Saturday. No operation on Sundays or public holidays. | <p>The assessment was accompanied with a Plan of Management.</p> <p>The proposed hours of operation are:</p> <ul style="list-style-type: none"> Monday to Friday: 7:00am to 6:00pm Saturday, Sunday and Public holidays: No operation <p>The application has been referred to Council's Environmental Health section who raised no objections, subject to conditions.</p> <p><i>Note: There are no changes to the hours of operation of the existing educational establishment and place of public worship.</i></p> | Complies, subject to conditions. |
| | Child Care Centres or facilities shall be no closer than 50m to mobile phone towers or antennas or transmission line | The site is not located within 50m to a telecommunications tower or transmission line easements, or the like. | Complies |

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| | easements or other similar electromagnetic radiation sources. | | |
| | <u>Overshadowing</u> Adjoining properties must receive a minimum of three hours of sunlight between 9am and 3pm on 21 June to at least: <ul style="list-style-type: none"> • one living, rumpus room or the like and/or • 50% of the private open space. | The development is unlikely to cause any detrimental impacts in terms of overshadowing over adjoining properties. | Complies |
| | <u>Privacy</u> Habitable room windows facing side boundaries are to be offset by at least 1m from any habitable room windows in an adjoining dwelling. | The proposed child care facility is located within an existing educational establishment and does not directly adjoin any dwelling houses. | Complies |
| | Habitable room windows on the first floor that face the side boundary are to avoid unreasonable overlooking by having a minimum sill height of 1.5m, except where they face a street or public open space. | The proposed child care facility is single storey. | Not applicable |
| | Building sitting, window location, balconies and fencing must consider the importance of the privacy of on-site and adjoining buildings and private open spaces. | The window and door placement are suitable and is unlikely to have adverse impacts on the adjoining site. | Complies |
| | Landscaping should be used where possible to increase visual privacy between dwellings and adjoining properties. | Appropriate landscaping has been provided to increase visual privacy between the child care facility and the adjoining sites. | Complies |
| | <u>Acoustic Privacy</u> Noise attenuation measures should be incorporated into building design to ensure acoustic privacy between on-site and adjoining buildings. | Conditions to be imposed to ensure noise attenuation measures are incorporated into the building. | Complies, subject to conditions. |
| | Developments in areas adversely impacted upon by rail or traffic related noises must incorporate the appropriate noise and | An Acoustic Report was submitted with the DA which assess the noise impacts from the classified road, as well as | Complies, subject to conditions. |

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| | vibration mitigation measures into the design in terms of the site layout, building materials and design, orientation of the buildings and location of sleeping and recreation areas. | noise generated from the child care facility. The report has been reviewed/ endorsed by Council's Environmental Health section, subject to conditions of consent. | |
| | The proposed buildings must comply with the Department of Environment and Climate Change criteria and the current relevant Australian Standards for noise and vibration and quality assurance. | To be conditioned | Complies, subject to conditions. |
| Section 2.10 Site Services | <u>Waste Management</u> Waste disposal facilities shall be provided for development. These shall be located adjacent to the driveway entrance to the site. | The waste disposal facilities are provided on site and have access to the driveway entrance. | Complies |
| | Any structure involving waste disposal facilities shall be located as follows: <ul style="list-style-type: none"> • Setback 1m from the front boundary to the street. • Landscaped between the structure and the front boundary and adjoining areas to minimise the impact on the streetscape. • Not be located adjacent to an adjoining residential property. | The waste disposal area is not visible from the streetscape and will not have adverse impact to adjoining residential properties. | Complies |
| | Details of the design of waste disposal facilities are shown in Part 1 of the DCP. | Noted | Noted. |
| | <u>Letterboxes and numbering</u> Letterboxes shall be located along the front boundary and be clearly visible and accessible from the street. | No changes to the existing letterbox. | Complies |
| | The street number of a site must be visible from the street and made of a | No changes to the existing street number of the site. | Complies |

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| | reflective material to allow visitors and emergency vehicles to easily identify the site. | | |
| | <u>Frontage works and damage to Council assets</u> Where a footpath, road shoulder or new or enlarged access driveway is required to be provided this shall be provided at no cost to Council. | Standard conditions to apply. | Complies, subject to conditions. |
| | Council must be notified of any works that may threaten Council assets. Council must give approval for any works involving Council infrastructure. | Standard conditions to apply. | Complies, subject to conditions. |
| | Where there are no existing street trees in front of the site and contributions have not been collected for street tree planting, it may be a condition of consent that street trees are provided in the footpath area immediately in front of the site. | No changes to the existing street trees. | Complies |