

SYDNEY WESTERN CITY PLANNING PANEL ASSESSMENT REPORT

Panel Number:	PPSSWC-517
Application Number:	2025/17/1
Local Government Area:	Camden
Development:	Lot consolidation and construction of a 139-place two storey child care centre with two levels of basement car park and associated landscaping.
Estimated Development Cost:	\$6,652,265
Site Address(es):	24 & 26 Mary Fairfax Drive & 63 & 65 O'Keefe Drive, Oran Park
Applicant:	Kim Eagleton
Owner(s):	Catherine Parks Properties Pty Ltd
Date of Lodgement:	13 January 2025
Number of Submissions:	Nine submissions received.
Number of Unique Objections:	Three unique objections received.
Classification:	Regionally significant development
Recommendation:	Approve with conditions
Regionally Significant Development Criteria (Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021):	Private infrastructure and community facilities estimated development cost >\$5 million (child care centre development)
List of All Relevant Section 4.15(1)(a) Matters:	<ul style="list-style-type: none"> • State Environmental Planning Policy (Planning Systems) 2021 • State Environmental Planning Policy (Precincts - Western Parkland City) 2021 • State Environmental Planning Policy (Transport and Infrastructure) 2021 • State Environmental Planning Policy (Resilience and Hazards) 2021 • State Environmental Planning Policy (Industry and Employment) 2021 • State Environmental Planning Policy (Sustainable Buildings) 2022 • State Environmental Planning Policy (Biodiversity and Conservation) 2021 • Camden Growth Centre Precincts Development Control Plan • Child Care Planning Guideline 2021
List all Documents Submitted with this Report for the Panel's Consideration:	<ul style="list-style-type: none"> • Assessment report

	<ul style="list-style-type: none"> • State Environmental Planning Policy (Precincts - Western Parkland City) 2021 assessment table • State Environmental Planning Policy (Industry and Employment) 2021 assessment table • State Environmental Planning Policy (Transport and Infrastructure) 2021 assessment table • Child Care Planning Guideline 2021 assessment table • Camden Growth Centre Precinct Development Control Plan assessment table • Recommended conditions • Proposed plans • Submissions
Development Standard Contravention Request(s):	Not applicable.
Summary of Key Submission Issues:	<ul style="list-style-type: none"> • Increased vehicular movements and access onto Mary Fairfax Drive. • Impacts of noise and privacy on the surrounding residences. • Scale and design of the proposed child care centre.
Report Prepared By:	Nicholas Clarke, Senior Planner
Report Date:	June 2025

Summary of Section 4.15 Matters

	Yes
Have all recommendations in relation to relevant Section 4.15 matters been summarised in the Executive Summary of the assessment report?	<input checked="" type="checkbox"/>

Legislative Sections Requiring Consent Authority Satisfaction

	Yes
Have relevant sections in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed and relevant recommendations summarised in the Executive Summary of the assessment report?	<input checked="" type="checkbox"/>

Development Standard Contraventions

	Yes	N/A
If a written request for a contravention to a development standard has been received, has it been attached to the assessment report?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Special Infrastructure Contributions

	Yes	No
Does the application require Special Infrastructure Contributions?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Conditions

	Yes
Have draft conditions been provided to the applicant for comment?	<input checked="" type="checkbox"/>

PURPOSE OF REPORT

The purpose of this report is to seek the Sydney Western City Planning Panel's (the Panel's) determination of a development application (DA) for lot consolidation and construction of a 139-place two storey child care centre with two levels of basement car park and associated landscaping at 24 & 26 Mary Fairfax Drive & 63 & 65 O'Keefe Drive, Oran Park.

The Panel is the consent authority for this DA as the estimated development cost (EDC) is \$6,652,265. This exceeds the EDC threshold of \$5 million for Council to determine the DA pursuant to Schedule 7 of State Environmental Planning Policy (Planning Systems) 2021.

SUMMARY OF RECOMMENDATION

That the Panel determine DA/2025/17/1 for lot consolidation and construction of a 139-place two storey child care centre with two levels of basement car park and associated landscaping pursuant to Section 4.16 of the *Environmental Planning and Assessment Act, 1979* by granting consent subject to the conditions attached to this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for lot consolidation and construction of a 139-place two storey child care centre with two levels of basement car park and associated landscaping at 24 & 26 Mary Fairfax Drive & 63 & 65 O'Keefe Drive, Oran Park.

The DA has been assessed against the *Environmental Planning and Assessment Act, 1979*, the *Environmental Planning and Assessment Regulation 2021*, relevant environmental planning instruments, development control plans and policies. A summary of the assessment of all relevant environmental planning instruments is provided below with a detailed assessment provided later in the report.

State Environmental Planning Policy (Planning Systems) 2021	The Panel is the consent authority for this DA as the development has an EDC of \$6,652,265. The EDC threshold for Council to determine the DA is \$5 million.
State Environmental Planning Policy (Precincts - Western Parkland City) 2021 (Western Parkland City SEPP)	The development is permitted with consent in the applicable R2 Low Density Residential zone, is consistent with the zones' objectives and

	acceptable in terms of the Western Parkland City SEPP's other matters for consideration.
State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP)	The DA is consistent with Chapter 3 – Educational Establishments and Child Care Facilities of the SEPP, and the Child Care Planning Guideline.
State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP)	Council's Environmental Health Specialist has reviewed the proposal and confirmed that contamination was assessed under the original parent subdivision (DA/2014/228/1). That assessment identified manganese exceedances within the area of the proposed development which has since been remediated. The site is considered suitable for the proposed child care centre.
State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP)	Council staff are satisfied that the proposed signage is consistent with the Industry and Employment SEPP's objectives in that it is compatible with the desired amenity and visual character of the area, will provide effective communication by displaying the development's name and will be of a high-quality design and finish. Council staff have also considered the Industry and Employment SEPP's Schedule 5 assessment criteria and are satisfied that the signage is consistent with the criteria.
State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP)	The development is satisfactory in terms of Chapter 3 of the Sustainable Buildings SEPP.
State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP)	The development is satisfactory in terms of the matters for consideration in Chapter 6 of the Biodiversity and Conservation SEPP.

The DA was publicly exhibited for a period of 14 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 24 January to 6 February 2025 and nine submissions were received.

The issues raised in the submissions relate to:

- Increased vehicular movements and access onto Mary Fairfax Drive.
- Impacts of noise and privacy on the surrounding residences.
- Scale and design of the proposed child care centre.

The submission issues are discussed in greater detail later in this report.

Development Application History

DA/2024/50/1 for lot consolidation and construction of a 104-place two storey child care centre with at-grade car park and associated landscaping was submitted 13 February 2024.

The built form proposed an elevated first floor level that included a large outdoor play space on the eastern and western frontages due to the majority of the ground floor level being provided as at-grade car park for 33 vehicles.



Image 1 – North-western perspective



Image 2 – North-eastern perspective

The application was reviewed by Council staff and the following issues were raised with the applicant:

- The built form was large / sprawling and out of place in the low-density area.
- The colours and materials did not respond positively to the adjoining heritage context.
- The development was dominated by car parking, with poor pedestrian access and limited landscaping.
- As per the advice provided under PDM/2023/50/1, basement car parking was recommended to allow a balanced built form across the site, the provision of additional ground level landscaping, ground level outdoor play area, reduced acoustic impacts, reduced overshadowing impacts of adjoining properties, and overall, being compatible with the local character and surrounding streetscape of the low-density residential area.

The applicant was agreeable to amending plans to address Council comments; however, due to the time required to amend the documentation DA/2024/50/1 was withdrawn for resubmission. The amended development and subsequent plans are the subject of this application.

KEY PLANNING CONTROL VARIATIONS

Control	Proposed	Variation
Max no. of storeys - 1 storey building or ground floor for children's rooms only	Two storey development with children's rooms on both floors.	Two storey development with children's rooms on both floors.
Corner Lots (Street Frontage) - 3m	Distance from secondary frontage: 700mm to pergola posts; 3m to the building wall	2.3m (76%)

Based on the assessment, it is recommended that the DA be approved subject to the conditions attached to this report.

AERIAL PHOTO



THE SITE

The site consists of 24 and 26 Mary Fairfax Drive, 63 and 65 O'Keefe Drive, Oran Park, and is legally known as lot 6071, 6072, 6082 and 6083 in Deposited Plan 1235007.

The corner site, once consolidated, is irregular in shape due to the curved northern and eastern frontages to Mary Fairfax Drive and O'Keefe Drive, and has an area of 2,000sqm, with an approximate frontage of 77m to Mary Fairfax Drive, 40m to O'Keefe Drive.

The site is clear of vegetation with the levels approved under the parent subdivision resulting in a 2.43 metre fall from south-west to the north-east. It is noted there is an existing earth bank ranging from 710mm to 1.56m in height along the front property boundaries of the curved northern and eastern frontages.

The surrounding area is characterised by low density residential development and a future neighbourhood centre to the north opposing the site. To the north-west of the site is the state heritage listed Oran Park House with associated structures, and public open space with a playground. To the east, west and south are one and two storey dwellings. Directly to the north opposing the site, a DA has been lodged for the construction of the Catherine Park neighbourhood centre comprising a supermarket, shops, commercial premises, basement and at grade parking, conservation of the coach house heritage building and associated site works. That DA (DA/2025/73/1) is currently under assessment by Council staff.



Image 3 - View of northern boundary

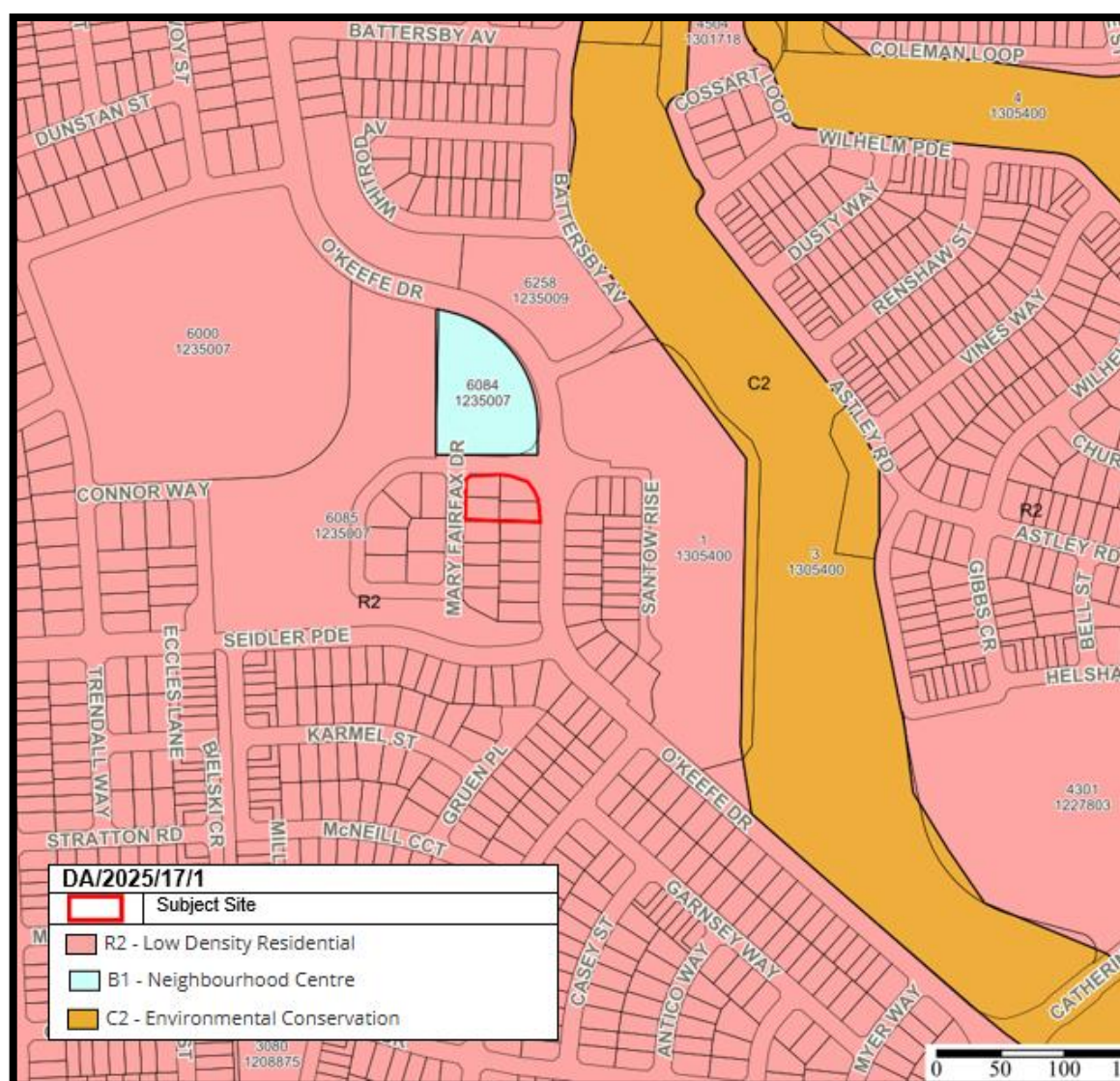


Image 4 - View of the north-eastern boundary.

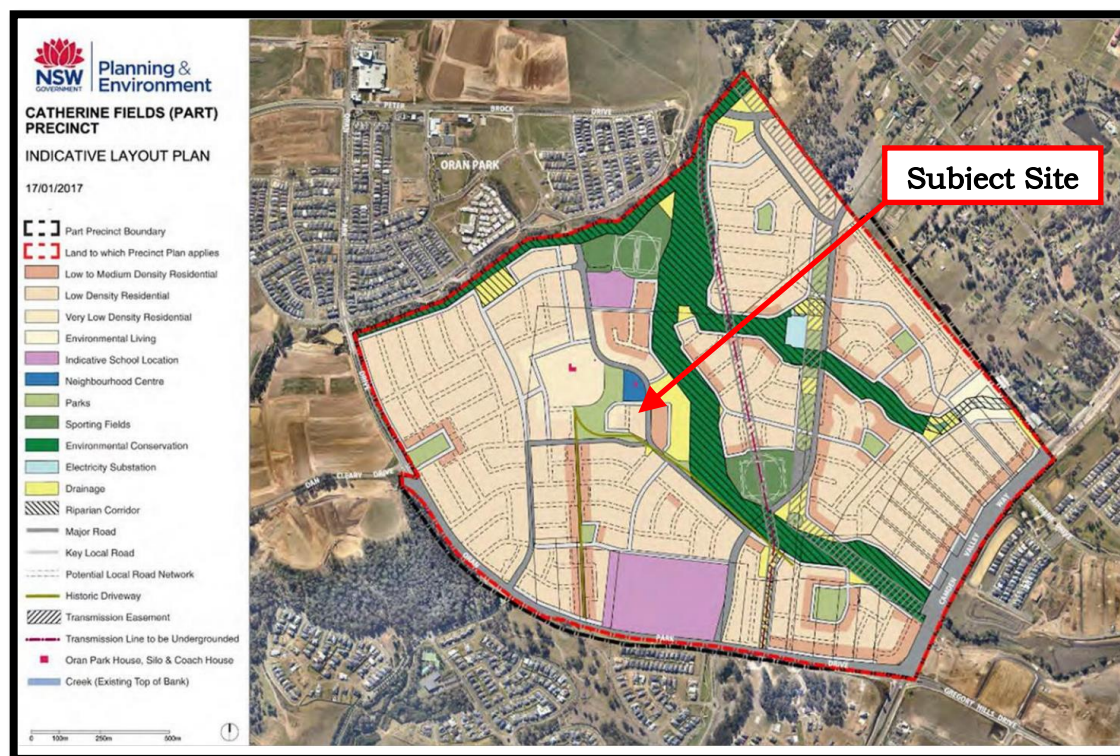


Image 5 - View of the northwestern boundary.

ZONING PLAN



AREA MASTER PLAN



HISTORY

The relevant development history of the site is summarised in the following table:

Date	Development
July 2024	DA/2024/50/1 – Lot consolidation and construction of a 104-place two storey child care centre with at-grade car park and associated landscaping. Withdrawn.

THE PROPOSAL

DA/2025/17/1 seeks approval for lot consolidation and construction of a 139-place two storey child care centre with two levels of basement car park and associated landscaping.

Specifically, the development involves:

- Consolidation of the four lots (Lots 6071, 6082, 6083, 6072) into one 2,000m² lot.
- Construction of a two-storey child care centre consisting of:
 - Ground floor – entry/reception, laundry, 0-1, 1-2, 2 x 2-3year olds activity rooms, 0-2 and 3-5yr olds outdoor play area and amenities;
 - First floor - kitchen, staff room, activity rooms for 2 x 3-4 and 2 x 4-5 year olds and amenities;
 - Two levels of basement car parking for 44 car spaces with associated waste storage and plantroom. Staff are provided with 19 parking spaces and visitors 25 parking spaces including accessible car parking.

Vehicular access to the proposed basement car park is sought via Mary Fairfax Drive, a local road, from the western boundary, while pedestrian access is available via the northern boundary.

- Associated site works including the construction of earthworks, drainage, services and landscaping.
- The following business identification signage:
 - 450mm high black acrylic lettering fixed to 1090mm high coloured acrylic sheets attached to the acoustic fence adjacent to the Mary Fairfax Drive/O'Keefe Drive roundabout. The acoustic fence is setback 1m from the front boundary.
 - A circular (1.8m diameter) wall sign on the northern elevation consisting of the business logo and text "First Connections Early Learning, Play, Learn, Connect, Grow"
- The centre will operate with 21 staff and a maximum capacity of 139 places with the following age groups:
 - 0 - 1 years - 12 children
 - 1 - 2 years - 12 children
 - 2 – 4 years - 35 children
 - 3 - 4 years - 40 children
 - 4 - 5 years - 40 children
- The facility will operate between 7am to 7pm Monday - Friday (excluding public holidays).

ASSESSMENT

Environmental Planning and Assessment Act 1979 - Section 4.15(1)

In determining a DA, the consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the DA:

(a)(i) the provisions of any environmental planning instrument

The environmental planning instruments that apply to the development are:

- State Environmental Planning Policy (Planning Systems) 2021.
- State Environmental Planning Policy (Precincts - Western Parkland City) 2021.
- State Environmental Planning Policy (Transport and Infrastructure) 2021.
- State Environmental Planning Policy (Resilience and Hazards) 2021.
- State Environmental Planning Policy (Industry and Employment) 2021.
- State Environmental Planning Policy (Sustainable Buildings).
- State Environmental Planning Policy (Biodiversity and Conservation) 2021.

State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)

The Planning Systems SEPP identifies development that is State significant development, infrastructure and critical infrastructure and regionally significant development.

The Panel is the consent authority for this DA as the EDC of the development is \$6,652,265. The EDC threshold for Council to determine the DA is \$5 million pursuant to Schedule 6 of the Planning Systems SEPP.

State Environmental Planning Policy (Precincts - Western Parkland City) 2021 (Western Parkland City SEPP)

The Western Parkland City SEPP aims to co-ordinate the release of land for residential, employment and other urban development in the North West Growth Centre, the South West Growth Centre, the Wilton Growth Area and the Greater Macarthur Growth Area.

Site Zoning

The site is zoned R2 Low Density Residential pursuant to Appendix 5, Section 2.2 of the Western Parkland City SEPP.

Development Characterisation

The development is characterised as a 'centre based child care facility'.

Permissibility

The development is permitted with consent pursuant to the land use table in Appendix 5 of the Western Parkland City SEPP.

Planning Controls

An assessment table in which the development is considered against the Western Parkland City SEPP's planning controls is provided as an attachment to this report.

State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP)

The Transport and Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the State.

Educational Establishments and Child Care Facilities

The proposal has been assessed against Chapter 3 – Educational Establishments and Child Care Facilities of the SEPP. Section 3.23 of the SEPP requires that the consent authority must take into consideration any applicable provisions of the Child Care Centre Planning Guideline. The proposal is consistent with the Child Care Planning Guideline and an assessment against the Guideline is provided as an attachment to this report.

State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP)

The Resilience and Hazards SEPP regulates hazardous and offensive development and aims to ensure that the consent authority has sufficient information to assess whether or not development is hazardous or offensive. The Resilience and Hazards SEPP also provides a Statewide planning approach to the remediation of contaminated land.

Section 4.6 of the Resilience and Hazards SEPP requires the consent authority to consider if the site is contaminated. If the site is contaminated, the consent authority must be satisfied that it is suitable in its contaminated state for the development. If the site requires remediation, the consent authority must be satisfied that it will be remediated before the land is used for the development. Furthermore, the consent authority must consider a preliminary contamination investigation in certain circumstances.

Council's Environmental Health Specialist has reviewed the proposal and advised contamination was assessed under the original parent subdivision (DA/2014/228/1). That assessment identified manganese exceedances within the area of the proposed development which has since been remediated. The site is deemed suitable for a proposed child care centre.

A standard contingency condition is recommended that requires any contamination found during works to be managed with development consent obtained for remediation if required.

State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP)

The Industry and Employment SEPP aims to ensure that signage is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high-quality design and finish.

Section 3.6 of the Industry and Employment SEPP requires the consent authority to be satisfied that signage is consistent with the objectives as set out in Section 3.1(1)(a) of the SEPP and the assessment criteria specified in Schedule 5 of the SEPP. The proposed signage is considered to be consistent with the objectives of the SEPP.

State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP)

The Sustainable Buildings SEPP aims to encourage the design and delivery of sustainable buildings, ensure consistent assessment of sustainable buildings, and record accurate data about the sustainability of buildings. The development is considered satisfactory in terms of Chapter 3 of the Sustainable Buildings SEPP in that:

- the development has been designed to enable the sustainability measures listed in Section 3.2,
- the embodied emissions attributable to the development have been quantified,

- the applicant has submitted a NABERS commitment agreement that demonstrates the development is capable of achieving the standards for energy and water use specified in the Sustainable Buildings SEPP, and
- the applicant has detailed the method under Section J of the Building Code of Australia that will be used to demonstrate the development is capable of achieving the standards for energy use specified in the Sustainable Buildings SEPP.

State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP)

The development is considered satisfactory in terms of the matters for consideration in Chapter 6 of the Biodiversity and Conservation SEPP. There will be no unreasonable adverse impacts upon the Hawkesbury-Nepean Catchment as a result of the development.

(a)(ii) the provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)

There are no draft environmental planning instruments that are applicable to the development.

(a)(iii) the provisions of any development control plan

Camden Growth Centre Precincts Development Control Plan (Growth Centre DCP)

Planning Controls

An assessment table in which the development is considered against the Growth Centre Precincts DCP is provided as an attachment to this report.

Proposed Variation – Number of Storeys

The applicant proposes a variation to child care centre storey height (Clause 4.4.3(1)) which the DCP specifies is to be a maximum of one storey or ground floor for children's rooms only. The application proposes a two storey child care centre, with children play room's on both floors.

Variation Assessment

Council staff have assessed the development and considered the applicant's justification to the development control. It is recommended that variation to storey height control be supported for the following reasons:

- All outdoor play areas are at ground level.
- No openings are proposed on the southern elevation upper level, closest to adjoining residences.
- There is no unreasonable amenity impacts upon adjoining residences, with acoustic measures recommended and conditioned to address noise impact on surrounding properties.

- The proposed built form is consistent and compatible with surrounding built form, noting adjoining two storey development and throughout the growth centre precinct. In addition, it is considered that the proposed built form is proportionate and relative to its setting and topography.
- The proposed built form is consistent with the design quality principles and matters for consideration of the child care planning guideline, which does not prohibit two storey centres.
- The proposed development complies with the maximum building height development standard applicable to the site.
- Two storey child care centres have been approved in the Camden LGA and greater Sydney.

Proposed Variation – Corner Lot Setbacks

The applicant proposes a variation to corner lot setbacks (Clause 4.4.3(1)), which the DCP specifies a minimum setback of 3 metres. While generally the setback from Mary Fairfax Drive (north) is 3 metres from the front wall (fire stair and lift), the proposed attached pergola is setback 700mm from the boundary. The childcare design incorporates a verandah roof form, with supporting posts within the northern setback.

Variation Assessment

Council staff have assessed the development and recommend that variation to corner lot setbacks be supported for the following reasons:

- The northern elevation is the main entrance to the centre and the pergola provides weather protection and a sense of arrival to the centre.
- The height of the verandah roof (3m) provides articulation to the two-storey portion of the building.
- The verandah and associated posts are visually open and do not enclose floor area.
- The pergola is consistent with the objectives of sections:
 - o 4.2.2 *Streetscape and architectural design* to reinforce street intersections through articulation of corner buildings.
 - o 4.2.3 *Front setbacks* to enable the integration of built elements to create an attractive, visually consistent streetscape.

Consequently, it is recommended that the Panel support the proposed variations to Camden Growth Centre Precincts DCP.

(a)(iia) the provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

No relevant planning agreement or draft planning agreement exists or has been proposed as part of this DA.

(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)

The *Environmental Planning and Assessment Regulation, 2021* prescribes several matters that are addressed in the conditions attached to this report.

(b) *the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality*

As demonstrated by the assessment, the development is unlikely to have any unreasonable adverse impacts on either the natural or built environments, or the social and economic conditions in the locality.

(c) *the suitability of the site for the development*

As demonstrated by the assessment, the site is considered to be suitable for the development.

(d) *any submissions made in accordance with this Act or the regulations*

The DA was publicly exhibited for a period of 14 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 24 January 2025 to 6 February 2025 and nine submissions objecting to the development were received.

- 1) Concern is raised that compared to withdrawn DA/2024/50/1, the proposed built form and scale is unreasonable in the residential setting, not in keeping with the character of the area and over transparency of the development application process.

Officer Comment:

While the withdrawn application (DA/2024/50/1) proposed a 104-place centre, the built form was not considered appropriate for the locality. That application was withdrawn, and the proposal amended to address concerns raised and resubmitted accordingly.

The subject application has been assessed against the *Environmental Planning and Assessment Act, 1979*, the *Environmental Planning and Assessment Regulation 2021*, relevant environmental planning instruments, development control plans and policies.

A full assessment against each of the relevant environmental planning instruments, DCP and policies demonstrates the proposal is compliant in terms of use and built form. In addition, it is assessed that the proposed development will result in minimal impact on the amenity of the area and the site is suitable for the development.

In respect to transparency, all procedural matters relating to notification, assessment and ultimately determination of the application have been followed.

- 2) Concern is raised over increased traffic including the existing road being inadequate to accommodate an extra 200 vehicles, a safety risk to pedestrians and the submitted traffic report being outdated.

Officer Comment:

A transport engineering report, dated 13/12/24, was submitted with the development application. The report considered peak hour survey volumes of the Mary Fairfax Drive T-intersection, the proposed generation volumes and 2026 volumes without and with the proposed development. It concluded the development is expected to result in a traffic generation potential of 112 to 98 vehicle movements during the weekday AM

and PM peak hours and the generated traffic is not expected to have an adverse impact on the operational performance of the surrounding road network.

Council's Transport Planning Engineer reviewed the application and raised no issue with the details within the report. The development provides sufficient off-street car parking and will not have unacceptable impacts upon the functioning, efficiency or safety, including pedestrian, on the surrounding road network.

- 3) Concern is raised access to the basement car park from the western boundary will impact amenity of dwelling opposite, cause congestion at the T intersection of Mary Fairfax Drive and it is suggested vehicle access to be from the northern boundary.

Officer Comment:

Council's Transport Planning Engineer has reviewed the application, including the accompanying transport engineering report, and concluded that the development is consistent with the applicable development control plan/master planned road network and traffic modelling for the area; provides sufficient off-street car parking; and will not have unacceptable impacts upon the functioning, safety and efficiency of the surrounding road network. The officer also advised that the proposed vehicular access on the western boundary is satisfactory, as access from the northern boundary is problematic due to proximity of the nearby roundabout and sight distances are limited which may create dangerous conditions for vehicle entry to and exit from the site.

In terms of impacts on residential amenity, an acoustic report was submitted with the DA which was assessed by Council's Environmental Health Specialist. The report is deemed satisfactory subject to conditions requiring compliance with the report and recommendations including acoustic screens to the basement ramp walls and acoustic absorption to the basement ramp surface.

- 4) Concern is raised over the waste management on site in terms of the waste truck accessing the site due to cars parked along Mary Fairfax Drive.

Officer Comment:

Waste collection is proposed to be provided by a private contractor with bins collected from the driveway area during operational hours of the child care centre. Therefore no issue is raised as a waste truck is not required to access the basement for collection.

- 5) It is commented that there is no acoustic screen on western boundary.

Officer Comment:

An acoustic report was submitted with the DA which provided recommendations to minimise adverse noise, including outdoor play area acoustic screens setback 1m into the site along the northern, eastern and western boundaries. Additional acoustic attenuation is proposed at the southern boundary and basement ramp surface to address vehicles accessing the basement.

The report was assessed by Council's Environmental Health Specialist and is deemed satisfactory subject to conditions requiring compliance with the report and recommendations.

- 6) Concern is raised over the increased use of the Mary Fairfax Drive ring road, and it is requested road signage be installed advising Mary Fairfax Drive is a “no through road” and for “local residents only” or similar.

Officer Comment:

Council’s Transport Planning Engineer has reviewed the application, including the transport report, and it is considered the development will not have unacceptable impacts upon the functioning, safety and efficiency of the surrounding road network.

The proposed development will generate 112 vehicle trips per hour AM peak and 98 vehicle trips per hour PM peak, which maintains an A-level of service analysis of the Mary Fairfax Drive/O’Keefe Drive roundabout. Additional road signage imposing restrictions are not considered necessary in the circumstances.

- 7) Concern is raised the development will adversely impact the amenity of the area in terms of noise during the construction phase and existing levels of privacy during operation.

Officer Comment:

Standard conditions of consent are recommended to minimise adverse impacts on the amenity of the area during the construction phase. These conditions relate to work hours, dust control, noise control, and soil and erosion control, etc.

An acoustic report was submitted with the DA to address noise during operation of the centre, which was assessed by Council’s Environmental Health Specialist. The report is deemed satisfactory subject to conditions requiring compliance with the report and recommendations including acoustic fencing, window treatment, mechanical plant and equipment and implementation of a centre noise management plan.

(e) the public interest

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act, 1979*, the *Environmental Planning and Assessment Regulation 2021*, environmental planning instruments, development control plans and policies. Based on the assessment, the development is consistent with the public interest.

EXTERNAL REFERRALS

No external referrals were required.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The DA has been assessed in accordance with Section 4.15(1) of the *Environmental Planning and Assessment Act, 1979* and all relevant instruments, plans and policies. The DA is recommended for approval subject to the conditions attached to this report.

RECOMMENDATION

That the Panel approve DA/2025/17/1 for the lot consolidation and construction of a 139-place two storey child care centre with two levels of basement car park and associated landscaping at 24 & 26 Mary Fairfax Drive & 63 & 65 O'Keefe Drive, Oran Park subject to the conditions attached to this report for the following reasons:

- 1. The development is consistent with the objectives and controls of the applicable environmental planning instruments, being State Environmental Planning Policy (Precincts - Western Parkland City) 2021, State Environmental Planning Policy (Transport and Infrastructure) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Industry and Employment) 2021 and State Environmental Planning Policy (Biodiversity and Conservation) 2021.**
- 2. The development is consistent with the objectives of the Camden Growth Centre Precincts Development Control Plan and Child Care Planning Guideline 2021.**
- 3. The development is of an appropriate scale and form for the site and the character of the locality.**
- 4. Subject to the recommended conditions, the development is unlikely to have any unreasonable adverse impacts on the natural or built environments.**
- 5. The Panel has considered the issues raised in the submissions received from the public and, subject to the recommended conditions, is satisfied that the development can be supported having regard to traffic and road access issues, built form and the amenity issues.**
- 6. For the above reasons, the development is a suitable use of the site and its approval is in the public interest.**