

Attachment B – Compliance Tables

State Environmental Planning Policy (Planning Systems) 2021

Chapter 2: State and Regional Development

The proposal is regionally significant development pursuant to Section 2.19(1) as it satisfies the criteria in Clause 5 of Schedule 6 of the Planning Systems SEPP as the proposal is development for childcare facilities. Accordingly, the Sydney Western City Planning Panel is the consent authority for the application. The proposal is consistent with this Policy.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

The subject land is located within the Hawkesbury Catchment and as such the *State Environmental Planning Policy (Biodiversity and Conservation) 2021* – Chapter 6 Water Catchments applies to the application.

The relevant parts of the SEPP are:

State Environmental Planning Policy (Biodiversity and Conservation) 2021	
Chapter 6	
Part 6.1 Preliminary	
Provisions	Comment
6.1 Land to which this chapter applies	
This Chapter applies to land in the following catchments— (d) the Hawkesbury-Nepean Catchment	The subject site is identified as being within the Hawkesbury Catchment.
Part 6.2 Development in regulated catchments	
6.6 Water quality and quantity (1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following— (a) whether the development will have a neutral or beneficial effect on the quality of water entering a waterway, (b) whether the development will have an adverse impact on water flow in a natural waterbody, (c) whether the development will increase the amount of stormwater run-off from a site, (d) whether the development will incorporate on-site stormwater retention, infiltration or reuse, (e) the impact of the development on the level and quality of the water table, (f) the cumulative environmental impact of the development on the regulated catchment,	Insufficient Information has been provided to ascertain how water flow and run-off will be appropriately managed and that impact on water quality and quantity will be appropriately minimised.

(g) whether the development makes adequate provision to protect the quality and quantity of ground water.	
6.7 Aquatic ecology (1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following— (a) whether the development will have a direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation, (b) whether the development involves the clearing of riparian vegetation and, if so, whether the development will require— a controlled activity approval under the <i>Water Management Act 2000</i>, or (ii) a permit under the <i>Fisheries Management Act 1994</i>, (c) whether the development will minimise or avoid— (i) the erosion of land abutting a natural waterbody, or (ii) the sedimentation of a natural waterbody, (d) whether the development will have an adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area, (e) whether the development includes adequate safeguards and rehabilitation measures to protect aquatic ecology, (f) if the development site adjoins a natural waterbody—whether additional measures are required to ensure a neutral or beneficial effect on the water quality of the waterbody.	Subject to conditions of consent the impact on terrestrial, aquatic or migratory animals or vegetation will be minimised. N/A Development is not identified as being in proximity to wetlands or littoral rainforest area. Impacts to the Hawkesbury River cannot be considered as the Hawkesbury River Catchment have been considered suitable given the locality of the development. The development has not demonstrated the impact on the quality of water entering a natural waterbody will be as close as possible to neutral or beneficial, and the impacts on water quality will be minimised.
6.8 Flooding (1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the likely impact of the development on periodic flooding that benefits wetlands and other riverine ecosystems. (2) Development consent must not be granted to development on flood liable land in a regulated	The subject property is not flood affected.

catchment unless the consent authority is satisfied the development will not— (a) if there is a flood, result in a release of pollutants that may have an adverse impact on the water quality of a natural waterbody, or (b) have an adverse impact on the natural recession of floodwaters into wetlands and other riverine ecosystems.	
6.9 Recreation and public access	The development is not considered to impact public access to recreational land. Noted the site is not adjacent to a recreation land or foreshores.
6.10 Total catchment management	The development is not anticipated to impact on total catchment management.

The application was referred to Council's Land Development Engineer who reviewed the application and were not supportive of the proposed development. Additional information was requested by the Land Development Engineer asking the applicant to amend the method of drainage and to ensure stormwater runoff to be connected to Council's drainage system. No response has been received by the applicant.

It is considered the proposal cannot satisfy the provisions of the Biodiversity SEPP and the consent authority cannot be satisfied the proposed development demonstrates potential impacts on the water quality and quantity and aquatic ecology is reasonable as expressed within the provisions.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4: Remediation of Land

- i. Clause 4.6 Contamination and remediation to be considered in determining development application

The proposal has been assessed under the relevant provisions of SEPP (Resilience and Hazards) 2021, specifically Chapter 4 – Remediation of Land, as the proposal involves the development of land to accommodate a change of use.

The objectives of SEPP (Resilience and Hazards) 2021 are:

- *to provide for a statewide planning approach to the remediation of contaminated land.*
- *to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.*

Clause 4.6(1) prescribes the contamination and remediation matters must be considered by Council before determining the development application. Specifically, Council must consider:

- whether the land is contaminated; and
- if the land is contaminated, the Council must be satisfied that the land is suitable in its contaminated state (or will be suitable after remediation); and
- if the land requires remediation to be made suitable, Council is satisfied that the land will be remediated before it is used.

Pursuant to Clause 4.6(1) the following shall be addressed:

Clause 4.6 - Contamination and remediation to be considered in determining development application		Comment
(1) A consent authority must not consent to the carrying out of any development on land unless:		
(a) it has considered whether the land is contaminated, and		The submitted Preliminary Site Investigation states under Section 5.6 that no previous environmental investigation reports were provided or identified at the time of writing the report, however Council's Environmental Health Officer has noted that prior DA consent identified that the land was contaminated and the site was subject to a PSI, DSI and RAP. An updated PSI is required but has not been submitted by the applicant.
(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and		Insufficient Information has been presented to ascertain the extent of contamination.
(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.		The land may require remediation.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 3 – Educational Establishments and Childcare Facilities

The proposed centre-based childcare facility has been assessed in accordance with the provisions of Chapter 3 under the Transport and Infrastructure SEPP 2021, and the proposal is consistent with this Policy.

State Environmental Planning Policy (Transport and Infrastructure) 2021			
Chapter 3 – Educational Establishments and child care facilities			
Part 3.3 – Early education and care facilities – specific development controls			
Clause	Requirements	Proposed	Comment
3.22 - Centre-based child care	This clause applies to development for the purpose	Regulation 107 and 108 of Educational and Care	Complies

facility—concurrence of Regulatory Authority required for certain development	of a centre-based child care facility if: (a) the floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the Education and Care Services National Regulations, or (b) the outdoor space requirements for the building or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those Regulations	Services National Regulation specifies the following: - Indoor - 3.25m² per child - Outdoor - 7.0m² per child <u>Required</u> Indoor - (140 x 3.25) = 448sqm Outdoor - (140 x 7sqm) = 980sqm <u>Proposed:</u> <u>Indoor</u> Ground Floor – 236.535sqm First Floor – 131.048sqm Second Floor - 110.564sqm Total = 478.147sqm <u>Outdoor</u> Ground Floor – 571.381sqm First Floor – 261.43sqm Second Floor – 206.661sqm Total- 1039.47sqm The proposal provides sufficient indoor and outdoor space for children.	
3.23 - Centre-based child care facility—matters for consideration by consent authorities	Before determining a development application for 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 proposed development is assessed against the provisions contained within the Childcare Planning Guideline.	Complies View assessment in table below.
3.24 - Centre-based child care facility in Zone IN1 or IN2—additional	To minimise land use conflicts with existing industrial development	The site is in an R3 medium Density Residential zone and is not located in proximity to industrial development.	Not Applicable

matters for consideration by consent authorities			
3.25 - Centre-based child care facility—floor space ratio	FSR in zone R2 – Low Density Residential is not to exceed 0.5:1 unless specified elsewhere.	The site is not located within an R2 Zone.	Not Applicable
3.26 - Centre-based child-care facility—non-discretionary development standards	To identify development standards for particular matters relating to a centre-based child care facility that, if complied with, prevent the consent authority from requiring more onerous standards for those matters. – a) the development may be located at any distance from an existing or proposed early education and care facility b) indoor and outdoor space complies with regulation 107 and 108 of the Education and Care Services National Regulations c) the development may be located on a site of any size and have any length of street frontage or any allotment depth, d) 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.	Noted. - Indoor - 3.25m² per child - Outdoor - 7.0m² per child The proposed development exceeds the minimum requirements under the Regulations. Noted The site is not listed as a heritage item or state heritage.	Complies
3.27 - Centre-based child care facility—	1) A provision of a development control plan that specifies a requirement,		Complies

development control plans	standard or control does not apply in relation to a) Operational or management plans or arrangements (including hours of operation) b) Demonstrated need or demand for child care services c) Proximity of facility to other early education and care facilities Any matter in relation to development for the purpose of a centre-based child care facility contained in design principles set out in Part 2 of the <i>Child Care planning Guideline</i> or matter for consideration set out in Part 3 of the requirements set out in Part 4 of Guideline other than height, side and rear setback or car parking rates.	The assessment was accompanied a Statement of Environmental Effects which informs that the proposed hours of operation are 7am – 6pm, Monday to Friday The site is located right across Austral Public School which ensures a strong and consistent demand from local families. Located approximately 700m to Little Learners Academy Austral. Noted	
Chapter 4 Operational Requirements			
Division 1 Center-based services and family day care services			
Clause	Proposed		Comment
Clause 103 Premise, furniture and equipment to be safe clean and in good repair The approved provider of an education and care service must ensure that the education and care service premises and all equipment and furniture used in providing the education and care	Noted		Noted.

service are safe, clean and in good repair.		
104 Fencing Outdoor space that will be used by children will be 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.	Outdoor areas are completely isolated and designed to ensure that the safety of children is maintained through landscaping and fencing.	Complies
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 provided and located in another room outside of any kids play area.	Complies
107 Unencumbered 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>	A total of 140 children will be cared for on the site. The proposed unencumbered indoor space exceeds the minimum required under the Regulations. <u>Indoor</u> Total = 481.45sqm	Complies
108 Unencumbered 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>	A total of 140 children will be cared for on the site. The proposed unencumbered outdoor space exceeds the minimum required under the Regulations. <u>Outdoor</u> Ground Floor – 571.381sqm First Floor – 261.43sqm Second Floor – 206.661sqm Total- 1039.47sqm	Complies

109 Toilet and hygiene facilities The proposed development includes adequate, developmentally and age-appropriate toilet, washing and drying facilities for use by children being educated and cared for by the service. The location and design of the toilet, washing and drying facilities enable safe and convenient use by the children.	Toilet and hygiene facilities are proposed within each playroom.	Complies
110 Ventilation and natural light The proposed development includes indoor spaces to be used by children that — • will be well ventilated; and • will have adequate natural light; and • can be maintained at a temperature that ensures the safety and well-being of children.	Indoor spaces for children are well ventilated and will have adequate natural lighting due to the numerous windows and sliding door available to each room.	Complies
Division 2 Additional requirements for centre-based services		
111 Administrative space The proposed development includes an adequate area or areas for the purposes of conducting the administrative functions of the service; and consulting with parents of children; and conducting private conversations.	The proposed development includes a foyer area, office and a staff room on first floor that can be used for meeting purposes.	Complies
112 Nappy change facilities (To be completed only if the proposed development is for a service that will care for children who wear nappies)	Nappy change facilities have been provided for children who wear nappies, including hygienic facilities for nappy changing and bathing.	Complies
113 Outdoor space – natural environment The proposed development includes outdoor spaces that will allow children to explore and experience the natural environment.	The centre proposes a wide variety of outdoor play facilities that would promote exploration and improve experience in the natural environment. These facilities include outdoor play equipment.	Complies

114 Outdoor space – shade The proposed development includes adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun.	The proposed landscaping provides sufficient shading within the outdoor area.	Complies
115 Premises designed to facilitate supervision The proposed development (including toilets and nappy change facilities) are designed in a way that facilitates supervision of children at all times, having regard to the need to maintain the rights and dignity of the children.	The internal layout as well as outdoor play space of the proposed centre is considered to have been designed to allow for the supervision of children at all times when activity rooms and play spaces are in use. Toilets and nappy change facilities are located between the rooms and accessible.	Complies
Division 2 Minimum number of educators and family day care coordinators required		
123 Educator to child ratios—centre-based services The minimum number of educators required to educate and care for children at a centre-based service as follows; 1) Children age between 0 to 24 months- 1 educator to 4 children;	20 children and 5 educators proposed equating 1 to 4 children.	Complies
2) Children age between 24 months to 36 months - 1 educator to 5 children;	50 children and 10 educators proposed equating 1 to 5 children.	Complies
3) Children age between 36 months and over - 1 educator to 10 children; and	70 Children and 7 educators equating to a ratio of 1:10 as per the National Framework.	Complies
4) Children over preschool age- 1 educator to 15 children.	No children over preschool age proposed.	Not Applicable

Childcare Planning Guidelines 2021

The proposed development has been assessed against the Childcare Planning Guidelines 2021.

Child Care Planning Guideline 2021			
Part 3 Matters of Consideration	Requirements	Proposal	Comments
3.1 Site Selection and Location			

C1 Site Selection and Location	<u>Development in or adjacent to residential zone:</u> The acoustic and privacy impacts of the proposed development on the residential properties	The proposed child care facility is located within a residential area. An acoustic report is submitted with the DA which includes recommended noise mitigation measures for the childcare facility to comply with relevant noise standards. The application was referred to Council's Environmental Health section to review the potential noise impacts. Council's Environmental Health officer raised no objections to the noise generation, subject to conditions. The design of the centre-based childcare facility incorporates a fence ranging between 1.2m to 2.4m. Additionally, the first and second floor outdoor play areas are enclosed by a 1.39m high balustrade. In addition, the outdoor play spaces are orientated towards the street frontage, while the indoor play spaces are positioned towards the adjoining properties.	Complies
	The setbacks and siting of buildings within the residential context.	The setbacks of the proposed building are appropriate and generally consistent with the Liverpool Growth Centres Precincts DCP 2021.	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	Complies

		impacts to the adjoining properties.	
	Traffic and parking impacts of the proposal on residential amenity and road safety	The proposed development is considered to have minimal impact on the traffic capacity to the surrounding road network. A Traffic Impact Assessment report was submitted with the application. Council's Traffic Engineers have reviewed the traffic impacts and raised no objections, subject to conditions. As such, it is considered that the proposed development is unlikely to impact the residential amenity and road safety.	Complies
	<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 a 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 in close proximity to 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 identified as bushfire prone land. Bushfire Assessment Report prepared by Control Line Consulting, dated 10 May 2021 was submitted with the application. The application was referred to NSW Rural Fire Services who rejected the referral	Does not comply

		due to non-payment of fees by the applicant.	
	There are no potential environmental contaminants on the land, in the building or the general proximity, and whether hazardous materials remediation is needed	A Geotechnical Investigation Report prepared by Foundation Earth Sciences, dated January 2025 was submitted. This was referred to Councils Environmental Health department and additional information was requested. An updated PSI is required, however the applicant has not responded to Council's request for an amended PSI report. Previous DA-131/2019 identified contaminated land and remediation was required. This has not been addressed by the applicant.	Does not comply
	The characteristics of the site are suitable for the scale and type of development proposed having regard to: ○ Length of street frontage, lot configuration, dimensions and overall size ○ Number of shared boundaries with residential properties	The proposed development is compatible with the site. The width, length, configuration and size of the lot is considered appropriate for the proposed development. The proposed design ensures minimal adverse impacts for residents of surrounding properties.	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	The development involves the construction of a new building for the childcare facility.	Not applicable

	retain its historic character and conserve significant fabric, setting or layout of the item.		
	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 within the basement car park. A Traffic Assessment Report has been submitted with the application. 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 appropriate and safe for the proposed use	The site does not adjoin any classified roads.	Not Applicable
	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	The site does not adjoin any classified roads.	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.	No incompatible land use, such as licensed premises or sex service premises are proposed adjoining or located within the vicinity of the site.	Complies
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	The site is well positioned within a planned urban framework that includes zones for education establishments, neighbourhood centres and recreational areas. As such, the proposed centre-based childcare will be well connected to future facilities supporting its suitability	Complies

		within the evolving context of the locality.	
	Near or within employment areas, town centres, business centres, shops	The site is located 84m to the north from a Neighbourhood Centre zone.	Complies
	With access to public transport including rail, buses, ferries	Noted	Noted
	In areas with pedestrian connectivity to the local community, businesses, shops, services and the like	The site is located approximately 79m to the south from a Neighbourhood Centre zone.	Complies
C4 Site Selection and Location	Proximity to: - heavy or hazardous industry, waste transfer depots or landfill sites - Liquefied Petroleum Gas (LPG) tanks or service stations - water cooling and water warming systems - odour (and other air pollutant) generating uses and sources or sites which, due to prevailing land use zoning, may in future accommodate noise or odour generating uses - extractive industries, intensive agriculture, agricultural spraying activities	The site is not located near water cooling or warming systems, odour generating sources, extractive industries, intensive agriculture, or agricultural spraying activities. In addition, there are no extractive industries within the direct vicinity of the site.	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			
C5 Local Character, Streetscape and the Public Domain Interface	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 childcare centre is three storeys high, which complies with the maximum building height requirements. However, its bulk and scale are not consistent with the	Does not comply

		surrounding development, which tends to be of a smaller scale and less imposing.	
	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
	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
	Recognise and respond to predominant streetscape qualities, such as building form, scale, materials and colours;	The building is proposed to be constructed in a range of materials and finishes including stonework, cladding, rendering, brickwork and barriers/ fencing. It is considered that the range of materials used will integrate with the existing and future developments within the locality. Although the building is within the desired height limit for the locality and appropriately setback with the existing adjoining sites, the proposed three storeys adds to the bulk and commercial appearance of the building.	Does not comply
	Include design and architectural treatments that respond to and integrate with the existing streetscape and local character	As above.	Does not comply
	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 desired streetscape and contribute to the neighbouring amenity.	Complies
	Integrate car parking into the building and site landscaping design in residential areas	Carparking has been incorporated into the development with all	Complies

		parking spaces located within the basement. In addition, landscaping has been provided around the vehicle entry/ exit points which is visually acceptable to adjacent residential areas.	
	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	<u>Clear a threshold with a clear transition between public and private realms, including:</u> Fencing to ensure safety for children entering and leaving the facility	Fencing is provided around the childcare facility. As such, the site will be adequately fenced to ensure the safety for children entering and existing the facility.	Complies
	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
	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.	No additional land uses are located on the site. Further, the centre based childcare facility is accessible via a pedestrian entry/exit point from Edmondson Avenue, as well as through a lift providing direct access from the basement car parking.	Complies
C8 Local Character, Streetscape and the Public	Development adjoins public parks, open space or bushland, the facility should provide an appealing streetscape frontage	The site does not adjoin public parks, open space or bushland. However, the site has been adequately	Complies

Domain Interface	by adopting some of the following design solutions: Clearly defined street access, pedestrian paths and building entries	designed to provide landscaping fronting the development. In addition, the design of the building has avoided using blank walls.	
	Low fences and planting which delineate communal/private open space from adjoining public open space		
	Minimal use of blank walls and high fences.		
C9 Local Character, Streetscape and the Public Domain Interface	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.	The proposed development incorporates a 1.2m front fence, which is constructed using aluminium picket fencing. The design and scale of the fence are considered to be consistent with the emerging character and streetscape of the locality. The site is not listed as a heritage item or in close proximity to a heritage item.	Complies
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.	The site does not adjoin a classified road.	Not applicable
C11 Building orientation, envelope, building design and accessibility	<u>Orient a development on a site and design the building layout:</u> Ensure visual privacy and minimise potential noise and overlooking impacts on neighbours by o facing doors and windows away from private open space, living rooms and bedrooms in adjoining residential properties	The doors and windows have been appropriately located on the built form. In addition, the outdoor play areas have been situated away from residential dwellings, featuring an acoustic barrier on the ground floor and first and second floor and ample landscaped screening along	Complies

	- o placing play equipment away from common boundaries with residential properties - o locating outdoor play areas away from residential dwellings and other sensitive uses	the boundary to the ground floor outdoor play area to mitigate potential noise and privacy concerns.	
	Optimise solar access to internal and external play areas	The submitted solar plans do not demonstrate that all play areas receive a minimum of 2 hours of solar access. It is not demonstrated that the second floor outdoor play area receives sufficient solar access.	Does not comply
	Avoid overshadowing of adjoining residential properties	A Shadow Diagram was submitted with the application. The shadow diagram provides detail of the proposed shadow casts from the building. It is considered that the proposed development is unlikely to adversely overshadow the adjoining sites.	Complies
	Minimise cut and fill	The cut onsite would exceed 600mm for the basement, however the extent of excavation cannot be calculated as the basement plans do not show the required RLs.	Insufficient information
	Ensure buildings along the street frontage define the street by facing it	The building is orientated to the street known as Edmondson Avenue.	Complies
	Ensure where a child care facility is located above ground level, outdoor play areas are protected from wind and other climatic conditions.	The design of the development will protect the majority of outdoor play spaces from climatic conditions. There are covered courtyard areas, verandahs, shade sails, and trees	Complies

		proposed throughout the play spaces of the site.	
C12 Building orientation, envelope, building design and accessibility	Following matters may be considered to minimise the impact of the proposal on local character: Building height should be consistent with other buildings in the locality	The design of the development is generally in scale and within the desired height limit for the locality.	Complies
	Building height should respond to the scale and character of the street	As above	Complies
	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
	Setbacks should provide adequate access for building maintenance	The proposed setbacks provide sufficient access for building maintenance.	Complies
	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 frontages where there are existing buildings within 50 metres, the setback should be the average of the two closest buildings. Where there are no buildings within 50 metres, the same setback is required for the predominant adjoining land use.	The site does not adjoin a classified road.	Not applicable
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:	The childcare facility has been designed to be accessed from Edmondson Avenue and contains easy pedestrian access for people arriving on foot.	Complies

	Located to allow ease of access, particularly for pedestrians		
	Directly accessible from the street where possible	The entrance to the site is visible from the street.	Complies
	Directly visible from the street frontage	The entry to the facility is directly visible from the street frontage.	Complies
	Easily monitored through natural or camera surveillance	The development is considered to provide sufficient surveillance.	Complies
	Not accessed through an outdoor play area	No access from outdoor play area provided.	Complies
	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: providing accessibility to and within the building in accordance with all relevant legislation	Condition will be imposed to ensure that the development adheres to the Australia Standards.	Complies, subject to conditions.
	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
	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
	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	Appropriate planting along the boundary integrated with fencing. Screen planting should not be included in	Ample landscaping has been integrated with the fencing.	Complies

	calculations of unencumbered outdoor space. Use the existing landscape where feasible to provide a high quality landscaped area by: Reflecting and reinforcing the local context	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.	
	Incorporating natural features of the site, such as trees, rocky outcrops and vegetation communities into landscaping.		
C18 Landscaping	Incorporate car parking into the landscape design of the site by: Planting shade trees in large car parking areas to create a cool outdoor environment and reduce summer heat radiating into buildings 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.	Basement car parking is proposed. Landscaping has been provided around the vehicle entry/ exit points, which is visually acceptable to adjacent residential areas.	Not applicable
3.5 Visual and Acoustic Privacy			
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: 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
	suitably locating pathways, windows and doors	The pathways, windows and doors are appropriately located.	Complies
	permanent screening and landscape design.	Landscape screening have been incorporated around the front, side and rear	Complies

		elevations of the childcare facility.	
C21 Visual and Acoustic Privacy	Minimise direct overlooking of main internal living areas and private open spaces in adjoining developments through: appropriate site and building layout	The development has been designed to strategically locate outdoor play areas away from neighbouring developments through appropriate design, fencing and landscaping.	Complies
	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
	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: 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	The recommendations provided in the Acoustic Report will be implemented to the design of the development.	Complies
	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: identify an appropriate noise level for a child care facility located in residential and other zones	An Environmental Noise Impact Assessment prepared by Day Design Pty Ltd, dated 6 February 2025 has been submitted with the application.	Complies
	determine an appropriate background noise level for	The submitted acoustic report has confirmed	

	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.	satisfactory noise level can be achieved. Additionally, the report was reviewed by Council's Environmental Health section and raised no objections, subject to conditions of consent.	
3.6 Noise and air pollution			
C24 Noise and Air Pollution	Adopt design solutions to minimise the impacts of noise, such as: creating physical separation between buildings and the noise source	The application was supported by Environmental Noise Impact Assessment. 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.	Complies, subject to conditions.
	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		
	locating cot rooms, sleeping areas and play areas away from external noise sources.	The proposed childcare facility is not located near one of the listed external noises sources.	Complies
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

	On industrial zoned land		
	Where the ANEF contour is between 20 and 25	Not proposed.	Not applicable
	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
	On a major or busy road	The site does not adjoin a classified road.	Not applicable
	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.	The proposed childcare centre is not located near major roads or industrial development.	Complies
C27 Noise and Air Pollution	The air quality assessment report should evaluate design considerations to minimise air pollution such as: 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	The proposed childcare centre is not located near major roads or industrial development. No air quality assessment report was required to be submitted.	Not applicable
	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		
	Incorporating ventilation design into the design of the facility		
3.7 Hours of Operation			

C28 Hours of operation	Hours of operation where the predominant land use is residential should be confined to the core hours of 7.00am to 7.00pm weekdays. The hours of operation of the proposed child care facility may be extended if it adjoins or is adjacent to non- residential land uses.	The assessment was accompanied with a Plan of Management. The proposed hours of operation are: - Monday to Friday: 7am to 6pm - Saturday, Sunday and Public holidays: No operation The application has been referred to Council's Environmental Health section and raised no objections, subject to conditions.	Complies, subject to conditions.
3.8 Traffic, parking and pedestrian circulation			
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 and is opposite a SP2 infrastructure zone. The proposed hours of operation are considered acceptable.	Complies
C30 Traffic, parking and pedestrian circulation	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 on-street parking is proposed.	Not applicable
C31 Traffic, parking and pedestrian circulation	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.	The site is located within a residential zoned land.	Not applicable
C32 Traffic, parking and pedestrian circulation	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	The proposal falls short of the required number of parking spaces. This has the potential to impact the amenity of the surrounding areas.	Does not comply

	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: the amenity of the surrounding area will not be affected		
	there will be no impacts on the safe operation of the surrounding road network.		
C33 Traffic, parking and pedestrian circulation	Alternate vehicular access should be provided where child care facilities are on sites fronting: A classified road	The site does not adjoin a classified road.	Complies
	Roads which carry freight traffic or transport dangerous goods or hazardous materials.	As above.	Noted
	The alternate access must have regard to: The prevailing traffic conditions	Not required.	Not applicable
	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	The following design solutions may be incorporated into a development to help provide a safe pedestrian environment: Separate pedestrian access from the car park to the facility	The proposed development provides: - Separate pedestrian access from the car park; - Separate pedestrian and vehicles entries off the street; - Basement carpark layout will enable cars to enter and	Complies, subject to conditions.
	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 the building and in clearly designated, separate facilities Minimise the number of locations where pedestrians and vehicles cross each other 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 Vehicles can enter and leave the site in a forward direction Clear sightlines are maintained for drivers to child pedestrians, particularly at crossing locations.	leave in a forward direction; - Accessible parking space and loading areas are provided onsite. The proposal was referred to Council's Traffic Engineers who raised no objections, subject to conditions.	
C36 Traffic, parking and pedestrian circulation	Mixed use developments should include: • 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

	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	Car parking design should: Include a child safe fence to separate car parking areas from the building entrance and play areas	Appropriate fencing has been provided to the play areas and building entrance.	Complies
	Provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards	Access parking spaces are located adjacent the lift onsite. A condition of consent is recommended requiring compliance with relevant Australian Standards.	Complies, subject to conditions.
	Include wheelchair and pram accessible parking.	A disabled parking space has been provided.	Complies

State Environmental Planning Policy (Precincts – Western Parkland City) 2021

The relevant environmental planning instrument applying to the site is the State Environmental Planning Policy (Precincts – Western Parkland City) 2021, particularly Appendix 4 Liverpool Growth Centres Precinct Plan. The aims of Appendix 4 Precinct Plan include:

Control	Requirement	Proposal	Comply
Cl. 2.7 – Demolition	Demolition works may only be carried out with consent.	No demolition is sought as part of the application.	Not Applicable
Cl 4.1 - Minimum subdivision Lot size	The site is subject to a minimum lot size of 300sqm	No subdivision is sought as part of the application.	Not Applicable
Cl 4.3(2) - Height of buildings	The site has a maximum height of building = 12m	The child care facility proposes a maximum height of 11.9 metres.	Yes
Cl 4.4(2) – Floor Space Ratio	No Floor Space Ratio is mapped for this site.	Not applicable	Not Applicable
Cl. 5.10 - Heritage Conservation	To protect and conserve existing items/ locations identified as containing significant heritage value.	The site is not identified or in close proximity to heritage significance items or areas.	N/A

CI 5.11 Bushfire Hazard Reduction	Relating to the carrying out of development on bushfire-prone land.	Bushfire Assessment Report prepared by Control Line Consulting, dated 10 May 2021 was submitted with the application. The application was referred to NSW Rural Fire Services, who rejected the referral due to non-payment of fees by the applicant.	Does not Comply
CI. 6.1 Public Utility Infrastructure	Public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.	The site has access to existing Public Utility Infrastructure.	Yes

Liverpool Growth Centre Development Control Plan 2021

The *Liverpool Growth Centres Precincts Development Control Plan 2021* (Liverpool DCP 2021) provides specific guidelines for development within the Liverpool Local Government Area (LGA), including the subject site. Section 4.15(3A) of the EP&A Act requires a consent authority to apply its DCP provisions flexibly and allow reasonable alternative solutions that achieve the objects of those standards.

The proposed centre-based childcare facility has been assessed in accordance with the provisions below.

Part 4.1 Site Responsive Design			
Control	Requirement	Proposed	Compliance
4.1.2 Cut and Fill	The maximum cut on a site must not exceed 600mm. The maximum fill within the confines of the slab must not exceed 1m	RLs for the basement have not been provided, therefore Council is unable to determine the accurate amount of excavation required.	Insufficient information provided
4.1.3 Sustainable building design	The majority of plant species are to be selected from the preferred species listed at Appendix C and indigenous species are preferred.	Complies. Majority of plant species would be indigenous species. The application was referred to Councils Natural Environment/Landscape officer who supported the application, subject to conditions of consent.	Complies

	The provisions of BASIX will apply with regards to water requirements and usage. The design of dwellings is to maximise cross flow ventilation. The orientation of dwellings, location of living rooms and the positioning and size of windows and other openings is to take advantage of solar orientation to maximise natural light penetration to indoor areas and to minimise the need for mechanical heating and cooling. Outdoor clothes lines and drying areas are required for all dwellings and can be incorporated into communal areas for multi-dwelling development and residential flat building developments. Design and construction of dwellings is to make use of locally sourced materials where possible. Residential building design is to use, where possible, recycled and renewable materials. Roof and paving materials and colours are	N/A. Not a residential use therefore no BASIX required to be submitted. Complies. The building has been designed to maximise cross flow ventilation. Complies. The childcare centre has been designed to take advantage of solar orientation. N/A. N/A N/A.	
--	--	---	--

	to minimise the retention of heat from the sun. The design of dwellings that are required to attenuate noise shall use, where possible, alternatives to air-conditioning, such as acoustic wall ventilators, ceiling fans, or bulkhead-mounted ducted fans to achieve appropriate ventilation.	N/A. N/A.	
4.1.4 Salinity, sodicity and aggressivity	All development must comply with the Salinity Management Plan developed at the subdivision phase or at Appendix B. The actions/works from the Salinity Management Plan must be certified upon completion of the development. Salinity shall be considered during the siting, design and construction of dwellings including: drainage, vegetation type and location, foundation selection and cut and fill activities, to ensure the protection of the dwelling from salinity damage and to minimise the impacts that the development	A Geotech report prepared by a suitably qualified consultant has been submitted. The application was referred to Councils Environmental Health team. Additional information was requested. An amended PSI report was required to be submitted. The applicant has not submitted the requested information. Noted.	Does not comply

	may have on the salinity process.		
Part 4.4 Other Development in Residential Areas			
4.4.1 General requirements			
Control	Requirement	Proposed	
Site analysis	Site analysis information as required by clause 4.1 is to be submitted with all applications for non-residential development in residential zones.	A site analysis plan has been submitted as part of the development application.	Complies
Frontage Width	Except as provided for in the specific controls below, non-residential development on residential zoned land is to be located on allotments that have a frontage width of greater than 15 metres. <i>Note: The relevant Precinct Plan specifies minimum site area development standards for some non-residential land uses within residential zones.</i>	The site has a frontage width of 20.115m to Edmondson Avenue.	Complies
Non-Residential development on residential zoned land	Non-residential development on residential zoned land is to comply with the requirements of Clauses 4.1.2 to 4.1.4 and Clauses 4.2.9 and 4.2.10 of this DCP in relation to residential amenity and sustainable building design.	The proposed development is for the development of a childcare centre, however, would comply with the requirements of Clauses 4.1.2 to 4.1.4 and Clauses 4.2.9 and 4.2.10 of this DCP in relation to residential amenity and sustainable building design.	Complies
Non-Residential development on residential zoned land	For all non-residential development, the controls relating to lots with frontages greater than 15 metres in the following clauses of this DCP apply: Clause 4.2.1 Front setbacks;	The subject site has a frontage width of 20.115m to Edmondson Avenue, therefore the provisions of Clause 4.2.1, 4.2.4, 4.2.5 and 4.2.8 have been applied.	Complies

	Clause 4.2.4 Side and rear setbacks; Clause 4.2.5 Dwelling height, massing and siting; and Clause 4.2.8 Garages, storage, site access and parking		
Battle-Axe Allotments	Non-residential development is not permitted on battle-axe allotments.	The site is not a battle axe lot.	Not Applicable
Site Coverage	The maximum site coverage of buildings is 60% of the total site area.	Site coverage, 1014.67sqm = 62.9% of total site area. 505.358m GF 291.41 FF 217.898 SF 1014.67sqm = 62.9%	Does not comply
Landscaped Area	The minimum landscaped area for non-residential development is 20% of the total site area of the allotment.	Landscaped Area - 1165.95sqm / 1612sqm = 72.3% landscaped	Complies
Car Parking	Provision of car parking for non-residential uses will be assessed by Council on an individual basis, and with reference to standards that apply elsewhere in the Local Government Area, that may establish relevant parking requirements, but must be sufficient to meet demand generated by staff and visitors.	Child Care Centre Parking Rates: 1 space per 6 children = 23.3 required 1 space per staff = 22 required 45.3 spaces required. 36 spaces are provided	Does not comply
Non-Residential Use in conjunction a dwelling	Where a non-residential use is proposed as part of, or in association with, a dwelling (e.g. a home business): Parking and storage areas are to be located behind the building façade or be screened from view from the street	N/A	Not Applicable

	by landscaping and set back at least 1 metre from the front property boundary. Parking and storage areas are not to encroach on the private open space or landscaped area of the dwelling.		
Inconsistency between general requirements	Where there is an inconsistency between the general requirements of this clause and the specific controls in clauses 4.4.3 to 4.4.6 the specific controls prevail.	Noted.	Noted
	Council will have particular regard to the effects of non-residential development in the residential zones. Council will consider whether: the proposed development will be out of character with surrounding residential development, particularly in relation to the height and/or scale of any proposed buildings; the proposed development will contribute to an undesirable clustering of that type of development, or non-residential uses in general, in the area; an undesirable effect on the amenity of the surrounding area will be created; the proposed use will draw patronage from	The development will be out of character within the surrounding development. The building takes the bulk and scale of a commercial building. The proposed building is three storeys, which is out of character with the surrounding development and contributes to the bulk and scale of the development. No other childcare centres within close proximity of the proposed development. The proposal is likely to have an undesirable effect on the surrounding area as it is out of	Does not comply

	areas outside of the surrounding neighbourhood, and the extent to which that patronage might impact on the amenity of residents through factors such as traffic generation, noise or the overall scale of the non-residential use; a noise nuisance will be created; the development will generate traffic out of keeping with the locality; adequate facilities are provided for the purposes of parking, loading and deliveries; adequate provision is made for access by disabled persons.	character with the surrounding development. Traffic generation and noise generated from the proposed childcare centre has been considered within the assessment. The proposal was referred to Council's Environmental Health department. Council's Environmental Health officer has reviewed the submitted acoustic report and have concerns relating to the noise generation. The proposal was referred to Council's Traffic department. Council's Traffic Engineer has reviewed the Traffic Impact Assessment and determined that the development will not result in unacceptable traffic generation. The proposal provides insufficient parking. The required number of car parking spaces is 46, the proposal provides 36 spaces. The proposed development incorporates the installation of a ramp and an accessible parking place.	
Bulk, Scale and Height	Non-residential development in residential zones should be similar in bulk, scale, height and siting to the surrounding buildings.	The proposed childcare centre is three storeys high, which complies with the maximum building height requirements. However, its bulk and scale are not consistent with the surrounding development, which tends to be of a smaller scale and less imposing.	Does not comply
Finishes, Materials, Paving and Landscaping	Finishes, materials, paving and landscaping are to be consistent with those of surrounding residential development.	Suitable finishes, materials, paving and landscaping would be incorporated.	Complies

Storage of Materials	Storage of materials and equipment is to be contained within internal storage areas or outdoor storage areas that are suitably screened, fenced and landscaped. Recommended storage rates are: • a minimum of 0.3m³ per child of external storage space • a minimum of 0.2m³ per child of internal storage space.	Adequate storage facilities are provided that are within setbacks and within site boundaries.	Complies
----------------------	--	---	-----------------

Part 4.4.3 Child Care Centres table

Control	Requirement	Control	Requirement
Distance Separation Requirement	Part 3.3, Section 3.27 of the SEPP (Transport and Infrastructure) 2021 states that DCP controls relating to childcare centres do not apply except for: • Building height • Side and rear setbacks Carparking rates	Site planning controls have been addressed as part of the Childcare Planning Guidelines 2021 assessment.	Complies
Primary Setback	6m	10m	Complies
Side Setback	1m	2m	Complies
Rear Setback	4m ground 8m upper floor	27.7m	Complies
Corner setback	3m	Not a corner lot	Not applicable
Car parking spaces	1 car parking space per employee (reduced rates of provision may apply where the	Required: 42 (22 for staff and 20 for visitors) 36 provided (22 for staff and 14 for visitors)	Does not comply

	child care centre is within walking distance of a bus stop or train station).		
Visitor Car Parking	1 space per 6 children	Required: 42 (22 for staff and 20 for visitors) 36 provided (22 for staff and 14 for visitors)	Does not comply