



AVENUE
TOWN PLANNING

STATEMENT OF ENVIRONMENTAL EFFECTS

DEMOLITION OF EXISTING STRUCTURES, TREE REMOVAL AND THE CONSTRUCTION
OF A TWO-STOREY CHILDCARE CENTRE WITH BASEMENT PARKING

1 TRACEY AVENUE | CARLINGFORD

CLIENT: MURRAY FARM EARLY LEARNING CENTRE
REF: 22103
DATE: 13 JULY 2023

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A PLAN OF MANAGEMENT

1 INTRODUCTION

This Statement of Environmental Effects is to accompany a development application to The City of Parramatta Council seeking consent for the demolition of existing structures, tree removal and the construction of a two-storey centre-based childcare centre with basement parking at No. 1 Tracey Avenue, Carlingford.

The centre will cater for 74 children between the ages of 0-6 years old. There will be separate rooms accommodating different age brackets (0-1, 1-2, 2-3 and 3-6 years old respectively) along with 13 staff. In addition to this, the childcare centre will accommodate 19 parking spaces within the basement level for staff and visitors of the centre.

The proposal is supported by a Plan of Management (POM) which seeks to reflect an appropriate level of agreement between the operation of the centre and Council to facilitate sound management and to minimise impacts to adjoining properties.

The proposal has been designed by DBG and is detailed on the accompanying architectural drawings.

This Statement of Environmental Effects is supplemented by the following:

- **Survey Plan:** Prepared by S.J. Surveying Services Pty Ltd;
- **Landscape Plans:** Prepared by Outside in Design Group;
- **Architectural Plans:** Prepared by DBG;
- **Arborist Report:** Prepared by NSW Tree Services;
- **Acoustic Engineer** – Prepared by Rodney Stevens Acoustics;
- **Traffic Engineer-** Prepared by TTPP Transport Planning;
- **Quantity Surveyors Report** – Prepared by Duotax Quantity Surveyors;
- **Accessibility Consultant** – Prepared by Fahrenheit Global;
- **Preliminary Site Investigation** – Prepared by Broadcrest Consulting Pty Ltd;
- **Hydraulic Engineer** – Prepared by Capital Engineering Consultants;
- **Plan of Management** – Prepared by Avenue Town Planning.

This Statement concludes that the proposed childcare centre is permitted with consent and results in a building form and use of the site, which, following appropriate construction management and operation, is suitable and anticipated by the permitted planning controls for a childcare centre facility within the R2 – Low Density Residential Zone. In addition, this statement concludes that the development will have acceptable impacts (noise and traffic particularly) on the natural and built environment and is recommended for approval.

2 SUBJECT SITE AND SURROUNDING DEVELOPMENT

The subject site is located on the corner of Murray Farm Road and Tracey Avenue and is known as No. 1 Tracey Avenue, Carlingford. The site has a legal description of Lot 26 in DP 225990 and its location is shown in Figure 1. Murray Farm Reserve is located opposite the site to the north. The site is situated in a Low-Density Residential Zone (R2).



Figure 1: Subject Site (Source: NSW Planning Portal)

The development site has regular shape. It has a frontage length of 21.445m to Tracey Avenue (east), a street frontage length of 32m to Murray Farm Road (north), a southern (side) boundary length of 26m, a western (side) boundary length of 36.57m, and a corner splay to the streets of 6.465m in length. The site has a combined area of 941.20m² and is relatively flat with a gentle slope towards Murray Farm Road, including a steeper sloping portion within its frontage to Tracey Avenue.

The site is not benefited or burdened by any easements. It is noted that the original subdivision of former, larger lots included a drainage easement, however, it relates to the eastern edges of No. 60 Murray Farm Road and No. 8 Philip Place, and has no bearing on the subject site. There is also a privately initiated covenant dated 22 December 1967 that applies to the land and wider locality, and seeks to control building size, use and materiality, amongst other things. In accordance with Clause 1.9A of Parramatta LEP 2023, the terms of the covenant are set aside for the purposes of enabling development that is permitted within the R2 Low Density Zone.

The subject site is located on a general east to west axis, consistent with the subdivision pattern of other lots that also face Tracey Avenue. There are a total of 6 trees existing at the site, none of which have environmental or streetscape significance.

Existing on the site is a two-storey residential dwelling of concrete and masonry construction and with moderately sloped hip roofs (Figure 2). The site includes vehicle accommodation in the form of a carport which is accessed from Tracey Avenue, as can

be seen in Figure 3, and also a separate garage that is accessed from Murray Farm Road, as can be seen in Figure 2.

The existing building is surrounded by private open space has open space, including a private area to the north-west which is bordered by a masonry fence.



Figure 2: Existing dwelling viewed from Murray Farm Road



Figure 3: Existing dwelling viewed from Tracey Avenue



Figure 4: Existing dwelling viewed from the street corner



Figure 5: Existing private open space area

Provided at Figure 6 is an aerial photograph of the subject site and its surrounds (site bounded by the blue line). It can also be seen in the aerial photograph that the subject site is accessible to Parramatta CBD and North Rocks Shopping Centre as well as Murray Farm Public School (Figure 7).



Figure 6: Aerial photograph (Source: Harcourts Exclusive)



Figure 7: Aerial Photograph (Source: Harcourts Exclusive)

The above aerial photographs indicate the subject sought is directly adjacent to only two residential properties, being No. 3 Tracey Avenue to the south and No. 72 Murray Farm Road to the west.

The site located at No. 3 Tracey Avenue contains a part one and part two storey dwelling house that is constructed of masonry and has a pitched tiled roof (Figure 8). The dwelling has a height that is predominantly 2 stories (facing north), an 'L' shape and the western portion of the site is occupied by private open space. A garden shed is located in the north-western corner of the property, adjacent to the subject site.



Figure 8: Photograph of No. 3 Tracey Avenue

The property located at No. 72 Murray Farm Road (west) is presently being constructed for an approved 2 storey dwelling house and swimming pool. An image of the approved development under DA994/2021 is provided in Figure 9. Notably, the eastern elevation of the approved building contains only 1 upper level habitable room window, presumably to a bedroom.

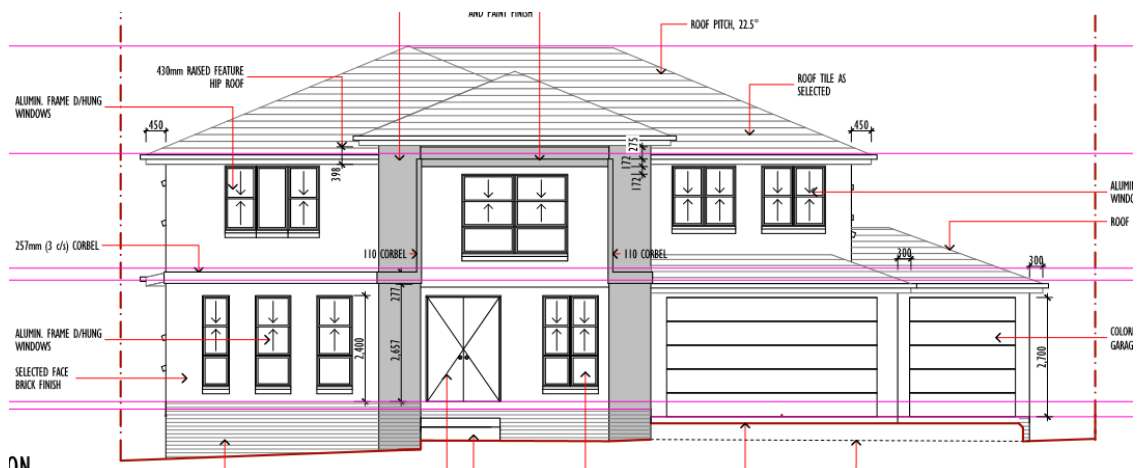


Figure 9: Approved street elevation of No. 72 Murray Farm Road

Existing on the opposite corner of Tracey Avenue and Murray Farm Road from the subject site is an original single storey dwelling with a pitched roof. This property has a defensive side elevation to Tracey Avenue and has primary orientation to the north (Murray Farm Road). There is a large tree within the site presenting to Tracey Avenue. A photograph of this property is provided at Figure 10 over page.

To the north of the subject site, on the opposite side of Murray Farm Road, is Murray Farm Reserve, including a public parking area, as shown in Figure 11.



Figure 10: Photograph of No. 68 Murray Farm Road



Figure 11: Murray Farm Reserve and public parking area

Murray Farm Public School is located on Tracey Avenue, and about 100m to the south of the subject site. It is understood to provide education to approximately 1000 students, between the ages of 5 and 11 years of age. A photograph of the school's frontage to Tracey Avenue is provided at Figure 12.

Bus services operate along Oaks Road, including service 553, which connects to Beecroft and North Rocks town centres, including Beecroft railway station. The Parramatta Light Rail Network is presently under construction with a proposed station at Carlingford, which is approximately 2.2 kilometres from the subject site. The light rail system is expected to commence operation later this year.



Figure 12: Murray Farm Public School

3 PROPOSED DEVELOPMENT

The proposal seeks consent for demolition of existing structures, tree removal and the construction of a 2 storey centre-based childcare facility accommodating 74 children and 19 basement parking spaces.

The proposal has been designed by DBG and is detailed below.

3.1 Demolition

The proposal involves demolition of all existing buildings. Demolition will be undertaken by a licenced contractor in accordance with AS 2601: 2001 and any relevant conditions of development consent. The proposal includes the removal of 6 trees from the site.

3.2 Proposed Childcare Centre Facility

The proposal seeks consent for the construction of a two-storey childcare centre facility with primary orientation to Tracey Avenue and secondary frontage to Murray Farm Road. The facility is designed according to the orientation of the site, the neighbouring properties and the road frontages.

The design has been through an evolutionary process with various options explored in order to arrive at the most suitable development outcome for the site, as illustrated in the DA submission documents. Various design revisions and options were explored by the project team with the core revisions shown at architectural drawing No. DA1006.

The proposal includes 19 parking spaces within a basement level. The building will cater a total of 74 children and 13 staff, as follows:

Age	No. of children	Staff Ratio	Staff provision
0-1 years	8	1:4 (cl. 123(1) of Regs)	2 educators
1-2 years	16	1:4 (cl. 123(1) of Regs)	4 educators
2-3 years	20	1:5 (cl. 123(1) of Regs)	4 educators
3-6 years	30	1:10 (cl. 271(2) of Regs)	3 educators
TOTAL	74	-	13 educators

One of the staff members will be nominated as the Centre Director and will also manage its operation.

3.2.1 Basement

Access to the basement is via a designated ramp accessed from Murray Farm Road and will be secured by an electric security roller shutter, with access controlled through the use of an intercom with FOB/keypad security system. The basement (RL 108.30) will accommodate 19 parking spaces including 11 staff and 8 visitor spaces parking, which also includes designation for 1 accessible compliant space and 1 visitor space that will double as a delivery space outside of peak usage times.

Also, provided within the basement are 3 bicycle parking spaces, a local charity hub booth, and an access stair with lift located at the south-eastern corner of the basement. A solar battery storage cupboard is also provided, which will allow for captured electricity to be used within the building, thereby offering environmental benefits.

It is noted that the charity hub will be an opportunity for parents and guardians to leave suitable non-perishable items that are gathered by centre management and forwarded to a place of need or community organisation such as The Sanctuary - The Hills Women's Shelter.

The layout of the proposed basement is indicated at Figure 13 over page.

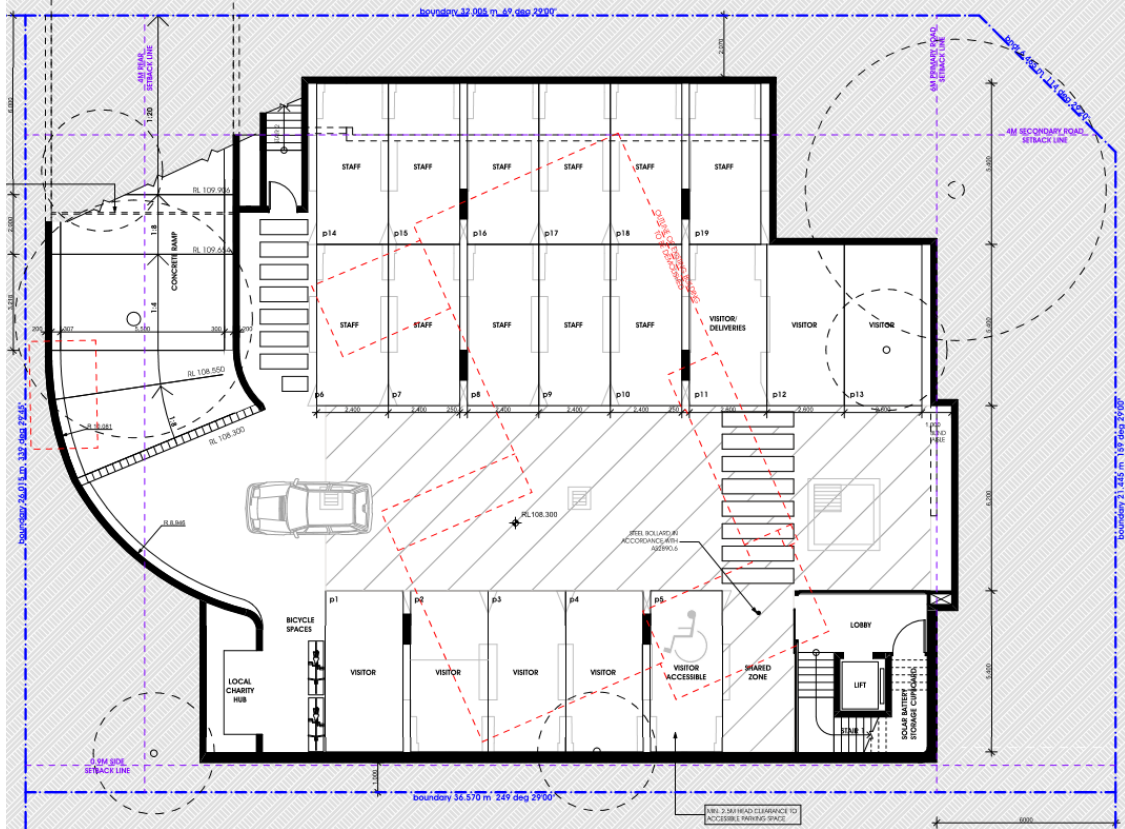


Figure 13: Basement Plan

3.2.2 Ground Floor

At the Ground Level, pedestrian entry is provided from Tracey Avenue via stairs and a platform lift. To Murray Farm Road, the building is proposed to have a landscaped setback 6.85m. The internal areas of the built form are designed to occupy the southern portion of the site and also the Tracey Avenue frontage. The northern and north-western portions of the ground floor are designed as play areas for the children.

Beyond the services room and entry foyer, the proposal includes a series of indoor playrooms (FFL 111.6) surrounded by transition zones, landscape elements, and outdoor play areas. The Ground Floor footprint has an area of 386.33m². Indoor Playrooms 1-4 are described below:

- Indoor Playroom 1 – 49.30m² to accommodate 15 children (3-6 years), storage, craft sink, nappy change and junior WC;
- Indoor Playroom 2 – 52.56m² to accommodate 15 children (3-6 years), storage, craft sink, nappy change and junior WC;
- Indoor Playroom 3 – 52.34m² to accommodate 16 children (1-2 years) with associated storage, craft sink and bottle preparation area with nappy change area interconnected to indoor Playroom 4.

- Indoor Playroom 4 – 28.59m² to accommodate 8 babies (0-1 years) with associated storage, craft sink and bottle preparation area. This room has an interconnected cot room and parents feeding room.

The outdoor space has an area of 365.65m² and use of the space by children is to be staggered as required by the submitted Acoustic Report in order to achieve appropriate noise control from the operation.

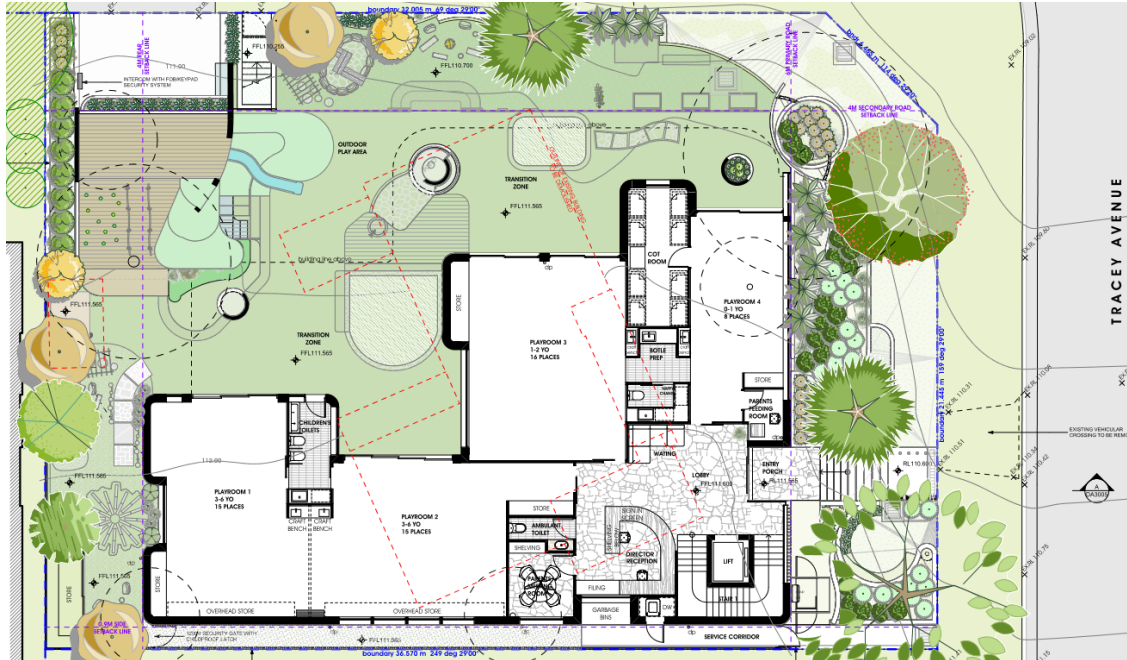


Figure 14: Ground Floor Plan

3.2.3 First Floor Level

The first floor level consists of a staff room, manager's office, kitchen and lobby, which are positioned towards the southern portion of the site. Only 1 indoor play area is proposed at this level, which has an area of 65m² and is to accommodate 20 children (2-3 years). Within the room, storage, craft sink, nappy change and junior WC spaces are provided.

Externally, the building at this level includes a play area which has an area of 166.62m² to accommodate the 20 children (2-3 years) proposed.

The Outdoor Play Area 2 is directly accessible to/from the indoor playroom via a transition zone. A terrace and a planter box surrounding the northern side is also provided at this level.

A 1.8m high storage unit is proposed along the western edge of the outdoor play space (with a setback of 6m to No. 72 Murray Farm Road), which creates reciprocal privacy outcomes between the subject site and the western neighbour.

Access to this level is provided via a lift and access stairs, positioned at the south-eastern corner of the site.

The layout of the first floor level is indicated at Figure 15 over page.

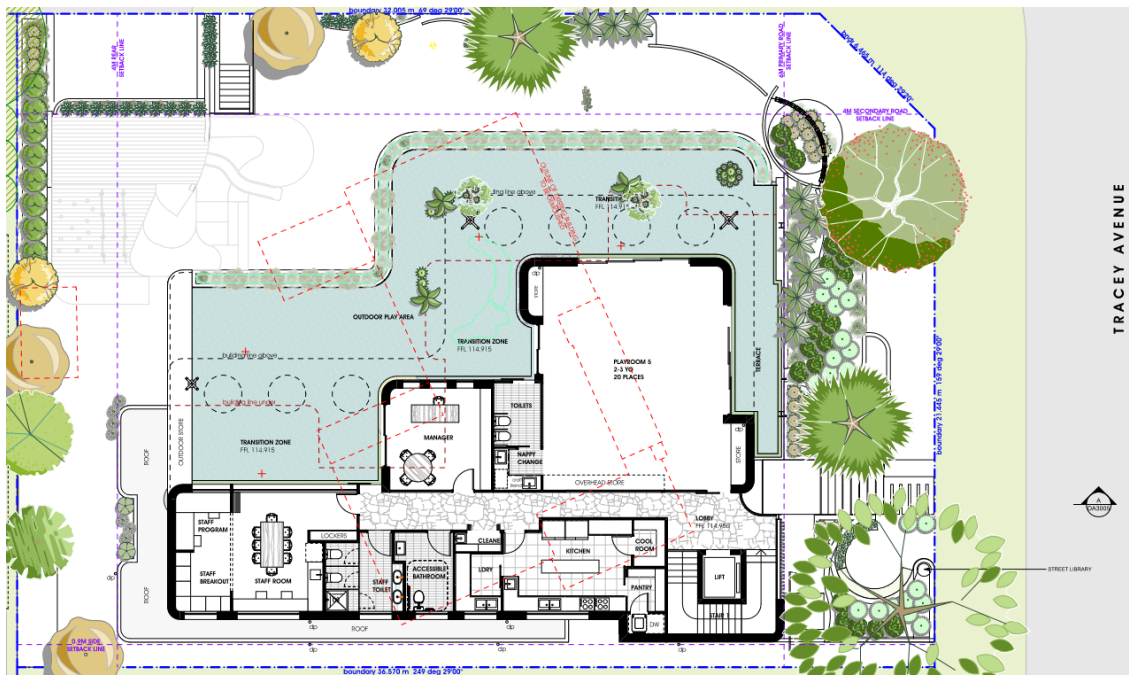


Figure 15: First Floor Plan

3.2.4 External Presentation

The proposed development will present as a two storey childcare facility centre compatible to the locality, which comprises a range of low-density dwelling typologies with a height ranging from single to 2 storeys.

The external treatment of the building is well described on the materials schedule provided with the architectural drawing set. The proposed palette of materials includes acrylic render and painted walls, variations in window location and shape, vertical metal battening adjacent to the main pedestrian entry on Tracey Avenue and landscaping at all building levels. External presentation of the development is described in Figures 16, 17 and 18.



Figure 16: Photomontage – Tracey Avenue frontage



Figure 17: Photomontage – Murray Farm Road frontage



Figure 18: Photomontage – street corner

3.3 Landscaping

The site does not contain significant native trees or natural features that are worthy of retention, and 6 existing trees are proposed for removal. Details of the proposed landscaping are provided on the submitted Landscape Plan prepared by *Outside in Design Group* and features appropriate planting including native species and canopy trees. New feature planting is provided within the front setbacks, screen planting bounding the Ground Level outdoor play area along the western boundary, and to enhance the proposed play areas.

The outdoor play areas provide permeable landscaped area, a variety of surfaces and experiences for use and education of children (a yarning circle, sand pits, bridges makeshift firepit, dry creek with sleepers, chicken coop and eatable fruit growing spaces, water play, deck areas and the like) and will also incorporate appropriate sun access and shadowing. The proposal includes various planter boxes at the upper level and above the basement entry in order to soften the built form appearance and integrate with the surrounding low density residential environment.

The landscape architect that prepared the submitted landscape plan provides the following commentary relating to site landscaping.

The proposed building is naturally elevated within the landscape (due to natural topographical conditions). To address this, landscape treatments to the primary and secondary street frontages have been designed to soften the built form with the use of tiered retaining walls which feature soft curves. Plant selection relies heavily on the use of Australian native species to enhance biodiversity and reduce reliance on irrigation systems. The secondary street frontage (along Murray Farm Road) features an articulated acoustic fence with narrow glass panels, which allows children to look out to the street through framed and directed views. Trees have been provided for shade of the building and to reduce the effects of urban heat island effects.

The play areas consist of a mixture of on-structure and natural deep soil. Passive play activities such as flexible natural play and veggie gardens have been designed within the deep soil zones and are located to the boundaries of the development. An active play area has been designed over the driveway entry to take advantage of the sloping roof, which allows the opportunities for terraced climbing and slide activities on top of. Water play has been incorporated into the built form with a water play table and wet/dry creek in the on-structure area of the ground floor. The first floor area features a large natural play area and wet/dry creek bed.

The following acoustic treatments form an integral part of the proposed design:

- 2.6m high acoustic fence (measured from within the subject site and the partly excavated ground floor level) to part of the western boundary and part of the southern boundary. As shown on architectural drawing DA 4002, a common boundary fence height in the order of 1.8m will be maintained within No. 72 Murray Farm Road, see Figure 19.

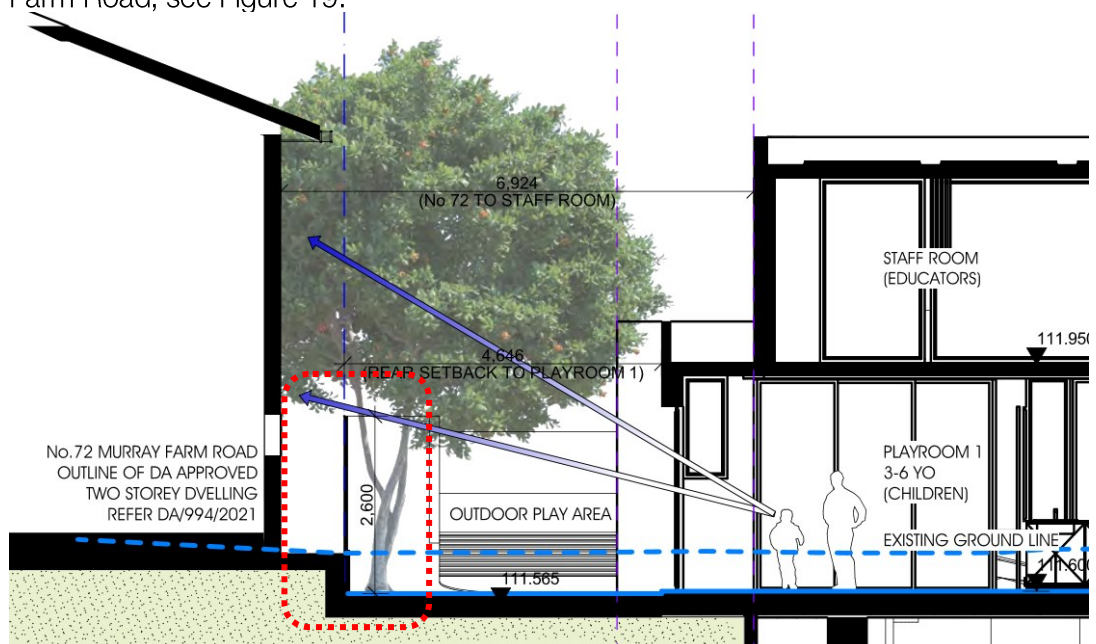


Figure 19: Interface with No. 72 Murray Farm Road

- 1.5m high acoustic fence to the southern boundary;
- 1.5m high acoustic fence to the north-western corner of the site; and
- 1.6m high acoustic fence to the northern and north-eastern corner of the site.

3.4 Traffic and Parking

A total of 19 parking spaces are proposed to accommodate the parking requirements of the proposed centre, which will include 74 child care placements and 13 staff. Parking has been provided within the proposed basement level.

A Traffic and Parking Impact Assessment Report prepared by *TTPP Transport Planning* has been submitted with the application. This report has considered the proposed design in light of the site dimensions, traffic capacity of the locality, and traffic generation of the development.

Vehicular access and egress arrangements have been designed to accommodate the swept turning path requirements for B99 design vehicles under AS2890.1: 2004. The traffic generation of the proposed development will not result in any detrimental impact to the level of service of road networks and performance of the intersections surrounding the site.

Accordingly, there are no traffic or parking related issues anticipated from the proposed development.

3.5 Stormwater

Details of the stormwater design are provided on the accompanying Hydraulic Design prepared by *Capital Engineering Consultants*. Stormwater collected by the development will be connected and diverted to an OSD system that is located below the basement. The design includes an OSD bypass located towards the street corner that has an area of 113.34m². Overflow will be connected to the street by gravity.

An OSD tank is located adjacent to the north-eastern corner of the basement/ground floor of the building. It is noted that sufficient soil depth is provided above the portion of the OSD tank that fronts the street corner in order to achieve the landscape design outcomes outlined in the submitted landscape plans. In addition, there is sufficient surplus outdoor play area available should infrequent or emergency maintenance access be required to the OSD tank access pits during operational use of the child care centre, in which case the access pit would be cordoned off to prevent child use of the area.

3.6 Waste Collection

Waste is to be collected at the street kerb on Tracey Avenue, consistent with the existing waste collection arrangements. Collection will be by a private contractor from the bin storage area located at the south-eastern corner of the building, refer to detail provided on DA4006. Collection will occur between 10am and 2pm to ensure no conflict the main times for parents/guardians accessing the site during drop-off and pick-up times. Waste management details are provided in the submitted Waste Management and Traffic Reports. Operational requirements have been incorporated in the attached Plan of Management.

4 STATUTORY PLANNING ASSESSMENT

Provided below is a statutory planning assessment of the proposed development in accordance with the matters for consideration under Section 4.15 of the Environmental Planning & Assessment Act, 1979. This assessment considers the following:

- Relevant planning policies and controls - Section 4.15(1)(a);
- Impacts on the natural and build environment - Section 4.15(1)(b);
- The suitability of the site for the development - Section 4.15(1)(c); and
- The public interest - Section 4.15(1)(e).

4.1 Compliance with Planning Controls (Section 4.15(1)(a))

The following statutory and non-statutory planning policies apply to the assessment of this application under Section 4.15(1)(a) of the EP&A Act, 1979:

- State Environmental Planning Policy (Resilience and Hazards) 2021;
- State Environmental Planning Policy (Transport and Infrastructure) 2021;
- State Environmental Planning Policy (Industry and Employment) 2021;
- The Hills Local Environmental Plan 2019; and
- The Hills Development Control Plan 2012.

4.1.1 State Environmental Planning Policy (Resilience and Hazards) 2021

This SEPP replaces former SEPP No. 33, SEPP No. 55 and SEPP (Coastal Management) 2018 and commenced on 1 March 2022. The SEPP contains separate chapters which prescribe controls to replace the abovementioned repealed SEPPs. Provided below is a response to Chapter 4 Remediation of Land. Chapter 2 Coastal Management and Chapter 3 Hazardous and offensive Development are not relevant to the site and subject proposal.

Chapter 4 – Remediation of Land

A review of aerial photographs indicates that the subject site has been historically used for residential purposes, with no other known use of the property. On this basis, there are no reasons to suspect that it is contaminated or requires any remediation works. The provisions of Chapter 4.6 of the SEPP are therefore satisfied, and the consent authority is able to support the proposed development.

4.1.2 State Environmental Planning Policy (Transport & Infrastructure) 2021

On March 1, 2022 SEPP (Transport and Infrastructure) 2021 replaced 4 former SEPPs, including State Environmental Planning Policy (Educational Establishments and Child Care Centres) 2017 which applies to the proposed development.

Chapter 3 (Educational Establishments and child care facilities) of the SEPP contains those provisions from the former Education SEPP as they relate to child care centres. The SEPP provisions set out a range of overarching controls and guidelines for centre-based child care facilities, as discussed below.

The proposed development meets the definition of centre-based child care facility which is defined the SEPP as:

centre-based child care facility means:

(a) a building or place used for the education and care of children that provides any one or more of the following:

- (i) long day care,
- (ii) occasional child care,
- (iii) out-of-school-hours care (including vacation care),
- (iv) preschool care, or

(b) an approved family day care venue (within the meaning of the Children (Education and Care Services) National Law (NSW)),

The provisions that apply to child care facilities are set out in Chapter 3 of the SEPP. Table 1 below provides an assessment of the proposal against these provisions.

TABLE 1: RESPONSE TO CHAPTER 3 OF SEPP (TRANSPORT & INFRASTRUCTURE)		
Provision	Proposal	Complies
Part 3.3 Early Education and care facilities – specific development controls		
<p>3.23 Centre-based child care facility – matters for consideration by consent authorities</p> <p>Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the Child Care Planning Guidelines, in relation to the proposed development.</p>	Refer to Table 2 below for consideration under Child Care Centre Guidelines.	Yes
<p>3.26 Centre-based child care facility – non-discretionary development standards</p> <p>The object of this section is to identify development standards for particular matters relating to a centre-based child care facility that, if complied with, prevents the consent authority from requiring more onerous standards for those matters.</p> <p>The following are non-discretionary development standards for the purpose of section 4.15(2) and (3) of the Act in relation to the carrying out of development for the purpose of a centre-based child care facility-</p> <p>(a) location the development may be located at any distance from an existing or proposed early education and care facility,</p> <p>(b) indoor or outdoor space</p> <p>i. for development to which regulation 107 (indoor unencumbered space requirements) or 108 (outdoor unencumbered space requirements) of the <i>Education and Care Services National Regulations</i> applies –</p>	<p>Noted – no locational restrictions</p> <p>For proposed 74 place centre:</p> <p>Indoor play space required = 3.25m² per child, i.e. 240.50m²</p> <p>Unencumbered indoor play space provided: 247.79m²</p> <p>Outdoor place space required =</p>	<p>-</p> <p>Yes</p>

TABLE 1: RESPONSE TO CHAPTER 3 OF SEPP (TRANSPORT & INFRASTRUCTURE)		
Provision	Proposal	Complies
Part 3.3 Early Education and care facilities – specific development controls		
<p>the unencumbered area of indoor space and the unencumbered area of outdoor space for the development complies with the requirements of those regulations, or</p> <p>ii. for development to which clause 28 (unencumbered indoor space and useable outdoor play space) of the <i>Children (Education and Care Services) Supplementary Provisions Regulation 2012</i> applies – the development complies with the indoor space requirements or the useable outdoor play space requirements in that clause,</p> <p>(c) site area and site dimensions – the development may be located on a site of any size and have any length of street frontage or any allotment depth,</p> <p>(d) colour of building materials or shade structures – the development may be of any colour or colour scheme unless it is a State or local heritage item or in a heritage conservation area.</p>	<p>7m² per child i.e. 518m².</p> <p>Unencumbered outdoor play area provided: 522.27m²</p> <p>Each play area provides more than the requisite areas for each individual play area per child group. Refer to Architectural Plan No. DA5001 for calculations.</p> <p>Noted – no site area or dimension restrictions</p> <p>Site is not a State or local heritage item – as such no restriction on colour scheme.</p>	<p>Yes</p> <p>-</p> <p>Yes</p>
3.27 Centre-based child care facility – development control plans		
<p>(1) A provision of a development control plan that specifies a requirement, standard or control in relation to any of the following matters (including by reference to age, age ratios, grouping, numbers or the like, of children) does not apply to development for the purpose of a centre-based child care facility:</p> <p>a. operational or management plans or arrangements (including hours of operation),</p> <p>b. demonstrated need or demand for child care services,</p> <p>c. proximity of facility to other early childhood education and care facilities,</p> <p>d. any matter relating to development for the purpose of a centre-based child care facility contained in:</p> <p>i. the design principles set out in Part 2 of the <i>Child Care Planning Guidelines</i>, or</p> <p>ii. the matters for consideration set out in Part 3 or the regulatory requirements set out in Part 4 of</p>	<p>The SEPP overrides provisions under The Hills DCP 2012, including any provisions relating to capacity restrictions or age ratios.</p>	<p>Noted</p>

TABLE 1: RESPONSE TO CHAPTER 3 OF SEPP (TRANSPORT & INFRASTRUCTURE)		
Provision	Proposal	Complies
Part 3.3 Early Education and care facilities – specific development controls		
that Guideline (other than those concerning building height, side and rear setbacks or car parking rates).		

Child Care Planning Guidelines (September 2021)

The Child Care Guidelines inform state and local government, industry and the community about how good design can maximise the safety, health and overall care of young children.

In accordance with Clause 3.23 of the SEPP referred above, consideration of the Child Care Guidelines must be provided by the consent authority when assessing a development application for a centre-based child care facility. It also determines this Guideline will take precedence over a Development Control Plan (DCP), with some exceptions, where the two overlap in relation to a child care facility.

Table 2 below provides consideration of the proposed development in light of the relevant controls under the Guidelines.

TABLE 2: RELEVANT PROVISIONS UNDER CHILD CARE PLANNING GUIDELINES		
Provision	Proposal	Complies
3.1 Site Selection and location		
C1 For proposed developments in or adjacent to a residential zone, consider:	Site is within R2 – Low Density Zone.	
<ul style="list-style-type: none"> the acoustic and privacy impacts of the proposed development on the residential properties 	An acoustic report is provided, and measures have been incorporated to minimise acoustic impacts. Privacy has been considered during the design process.	Yes
<ul style="list-style-type: none"> the setbacks and siting of buildings within the residential context 	Appropriate setback provided.	Yes
<ul style="list-style-type: none"> visual amenity impacts (eg. Additional building bulk and overshadowing, local character) 	The proposal is entirely compatible in bulk, scale, and character with nearby development. Acceptable shadow impacts will result.	Yes
<ul style="list-style-type: none"> traffic and parking impacts of the proposal on residential amenity. 	A Traffic Report prepared by <i>TTPP Transport Planning</i> is submitted with the development application.	Yes
C2 When selecting a site, ensure that:		
<ul style="list-style-type: none"> the location and surrounding uses are compatible with the proposed development or use 	Centre-based child care facilities are a permissible and compatible land use within the R2 Low Residential Density.	Yes

TABLE 2: RELEVANT PROVISIONS UNDER CHILD CARE PLANNING GUIDELINES		
Provision	Proposal	Complies
<ul style="list-style-type: none"> the site is environmentally safe including risks such as flooding, land slip, bushfires, coastal hazards 	Site is not identified as being affected by flooding, land slope, bushfires, coastal hazards and other environmental hazards.	Yes
<ul style="list-style-type: none"> there are no potential environmental contaminants on the land, in the building or the general proximity, and whether hazardous materials remediation is needed 	Historically residential use of the site with no known contamination.	Yes
<ul style="list-style-type: none"> the characteristics of the site are suitable for the scale and type of development proposed having regard to: <ul style="list-style-type: none"> length of street frontage, lot configuration, dimensions and overall size; and number of shared boundaries with residential properties. 	The site is a desirable corner lot with good street length at each street frontage. The site is of sufficient dimensions and area to accommodate the proposed land use and provide compliant FSR, building height and sufficient setbacks within a development that responds well to its boundary interfaces, recognising and protecting the amenity of adjoining properties through building form and acoustic attenuation measures.	Yes
<ul style="list-style-type: none"> the development will not have adverse environmental impacts on the surrounding area, particularly in sensitive environmental or cultural areas 	The site is not identified as being within a sensitive environmental or cultural area and will be managed so as not to facilitate any impacts for surrounding properties.	Yes
<ul style="list-style-type: none"> where the proposal is to occupy or retrofit an existing premises, the interior and exterior spaces are suitable for the proposed use 	New development proposed.	N/A
<ul style="list-style-type: none"> there are suitable drop off and pick up areas, and off and on street parking. 	Provided in basement level and along the Murray Farm Road frontage of the site. Refer to plans.	Yes
<ul style="list-style-type: none"> 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. 	Refer to the submitted Traffic Report – no issues or concerns have been identified.	Yes
<ul style="list-style-type: none"> 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. 	As above.	Yes
<ul style="list-style-type: none"> it is not located closely to incompatible 	Yes. Development site is	Yes

TABLE 2: RELEVANT PROVISIONS UNDER CHILD CARE PLANNING GUIDELINES		
Provision	Proposal	Complies
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.	surrounding only by residential properties.	
<p>C3 A child care facility should be located:</p> <ul style="list-style-type: none"> near compatible social uses such as schools and other educational establishments, parks and other public open space, community facilities, places of public worship near or within employment areas, town centres, business centres, shops with access to public transport including rail, buses, ferries in areas with pedestrian connectivity to the local community, businesses, shops, services and the like. 	<p>The site is located approximately 100m from Murray Farm Public School and opposite Murray Farm Reserve.</p> <p>The site has good access to bus services that operate on Oaks Road and will also be proximate to a future light rail stop.</p>	Yes
<p>C4 A child care facility should be located to avoid risks to children, staff or visitors and adverse environmental conditions arising from:</p> <ul style="list-style-type: none"> proximity to: <ul style="list-style-type: none"> heavy or hazardous industry, waste transfer depots or landfill sites; 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. Any other identified environmental hazard or risk relevant to the site and / or existing buildings within the site. 	<p>The development site is not located near any of the listed hazards. It is entirely surrounded by residential properties and a public school.</p> <p>None.</p>	<p>Yes</p> <p>Yes</p>
<p>3.2 Local Character, streetscape and the public domain interface</p> <p>C5 The proposed development should:</p> <ul style="list-style-type: none"> contribute to the local area by being designed in character with the locality and existing streetscape build on the valued characteristics of the neighbourhood and draw from the physical surrounds, history and culture of place reflect the predominant form of surrounding land uses, particularly in low density residential areas recognise predominant streetscape qualities, such as building form, scale, materials and colours include design and architectural treatments that respond to and integrate with the 	<p>The proposal has been designed to complement the residential setting through good address to both street frontages, suitable setbacks to adjoining properties, ground and upper level landscaping, and parking is provided below ground level within a basement facilitating quality pedestrian space at the street frontage and building entrance on Tracey Avenue.</p> <p>The proposal is reflective of the functional requirements of a</p>	Yes

TABLE 2: RELEVANT PROVISIONS UNDER CHILD CARE PLANNING GUIDELINES		
Provision	Proposal	Complies
<p>existing streetscape and local character.</p> <ul style="list-style-type: none"> use landscaping to positively contribute to the streetscape and neighbouring amenity integrate car parking into the building and site landscaping design in residential areas. 	<p>child care centre whilst also being compatible with existing buildings in the locality and anticipated future development of the developing area. It incorporates architectural elements consistent with newer development, i.e. 2 storeys, masonry construction, flat and skillion roof forms, and generous landscape areas, as outlined in the site description under Section 2 of this report. A variety of building form outcomes are possible under Council's LEP and DCP, but also via the CDC approval process.</p>	
<p>C6 Create a threshold with a clear transition between public and private realms, including:</p> <ul style="list-style-type: none"> fencing to ensure safety for children entering and leaving the facility windows facing from the facility towards the public domain to provide passive surveillance to the street as a safety measure and connection between the facility and the community integrating existing and proposed landscaping with fencing. 	<p>Fencing will ensure the safety and security of children. The design provides windows overlooking the street.</p> <p>Refer to accompanying Landscape Plan prepared by <i>Outside In Design Group</i>.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>C7 On sites with multiple buildings and/or entries, pedestrian entries and spaces associated with the child care facility should be differentiated to improve legibility for visitors and children by changes in materials, plant species and colours.</p>	<p>Separate vehicular and pedestrian entrances are provided, plus clear pedestrian walkway within parking area.</p>	<p>Yes</p>
<p>C9 Front fences and walls within the front setback should be constructed of visually permeable materials and treatments. Where the site is listed as a heritage item, adjacent to a heritage item or within a conservation area front fencing should be designed in accordance with local heritage provisions.</p>	<p>Details provided on the architectural plans and Acoustic Report.</p> <p>No heritage requirements are applicable in terms of materials.</p>	<p>Yes</p>
<p>C10 High solid acoustic fencing may be used when shielding the facility from noise on classified roads. The walls should be setback from the property boundary with screen landscaping of a similar height between the wall and the boundary.</p>	<p>Development site does not adjoin classified road.</p>	<p>N/A</p>
<p>3.3 Building orientation, envelope and design</p> <p>C11 Orient a development on a site and design the building layout to:</p> <ul style="list-style-type: none"> ensure visual privacy and minimise potential noise and overlooking impacts on neighbours by: 	<p>The development has been designed with a focus of maintaining adjoining residential amenity. The built form at Ground Floor is designed to</p>	<p>Yes</p>

TABLE 2: RELEVANT PROVISIONS UNDER CHILD CARE PLANNING GUIDELINES		
Provision	Proposal	Complies
<ul style="list-style-type: none"> o facing doors and windows away from private open space, living rooms and bedrooms in adjoining residential properties; o placing play equipment away from common boundaries with residential properties; o locating outdoor play areas away from residential dwellings and other sensitive uses • optimise solar access to internal and external play areas • avoid overshadowing of adjoining residential properties • minimise cut and fill • ensure buildings along the street frontage define the street by facing it • ensure that where a child care facility is located above ground level, outdoor play areas are protected from wind and other climatic conditions. 	<p>provide acoustic and aural privacy to the neighbouring residential properties and by having outlook to Tracey Avenue. The proposal does not locate any openings on any boundaries, nor does it include any elevated balconies or outdoor play spaces directly adjacent to neighbours.</p> <p>The ground and upper floor play areas have been located central to the site as far as practicable and the site will be extensively landscaped and provided with necessary acoustic fencing.</p> <p>As demonstrated by solar diagrams submitted with the architectural plans, sufficient solar access and shading will be provided to the external play areas (and also into internal play rooms). More than 30% of solar access will be provided for 4 hours across the day to the Ground Floor level play areas.</p>	
<p>C12 The following matters may be considered to minimise the impacts of the proposal on local character:</p> <ul style="list-style-type: none"> • building height should be consistent with other buildings in the locality • building height should respond to the scale and character of the street • setbacks should allow for adequate privacy for neighbours and children at the proposed child care facility • setbacks should provide adequate access for building maintenance • setbacks to the street should be consistent with the existing character. 	<p>The proposed development is two storeys in height and considerably below the maximum LEP HOB limit of 9m which is compatible with surrounding development that displays a variety of 1 and 2 storey dwellings and taller educational establishment.</p> <p>Setbacks are appropriate and facilitate consistent with street alignment of the neighbouring buildings.</p> <p>Provided and noted on plans.</p> <p>The proposed siting of building elements will be compatible with existing development and conducive to appropriate siting of future development. The corner location of the site also enables some flexibility in</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

TABLE 2: RELEVANT PROVISIONS UNDER CHILD CARE PLANNING GUIDELINES		
Provision	Proposal	Complies
	immediately adjoining setback alignments through transitioning from the corner.	
C13 Where there are no prevailing setback controls minimum setback to a classified road should be 10 metres. On other road frontages where there are existing buildings within 50 metres, the setback should be the average of the two closest buildings. Where there are no buildings within 50 metres, the same setback is required for the predominant adjoining land use.	Not applicable.	N/A
C14 On land in a residential zone, side and rear boundary setbacks should observe the prevailing setbacks required for a dwelling house.	Appropriate setback applied in light of corner location and presentation to each frontage.	Yes
C15 Entry to the facility should be limited to one secure point which is: <ul style="list-style-type: none"> located to allow ease of access, particularly for pedestrians directly accessible from the street where possible directly visible from the street frontage easily monitored through natural or camera surveillance not accessed through an outdoor play area. in a mixed-use development, clearly defined and separate from entrances to other uses in the building. 	<p>The pedestrian front entrance is from Tracey Avenue with staired and platform lift access provided. The entrance point is clearly defined and visible, accessible, could be easily monitored (both passive and CCTV surveillance); and is not accessed through the outdoor play area.</p> <p>Development site is not in a mixed-use area.</p>	<p>Yes</p> <p>N/A</p>
C16 Accessible design can be achieved by: <ul style="list-style-type: none"> providing accessibility to and within the building in accordance with all relevant legislation 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 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 minimising ramping by ensuring building entries and ground floors are well located relative to the level of the footpath. 	<p>Accessible path of travel is provided from the street. A lift is provided to access the First Floor Level.</p> <p>Prams and wheelchairs will be able to access all parts of the development.</p> <p>A continuous path of travel to and within the building is possible via the lifts provided.</p> <p>Stair, platform lift and passenger lift access provided. No ramping within the street frontages proposed.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
3.4 Landscaping		
C17 Appropriate planting should be provided along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space. Use the existing landscape where feasible to	Landscaping is provided to all boundaries. Screen (hedge) planting areas have not counted towards outdoor play calculations – refer to the	Yes

TABLE 2: RELEVANT PROVISIONS UNDER CHILD CARE PLANNING GUIDELINES		
Provision	Proposal	Complies
<p>provide a high-quality landscaped area by:</p> <ul style="list-style-type: none"> reflecting and reinforcing the local context incorporating natural features of the site, such as trees, rocky outcrops and vegetation communities into landscaping. 	<p>submitted Landscape Plans and area calculations on architectural plan DA4008. Existing vegetation is not environmentally significant and will be suitably replaced by new landscaping.</p>	Yes
<p>C18 Incorporate car parking into the landscape design of the site by:</p> <ul style="list-style-type: none"> planting shade trees in large car parking areas to create a cool outdoor environment and reduce summer heat radiating into buildings 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. 	<p>Not applicable. The car park is internal and below ground level.</p>	N/A
<p>3.5 Visual and acoustic privacy</p> <p>C19 Open balconies in mixed use developments should not overlook facilities nor overhang outdoor play spaces.</p>	<p>Not application – mixed use development not proposed.</p>	N/A
<p>C20 Minimise direct overlooking of indoor and outdoor play spaces from public areas through:</p> <ul style="list-style-type: none"> appropriate site and building layout suitable location of pathways, windows and doors permanent screening and landscape design 	<p>The proposed indoor and outdoor areas will not be directly visible from the adjacent public domain given the proposed built form and landscaping.</p>	Yes
<p>C21 Minimise direct overlooking of main internal living areas and private open spaces in adjoining developments through:</p> <ul style="list-style-type: none"> appropriate site and building layout suitable location of pathways, windows and doors landscape design and screening. 	<p>As discussed above, the development has been designed with a mind to protecting future adjoining residential amenity and is oriented away from adjoining residential parcels, and to the adjacent streets.</p>	Yes
<p>C22 A new development, or development that includes alterations to more than 50 per cent of the existing floor area, and is located adjacent to residential accommodation should:</p> <ul style="list-style-type: none"> provide an acoustic fence along any boundary where the adjoining property contains a residential use. (An acoustic fence is one that is a solid, gap free fence). ensure that mechanical plant or equipment is screened by solid, gap free material and constructed to reduce noise levels e.g., acoustic fence, building, or enclosure. 	<p>Will comply as per Acoustic recommendations. Refer to Acoustic Report. As is typical at DA stage, mechanical plant has not yet been selected. Once it is, a detailed acoustic assessment will be required, at Construction Certificate stage.</p>	<p>Yes</p> <p>Will comply at CC</p>

TABLE 2: RELEVANT PROVISIONS UNDER CHILD CARE PLANNING GUIDELINES		
Provision	Proposal	Complies
<p>C23 A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters:</p> <ul style="list-style-type: none"> • identify an appropriate noise level for a child care facility located in residential and other zones • determine an appropriate background noise level for outdoor play areas during times they are proposed to be in use • determine the appropriate height of any acoustic fence to enable the noise criteria to be met. 	<p>Refer to accompanying Acoustic Report.</p>	<p>Yes</p>
<p>C24 Adopt design solutions to minimise impacts of noise, such as:</p> <ul style="list-style-type: none"> • creating physical separation between buildings and the noise source • orienting the facility perpendicular to the noise source and where possible buffered by other uses • using landscaping to reduce the perception of noise • limiting the number and size of openings facing noise sources • using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens) • using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and soffits • locating cot rooms, sleeping areas and play areas away from external noise sources. 	<p>Refer to accompanying Acoustic Report.</p> <p>Design solutions include focusing development to the street frontages and away from adjoining residential parcels, no openings to side boundaries and generous upper-level setback to the rear boundary. Also, landscape treatment to site edge adjoining solid walls with no openings. Acoustic treatment will be employed as outlined in the Section 3 of this report, including achieving the required fencing height to the western boundary from the excavation level within the site – refer to Figure 19.</p>	<p>Yes</p>
<p>C25 An acoustic report should identify appropriate noise levels for sleeping areas and other non-play areas and examine impacts and noise attenuation measures where a child care facility is proposed in any of the following locations:</p> <ul style="list-style-type: none"> • on industrial zoned land • where the ANEF contour is between 20 and 25, consistent with AS 2021 – 2000 • along a railway or mass transit corridor, as defined by State Environmental Planning Policy (Infrastructure) 2007 • on a major or busy road • other land that is impacted by substantial external noise 	<p>The development site is not located in any of the listed locations.</p>	<p>N/A</p>
<p>C26 Locate child care facilities on sites which avoid or minimise the potential impact of external sources of air pollution such as major roads and industrial development.</p>	<p>The development site is not located on a major road or near industrial development.</p>	<p>Yes</p>
<p>C27 A suitably qualified air quality professional should prepare an air quality assessment</p>	<p>Not applicable per above.</p>	<p>N/A</p>

TABLE 2: RELEVANT PROVISIONS UNDER CHILD CARE PLANNING GUIDELINES		
Provision	Proposal	Complies
<p>report to demonstrate that proposed child care facilities close to major roads or industrial developments can meet air quality standards in accordance with relevant legislation and guidelines. The air quality assessment report should evaluate design considerations to minimise air pollution such as:</p> <ul style="list-style-type: none"> • creating an appropriate separation distance between the facility and the pollution source. The location of play areas, sleeping areas and outdoor areas should be as far as practicable from the major source of air pollution • 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. 		
<p>3.7 Hours of operation</p> <p>C28 Hours of operation within areas where the predominant land use is residential should be confined to the core hours of 7.00am to 7.00pm weekdays. The hours of operation of the proposed child care facility may be extended if it adjoins or is adjacent to non-residential land uses.</p>	<p>The hours of operation of the centre are 7am – 6pm (Monday to Friday).</p> <p>Use of the premises after hours or on weekends will be only for staff and cleaning operation.</p>	Yes
<p>C29 Within mixed use areas or predominantly commercial areas, the hours of operation for each child care facility should be assessed with respect to its compatibility with adjoining and co-located land uses.</p>	<p>The development site is not in a commercial or mixed-use area.</p>	N/A
<p>3.8 Traffic, parking and pedestrian circulation</p> <p>C30 Off street car parking should be provided at the rates for child care facilities specified in a Development Control Plan that applies to the land.</p> <p>Where a Development Control Plan does not specify car parking rates, off street car parking should be provided at the following rates:</p> <p>Within 400 metres of a metropolitan train station:</p> <ul style="list-style-type: none"> • 1 space per 10 children • 1 space per 2 staff. <p>Staff parking may be stack or tandem parking with no more than 2 spaces in each tandem space.</p> <p>In other areas:</p> <ul style="list-style-type: none"> • 1 space per 4 children. 	<p>The Development has regard with the car parking requirements under The Hills DCP 2012.</p> <p>It is also noted that the proposal complies with the parking requirements of the Draft Paramatta DCP 2023.</p>	Yes

TABLE 2: RELEVANT PROVISIONS UNDER CHILD CARE PLANNING GUIDELINES		
Provision	Proposal	Complies
C31 In commercial or industrial zones and mixed-use developments, on street parking may only be considered where there are no conflicts with adjoining uses, that is, no high levels of vehicle movement or potential conflicts with trucks and large vehicles.	Not in commercial or industrial zone, nor a mixed-use development.	N/A
C32 A Traffic and Parking Study should be prepared to support the proposal to quantify potential impacts on the surrounding land uses and demonstrate how impacts on amenity will be minimised. The study should also address any proposed variations to parking rates and demonstrate that: <ul style="list-style-type: none"> the amenity of the surrounding area will not be affected there will be no impacts on the safe operation of the surrounding road network. 	Refer to accompanying Traffic Report.	Yes
C33 Alternate vehicular access should be provided where child care facilities are on sites fronting: <ul style="list-style-type: none"> a classified road roads which carry freight traffic or transport dangerous goods or hazardous materials. The alternate access must have regard to: <ul style="list-style-type: none"> the prevailing traffic conditions pedestrian and vehicle safety including bicycle movements the likely impact of the development on traffic. 	The development site does not front either type of road listed.	Yes
C34 Child care facilities proposed within cul-de-sacs or via narrow lanes or roads should ensure that safe access can be provided to and from the site, and to and from the wider locality in times of emergency.	Development site is not within a cul-de-sac or narrow road/lane.	Yes
C35 The following design solutions may be incorporated into a development to help provide a safe pedestrian environment: <ul style="list-style-type: none"> separate pedestrian access from the car park to the facility defined pedestrian crossings and defined/separate paths included within large car parking areas separate pedestrian and vehicle entries from the street for parents, children and visitors pedestrian paths that enable two prams to pass each other delivery, loading and vehicle turnaround areas located away from the main pedestrian access to the building and in 	<p>Separate path provided;</p> <p>Defined path not provided, however, the parking area has relatively small size, good lines of sight and will be speed limited by virtue of its size, but also sign posted to 10km/h.</p> <p>Separate vehicle and pedestrian access provided;</p> <p>2m width and suitably graded path from Tracey Avenue to the building entrance.</p> <p>Vehicular access is separate from pedestrian entrance;</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

TABLE 2: RELEVANT PROVISIONS UNDER CHILD CARE PLANNING GUIDELINES		
Provision	Proposal	Complies
<p>clearly designated, separate facilities</p> <ul style="list-style-type: none"> 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. 	<p>Achieved.</p> <p>N/A</p> <p>Achieved, confirmed by Traffic Report.</p> <p>Achieved, supported by Traffic Report.</p>	<p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Yes</p>
<p>C37 Mixed use developments should include:</p> <ul style="list-style-type: none"> driveway access, manoeuvring areas and parking areas for the facility that are separate to parking and manoeuvring areas used by trucks drop off and pick up zones that are exclusively available for use during the facility's operating hours with spaces clearly marked accordingly, close to the main entrance and preferably at the same floor level. Alternatively, direct access should avoid crossing driveways or manoeuvring areas used by vehicles accessing other parts of the site parking that is separate from other uses, located and grouped together and conveniently located near the entrance or access point to the facility. 	<p>Proposal is not a mixed-use development.</p>	<p>N/A</p>
<p>C37 Car parking design should:</p> <ul style="list-style-type: none"> include a child safe fence to separate car parking areas from the building entrance and play areas provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards include wheelchair and pram accessible parking. 	<p>Parking is separate to these areas within centre;</p> <p>Located next to lift access;</p> <p>Provided. Located within basement with accessible path of travel to lift. Lift access is available to the Ground and First Floor.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
4. Applying the National Regulations to development proposals		
4.1 Indoor space requirements		
<p>Regulation 107 Education and Care Services National Regulations</p> <p>Every child being educated and cared for within a facility must have a minimum of 3.25m² of unencumbered indoor space. (74x3.25m² = 240.05m²)</p>	<p>Total indoor play area: 247.79m²</p>	<p>Yes</p>

TABLE 2: RELEVANT PROVISIONS UNDER CHILD CARE PLANNING GUIDELINES		
Provision	Proposal	Complies
<p><i>Design Guidance:</i> <u>Verandah as indoor space:</u> Verandahs may be included when calculating indoor space with the written approval from the regulatory authority.</p> <p><u>Storage:</u> It is recommended that a child care facility provide;</p> <ul style="list-style-type: none"> • a minimum of 0.3m³ per child of external storage space (74x0.3m³ = 22.20m³) • a minimum of 0.2m³ per child of internal storage space (74x0.2m³ = 14.8m³) 	<p>Play space has been calculated in accordance with the unencumbered requirements of this Guideline and provided in excess of the minimum requirements. In addition, areas have been provided to ensure each individual play areas receive the required area per child – this breakdown is included on the Architectural Plan DA5001.</p> <p>External storage: 26.14m³</p> <p>Internal storage: 36.79m³ In addition, areas have been provided to ensure each individual play areas receive the required storage per child – this breakdown is included on the Architectural Plans.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>4.2 Laundry and hygiene facilities</p> <p>Regulation 106 Education and Care Services National Regulations</p> <p>There must be laundry facilities or access to laundry facilities; or other arrangements for dealing with soiled clothing, nappies and linen, including hygienic facilities for storage prior to their disposal or laundering. The laundry and hygienic facilities must be located and maintained in a way that does not pose a risk to children.</p> <p>Child care facilities must also comply with the requirements for laundry facilities that are contained in the National Construction Code.</p> <p><i>Design Guidance:</i> <u>On site laundry</u> On site laundry facilities should contain:</p> <ul style="list-style-type: none"> • a washer or washers capable of dealing with the heavy requirements of the facility • a dryer • laundry sinks • adequate storage for soiled items prior to cleaning 	<p>On site laundry facilities are provided and these are separated from areas accessed by children within the staff and services area at the First Floor.</p> <p>Designed to accommodate all listed items.</p>	<p>Yes</p> <p>Yes</p>

TABLE 2: RELEVANT PROVISIONS UNDER CHILD CARE PLANNING GUIDELINES		
Provision	Proposal	Complies
<p>4.3 Toilet and hygiene facilities</p> <p>Regulation 109 Education and Care Services National Regulations</p> <p>A service must ensure that adequate, developmentally and age appropriate toilet, washing and drying facilities are provided for use by children being educated and cared for by the service; and the location and design of the toilet, washing and drying facilities enable safe use and convenient access by the children.</p> <p>Child care facilities must comply with the requirements for sanitary facilities that are contained in the National Construction Code.</p>	<p>Sufficient toilet facilities are provided at each level for staff and children.</p> <p>Sanitary facilities have been designed to comply with the NCC.</p>	<p>Yes</p> <p>Yes</p>
<p>4.4 Ventilation and natural light</p> <p>Regulation 110 Education and Care Services National Regulations</p> <p>Services must be well ventilated, have adequate natural light, and be maintained at a temperature that ensures the safety and wellbeing of children.</p> <p>Child care facilities must comply with the light and ventilation and minimum ceiling height requirements of the National Construction Code. Ceiling height requirements may be affected by the capacity of the facility.</p>	<p>The proposed facility has been designed to achieve cross ventilation, receive and have adequate natural light and be temperature controlled to avoid extremes in temperature.</p> <p>Light and ventilation and minimum ceiling heights designed to comply with relevant requirements under the National Construction Code.</p>	<p>Yes</p> <p>Yes</p>
<p>4.5 Administrative space</p> <p>Regulation 111 Education and Care Services National Regulations</p> <p>A service must provide adequate area or areas for the purposes of conducting the administrative functions of the service, consulting with parents of children and conducting private conversations.</p>	<p>Adequate areas have been provided for conducting of administrative tasks and meetings.</p>	<p>Yes</p>
<p>4.6 Nappy change facilities</p> <p>Regulation 112 Education and Care Services National Regulations</p> <p>Child care facilities must provide for children who wear nappies, including appropriate hygienic facilities for nappy changing and bathing. All nappy changing facilities should be designed and located in an area that prevents unsupervised access by children.</p> <p>Child care facilities must also comply with the requirements for nappy changing and bathing</p>	<p>Nappy change facilities are provided for each room.</p> <p>Design to comply with NCC.</p>	<p>Yes</p> <p>Yes</p>

TABLE 2: RELEVANT PROVISIONS UNDER CHILD CARE PLANNING GUIDELINES		
Provision	Proposal	Complies
facilities that are contained in the National Construction Code.		
<p>4.7 Premises designed to facilitate supervision</p> <p>Regulation 115 Education and Care Services National Regulations</p> <p>A centre-based service must ensure that the rooms and facilities within the premises (including toilets, nappy change facilities, indoor and outdoor activity rooms and play spaces) are designed to facilitate supervision of children at all times, having regard to the need to maintain their rights and dignity.</p> <p>Child care facilities must also comply with any requirements regarding the ability to facilitate supervision that are contained in the National Construction Code.</p>	<p>Good supervision is available through the centre whilst also maintaining sufficient privacy.</p> <p>Designed to comply with NCC.</p>	<p>Yes</p> <p>Yes</p>
<p>4.8 Emergency and evacuation procedures</p> <p>Regulations 97 and 168 Education and Care Services National Regulations</p> <p>Regulation 168 sets out the list of procedures that a care service must have, including procedures for emergency and evacuation.</p> <p>Regulation 97 sets out the detail for what those procedures must cover including:</p> <ul style="list-style-type: none"> • instructions for what must be done in the event of an emergency • an emergency and evacuation floor plan, a copy of which is displayed in a prominent position near each exit • a risk assessment to identify potential emergencies that are relevant to the service. 	<p>The proposed child care facility has been designed to facilitate safe and managed evacuation of children and staff from the facility in the event of a fire or other emergency.</p> <p>Emergency and Evacuation Plan is outlined in the accompanying POM and also in architectural plan DA4005.</p>	<p>Yes</p> <p>Yes</p>
<p>4.9 Outdoor space requirements</p> <p>Regulation 108 Education and Care Services National Regulations</p> <p>An education and care service premises must provide for every child being educated and cared for within the facility to have a minimum of 7.0m² of unencumbered outdoor space. (74x7m² = 518m²)</p> <p>If this requirement is not met, the concurrence of the regulatory authority is required under the SEPP.</p> <p>A verandah that is included within indoor</p>	<p>Outdoor play space has been calculated in accordance with the unencumbered guidelines of this Guideline and provided in excess of the minimum requirements.</p>	<p>Yes</p>

TABLE 2: RELEVANT PROVISIONS UNDER CHILD CARE PLANNING GUIDELINES		
Provision	Proposal	Complies
<p>space cannot be included when calculating outdoor space and vice versa.</p> <p><i>Design Guidance</i> Calculating unencumbered space for outdoor areas should not include areas of dense hedges or plantings along boundaries which are designed for landscaping purposes and not for children's play (refer to Figures 9 and 10). When new equipment or storage areas are added to existing services, the potential impact on unencumbered space calculations and service approvals must be considered.</p> <p><u>Verandahs as outdoor space</u> Where a covered space such as a verandah is to be included in outdoor space it should:</p> <ul style="list-style-type: none"> • be open on at least one third of its perimeter • have a clear height of 2.1 metres • have a wall height of less than 1.4 metres where a wall with an opening forms the perimeter • have adequate flooring and roofing • be designed to provide adequate protection from the elements (refer to Figure 8). 	<p>Outdoor Play areas are located at ground floor level, some of which are covered by overhang of level above – all outdoor play areas meet the requirements listed.</p>	<p>Yes</p>
<p>4.10 Natural environment</p> <p>Regulation 113 Education and Care Services National Regulations</p> <p>The approved provider of a centre-based service must ensure that the outdoor spaces allow children to safely explore and experience the natural environment.</p>	<p>Quality educational and sensory spaces will be provided to the outdoor play areas to facilitate exploration and experience the natural environment – refer to details on accompanying Landscape Plan prepared by <i>Outside in Design Group</i>.</p>	<p>Yes</p>
<p>4.11 Shade</p> <p>Regulation 114 Education and Care Services National Regulations</p> <p>The approved provider of a centre-based service must ensure that outdoor spaces include adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun.</p>	<p>Suitable shade structures – both built and natural are incorporated into the centre design to ensure protection from overexposure to ultraviolet radiation from the sun.</p>	<p>Yes</p>

TABLE 2: RELEVANT PROVISIONS UNDER CHILD CARE PLANNING GUIDELINES		
Provision	Proposal	Complies
<p><i>Design Guidance</i> <u>Solar access and sun protection</u></p> <p>Outdoor play areas should:</p> <ul style="list-style-type: none"> • have a minimum of 2 hours of solar access between 8.00am and 4.00pm during winter months, for at least 30% (or 2.1m²) of the 7.0m² of outdoor space per child required. • adequate shade for outdoor play areas is to be provided in the form of natural shade such as trees or built shade structures giving protection from ultraviolet radiation to at least 30% of the outdoor play area • have evenly distributed shade structures over different activity spaces. <p><u>Natural shade</u></p> <p>Natural shade should be a major element in outdoor play areas. Trees with dense foliage and wide-spreading canopies provide the best protection. Existing stands of trees, particularly in rear setbacks, should be retained to provide shaded play areas. Species that suit local soil and climatic conditions and the character of the environment are recommended.</p> <p><u>Built shade structures</u></p> <p>Built structures providing effective shade include:</p> <ul style="list-style-type: none"> • permanent structures (pergolas, sails and verandahs) • demountable shade (marquees and tents) • adjustable systems (awnings) • shade sails. 	<p>The shadow diagrams and elevational shadow diagrams accompanying the application demonstrate sufficient solar and shade access. It is also noted that (as described on DA1005), the subject proposal is substantially smaller than a 2 storey dwelling house that could be achieved on the site via the CDC SEPP.</p> <p>As shown on the plans, approximately half of the ground floor and upper floor play areas are covered by a built form overhang. This will be supplemented by shade cast by future vegetation.</p> <p>Shade is the result of both built elements (building and additional awnings), landscaping (trees and vegetation at Ground Floor) and individual shading from play elements.</p> <p>Per above.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>4.12 Fencing</p> <p>Regulation 104 Education and Care Services National Regulations</p> <p>Any outdoor space used by children must 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.</p> <p>This regulation does not apply to a centre-based service that primarily provides</p>	<p>The proposed development will include sufficient fencing or built elements bounding the site as well as to ensure safe and efficient segregation of areas through the site.</p>	<p>Yes</p>

TABLE 2: RELEVANT PROVISIONS UNDER CHILD CARE PLANNING GUIDELINES		
Provision	Proposal	Complies
<p>education and care to children over preschool age, including a family day care venue where all children are over preschool age.</p> <p>Child care facilities must also comply with the requirements for fencing and protection of outdoor play spaces that are contained in the National Construction Code.</p>	Design to comply with NCC.	Yes
<p>4.13 Soil assessment</p> <p>Regulation 25 Education and Care Services National Regulations</p> <p>Subclause (d) of Regulation 25 requires an assessment of soil at a proposed site, and in some cases, sites already in use for such purposes as part of an application for service approval.</p> <p>With every service application one of the following is required:</p> <ul style="list-style-type: none"> • a soil assessment for the site of the proposed education and care service premises • if a soil assessment for the site of the proposed child care facility has previously been undertaken, a statement to that effect specifying when the soil assessment was undertaken • a statement made by the applicant that states, to the best of the applicant's knowledge, the site history does not indicate that the site is likely to be contaminated in a way that poses an unacceptable risk to the health of children. 	Historic residential use of the site.	Yes

The proposal is therefore demonstrably consistent with the relevant SEPP requirements.

4.1.3 State Environmental Planning Policy (Industry and Employment) 2021

On March 1, 2022 SEPP (Industry and Employment) 2021 replaced 2 former SEPPs, including State Environmental Planning Policy No. 64 (Advertising and Signage) which is now covered under Chapter 3 of the SEPP.

The proposal includes the provision a “signage area” only for future business identification. This is located the curved feature wall presenting to both Murray Farm Road and Tracey Avenue. Any additional signage will be addressed via a separate development application (as required).

4.1.4 Parramatta Local Environmental Plan 2023

Under the LEP the subject site is located within the *R2 – Low Density Residential* zone. Amongst other development types, *centre-based childcare facilities* are permissible with consent from Council. The proposal involves the construction of centre-based child care

facility. Accordingly, the proposal is identified as being permitted with consent from Council.

The objectives of the R2 – Low Density Residential Zone are as follows:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To maintain the low density residential character of the area.*
- *To ensure non-residential land uses are carried out in a way that minimises impacts on the amenity of a low density residential environment.*
- *To provide a range of community facilities that serve the needs of people who live in, work in and visit the area.*
- *To protect and enhance tree canopy, existing vegetation and other natural features.*

The proposal is clearly consistent with the above underlined objectives as it will provide valuable and in-demand child care services and employment opportunities to persons that live and/or work in the locality. The proposed child care is in close proximity to an educational establishment (Murray Farm Public School) and will be provided in a manner sensitive to the residential amenity of the area and adjoining / nearby residential properties. The proposal is therefore consistent with the relevant objectives of the zone.

A review of relevant LEP maps indicates that the site does not contain a heritage item and is not located in a conservation area. Nor is the site mapped for flooding, acid sulfate soils or environmentally sensitive land.

Provided at Table 3 is a consideration of the development standards contained within the LEP that are applicable to the site and the proposed development.

TABLE 3: RELEVANT PROVISIONS OF PARRAMATTA LEP 2023		
Provision	Proposal	Complies
4.3 Building Height Maximum 9m	Well below, as indicated on the architectural plans.	Yes
4.4 Floor Space Ratio Maximum 0.5:1 (470.06m ²)	469.47m ²	Yes
4.6 Exceptions to Development Standards Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.	Not Applicable – proposal complies with all relevant development standards.	N/A
6.1 Acid Sulfate Soils The site is not identified as containing Acid Sulfate Soils.	Not Applicable.	N/A
6.2 Earthworks (1) Before granting development consent for earthworks, the consent authority must consider the following matters—	Stormwater details accompany the application and demonstrate no adverse	Yes

TABLE 3: RELEVANT PROVISIONS OF PARRAMATTA LEP 2023		
Provision	Proposal	Complies
(a) the likely disruption of, or any detrimental effect on, flooding or drainage patterns and soil stability in the locality of the development,	impact as a result of the proposed earthworks. The basement is a standard excavated single level and typical construction practices will ensure soil stability.	
(b) the effect of the proposed development on the likely future use or redevelopment of the land,	The earthworks enable development of the site and will have no detrimental impact on the future use of redevelopment potential of the land or adjoining lands.	Yes
(c) the quality of the fill or the soil to be excavated, or both,	Any excavated soil will be disposed of in accordance with Council requirements and will be consistent with all state and national requirements.	Yes
(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,	Basement excavation and construction is common for development across Sydney. It is considered that standard construction practices will ensure soil stability.	Yes
(e) the source of any fill material and the destination of any excavated material,	Any excavated soil will be disposed of in accordance with Council requirements and will be consistent with all state and national requirements.	Yes
(f) the likelihood of disturbing relics,	The site has a history residential use and has been disturbed. There are unlikely to be any relics affected by the proposed development.	Yes
(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area,	The site is within a suburban area and sufficient distance from any creek corridors. The site does not contribute to any watercourses, drinking catchments or environmentally sensitive areas. Stormwater will be handled appropriately as per the submitted details.	Yes
(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.	Standard construction measures are proposed to avoid, minimise and mitigate the impacts of excavation for the development.	Yes

In light of the above, the proposed development is identified as being permitted with development consent and compliant with the applicable LEP provisions.

4.1.5 The Hills Development Control Plan 2012

The subject application has been assessed against the relevant provisions of The Hills DCP 2012, these include:

- Part B, Section 6 – Business with specific additional controls for Centre-Based Child Care Facilities under 2.34;
- Part C, Section 1 – Parking, Section 3 Landscaping; and
- Part D, Section 7 – Balmoral Road Release Area.

A response to the relevant provisions of the DCP as they apply to the subject site and the proposed development are provided in Table 4 over page.

TABLE 4: RELEVANT PROVISIONS OF THE HILLS DCP 2012		
Provision	Proposal	Complies
PART B, Section 2 – RESIDENTIAL		
2. Objectives and Development Controls		
2.14.1 Building Setbacks		
(a) Minimum classified road frontage setback: 10m.	Not applicable.	N/A
(b) Minimum non-classified primary road frontage setback: 10m	Not applicable (see below).	N/A
(c) Corner Lots: Primary road: 6m Secondary: 4m	6m to Tracey Avenue. 4m to Murray Farm Road.	Yes Yes
(g) Side setback – 900mm (1-2 storeys)	1m	Yes
(h) Rear setback: 4 metres (1 storey) 6 metres (2-3 storeys)	4m 6m	Yes Yes
2.14.2 Site Coverage		
(a) Maximum site coverage: 60%.	Permitted = 564.72m ² Proposed = 384.21m ² (40.82%)	Yes
(b) Maximum building coverage: 45%	Permitted = 423.54m ² Proposed = 384.21m ² (40.82%)	Yes
<p>Note: <i>Site coverage will be subject to the following criteria:</i></p> <ul style="list-style-type: none"> • <i>any impervious area including, but not limited to, buildings, driveways, patios, pools, tennis courts, decks, recreation facilities and the like will be included within the calculation of site coverage; and</i> • <i>The total land area of the lot will be used in the calculation of site coverage. The total land area excludes restricted development areas or land required for public purposes.</i> 		
2.14.5 Landscaping and Open Space		
(a) All setback and car parking areas are to be landscaped and maintained in accordance with the provisions of Part C Section 3 – Landscaping.	Proposed setbacks are landscaping as detailed in the landscape plans.	Yes

TABLE 4: RELEVANT PROVISIONS OF THE HILLS DCP 2012		
Provision	Proposal	Complies
<p>(b) The minimum required landscaped or naturally vegetated area for residential development as a percentage of the total site area is 40%.</p> <p>Note: <i>Landscaped area does not include any paved or built upon area such as driveways, tennis courts, patios/decks, outbuildings or pools.</i></p>	<p>Required = 376.48m² Proposed = 485.90m² (51.62%)</p>	Yes
2.14.7 Cut and Fill		
<p>(a) Building siting and design should consider the topography of the site and if cut and fill is necessary it must be balanced to ensure no fill leaves the site.</p>	<p>Proposed excavation is predominantly to accommodate basement level and change to topography to the southern and western neighbours. The basement and edge treatments at ground level are entirely suitable for the proposed use as it will assist with efficiency, presentation and safety, and neighbour privacy.</p>	Yes
<p>(b) Where plans show an excess of 600mm of filling and, provided that the filling does not exceed 1.5 metres, a condition of approval will be imposed requiring a concealed dropped edge beam to contain the fill in excess of 600mm. Should the plans show an excess of filling above 1.5 metres, the applicant will be requested to amend the design to reduce the filling required.</p>	<p>Minimal fill is proposed above EGL to accommodate a level and accessible Ground floorplate.</p>	Yes
<p>(c) Excavation in excess of 1 metre may be permitted, subject to there being no adverse effect on the adjoining owners and the submission of structural engineers details of retaining walls with the Development Application, or alternatively, a separate Development Application is to be submitted.</p>	<p>Noted.</p>	Yes
2.14.9. Privacy – Visual and Acoustic		
<p>(a) Buildings are to be designed to ensure maximum protection of privacy; in particular the privacy of primary living areas must be protected. Where appropriate consideration should be given to:</p> <ul style="list-style-type: none"> - using windows that are narrow, translucent or obscured or, in the case of bathrooms, have window sills a minimum of 1.5 metres above the upper storey floor level; - ensuring that windows that face directly to the windows, balconies or 	<p>South facing windows have opaque finish.</p> <p>Acoustic screening and landscaping proposed.</p>	<p>Yes</p> <p>Yes</p>

TABLE 4: RELEVANT PROVISIONS OF THE HILLS DCP 2012		
Provision	Proposal	Complies
yards of adjoining dwellings are appropriately screened; and - screening of opposing windows, balconies and yards with appropriate landscaping.	As above.	Yes
(b) First floor balconies will not be permitted where they overlook living areas of adjacent dwellings.	No overlooking available, as above.	Yes
(c) Windows should be placed to minimise direct viewing between dwellings.	As above.	Yes
(d) Dwellings are to be designed to limit the potential for noise transmission to the living and sleeping areas of adjacent existing and future developments.	Acoustic screening proposed, refer to the submitted Acoustic Report. Note that the location of the building along the southern boundary benefits acoustic privacy of the southern neighbour.	Yes
(e) Careful consideration should be given to the location of air-conditioning systems, swimming pools and the like to minimise the impact on the amenity of adjoining properties.	Noted.	-
(f) Private open space areas and driveways are to be designed to minimise noise impacts.	Driveway located off Murray Farm Road with a landscaped setback to the western neighbour.	Yes
2.14.10 Solar Access		
(a) Dwellings should be sited to allow adequate provision for access of direct sunlight to private open space within the subject land and on adjacent properties. At least 50% of the required private open space within the subject property and that on adjoining properties is to receive direct sunlight for a minimum of 4 hours between 9am and 3pm on 21 June.	Greater than 4 hours solar access (during the winter solstice) to the POS of No. 3 Tracey Avenue will remain, as detailed in the submitted shadow diagrams. Note that the building exceeds the side setback requirements, which benefits solar access to the southern neighbour in particular.	Yes
2.15 Fencing		
(b) Front fencing is to be consistent with the height, scale, and style of existing fencing in the street. Where there are no existing front fences, front fences are not supported.	No front fence proposed to Tracey Avenue.	Yes
(c) Consideration should be given to Council's Safer by Design Guidelines, particularly in regards to natural surveillance, sightlines and anti-graffiti surfaces.	Noted.	-
(d) Where front fencing over 1.2 metres in height is proposed, this shall be of open style.	-	-

TABLE 4: RELEVANT PROVISIONS OF THE HILLS DCP 2012		
Provision	Proposal	Complies
(e) Any fencing in the front setback over 1.2m in height shall be setback from the front boundary a minimum of 500mm to allow opportunities for landscaping to soften the impact of the fence.	As above.	Yes
(f) Consideration will be given to fencing on secondary road frontage setbacks, subject to there being no adverse affect on the immediate area and on traffic visibility and be of a design to incorporate features such as landscaping bays or a variation/ combination of materials.	Integrated secondary road (Murray Farm Road) fencing is proposed that has architectural interest (varied height, alignment and materials) and is integrated with landscaping. The proposed fencing will achieve security and safety for the ground floor play area and will be a suitable addition to the streetscape by emphasising the street corner.	Yes
PART B, Section 6 - BUSINESS		
2.6 Building Height		
(a) Refer to Clause 4.3 Height of buildings. <i>Permitted Max. 9m</i>	Maximum height is well below the 9m LEP limit.	Yes
2.7 Building Materials & Design		
(a) All building construction must comply with the Environmental Planning & Assessment Act 1979 (EP & A Act) and the Building Code of Australia.	To comply.	Yes
(b) All external walls of buildings shall be constructed of brick, glass, pre-cast exposed aggregate panels of similar material. However, use of new materials that generate a lower environmental cost will be considered on their merits. Under no circumstances will masonry block work be permitted on external walls.	Materials and finishes incorporate masonry, acrylic concrete render and paint, architectural design features and landscaping. No masonry block work is proposed.	Yes
(c) Design of buildings shall give consideration to the privacy of adjoining residential development.	The proposal gives regard to privacy of anticipated future adjoining residential development through building placement and outlook towards the street frontages, not to neighbouring residential properties. Landscaping and acoustic screens proposed.	Yes
(d) Balconies/terraced areas adjacent to residential zones shall be suitably screened to prevent overlooking and privacy impacts on adjoining properties.		Yes
(e) Natural ventilation is preferred, however where mechanical ventilation is necessary any roof ventilators, exhaust towers, hoppers and the like should be located so as not to be visible from any public place or residential area. Where feasible, the design of such items should be	Natural ventilation available throughout the Centre.	Yes

TABLE 4: RELEVANT PROVISIONS OF THE HILLS DCP 2012		
Provision	Proposal	Complies
<p>complementary to the design and appearance of the building as a whole.</p> <p>(f) Consideration should be given to use of low reflectivity building materials on building facades.</p> <p>(g) Avoid materials that are likely to contribute to poor internal air quality such as those generating formaldehyde (new carpets) or those that may create a breathing hazard in the case of fire (e.g. polyurethane).</p> <p>(h) Select materials that will minimise the long-term environmental impact over the whole life of the development.</p> <p>(i) Preference should be given to materials derived from renewable sources or those that are sustainable and generate a lower environmental cost, recycled material or materials with low embodied energy, better lifecycle costs and durability. For example, use plantation rather than old growth timbers.</p> <p>(j) Choice of materials should be based on consideration of both their environmental and economic costs.</p> <p>(k) In accordance with the “Designing Safer Communities Guidelines” buildings should be designed with visible entrances, no entrapment spaces and utilise anti-graffiti surfaces.</p>	<p>Considered and applied.</p> <p>High priority and requirement given nature of use.</p> <p>Materials and finishes have been selected to ensure low maintenance and longevity.</p> <p>Noted and applied where practicable.</p> <p>Noted and applied where practicable.</p> <p>High priority and requirement given nature of use. Clear entrances closed off spaces and good supervision to all areas will be available.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>2.9 Hours of Operation</p> <p>(e) For child care centres, refer to Appendix E - Child Care Centres in this Section.</p>	<p>The hours of operation will be 7am to 6pm Monday to Friday to align with the Child Care Planning Guideline. Refer below at 2.34.</p>	<p>Yes</p>
<p>2.10 Energy Efficiency</p> <p>(a) The design of all buildings shall demonstrate passive solar design principles i.e.</p> <ul style="list-style-type: none"> • Window placement; • Building orientation; • Shading; • Insulation; • Thermal mass; • Ventilation; and • Incorporation of suitable landscaping. <p>(b) All buildings shall achieve as a minimum a 4 star Building Greenhouse rating with respect to energy efficiency. Details of the rating for each</p>	<p>The proposed child care facility has been designed to maximise energy efficiency, including the siting and orientation of the building to the north to maximise solar access and cross ventilation.</p>	<p>Yes</p>

TABLE 4: RELEVANT PROVISIONS OF THE HILLS DCP 2012		
Provision	Proposal	Complies
2.12 Erosion & Sediment Control		
(a) Applications for all development, including subdivision, are to be accompanied by an Erosion and Sediment Control Plan (ESCP) that will describe the measures to be undertaken at development sites to minimise land disturbance and erosion, and to control sediment pollution of creeks. ESCPs are to clearly identify the erosion and sediment control measures to be used.	Erosion and sediment control measures are to be implemented during construction to minimise land disturbance and erosion. Conditions of consent will reinforce this construction practice and management.	Yes
(b) Erosion and Sediment Control Plans shall be prepared in accordance with “Managing Urban Stormwater – Soils and Construction”, produced by Landcom.	An Erosion and Sediment Control Plan is submitted with the development application.	Yes
2.13 Fencing, Landscaping and tree Preservation		
(e) For child care centres, refer to Appendix E in this DCP Section.	Extensive landscape embellishment works including landscaping along the sites front, side and rear setbacks will be undertaken as part of the proposal in accordance with the attached Landscape Plan. Refer below at 2.34.	Yes
2.15 Vehicular Access		
(a) Vehicular access to main roads shall not be permitted where alternative access is available or can be acquired.	The site has two frontages. Vehicular access to the development is via Murray Farm Road for the reasons detailed in the Submitted Traffic Report.	Yes
(b) Adequate vehicular entry and exit from the development is to be provided and shall be designed to provide a safe environment for both pedestrians and vehicles using the site and surrounding road network.	Separate, safe and efficient vehicular and pedestrian access is provided.	Yes
(c) Vehicular ingress and egress to the site must be in a forward direction at all times.	All vehicles will ingress and egress the site in a forward direction with clear sightlines.	Yes
(d) All internal driveways, circulation and parking areas are to be sealed with a hard-stand, all-weather material that complies with Council's “Work Specification Subdivision/ Development” policy.	Noted - Will comply.	Yes
(e) All roads intended to be dedicated to Council as public roads shall be constructed to Council's requirements.	Not applicable.	N/A
(f) Driveways from public roads will be:	Complies	Yes
<ul style="list-style-type: none"> • Perpendicular to the road within the building setback; • Separated or divided at the property boundary for ingress and egress movements; 	Driveway dimensions and arrangement supported by Traffic Engineer.	Yes

TABLE 4: RELEVANT PROVISIONS OF THE HILLS DCP 2012		
Provision	Proposal	Complies
<ul style="list-style-type: none"> Sight distances are to be in accordance with Part C Section 1 – Parking of this DCP and Council's Design Guideline for Subdivisions/Developments 	Adequate site distances – refer to Traffic Report.	Yes
<p>2.18 Loading Facilities</p> <p>(a) Loading docks shall be located so they are not visible from adjoining residential areas and do not transmit excessive noise to adjoining residential areas.</p> <p>(b) Provision of loading docks is to be commensurate with the size and nature of the development proposed.</p> <p>(c) Where a residential development and commercial development occupy the same site or development, loading docks are to be suitably sized for waste collection vehicles by Council and its contractor.</p> <p>(d) The number of loading bays required for supermarkets, department stores, mixed small shops and offices is specified in DCP Part C Section 1 - Parking. For all other permissible development, there is to be a minimum one loading dock space, suitable to the size of the development.</p> <p>(e) Turning provisions are to be provided within the site for the manoeuvring of vehicles using the loading and unloading facilities in accordance with AUSTRROADS Design Vehicular and Turning Templates.</p>	<p>A delivery zone is located within the basement and not visible nor noise generating from surrounding residential area.</p> <p>Sufficient in size for proposed use and nature of deliveries.</p> <p>Child care use only – not applicable.</p> <p>Noted and complies. 1 loading zone proposed.</p> <p>Refer to Traffic report.</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Yes</p>
<p>2.19 Access & Movement</p> <p>(a) All new buildings and alterations and additions to existing buildings must comply with the requirements of the Disability (Access to Premises – Buildings) Standards.</p> <p>(b) Accessible car parking spaces and layout should be designed to comply with Australian Standard AS2890.6.</p> <p>(c) All internal and external pathways and ramps should conform to the requirements set out in AS1428.1 – Design for Access and Mobility.</p> <p>(d) In accordance with the “Designing Safer Communities Guidelines” pathways should be open to provide greater visibility and be well-lit at night.</p>	<p>Designed to comply. Accessible path of travel available throughout the development – refer to the submitted Access Report for discussion.</p> <p>Compliant accessible parking provided.</p> <p>Designed to comply.</p> <p>All accessways are open with good visibility. Sufficient lighting will be provided.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>2.21 Stormwater Management</p> <p>(a) Water Sensitive Urban Design (WSUD) principles shall be employed in the</p>	The proposed development incorporates Water Sensitive Urban	Yes

TABLE 4: RELEVANT PROVISIONS OF THE HILLS DCP 2012		
Provision	Proposal	Complies
<p>management of the site's/development's stormwater in terms of water retention, reuse and cleansing.</p> <p>(k) The design of drainage systems is to be in accordance with Council's Design Guidelines for Subdivisions/Developments.</p>	<p>Design principles that seek to minimise and manage the impact of stormwater on site and within the area. The proposed development will allow for the efficient management of stormwater.</p> <p>The proposal incorporates appropriate setbacks and landscaping that will permit stormwater penetration and will reduce runoff and the impact of stormwater on site and in the area. Refer to accompanying Stormwater Plan.</p>	<p>Yes</p>
<p>2.22 Waste Management – Storage & Facilities</p> <p>Waste Management Plan required.</p> <p>(d) Adequate storage for waste materials must be provided on site. Ideally waste storage containers should be kept inside units and under no circumstances should waste storage containers be stored in locations that restrict access to any of the car parking spaces provided on site.</p> <p>(c) All waste must be removed at regular intervals and not less frequently than once per week.</p> <p>(d) All waste storage areas must be screened from view from any adjoining residential property or public place.</p> <p>(e) Waste storage areas must be kept clean, tidy and free from offensive odours at all times.</p>	<p>WMP prepared by DBG submitted with application.</p> <p>A waste storage area is provided adjacent to the southern property boundary – refer to DA2001. All waste will be collected by a private contractor on a regular basis, as detailed in the accompanying WMP.</p>	<p>Yes</p> <p>Yes</p>
<p>2.24 Heritage</p> <p>(a) All development should be in accordance with Part C Section 4 – Heritage and Clause 5.10 Heritage Conservation of the LEP.</p>	<p>Site is not identified as / or adjoining heritage item.</p>	<p>Yes</p>
<p>2.27 Pollution Control</p> <p>(a) The emission of air impurities, as defined under the Protection of the Environment Operations Act 1997, is to be controlled to the satisfaction of Council at all times.</p> <p>(b) Certain uses may be required to be licensed under the Protection of the Environment Operations Act 1997.</p> <p>(c) Any machinery or activity considered to create a noise nuisance must be adequately soundproofed in accordance with the provisions of the Protection of the Environment</p>	<p>Will comply with legislation.</p> <p>Not applicable to the nature of the proposed child care use.</p> <p>Not applicable to the nature of the proposed child care use.</p>	<p>Yes</p> <p>N/A</p> <p>N/A</p>

TABLE 4: RELEVANT PROVISIONS OF THE HILLS DCP 2012		
Provision	Proposal	Complies
Operations Act 1997.		
(d) The use of mechanical plant and equipment may be restricted where sites are located near existing and proposed residential areas.	Once established, all plant equipment will be assessed by Acoustic Engineer managed through recommendations prior to CC to ensure compliance.	Yes
(e) Incinerators are not permitted for waste disposal.	None proposed.	Yes
2.34 Centre-Based Child Care Facilities – Additional Controls		
(a) Other relevant Sections of the DCP (i.e. Part B Section 2 – Residential) should be consulted with regards to setbacks, depending on the nature and location of the development.	Noted.	-
(b) Child care centres in rural areas are to have a minimum side building setback of 5 metres to minimise noise and privacy impacts to adjoining properties.	Not applicable.	N/A
(c) Where a development site has a slope such that the minimum setbacks required by (a) above do not achieve the objectives in respect of overshadowing, privacy, and amenity for adjoining land uses, the setbacks will be increased to the point where the objectives are achieved.	Not applicable.	N/A
(d) Consideration is to be given to the Building Code of Australia with regards to the fire resistance of walls of the child care centre (and the openings on the walls) facing side and rear boundaries.	Designed to comply.	Yes
(e) Setbacks for child care centre car parking areas: a. Resident zones – Min. 5m setback from front boundary	Parking area is located within basement level not at street level – not applicable.	N/A
(f) The front setback areas are to include landscaping with a minimum width of two metres to screen vehicles from view from the street and surrounding properties.	Excluding vehicular and pedestrian access points, frontages are entirely landscape treated.	Yes
(g) Side boundary setbacks to car parking areas are to be in accordance with Part C Section 1- Parking and the relevant Sections of the Development Control Plan as outlined in (a) above.	Per above.	Yes
(h) The location of external child play areas in the front setback area is not permitted.	The front setback of the site is to Tracey Avenue and there is no play area within this location. Play areas fronting Murray Farm Road (secondary road frontage) are positioned behind fencing and landscaping to conceal these	Yes

TABLE 4: RELEVANT PROVISIONS OF THE HILLS DCP 2012		
Provision	Proposal	Complies
(i) For child care centres located on classified roads in rural zones, play areas are to be located a minimum of 30 metres from the front property boundary.	spaces from view from the public domain. The site is not located on a classified road – not applicable.	N/A
(j) Landscaping along the primary and secondary frontages is to include a combination of ground covers, large trees, shrubs, and grass planting and is to provide high-quality landscaping for the development. Landscaping shall be established prior to the occupation of the building.	Provided – refer to Landscape Plan.	Yes
(k) Trees and shrubs shall be provided along side and rear boundaries to screen outdoor play areas.	Provided – refer to Landscape Plan.	Yes
(l) Food preparation areas in a child care centre must comply with: <i>a. Food Act 2003;</i> <i>b. Children’s Services Regulation 2004;</i> <i>c. Food Safety Standards; and</i> <i>d. Australian Standard 4674-2004 – Design, Construction and Fit-out of Food Premises.</i> <i>e. Premises are required to register with: NSW Food Authority and The Hills Shire Council.</i>	Will comply. Consent condition anticipated.	Yes
PART C, SECTION 1 – PARKING		
<i>Child care centre</i> 1 space per employee; plus 1 space per 6 children enrolled for visitors and/or parent parking.	<u>Required:</u> Staff – 13 Parent/Guardian – 13 (12.3) Total – 25 <u>Proposed:</u> Staff - 11 Parent/Guardian – 8 Total – 19 The proposed parking is considered acceptable in the circumstances as: <ul style="list-style-type: none"> The proposed parking provision of 19 car spaces complies with the most recent TfNSW study for child care centre. The TfNSW’s parking rates are based upon extensive surveys both for the 2002 Guide and the 2015 study. Therefore, it is reasonable to rely on these extensive surveys to calculate a parking requirement. Parramatta City Council has 	On-merit

TABLE 4: RELEVANT PROVISIONS OF THE HILLS DCP 2012		
Provision	Proposal	Complies
	<p>been developing its city wide DCP, since its amalgamation with several adjoining council areas. A draft of this DCP was on public exhibition during March 2023, which indicates a proposed parking rate of 1 space per 4 children for childcare. This is in line with the RTA Guide 2002 requirements.</p> <ul style="list-style-type: none"> It is stated in the Child Care Centre Planning Guideline that a reduction in car parking rates may be considered where the site is in proximity to high frequency and well connected public transport or is in proximity to other uses where parking is appropriately provided (for example business centres, schools, public open space, car parks). The site is located within 200m of Murray Farm Public School. It is anticipated that some parents/ carers who dropping- off a child at the childcare centre will also be dropping-off another child at the public school. As a result, there will be no additional traffic generation and parking demands from these parents/carers. The parking demand of the proposed childcare centre would be less than the parking requirements in accordance with the Council's DCP and the Guide. As the site is located in proximity to major bus stops, some of the staff will utilise public transport to travel to and from work, thus it is excessive to provide parking for each employee. Drop-off and pick-up activities of a childcare centre generally occur between 7:30 and 8:30AM in the morning and between 5:00 and 6:00 PM in the afternoon, as part of parents' trip to and from work. As shown in the survey results in Section 2.6, the childcare peak hours would occur outside the peak drop-off/pick-up periods of the public school. There will be sufficient on-street 	

TABLE 4: RELEVANT PROVISIONS OF THE HILLS DCP 2012		
Provision	Proposal	Complies
	parking near the site to accommodate overflow parking demand if required, albeit, not expected.	

Considering the above and base upon the site context, including the surrounding development and site attributes/ constraints, the proposal has been demonstrated to achieve a high level of compliance with the relevant DCP provisions, or, in the alternative, a suitable justified outcome is achieved as justified in the above table.

The proposal seeks some minor departures from the DCP which have been identified above and where necessary justification has been provided demonstrating that the proposal represents a reasonable alternative to strict compliance and is consistent with the control objectives, as specified by Section 4.15(3A) of the EP&A Act 1979, in which case, Council's flexible approach to the application of the DCP provisions is mandated.

4.2 Impacts on Natural & Built Environment (Section 4.15(1)(b))

Natural Environmental Impacts

The proposal seeks to redevelop the site to contain a child care centre and in doing so will incorporate appropriate construction methodology to minimise runoff and siltation beyond the site.

The site is not mapped as environmentally significant land and does not contain any significant flora or fauna. Six trees are proposed for removal within the site, however, none are environmentally significant as outlined in the submitted Arborist Report.

The Landscape scheme for the development will provide high quality landscaping including a range of native shrubs, grasses, hard and soft surfaces and canopy tree planting. Overall, the proposed Landscape scheme, incorporating suitable replacement trees screening vegetation to side boundaries, medium and large canopy trees, and grasses and ground covers in a highly integrated landscape improvement for the site, compatible with the area and suitable to the needs of the proposed land use, including quality, safe and educational play spaces.

Considering the above, the proposal will not give rise to significant impacts on the natural environment and will provide a net improvement to the natural features of the site.

Built Environmental Impacts

The proposed child care centre is designed to achieve a high level of compliance with the core SEPP, LEP and DCP provisions, with only minor and reasonable policy variations proposed, as outlined in this report.

As discussed below, the proposal will only have reasonable amenity relationship with the neighbouring properties, thus further demonstrating that the proposed development is entirely reasonable in the circumstances.

Views

There are no significant views of iconic buildings, natural landscape or otherwise afforded from the site or from buildings in the immediate vicinity of the site. The proposal is of a

scale and form reasonably expected at the site and will not result in any significant or unreasonable view loss impacts.

Aural and visual privacy

It is proposed that the facility will provide 74 childcare places and operate from 7am to 6pm Monday to Friday. No operation is sought on weekends or public holidays beyond staff and cleaning operations.

The plans and operational details have been reviewed by an Acoustic Consultant Rodney, Stevens Acoustics, and an Acoustic Report has been submitted with the application. With respect to the noise emission arising from the development, the report recommends the following measures:

Acoustic Fencing: To be constructed along all of the boundaries of the outdoor play areas, as follows:

The following acoustic treatments form an integral part of the proposed design:

- 2.6m high acoustic fence (measured from within the subject site and the partly excavated ground floor level) to part of the western boundary and part of the southern boundary. As shown on architectural drawing DA 4002, a common boundary fence height in the order of 1.8m will be maintained within No. 72 Murray Farm Road, see Figure 19.

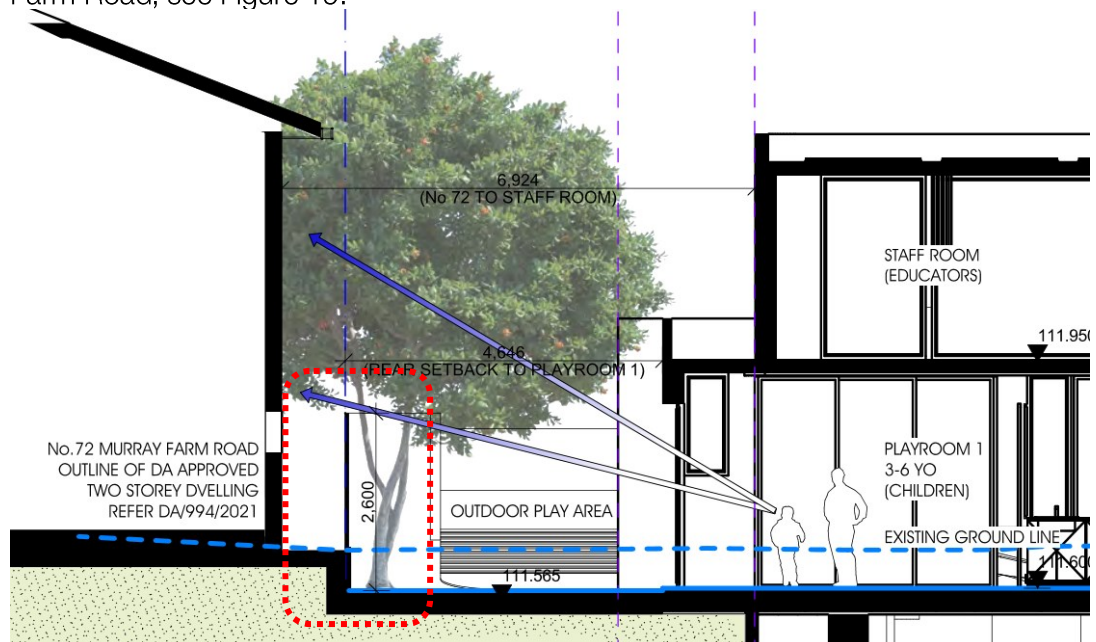


Figure 20: Section through to No. 72 Murray Farm Road

- 1.5m high acoustic fence to the southern boundary;
- 1.5m high acoustic fence to the north-western corner of the site; and
- 1.6m high acoustic fence to the northern and north-eastern corner of the site.

The required acoustic fencing is detailed on the Architectural Plans prepared by *DBG*. These are reflected in architectural plan DA4003.

In addition, the Acoustic Report recommends as follows:

6.1 Outdoor Play Areas

In order to achieve compliance with council's noise requirements for outdoor play, the following must be implemented:

- Children should be spread out evenly across the outdoor play area.
- Playground equipment that allows a child to be more than 1 above the ground level should not be used
- No music is to be played in the outdoor areas
- Children must be supervised at all times.
- Acoustic barrier detailed in Section 6.3 and Appendix D must be implemented.

6.2 Indoor Play Areas

In order to achieve compliance with council's noise requirements for outdoor play, the following must be implemented:

- The glazing for all indoor play areas must have a minimum Rw 32, all remaining glazing can be standard. This rating can be achieved with 6.38mm laminated glass in aluminium frames with acoustic seals.
- Glazing on the western and southern facades should remain closed during active indoor play.

6.3 Acoustic Enclosure Details

A 2.1 meters high solid barrier with a 1m awning angled at 45 degrees (total height approx. 2.6m) and 1.8m meter solid barrier must be implemented along the western boundary must be implemented (Appendix D).

The acoustic barrier is required to provide the adequate noise attenuation, the construction material of the barriers must have a surface density of 10-15 kg/m² and be free from holes and gaps. Some suitable materials include:

- 25 mm thick plywood timber panelling
- 9 mm thick fibre cement sheet
- 75mm thick Hebel PowerPanel
- Slim Wall
- 12 mm thick Perspex, polycarbonate or Danpalon
- 6 mm toughened laminated safety glass
- Any other approved material which meets the above surface density specification

A typical material used in childcare centres is Perspex, which is a polycarbonate material. The use of the 12 mm thick Perspex or 6 mm glass for this purpose which has a surface mass of 11 kg/m² will meet the mass requirements detailed above and be suitable for use as it is transparent and will not unduly restrict light or vision.

All barriers must be free of gaps and penetrations and it is particularly important to ensure that the gap at the bottom of the barrier is minimised as far as practicable. The base of the barriers should be well sealed at the junction where the barrier meets the floor, but still be designed to allow proper water drainage.

Mechanical plant: As is typical at DA stage, this has not yet been selected. Once it is, a detail acoustic assessment will be required, at Construction Certificate stage.

Noise Management Plan: To incorporate the following key operational instructions:

- Provide copy to staff and parents;
- Provide details of Centre Manager to neighbours;
- Facilitate small group play when outdoors;
- Crying children tended to quickly and relocated indoors;
- All windows and doors to indoor play rooms should be closed during noise activities.

The above recommended components to the Noise Management Plan are included within the accompanying Plan of Management (POM) prepared by *Avenue Town Planning*.

The Acoustic Report concludes that subject to implementing the noise control recommendations, the facility can be constructed and operations managed to meet the acoustic criteria relevant to the development.

In light of the above and taking into consideration all recommendations from the Acoustic Assessment, the proposal has been designed to respond to the site context and provide appropriate privacy and amenity to the child care facility as well as to safeguard the privacy of the adjoining properties.

The building has been designed without any first floor west facing windows and only highlight or frosted/opaque windows to the south. In addition, compliant boundary setbacks to the proposed building have been achieved. The western edge of the elevated outdoor play area will be fitted with a 1.8m high acoustically treated storage cupboard, which will also eliminate overlooking opportunities. The south-western corner outdoor ground floor play area will be surrounded by 2.6m high acoustic fencing to preserve residential amenity of No. 72 Murray Farm Road.

As evident on the Landscape Plan, prepared by *Outside in Design Group* (Figures 21 and 22), the Ground Level outdoor play area has been carefully designed to not give rise to significant noise impacts. This is achieved by a combination of site layout arrangements and building design, coupled with screen landscaping bounding the play area, separation created by the driveway and storage areas, and focus of primary play areas towards the street frontages. Similarly, the upper floor play is designed with generous setbacks to the neighbouring residential properties, edged with planting and acoustic screens that also benefit neighbour privacy, and has an outlook that is focused towards the street frontages.

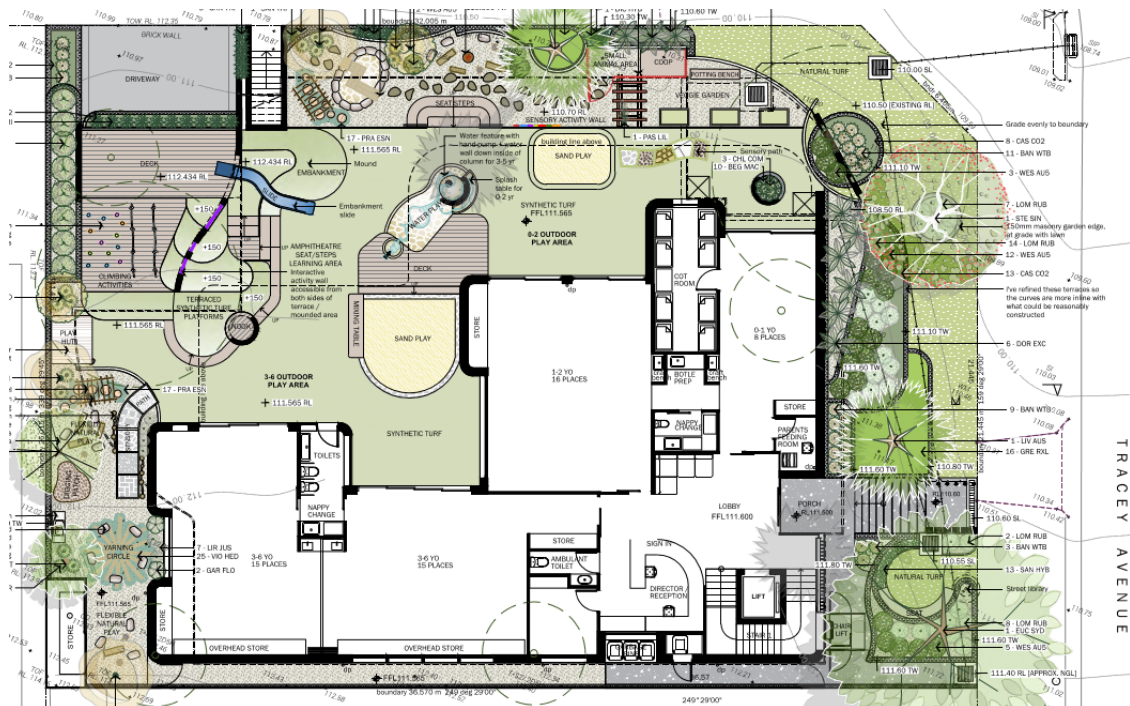


Figure 21: Extract of Landscape Plan – Ground floor

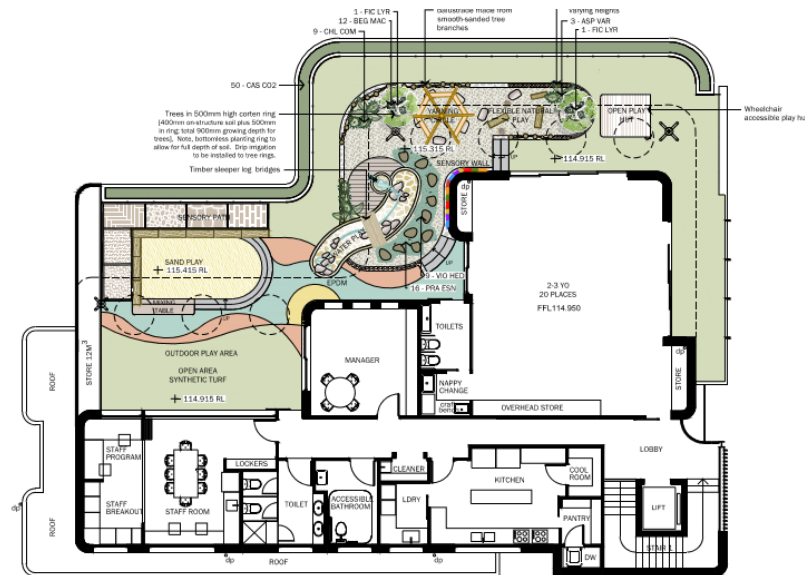


Figure 22: Extract of Landscape Plan – First floor

As such, the proposal is considered acceptable in terms of aural and visual privacy impacts on adjoining development and the amenity of future occupants.

Overshadowing

The shadow diagrams submitted with the application detail the extent of shadow cast by the proposed works. In addition, accompanying view from elevational shadow diagrams assist in demonstrating the level of solar access resulting from the proposed development.

The DCP contains prescriptive requirements relating to solar access to determine acceptable levels of overshadowing. Specifically, the DCP requires that:

Dwellings should be sited to allow adequate provision for access of direct sunlight to private open space within the subject land and on adjacent properties. At least 50% of the required private open space within the subject property and that on adjoining properties is to receive direct sunlight for a minimum of 4 hours between 9am and 3pm on 21 June.

The proposed building is benched into the site (refer to Section B-B) and the natural topography rises towards No. 3 Tracey Avenue. These factors combine to benefit neighbouring solar access. The submitted shadow diagrams detail the shadow cast at mid-winter and clearly demonstrate that the proposed development has no significant impact on solar access to the adjoining private open space of No. 3 Tracey Avenue between 9am and midday, and also that between the midday and 3pm period, a large proportion of the backyard of No. 3 achieves direct solar access. On this basis, the proposed development is compliant with the solar access provisions of the DCP.

External Appearance

The proposed development reflects a contemporary 2 storey, flat roof rendered built form. Whilst internally the building has a single floorplate, the development has been cleverly designed to respond to local character and presents a contemporary detached dwelling, which is reflective of the rhythm of residential developments nearby.

The building presents to each street frontage and achieves a high level of modulation and articulation to each façade presentation, with varied materials, architectural features and landscape elements

Parking is located at basement Level, accessed via a ramp from Murray Farm Road and achieves an ideal outcome of removing parking and access from ground level. There is direct access from a pedestrian path from within the basement and also separately from Tracey Avenue. Each building entrance (both pedestrian and vehicular) are clearly defined and address the street frontages. The building has an efficient layout and allows for good supervision from within indoor and outdoor play areas.

The proposed palette of materials includes masonry with acrylic concrete render, paint, architectural feature elements, light grey metal roofing, a neutral colour palette throughout, circular skylights, dark coloured window frames and doors, and landscaping.

The proposed building style and finishes are compatible with the treatment of built form seen in the wider area, which can be achieved by the development application of CDC approval processes. As noted on DA1005, the subject proposal is substantially smaller than a 2 storey dwelling house that could be achieved on the site via the CDC SEPP. By comparison, the proposal therefore benefits the visual and solar amenity of No. 3 Tracey Avenue in particular.

The building is well sited providing suitable setbacks that are consistent with adjoining properties and compliant with the DCP.

Photomontages provided in this report of the development demonstrate that it will have a high presentation quality and visual interest to each street frontage. Overall, the proposed development will contribute to and enhance the local streetscape appearance, whilst also reflecting the child care land use as permitted in the zone. The proposal is both compatible and sufficiently sympathetic within its R2 Zone context.

Social and Economic Impacts

The proposal will redevelop the site to provide a child care centre that is compatible with the residential setting. Provided below is an assessment of the anticipated social impacts of the proposal.

TABLE 5: SOCIAL IMPACT COMMENT	
Consideration	Response
Access and Mobility	<p>Pedestrian access from the street is via a footpath, steps and a platform from Tracey Avenue. Internally, stairs and a lift move staff and children between the two levels proposed. As part of the construction certificate process, consideration will be given to mobility of the building occupants in terms of sensory cues and the like.</p> <p>On this basis, the proposal provides a good standard of accessibility and reflects mobility considerations within and around the building.</p>
Culture and Community Values	<p>The development is proposed in response to wider community demand for additional child care centre places within the area. Further, the design of the building is responsive to community expectations and values for contemporary child care accommodation through its many design attributes, as outlined in this report.</p> <p>The proposal will assist with responding to family needs in terms of assisting parents/guardians to maintain employment or re-enter the workforce.</p> <p>Throughout its operation, centre management is</p>

TABLE 5: SOCIAL IMPACT COMMENT	
Consideration	Response
	encouraged to consider opportunities to integrate and promote acceptance of minority cultures and values.
Economic advantage	The proposal provides opportunities for sustainable employment within the centre, will allow for parents/guardians to maintain employment and/or will facilitate the re-entering of parents/guardians into the workforce.
Quality of Life	<p>The proposal achieves a high quality of internal and external amenity through its contemporary and well-considered design, as outlined in this report and the accompanying DA documentation.</p> <p>The proposal creates an opportunity to enhance the day-to-day life of families through the nurturing of children and assistance with initial education to assist with a smoother transition to primary school life.</p> <p>In addition, the centre will allow for parents/guardians to maintain or commence new employment, thereby contributing to their quality of life and ability to provide for their children's needs.</p>
Participation and Inclusion	A considerable benefit created by child care is the integration, participation and involvement of children and their parents/guardians into their local community, assisting with the creation of friendships and a sense of place. This assists with reduction of disconnected families through stronger community and social bonds, awareness of the needs of others and the growth of young people.
Contribution to the existing environment	<p>The proposal reflects the existing character of the local environment, including the broken façade elements, appropriate building height and setbacks, considerate rhythm of the form, minimisation of acoustic and traffic related impacts, and the integration of a contemporary landscape scheme that offers greater visual streetscape presentation to the existing properties as they present to the street frontages and neighbouring properties.</p> <p>As outlined in this report, the proposal will only result in acceptable natural and built environment impacts.</p>
Safety and Security	<p>The development will achieve a high level of security and safety through its open streetscape appearance, minimisation of concealment opportunities, clear lines of sight of the site frontage and areas surrounding the site generally, and window openings that provide passive surveillance opportunities towards the street frontage.</p> <p>The proposal is consistent with the relevant CPTED principles and would not introduce any new security issues within the locality.</p>
Transportation	Throughout its operation, management is encouraged to promote the use of public transport, walking or cycling, where such opportunities may exist, depending on the individual circumstances of parents/guardians and their children.

TABLE 5: SOCIAL IMPACT COMMENT	
Consideration	Response
Community risk perception	<p>The development has been designed to manage the community perception of risk to social, environmental and/or economic outcomes and it has been demonstrated throughout this report that there are many benefits and positive attributes to the proposed development.</p> <p>The building has been sensitively designed with regard to its interface with neighbours and will enhance the site's existing contribution to the local streetscape and character.</p> <p>In addition, the Centre will provide a safe environment for children on the site as well as other members of the public in the vicinity of the site.</p>

As outlined above, the proposal will not result in adverse social impacts.

As confirmed throughout this Statement, there is an absence of impacts on the natural or built environment and the proposal will facilitate a compatible use at the site that will meet daily needs of residents and provide employment opportunities close to services.

In addition, the proposal will create construction and operational related benefits to the economy.

Economic & Social Impacts

There will be neutral to positive social and economic impacts of the proposal.

4.3 The Suitability of the Site (Section 4.15(1)(C))

The proposal is permissible with consent in the *R2 – Low Density Residential* zone that applies to the site and is consistent with the intention of the zone as a land use that provides *facilities or services to meet the day to day needs of residents*.

In the absence of any natural or built environmental impacts as detailed above, the development is suitable at the site.

4.4 The Public Interest (Section 4.15(1)(e))

The proposed development is permissible with development consent, is consistent with zone objectives and complies with all relevant aspects of the SEPPs, LEP and DCP, except as identified and justified in this Statement.

Accordingly, the proposed development is in the public interest and satisfies the requirements of 4.15(1)(e) of the Environmental Planning and Assessment Act, 1979.

5 CONCLUSION

This Statement of Environmental Effects has detailed the specifics of the site and its context and outlines the proposal to construct a new 2 storey centre-based child care facility to accommodate 74 children and 19 parking spaces.

The application has been considered in accordance with the matters for consideration pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979. The proposal is permissible with consent from Council and complies with all relevant LEP provisions.

In addition, the proposal has been assessed with regard to the relevant SEPPs, LEP and DCP provisions applying to the site and proposed development. Furthermore, the proposed development satisfies the Child Care Guidelines. The proposal will result in acceptable and compatible development, will have no significant adverse environmental impact on the locality.

When assessed against the requirements of the Child Care Guidelines, the proposal achieves a high level of compliance and is responsive to its residential context.

As detailed in this Statement, the proposed development will not give rise to any unacceptable impacts on the natural and built environment and will positively contribute to the streetscape appearance of Murray Farm Road and Tracey Avenue, having a 2 storey residential appearance that is well integrated with landscape treatment. The proposal will provide a high amenity environment and the provision of high quality child care services and in doing so, results in acceptable / minimum impacts in terms of privacy and overshadowing for surrounding properties.

The proposal is therefore suitable for the site, is in the public interest and it is requested that Council determine the application favourably.