

NOTICE OF LOCAL PLANNING PANEL MEETING PUBLIC AGENDA

A Local Planning Panel meeting will be held in PHIVE 2 Civic Place, Parramatta at 5 Parramatta Square on Tuesday, 16 May 2023 at 3:30pm.

Gail Connolly
CHIEF EXECUTIVE OFFICER



**CITY OF
PARRAMATTA**

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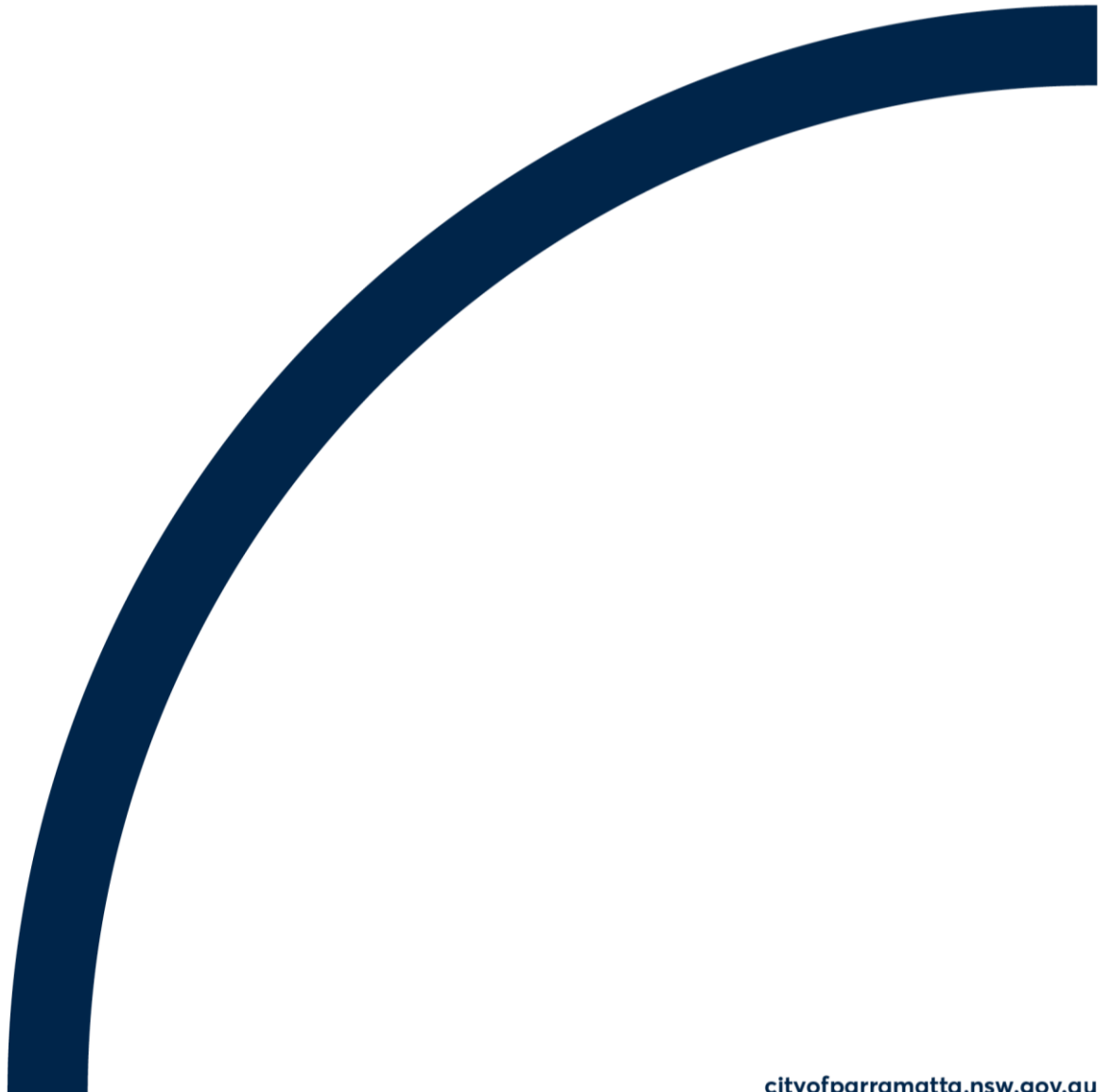


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	<i>The City of Parramatta Council acknowledges the Burramattagal people of The Darug Nation as the traditional owners of land in Parramatta and pays its respects to their ancient culture and to their elders, past, present and emerging.</i>	
2	WEBCASTING ANNOUNCEMENT	
	<i>This public meeting will be recorded. The recording will be archived and available on Council's website.</i>	
	<i>All care is taken to maintain your privacy; however if you are in attendance in the public gallery, you should be aware that your presence may be recorded.</i>	
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DEVELOPMENT APPLICATIONS

16 MAY 2023

5.1 OUTSIDE PUBLIC MEETING - 183 Macquarie Street,
PARRAMATTA (Lot A DP 375159)6

5.2 PUBLIC MEETING: 73 Murray Farm Road CARLINGFORD NSW
2118 (Lot 5 DP 542112)94

DEVELOPMENT APPLICATION

ITEM NUMBER	5.1
SUBJECT	OUTSIDE PUBLIC MEETING - 183 Macquarie Street, PARRAMATTA (Lot A DP 375159)
DESCRIPTION	Construction of a 12 storey building containing a retail shop and a 'Co-Living' development comprising 93 rooms with indoor and outdoor communal spaces over 1 level of basement.
REFERENCE	DA/837/2022 - D08933640
APPLICANT/S	PTI Architecture
OWNERS	Rapisarda Holding Pty Limited
REPORT OF	Group Manager Development and Traffic Services
RECOMMENDED	Refusal

DATE OF REPORT 28 APRIL 2023**REASON FOR REFERRAL TO LPP**

Due to a variation being proposed under clause 4.6 of the Parramatta LEP 2011 to section 69(1)(b)(ii) of the Housing SEPP for minimum lot size for co-living housing of more than 10%.

EXECUTIVE SUMMARY

The Development Application is seeking approval for a 12 storey co-living development containing 93 rooms and commercial spaces on Lot A DP 375159 (183 Macquarie St, Parramatta). The development application has been submitted with a clause 4.6 variation to clause 69(1)(b)(ii) of the Housing SEPP for the minimum lot size for co-living development, as the subject site is 487.3sq.m, this represents a 39.1% variation to the 800sq.m minimum lot size. This variation has not been accepted.

Due to the sites size this has resulted in significant variations being proposed to the development standards including, but not limited to, the minimum setbacks to the eastern and western side boundaries, restricted ability for car access and the ability for garbage to be serviced onsite. Other than the site size the application has been submitted without a number of flood measures and reports, it does not comply with a number of controls within the Housing SEPP, Transport and Infrastructure SEPP, Parramatta LEP 2011 and Parramatta DCP.

The application is recommended for refusal for the reasons outlined in the recommendation section of this report.

SITE DESCRIPTION

The subject site is a single allotment legally described as Lot A DP 375159 and known as 183 Macquarie St, Parramatta. The allotment is regular in shape and is 487.3sq.m in size with a 10.6m frontage to Macquarie St, the lot is cleared with no known easements or impediments besides a sewer line traversing through the back of the site. Under PLEP 2011 the site is zoned B4 Mixed Use and has a maximum height of 145m.

The site is located on the Parramatta Light Rail route on the eastern periphery of the Parramatta City Centre, about 400m east of the Parramatta Railway station and 120m from the future Robin Thomas Light Rail Station. It is located 270m south west of the Parramatta River and 150 metres north of the Clay Cliff Creek, a Sydney Water asset which is defined by a concrete channel.

Surrounding development comprises a mix of uses consistent with the locality's mixed-use zoning given its fringe CBD location. The area is transitioning towards a higher proportion of high density mixed use developments. The adjoining site to the east at 189 Macquarie St is a former Council parking lot which has been sold and redeveloped as a seven storey privately owned parking lot, the site can allow for two towers up to 47 storeys. A Development Application and 8.3 review for this development has been refused by the Sydney Central City Planning Panel most recently in December 2022. The site also adjoins a two storey commercial building at 181 Macquarie St to the west and a 11 storey residential flat building at 6 Charles St. The closest university is the Western Sydney University Innovation Hub at 6 Hassall St or Western Sydney University Parramatta City Campus at 169 Macquarie St, both being 350m walk (5 min).

RECOMMENDATION

- (a) **That**, the Parramatta Local Planning Panel does not support the variation to section 69(1)(i) of the State Environmental Planning Policy (Housing) under the provisions of Clause 4.6 for the following reasons:
1. **Non compliance with Australian Standards** - The setback to 189 Macquarie St contravenes the requirement of *AS1668.2-2012 The use of ventilation and airconditioning in buildings – 4.4.2 (d)(ii)* which requires the location of any relief-air openings, including vehicle entries and exits to be more than 6m away from any outside air intake or natural ventilation opening not associated with the enclosure.
 2. **Setbacks** - The setback to 189 Macquarie St and 12 Charles St is inconsistent with the ADG requirements, section 69(b) of the Housing SEPP requires compliance with the ADG building separations.
 3. **Solar Access** - The proposal does not demonstrate compliance with section 69(c) of the Housing SEPP which requires at least 3 hours of direct solar access will be provided between 9am and 3pm at mid-winter in at least 1 communal living area. Reduced setbacks due to the smaller lot size does not allow for greater windows and open space to the side boundaries which would allow greater solar access.
 4. **Desired Future Character** - The proposal does not comply with section 69(f) of the Housing SEPP in that the design of the building is not compatible with the desired future character of the precinct. Due to the non-compliance with the lot size the development does not have a building design which is envisioned under the CBD DCP, being tall slender towers above a podium.
 5. **Flood Planning** – Due to the site size the development does not have enough space for the proper flood planning provisions on the ground floor

and leads to the development obstructing the flood extent and increases flooding impacts on adjoining sites.

6. **Parking/Site Access** - The site frontage does not allow for vehicular access and motorcycle, car parking and car share parking to meet the requirements of the Housing SEPP and Parramatta DCP 2011.
 7. **Waste Collection** - The site size does not allow for waste collections to occur within the site. This would not be possible from the street due to the PLR route. Due to the size of the development it is also inconsistent with the development controls contained within Appendix A8 of the Parramatta DCP for waste to be collected from the street.
- (b) **That**, the Parramatta Local Planning Panel, exercising the function of the consent authority, **refuse** development consent to DA/837/2022 for the construction of a 12-storey building containing a retail shop and a 'Co-Living' development comprising 93 rooms with indoor and outdoor communal spaces over 1 level of basement on land at 183 Macquarie St, Parramatta.
- (c) **Further, that** submitters are advised of the decision.

REASONS FOR REFUSAL

1. State Environmental Planning Policy (Housing) 2021

- a) **Section 69(1)(b)(ii)** – The development does not comply with the minimum lot size for co-living housing.
- b) **Section 69(1)(h)** – The development has not provided adequate motorcycle parking spaces.
- c) **Section 69(2)(b)** – The development does not comply with the required building separations provided within 3F of the Apartment Design Guideline to both the eastern and western boundaries to 189 Macquarie St and 12 Charles St.
- d) **Section 69(2)(c)** - The development does not demonstrate compliance with the required solar access for at least 3 hours of direct solar access to be provided between 9am and 3pm at mid-winter in at least 1 communal living area.
- e) **Section 69(2)(f)** - The design of the building is not consistent with the desired future character of the precinct as envisioned by Part 6.3 of the Parramatta DCP 2011.

2. State Environmental Planning Policy (Resilience and Hazards) 2021

- a) **Section 4.6** - A Preliminary Site Investigation (PSI) Report which supports the Geotechnical Investigation is not provided. It cannot be confirmed that the site meets the contamination and remediation requirements. The lack of this document is not compliant with section 2.4.4 of the Parramatta DCP 2011 relating to land contamination.

3. State Environmental Planning Policy (Transport and Infrastructure) 2021

- a) **Section 2.99** – Concurrence has not been provided from TfNSW as the development proposes excavation below 2m within 25m measured horizontally of a rail corridor (Parramatta Light Rail).

4. Parramatta Local Environmental Plan 2011

- a) **Section 5.21** - The development has not demonstrated that it can adequately not obstruct the flood extents and causes loss of flood storage. This is also non-compliant with Section 6.7.2 of the Parramatta DCP 2011. A flood Emergency Response Plan is not provided which is required under section 6.7.4 of the Parramatta DCP 2011, and the development will not meet the objectives of this control nor any of the controls under 5.21(2).
- b) **Section 6.1** – The development is non-compliant as it has not been submitted with an Acid Sulfate Soil management plan and has not adequately addressed the provisions within this section.
- c) **Section 7.24** – The development has not provided a minimum 1:1 commercial FSR.
- d) **Section 7.25** – The development does not comply as written concurrence of the Planning Secretary has not been provided.

5. Parramatta Development Control Plan 2011

- a) **Section 2.4.5** - The Australian Standard 1668.2-2012 *The use of ventilation and airconditioning in buildings* – 4.4.2 (d)(ii) does not comply as the location of the relief-air openings at 189 Macquarie St are less than 6m away from any outside air intake or natural ventilation opening not associated with the enclosure.
- b) **Section 3.3.1** – The proposed basement extends beyond the building footprint which reduces deep soil provision.
- c) **Section 3.3.7 1** – There is insufficient space on Macquarie St for waste management vehicles to service the site from the street and there is no provision for this to be done from the basement as required under Appendix A8 of the Parramatta DCP for a development of this size.
- d) **Section 3.4.5.1** – The development has not provided a minimum of 10% or 9 units are to be accessible/adaptable units as per the Australia Standards have not been provided.
- e) **Section 3.6.1** – The development has not provided a minimum of 1 car share spaces for use by the residents.
- f) **Section 3.6.2** – The development has not provided a minimum one parking space for use by the building manager/deliveries.

- g) **Section 6.3.2** - The development has provided a 10.6m frontage rather than the 35m required and the objectives of the control have not been met.
- h) **Section 6.3.3.4** - The development has not provided the required 3.1m floor to floor heights for residential levels.

6. *Environmental Planning and Assessment Act 1979*

- a) **Section 4.15(1)(a)(i), (ii) and (iii)** – The development will lead to environmental impacts to the natural and built environment it is not suitable for this development and is not in the public interest.

Paul Sartor
Development Assessment Officer

Sarah Irani
Team Leader Development Support

ATTACHMENTS:

1		Assessment Report	41 Pages
2		Locality Map	1 Page
3		Architectural and Landscape Plans	30 Pages
4		Internal achitectural Plans (confidential)	5 Pages
5		Clause 4.6 Variation	11 Pages

REFERENCE MATERIAL



City of Parramatta

File No: DA/837/2022

SECTION 4.15 ASSESSMENT REPORT

Environmental Planning & Assessment Act 1979

DA No:	DA/837/2022
Property:	Lot A DP 375159, 183 Macquarie Street, PARRAMATTA NSW 2150
Proposal:	Construction of a 12 storey building containing a retail shop and a 'Co-Living' development comprising 93 rooms with indoor and outdoor communal spaces over 1 level of basement.
Date of receipt:	25 October 2022
Applicant:	PTI Architecture
Owner:	Rapisarda Holding Pty Limited
Is the property known to be owned by a Council employee or Councillor?	No
Political donations/gifts disclosed:	None disclosed on the application form
Submissions received:	8 submissions
Conciliation Conference Held:	No
Recommendation:	Refusal
Responsible Officer:	Paul Sartor

Legislative Requirements

Relevant provisions considered under section 4.15(1)(a) of the Environmental Planning and Assessment Act 1979	<ul style="list-style-type: none"> • State Environmental Planning Policy (Housing) 2021 • State Environmental Planning Policy (Biodiversity and Conservation) 2021 • State Environmental Planning Policy (Resilience and Hazards) 2021 • State Environmental Planning Policy (BASIX) 2004 • State Environmental Planning Policy (Transport and Infrastructure) 2021 • Parramatta Local Environmental Plan 2011 (PLEP 2011) • Parramatta Development Control Plan 2011 (PDCP 2011)
Zoning	B4 – Mixed Use
Bushfire Prone Land	No
Heritage	No
Heritage Conservation Area	No
Designated Development	No
Integrated Development	No
Clause 4.6 variation	Yes, to 69(1)(b) of the Housing SEPP minimum lot size for co-living development
Delegation	Parramatta Local Planning Panel (PLPP) due to variation to a development standard proposed more than 10%

1. Executive Summary

The Development Application is seeking approval for a 12 storey co-living development containing 93 rooms and commercial spaces on Lot A DP 375159 (183 Macquarie St, Parramatta). The development application has been submitted with a clause 4.6 variation to clause 69(1)(b)(ii) of the Housing SEPP for the minimum lot size for co-living development, as the subject site is 487.3sq.m, this represents a 39.1% variation to the 800sq.m minimum lot size. This variation has not been accepted.

The constrained size of the site has resulted in significant variations being proposed to the development standards including, but not limited to, the minimum setbacks to the eastern and western side boundaries, restricted ability for car access and the ability for garbage to be serviced onsite. The application also fails to address flood risk and does not comply with a number of controls within the Housing SEPP, Transport and Infrastructure SEPP (concurrence has not been provided), Parramatta LEP 2011 and Parramatta DCP.

The application is recommended for refusal for the reasons outlined in the recommendation section of this report.

2. Site Description and Conditions

The subject site is a single allotment legally described as Lot A DP 375159 and known as 183 Macquarie St, Parramatta. The allotment is regular in shape and is 487.3sq.m in size with a 10.6m frontage to Macquarie St, the lot is cleared with no known easements or impediments besides a sewer line traversing through the back of the site. Under PLEP 2011 the site is zoned B4 Mixed Use and has a maximum height of 145m. The site currently does not benefit from access to Macquarie Street.

The site is located on the under-construction Parramatta Light Rail route on the eastern periphery of the Parramatta City Centre, about 400m east of the Parramatta Railway station and 120m from the future Robin Thomas Light Rail Station. It is located 270m south west of the Parramatta River and 150 metres north of the Clay Cliff Creek, a Sydney Water asset which is defined by a concrete channel.

Surrounding development comprises a mix of uses consistent with the locality's mixed-use zoning given its fringe CBD location. The area is transitioning towards a higher proportion of high density mixed use developments. The adjoining site to the east at 189 Macquarie St is a former Council parking lot which has been sold and redeveloped as a seven storey privately owned parking lot, with permission for two towers up to 47 storeys. A Development Application and 8.3 review for this development has been refused by the Sydney Central City Planning Panel most recently in December 2022. The site also adjoins a two storey commercial building at 181 Macquarie St to the west and a 11 storey residential flat building at 6 Charles St. The closest university is the Western Sydney University Innovation Hub at 6 Hassall St or Western Sydney University Parramatta City Campus at 169 Macquarie St, both being 350m walk (5 min).

The site has been cleared with a development application approved in mid-2020 for the demolition of the single storey brick cottage which was partially fire damaged and rear brick garage (DA/222/2020). Several development applications and prelodgement meetings have been lodged for the redevelopment of this site since 1993. Most recently the site was subject to two rezoning proposals to amend the maximum FSR and height to be consistent with the Parramatta CBD Planning Proposal, these were withdrawn by the applicant. The subject DA was lodged on 25 October 2022.

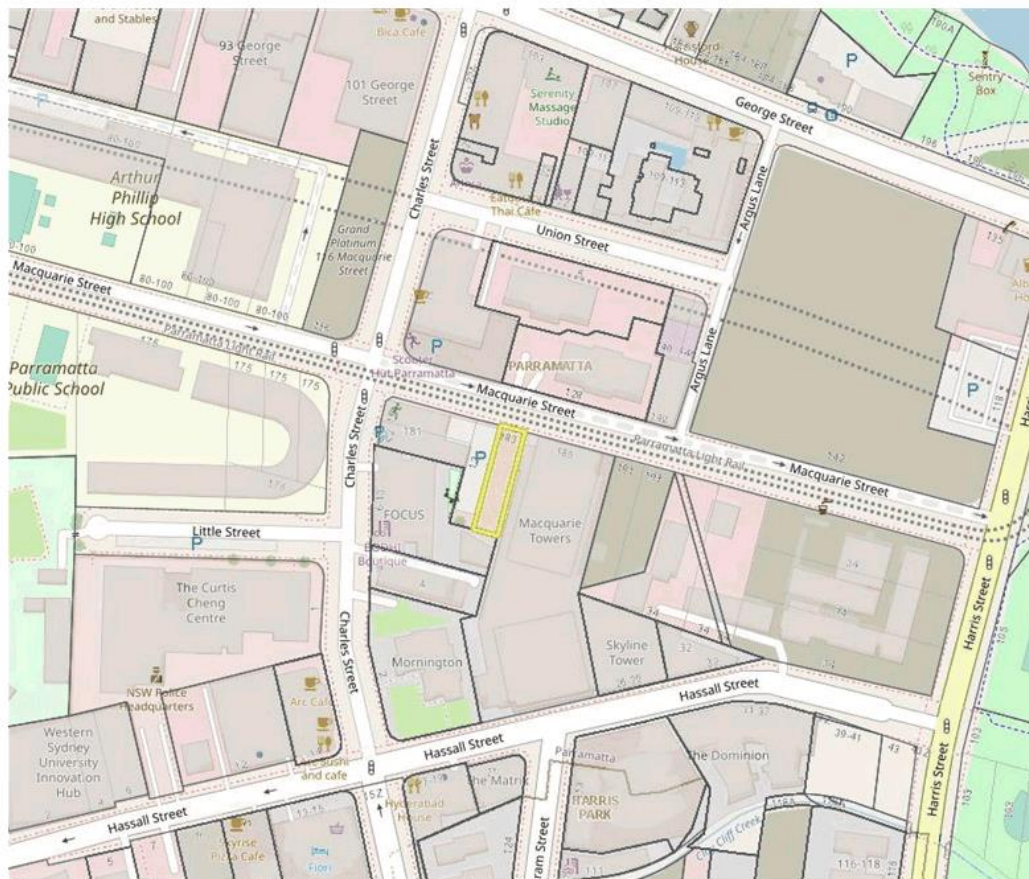


Figure 1 - Locality map, subject site is highlighted in yellow

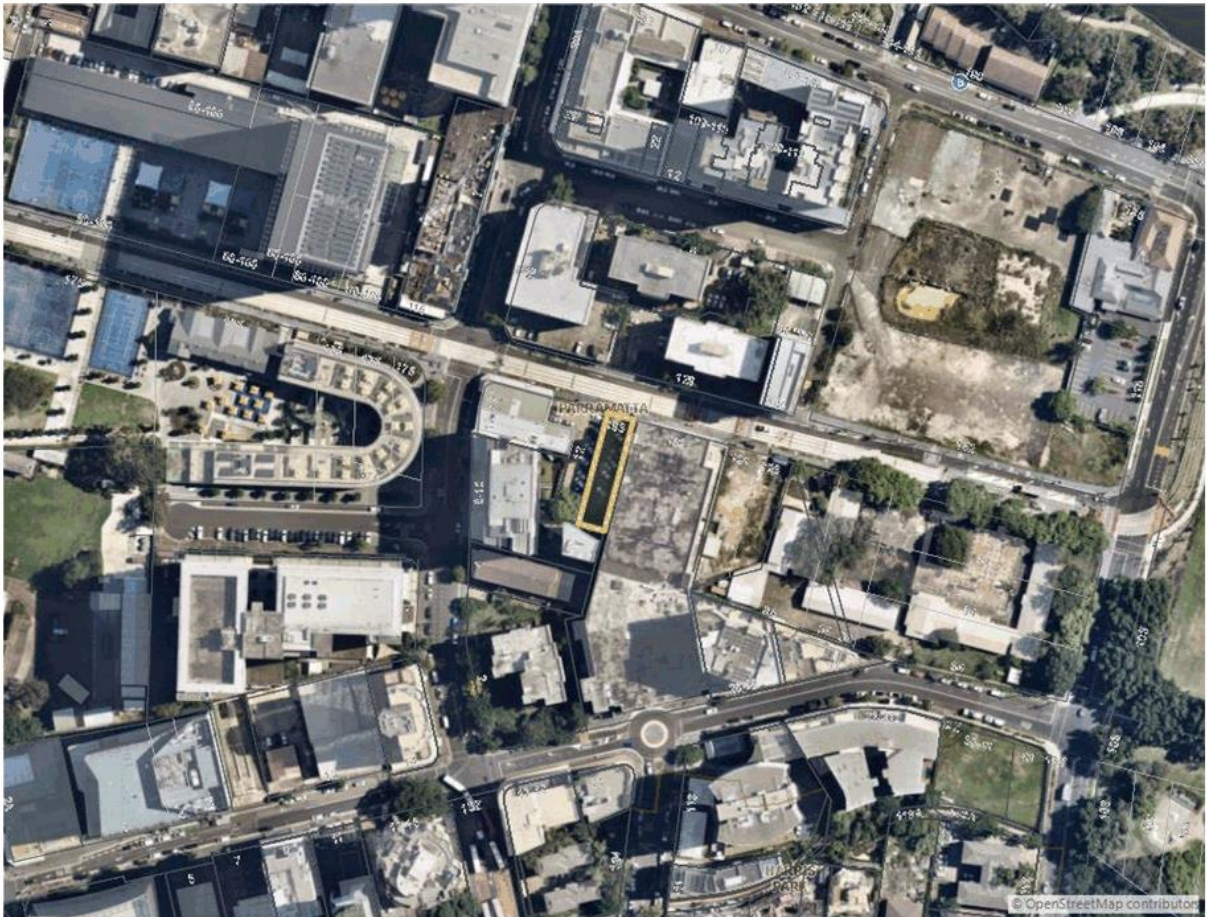


Figure 2 - Aerial map, subject site highlighted in yellow



Figure 3 - Photo of subject site looking from Macquarie St (Source: Think Planners, 2022)

3. Relevant Site History

The table below provides details of existing applications relating to the site.

Application	Description
RZ/14/2018	Amending the incentive Maximum Floor Space Ratio Control to 8:1. Withdrawn
DA/222/2020	Demolition of remaining structures on the property. Approved 21 July 2022
RZ/5/2020	Height and Floor Space Ratio as per that Parramatta CBD Planning Proposal maps. Withdrawn

4. The Proposal

The development application proposes the construction of a 12-storey building containing a retail shop and a 'Co-Living' development containing 93 rooms and indoor and outdoor communal spaces. The 93 rooms consist of 77 single occupancy rooms and 16 double occupancy rooms.

The ground floor level contains 52sq.m of retail premises that fronts Macquarie Street with the remainder of the building including the area behind the retail shop utilised as co-living development providing a total of 93 rooms and associated indoor and outdoor communal space. Each room to be provided with full bathroom, kitchenette, sleeping and living area.

Communal facilities are provided for future residents include basement laundry containing washing machines and seating areas for residents. Ground level communal room incorporates a lounge area and 3 study rooms as well as ground level outdoor communal landscaped area at the rear of the site containing seating areas and landscaping.

Communal spaces are also provided on level one containing a kitchen, communal dining area, study areas, games room, residents' gym and an external rear facing terrace. 52 bike spaces are provided in the basement, no carparking or motorbike parking is provided.



Figure 4 - 3D render of the proposed development from Macquarie St



Figure 5 - Proposed front and rear elevation and materials

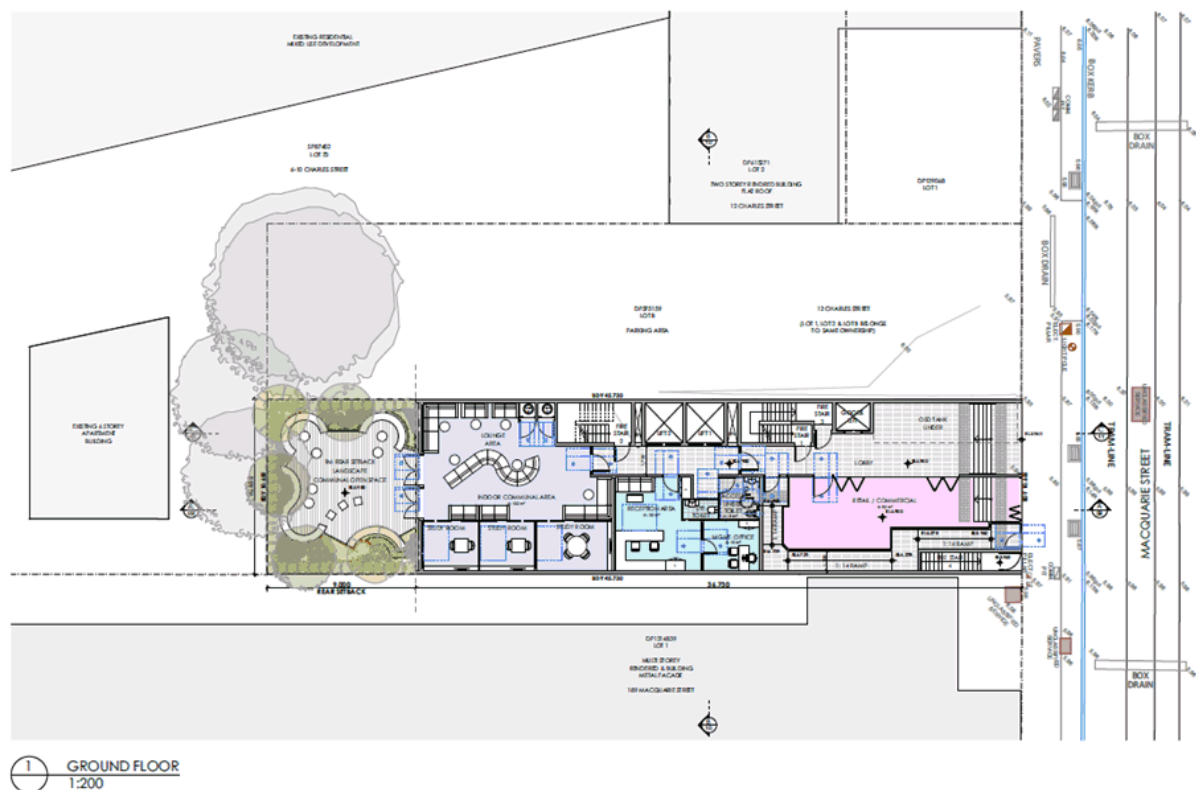


Figure 6 - Proposed ground floor plan

5. Relevant Application History

Date	Comment
25/10/2022	Subject Development Application lodged to Council.
03/11/2022	– Notification period
24/11/2022	
18/11/2022	TfNSW issues Stop the Clock letter
08/12/2022	DEAP meeting held
20/01/2023	Council issues withdrawal letter advising applicant that application is not supported and should be withdrawn
03/03/2023	Applicant provided response to Council RFI with draft plans, electrolysis report and noise impact report to address TfNSW issues. As these are plans were not formally submitted they have not been considered in the assessment of this DA.
16/03/2023	Applicant advised that draft plans are not accepted, and key issues have not been addressed, being site size and impacts on the overall planning of the building. Applicant advised that DA will be recommended for refusal.

6. Referrals

Internal Referral	Comment
Traffic	<p>Not supported due to lack of information.</p> <p>Traffic and Transport requested the following details:</p> <p>The proposed development does not provide any parking spaces on site. This is not acceptable. The proposed development is required to provide a minimum of one parking space for visitors (such as cleaner and caretaker) and delivery vehicles (such as goods/furniture delivery vehicles, couriers and delivery vehicles associated with the retail component of the proposed development).</p> <ul style="list-style-type: none"> Based on Clause 69 (1) (h) of the SEPP (Housing) 2021, development consent must not be granted for development for the purposes of co-living housing unless the consent authority is satisfied that the co-living housing will include adequate bicycle and motorcycle parking spaces. However, the proposed development is not proposed to provide any motorcycle parking spaces. The applicant is to be required to provide adequate motorcycle parking spaces. Motorcycle parking spaces are to be designed in accordance with Clause 2.4.7 and Figure 2.7 of the Australian Standard AS 2890.1:2004. A Construction Pedestrian and Traffic Management Plan report shall submitted be as part of the DA process to demonstrate how the construction of the proposed development will be managed to ensure that the impact of the construction activities of the proposed development on the vehicular and pedestrian movements on Macquarie and the operation of the surrounding road network are minimised. <p>Due to the sites size and the fact that it has a 10.6m frontage it is not possible to accommodate safe vehicular access and as well as the required services and an active frontage as required by section 7.8 of the PLEP.</p> <p>In the draft plans provided on the 3rd March 2023, the applicant showed the intent to provide this parking on a turntable with a single motorcycle space adjoining it, while Traffic and Transport were satisfied this would meet the car parking requirement, this would provide a poor street interface and would not comply with section 7.8.</p> <p>It is also noted that there is no current vehicular access to the site and TfNSW has indicated that one would not be forthcoming.</p> <p>A Construction Pedestrian and Traffic Management Plan report has not been provided to date.</p>

Public Art	Supported the provided Public Art Strategy Report. Standard conditions were provided to ensure compliance with this report and the Parramatta Council Interim Guidelines for Public Art if approval was recommended.
Heritage	<p>The development site is not identified as a heritage conservation item and it is not located within a heritage conservation area.</p> <p>This Historical Archaeological Assessment (HAA) and Aboriginal Archaeological Assessment (AAA) has concluded that the study area does not contain heritage significance and is not expected to contain relics. Therefore, in relation to the redevelopment of the site, it can proceed without any further heritage assessment, monitoring, testing or salvage.</p> <p>Standard conditions were recommended that ensured the recommendations of the HAA and AAA are followed during excavation and construction.</p>
Environmental Health (General)	<p>Not supported due to non-compliance with Australian Standards.</p> <p>The building next to the proposed development (189 Macquarie St, Parramatta) has an above ground car park with natural ventilation. The exhaust vents from the carpark would be within 3.5 metres of some of the windows of the proposed development. This contravenes the requirement of AS1668.2-2012 The use of ventilation and airconditioning in buildings – 4.4.2 (d)(ii) <i>“The location of any relief-air openings, including vehicle entries and exits shall be more than 6m away from any outside air intake or natural ventilation opening not associated with the enclosure”</i>.</p> <p>This was raised with the applicant who stated on March 3, 2023 <i>“that it is the responsibility of the adjacent building owner not to emit fumes that may impact our Client's site.”</i> 189 Macquarie St development has provided compliant setbacks. If complaint setbacks were provided on this site, then this matter would be resolved. This is discussed further below, and forms part of the recommended reasons for refusal.</p>
Environmental Health (Waste)	Supported, conditions provided if approval was recommended, for the safe operation and removal of waste during construction and maintenance of the waste areas within the basement.
Environmental Health (Acoustic)	Supported the proposed development and satisfied that the provided Noise Impact Assessment recommendations will allow the required internal noise levels can only be achieved if the recommended construction details are included in the construction. Conditions were provided to maintain this if approval was recommended.
Environmental Health (Contamination)	<p>Not supported due to lack of information.</p> <p>The applicants have provided a Geotechnical Investigation Report prepared by EI Australia titled <i>Geotechnical Investigation, 183 Macquarie Street, Parramatta NSW</i> dated 7 October 2022, reference number E25770.G03.</p> <p>Previously a Preliminary Site Investigation (PSI) Report was prepared, with the reference E25770.E01_Rev0 dated 5 September 2022. This report must be read in conjunction with the Geotechnical Investigation report, this was not provided.</p> <p>Based on the recommendations provided in section four of the Geotechnical Investigation Report, there appears to be some issues in relation to potential slumping/collapse of soil, proximity of the proposed development to the surrounding buildings, as well as subsurface conditions and required excavation depth.</p> <p>Environmental Health cannot make a proper assessment without the Preliminary Site Investigation report and cannot support this development proposal without this information.</p>

	This was requested on the 20 th Jan 2023 but was not provided by the applicant by the required request for information date.
Landscaping	Supported the provided landscape plan, no trees are currently on the site. Standard conditions provided if approval was recommended.
Public domain	Given that the Public Domain along Macquarie St was recently upgraded by the Parramatta Light Rail, the proposal was supported. Standard conditions are recommended be added requiring Public Domain to be fixed prior to the issue of an OC to the current standard required by PLR and Councils Public Domain Guidelines if damaged.
Accessibility	<p>The provided Access Report has been reviewed, the recommendations of this report are generally followed, with the exception of section 3.4.5.1 of the Parramatta DCP which requires a minimum of 10% or 9 units are to be accessible/adaptable.</p> <p>A number of other issues relating to the fitout of the space and ensuring the recommendations of the report are met can be conditioned to comply if approval was recommended.</p>
Catchment Engineer	<p>Not supported due to lack of information.</p> <p>The site is impacted by flooding up to and including the PMF (Probable Maximum Flood). The site is also inundated by frequent events such as the 5% AEP according to Councils flood enquiry information.</p> <p>The current flood information provided by Council does not consider local overland flooding it is limited to riverine/mainstream flooding. A flood study is required to determine the overland flow affectation. This was requested and not provided</p> <p>The proposed building footprint fully interferes with the flood extents and causes loss of flood storage, due to this loss it is likely that the excess floodwater will be diverted to neighbouring sites. Therefore, it is likely that there will be flood impacts as a result of the development. The flood study must calculate and consider the impacts and as per the requirements of section 6.7 of the Parramatta DCP, the flood study report to certify that the development will not increase flood affectation elsewhere, having regard to: (i) loss of flood storage; (ii) changes in flood levels, flows and velocities caused by alterations to flood flows; and (iii) the cumulate impact of multiple potential developments in the vicinity.</p> <p>As per 6.3.5.4 of the Parramatta DCP electricity substations critical services infrastructure that could be damaged by flooding such as electrical, lift, sewer and water are to be placed above the PMF level, or, where that cannot be achieved, effectively flood-proofed. The proposed pump room (Architectural Drawings DA, 03 Rev A) and other critical facilities such as lifts at the basement must be adequately protected from floods.</p> <p>The OSD has a completely drowned outlet and it should be designed accordingly, refer to section 6.4 Drowned Outlets for the OSD Handbook. The site storage requirement is to be increased as per the recommendation of the guideline which is likely to result in a significantly larger OSD size.</p> <p>A Flood Emergency Response Plan was also requested and not provided.</p>
Operational Waste Management	<p>Not supported.</p> <p>The supplied Waste Management Plan and Operational Plan do not comply with Appendix A8.1 Waste Management Guidelines.</p>

	It is also unclear how the waste will be managed and collected onsite without impacting Light Rail operations, 3.3.8 of Appendix A8.1 states that only developments with less than 8 dwellings can present their bins to the kerb for collection.
External Referral	Comment
Endeavour Energy	Supported, conditions provided if approval was recommended.
TfNSW	<p>Not supported.</p> <p>Given the proposed works proximity to the Parramatta Light Rail corridor under clause 2.99 of the Transport and Infrastructure SEPP 2021 a concurrence role is triggered to ensure that the proposed works will not have an adverse impact on the Parramatta Light Rail infrastructure and operation. To ensure this TfNSW has requested the following:</p> <ul style="list-style-type: none"> • Geotechnical/Structural Engineering Assessment • Noise Impact Assessment • Flood Risk Management • Electrolysis Analysis <p>In the applicant's response on the 3rd March 2023 an Electrolysis and Noise Impact Report was provided, TfNSW also reviewed the draft plans for reference only.</p> <p>TfNSW further reviewed these reports and confirmed that their RFI was not adequately addressed and that concurrence is not provided. Transport provided the following comments on the draft plans</p> <ul style="list-style-type: none"> - It is noted that the draft plans include a "car space B99 turntable" along the site's Macquarie Street frontage. The plans do not show a new driveway on Macquarie Street and it is not clear how the car space/turntable would be accessed. - TfNSW can advise that it is highly unlikely an additional driveway or access point will be supported due to the existing signalised driveway to Macquarie St as well as impact on the PLR interface and operations, including pedestrian and vehicle safety concerns. - The proposed development does not provide any loading and service parking on-site to support the operation of the proposed development. Additionally, the Statement of Environmental Effects prepared to support the development application does not identify how loading and service vehicles servicing the development would be accommodated. - The applicant has not considered or addressed waste collection or provided a detailed Waste Management document for consideration by TfNSW. - Applicant has yet to address a number of items sent in original STC letter uploaded to the NSW Planning Portal on 18 November 2022, including geotechnical matters.
Sydney Water	<p>Supported the proposal, subject to the following conditions which would be applied if approval was recommended:</p> <ul style="list-style-type: none"> • Section 73 certificate • Tapin Building Plan approval • Out of Scope Building Plan approval • Tree Planting • Trade Wastewater Requirements • Backflow Prevention Requirements • Water Efficiency Requirements • Contingency Plan Recommendations

7. Environmental Planning Instruments

7.1 Overview

The instruments applicable to this application are:

- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- Parramatta Local Environmental Plan 2011 (PLEP 2011)
- Parramatta Development Control Plan 2011 (PDCP 2011)

Compliance with these instruments is addressed below.

7.2 STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021

The application is made pursuant to State Environmental Planning Policy (Housing) 2021 (Housing SEPP), which permits co-living housing on land in a zone in which development for the purposes of co-living housing, residential flat buildings or shop top housing is permitted under another environmental planning instrument.

The principles of this Policy are as follows

- a) *enabling the development of diverse housing types, including purpose-built rental housing,*
- b) *encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability,*
- c) *ensuring new housing development provides residents with a reasonable level of amenity,*
- d) *promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services,*
- e) *minimising adverse climate and environmental impacts of new housing development,*
- f) *reinforcing the importance of designing housing in a way that reflects and enhances its locality,*
- g) *supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,*
- h) *mitigating the loss of existing affordable rental housing.*

PLEP 2011 defines co-living housing as a building or place that:

- a) *has at least 6 private rooms, some or all of which may have private kitchen and bathroom facilities, and*
- b) *provides occupants with a principal place of residence for at least 3 months, and*
- c) *has shared facilities, such as a communal living room, bathroom, kitchen or laundry, maintained by a managing agent, who provides management services 24 hours a day,*

but does not include backpackers' accommodation, a boarding house, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

The proposal compares to the requirements of the Housing SEPP in the following manner:

Clause	Requirement	Proposal	Complies
Part 3 – Co-living Housing			
Clause 67 - Co-living housing may be carried out on certain land with consent	<i>Development for the purposes of co-living housing may be carried out with consent on land in a zone in which development for the purposes of co-living housing, residential flat buildings or shop top housing is permitted under another environmental planning instrument. Example—</i>	Under PLEP 2011 shop top housing is permitted in the B4 Mixed Use zone.	Yes

Clause	Requirement	Proposal	Complies
Part 3 – Co-living Housing			
	<i>Co-living housing may be used as off-campus student accommodation.</i>		
Clause 68 Non-discretionary development standards—the Act, s 4.15	<i>(1) The object of this section is to identify development standards for particular matters relating to development for the purposes of co-living housing that, if complied with, prevent the consent authority from requiring more onerous standards for the matters.</i>	Noted, no more onerous restrictions have been recommended.	-
	<i>(2) The following are non-discretionary development standards in relation to development for the purposes of co-living housing—</i> <i>(a) for development in a zone in which residential flat buildings are permitted—a floor space ratio that is not more than—</i> <i>(i) the maximum permissible floor space ratio for residential accommodation on the land, and</i> <i>(ii) an additional 10% of the maximum permissible floor space ratio if the additional floor space is used only for the purposes of co-living housing,</i>	The GFA for this site under clause 7.3 of the PLEP 2011 is 6:1. Under clause (ii) this would allow a maximum FSR of 6.6:1 (3216.18sq.m). The proposal as submitted has 2,982sq.m of GFA and complies.	Yes
	<i>(b) for co-living housing containing 6 private rooms—</i> <i>(i) a total of at least 30m² of communal living area, and</i> <i>(ii) minimum dimensions of 3m for each communal living area,</i>	N/A	-
	<i>(c) for co-living housing containing more than 6 private rooms—</i> <i>(i) a total of at least 30m² of communal living area plus at least a further 2m² for each private room in excess of 6 private rooms, and</i> <i>(ii) minimum dimensions of 3m for each communal living area,</i>	The development proposes 93 rooms which requires a minimum 204sq.m of communal living area. A total of 509sq.m of communal living area is provided across multiple floors.	Yes
	<i>(d) communal open spaces—</i> <i>(i) with a total area of at least 20% of the site area, and</i> <i>(ii) each with minimum dimensions of 3m,</i>	A total of 104sq.m (21.4%) of outdoor space is provided	Yes
	<i>(e) unless a relevant planning instrument specifies a lower number—</i>	No parking proposed, one parking space, one car share space is required as per	No

Clause	Requirement	Proposal	Complies
Part 3 – Co-living Housing			
	(i) for development on land in an accessible area—0.2 parking spaces for each private room, or (ii) otherwise—0.5 parking spaces for each private room,	Parramatta DCP 2011. This has not been provided.	
	(f) for development on land in Zone R2 Low Density Residential or Zone R3 Medium Density Residential—the minimum landscaping requirements for multi dwelling housing under a relevant planning instrument,	This site is zoned B4 Mixed use and does not apply	N/A
	(g) for development on land in Zone R4 High Density Residential—the minimum landscaping requirements for residential flat buildings under a relevant planning instrument.	This site is zoned B4 Mixed use and does not apply	N/A
69 Standards for co-living housing	(1) Development consent must not be granted for development for the purposes of co-living housing unless the consent authority is satisfied that— (a) each private room has a floor area, excluding an area, if any, used for the purposes of private kitchen or bathroom facilities, that is not more than 25m ² and not less than— (i) for a private room intended to be used by a single occupant—12m ² , or (ii) otherwise—16m ² , and	Excluding bathrooms and kitchens all rooms do not exceed 22sq.m and all private rooms are not less than 12sq.m and shared rooms are not less than 16sq.m	Yes
	(b) the minimum lot size for the co-living housing is not less than— (i) for development on land in Zone R2 Low Density Residential—600m ² , or (ii) for development on other land—800m ² , and	The site is located in a B4 Mixed Use zone, therefore under (ii) the minimum lot size is 800sq.m. The subject site is 487.3sq.m, this is a 39.1% variation to the controls.	No – a clause 4.6 variation has been provided which is discussed further below.
	(c) for development on land in Zone R2 Low Density Residential or an equivalent land use zone, the co-living housing— (i) will not contain more than 12 private rooms, and (ii) will be in an accessible area, and	N/A – the subject site is zoned B4 Mixed Use	-
	(d) the co-living housing will contain an appropriate workspace for the manager, either within the communal living area or in a separate space, and	A 10sq.m management office and reception area are provided on the ground floor	Yes

Clause	Requirement	Proposal	Complies
Part 3 – Co-living Housing			
	<i>(e) for co-living housing on land in a business zone—no part of the ground floor of the co-living housing that fronts a street will be used for residential purposes unless another environmental planning instrument permits the use, and</i>	No part of the ground floor is for residential purposes	Yes
	<i>(f) adequate bathroom, laundry and kitchen facilities will be available within the co-living housing for the use of each occupant, and</i>	A 48sq.m laundry room is provided within the basement level	Yes
	<i>(g) each private room will be used by no more than 2 occupants, and</i>	No room is proposed to house more than two residents. This will be ensured via a condition of consent if approval was sought.	Yes
	<i>(h) the co-living housing will include adequate bicycle and motorcycle parking spaces.</i>	<p>52 bike storage spaces are provided within the basement. This is adequate.</p> <p>No motorcycle spaces are provided, given the lack of parking onsite this is considered necessary to be provided given the lack of car parking on site and the prevalence of flexible gig economy jobs for students who may rely on motorbikes for work. It is unclear how motorbike parking can be provided that is not in the front setback due to the sites size and the fact there is no basement carpark.</p> <p>A set of draft plans were provided that showed one possible motorbike parking space within the front setback, this wouldn't be an acceptable amount given the fact there is 93 rooms and that would result in the removal of the active frontages.</p>	No, insufficient motorbike parking provided.

Clause	Requirement	Proposal	Complies																											
Part 3 – Co-living Housing																														
	<p>(2) Development consent must not be granted for development for the purposes of co-living housing unless the consent authority considers whether—</p> <p>(a) the front, side and rear setbacks for the co-living housing are not less than—</p> <p>(i) for development on land in Zone R2 Low Density Residential or Zone R3 Medium Density Residential—the minimum setback requirements for multi dwelling housing under a relevant planning instrument, or</p> <p>(ii) for development on land in Zone R4 High Density Residential—the minimum setback requirements for residential flat buildings under a relevant planning instrument, and</p>	N/A, the subject site is zoned B4 Mixed Use	-																											
	<p>(b) if the co-living housing has at least 3 storeys—the building will comply with the minimum building separation distances specified in the Apartment Design Guide, and</p> <p>ADG:</p> <p>As per 3F of the Apartment Design Guidelines the following building separations are required and proposed:</p> <p>Up to 12m (4 storeys)</p> <table><tr><th>Side</th><th>Required</th><th>Proposed</th></tr><tr><td>East</td><td>3m (NH), 6m (H)</td><td>3m - 6m (H)</td></tr><tr><td>West</td><td></td><td>0m (H)</td></tr></table> <p>Up to 25m (5-8 storeys)</p> <table><tr><th>Side</th><th>Required</th><th>Proposed</th></tr><tr><td>East</td><td>4.5m (NH), 9m (H)</td><td>8.6 - 11.6m (H)</td></tr><tr><td>West</td><td></td><td>0m (H)</td></tr></table> <p>Over 25m (9+ storeys)</p> <table><tr><th>Side</th><th>Required</th><th>Proposed</th></tr><tr><td>East</td><td>6m (NH), 12m (H)</td><td>8.6m - 11.6m (H)</td></tr><tr><td>West</td><td></td><td>0m (H)</td></tr></table> <p>(NH) = Non-Habitable</p>	Side	Required	Proposed	East	3m (NH), 6m (H)	3m - 6m (H)	West		0m (H)	Side	Required	Proposed	East	4.5m (NH), 9m (H)	8.6 - 11.6m (H)	West		0m (H)	Side	Required	Proposed	East	6m (NH), 12m (H)	8.6m - 11.6m (H)	West		0m (H)	Does not comply, discussed further below.	No
Side	Required	Proposed																												
East	3m (NH), 6m (H)	3m - 6m (H)																												
West		0m (H)																												
Side	Required	Proposed																												
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Side	Required	Proposed																												
East	6m (NH), 12m (H)	8.6m - 11.6m (H)																												
West		0m (H)																												

Clause	Requirement	Proposal	Complies
Part 3 – Co-living Housing			
	(H) = Habitable, (c) <i>at least 3 hours of direct solar access will be provided between 9am and 3pm at mid-winter in at least 1 communal living area, and</i>	The subject development has not proven that either communal living area will receive a minimum of 3 hours direct solar access. While this is hard to achieve given the sites CBD location, it is considered essential given the lack of private balconies and the size of the rooms for the amenity of the residents.	No
	(f) <i>the design of the building will be compatible with— (i) the desirable elements of the character of the local area, or (ii) for precincts undergoing transition—the desired future character of the precinct.</i>	The Parramatta CBD is undergoing a rapid transition to a high-rise CBD. This design is considered constrained by the small site size which is not consistent with Council's CBD DCP controls. The proposal has also been reviewed by Design Excellence Advisory Panel, who have concerns with the design which is discussed further below.	No
	(3) <i>Subsection (1) does not apply to development for the purposes of minor alterations or additions to existing co-living housing.</i>	Noted	-
70 No subdivision	<i>Development consent must not be granted for the subdivision of co-living housing into separate lots.</i>	No subdivision is proposed	Yes, this can be conditioned if approval was being considered.

Section 69(2)(b) - ADG Building Separation

Given the sites B4 Mixed Use zoning and Parramatta CBDs emerging future character envisioned under the Parramatta LEP (Amendment 56), it is difficult to strictly apply the building separation provided in section 3F of the ADG. The following assessment has been undertaken to each adjoining property:

189 Macquarie St (East)

As per DA/852/2013 the first five storeys of the eastern development at 189 Macquarie St is a multi-storey carpark. As per the ADG design guidance the non-habitable room distances have been used for these levels. The proposal would then comply given that the windows are all set in 3m from the boundary or are facing towards the void on the lower levels.

It is noted however, that while this complies with the ADG standards, this above ground car park has natural ventilation vents along its eastern elevation, see figure 7 below. The exhaust vents from the carpark would be within 3.5 metres of some of the windows of the proposed development within the void. This contravenes the requirement of AS1668.2-2012 *The use of ventilation and airconditioning in buildings* – 4.4.2 (d)(ii) “*The location of any relief-air openings, including vehicle entries and exits shall be more than 6m away from any outside air intake or natural ventilation opening not associated with the enclosure*”. This has been recommended for a reason for refusal and is due to the sites reduced size.



Figure 7 - Photo of adjoining above ground carpark at 189 Macquarie St (Source: Think Planners, 2022)

An approval has been granted for a 47 storey multi tower development above the carpark. The tower for this site has an 8.6m setback to the boundary, which, whilst not quite the required 9m-12m shared ADG setback, is considered acceptable for a CBD setting. .

The proposed development provides a zero lot setback with the exception of a small void that is 3m deep. This removes any opportunity for windows at the boundary and cross ventilation which will provide a sustainable design practice that will reduce the requirement for air conditioning and increase natural light to the rooms that only face the void. This again is due to the site size.

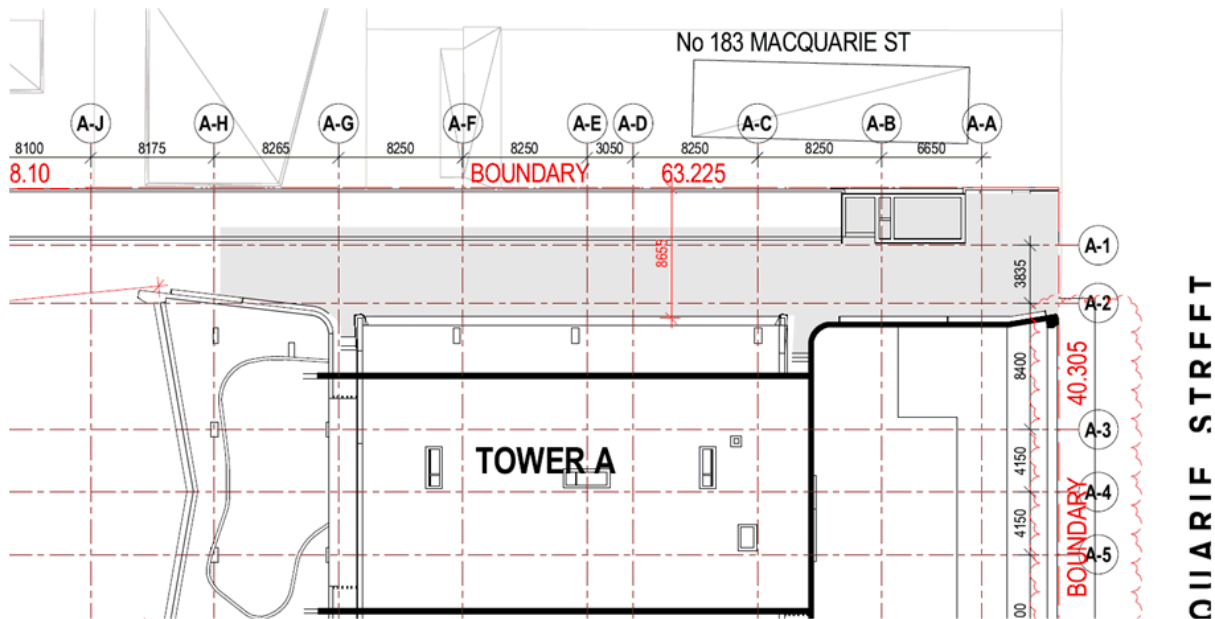


Figure 8 Screenshot of plans for 189 Macquarie St showing proposed tower setbacks to 183 Macquarie St (Source: CDA Architects, 2022)

6-10 Charles St (Rear)

A 9m setback is provided to the rear, this when combined with the existing setback at 6-10 Charles St, meets the ADG building separation requirements.

12 Charles St (West)

The adjoining site contains a two-storey commercial building and an at grade carpark, there are no plans for the redevelopment of this site at this time. Under PLEP 2023, and noting the size of the site, there is a development potential of 7.6:1FSR with a 145m height limit. The subject DA proposes a 12-storey blank wall on the boundary on the western elevation. Zero lot setbacks are acceptable in the CBD in circumstances where there are adjoining podiums.

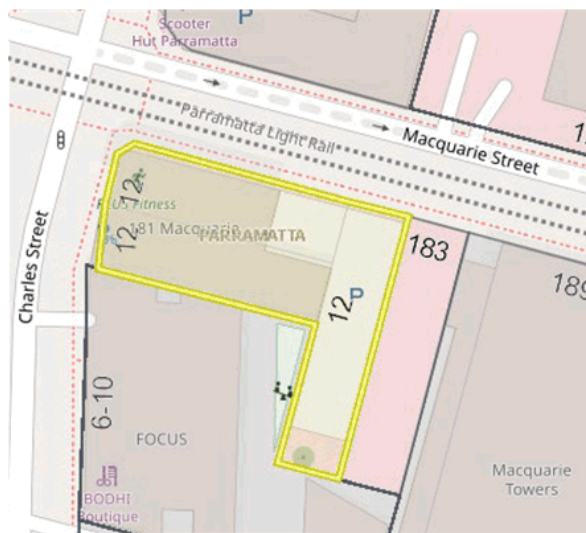


Figure 9 - Site map showing adjoining lot, highlighted in yellow

The applicant as part of their draft RFI response on 3 March 2023 provided a concept of what the redevelopment of the adjoining site could result in. This concept shows a sub optional relationship between the subject site and 12 Charles Street which is at odds with desired built form outcomes of the CBD which includes a defined street wall with shared tower setbacks.

The provided concept of the redevelopment of 12 Charles St is inadequate and does not demonstrate that if 183 Macquarie St is redeveloped as proposed that this would be a better development than if it included 183 Macquarie St. An amalgamated outcome would resolve many of the problems associated with the constrained nature of the site.

7.4 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021 – CHAPTER 10 SYDNEY HARBOUR CATCHMENT

The site is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of the above SEPP. The aims of the Plan are to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways by establishing planning principles and controls for the catchment as a whole.

Given the nature of the project and the location of the site, there are no specific controls that directly apply to this proposal, and any matters of general relevance (erosion control, etc) are able to be managed by conditions of consent.

7.5 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021 – CHAPTER 4 REMEDIATION OF LAND

The requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 apply to the subject site. In accordance with Chapter 4 of the SEPP, Council must consider if the land is contaminated, if it is contaminated, is it suitable for the proposed use and if it is not suitable, can it be remediated to a standard such that it will be made suitable for the proposed use.

The site is not identified in Council's records as being contaminated. A site inspection reveals the site does not have an obvious history of a previous non-residential land use that may have caused contamination and there is no specific evidence that indicates the site is contaminated. A Geotechnical Investigation was conducted and submitted with recommendations however this report relied on a Preliminary Site Investigation (PSI) Report. This report must be read in conjunction with the Geotechnical Investigation report, this was not provided and Council's Environmental Health Team cannot confirm that the property can meet the requirements of clause 4.6 of the SEPP.

This is a recommended reason for refusal.

7.6 STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021 – CHAPTER 2 INFRASTRUCTURE

The relevant matters to be considered under Chapter 2 of the SEPP for the proposed development are outlined below.

Transport for NSW

Section 2.99 - Excavation in, above, below or adjacent to rail corridors

The proposal was referred to TfNSW for concurrence as per clause 2.99, as it proposes excavation below 2m within 25m measured horizontally of a rail corridor (Parramatta Light Rail). TfNSW requested that the following documents are to be provided before concurrence can be issued:

- Geotechnical/Structural Engineering Assessment
- Noise Impact Assessment
- Flood Risk Management
- Electrolysis Analysis

On 3 March 2023 an Electrolysis and Noise Impact assessment report was submitted and reviewed by TfNSW. A further RFI was issued on March 31, which confirmed the following:

- It is noted that the draft design of the development includes a "car space B99 turntable" along the site's Macquarie Street frontage. The plans do not show a new driveway on Macquarie Street and it is not clear how the car space/turntable would be accessed.
- TfNSW can advise that it **is highly unlikely an additional driveway or access point will be supported** due to the existing signalised driveway to Macquarie St as well as impact on the PLR interface and operations, including pedestrian and vehicle safety concerns.

- The proposed development does not provide any loading and service parking on-site to support the operation of the proposed development. Additionally, the Statement of Environmental Effects prepared to support the development application does not identify how loading and service vehicles servicing the development would be accommodated.
- The applicant has not considered or addressed waste collection or provided a detailed Waste Management document for consideration by TfNSW.
- Applicant has yet to address a number of items sent in original STC letter uploaded to the NSW Planning Portal on 18 November 2022, including geotechnical matters.

Concurrence has since not been issued and is recommended as a reason for refusal.

Section 2.118 - Development with a frontage to a Classified Road

The application is not subject to Clause 2.118 of the SEPP as the site does not have frontage to a classified road.

Section 2.121 - Traffic Generating Development

The proposal is not considered a Traffic Generating Development.

With regards to requirements of Clause 2.121 and, Schedule 3 of the SEPP, the development does not have a capacity for 200 or more motor vehicles per hour. Therefore, the SEPP does not apply in this respect.

8. Parramatta Local Environmental Plan 2011

Parramatta LEP 2023 was gazetted on 2 March 2023. Clause 1.8 of the LEP now repeals the following planning instrument which applies to the land:

- Auburn Local Environmental Plan 2010
- Holroyd Local Environmental Plan 2013
- Parramatta (former The Hills) Local Environmental Plan 2012
- Parramatta Local Environmental Plan 2011

Clause 1.8A Savings provision relating to development applications states:

If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced.

The current DA was lodged before this date and therefore shall be assessed under Parramatta LEP 2011.

This Development Application is not made pursuant to the Parramatta LEP 2011 (LEP 2011), however, any inconsistencies between the SEPP (Housing) 2021 and the Parramatta LEP 2011 are noted. The relevant matters considered under the PLEP 2011 and pursuant to Clause 8 of the Housing SEPP for the proposed development are outlined below.

The subject site is not of sufficient size and location to provide required services and facilities to enable efficient and safe operation of the use without causing further impacts on the amenity of surrounding properties and is ideally located close to public transport links, services and facilities.

Clause 2.3 Zone objectives and Land Use Table

The site is zoned B4 Mixed Use. The aims and objectives for the B4 Mixed Use zone are as follows:

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage development that contributes to an active, vibrant and sustainable neighbourhood.
- To create opportunities to improve the public domain and pedestrian links.
- To support the higher order Zone B3 Commercial Core while providing for the daily commercial needs of the locality.

- To protect and enhance the unique qualities and character of special areas within the Parramatta City Centre.

Standards and Provisions	Compliance
Part 4 Principal development standards	
4.3 Height of buildings Allowable: 145m Proposed: 39.94m	Complies
4.4 Floor space ratio	See section 7.3
4.6 Exceptions to Development Standards	Variation to section 69(b)(i) to the Housing SEPP sought, see below.
Part 5 Miscellaneous provisions	
5.10 Heritage conservation	<p>The site is not identified as a heritage item and is not located within a heritage conservation area.</p> <p>The DA has been submitted with a Historical Archaeological Assessment which has concluded that the study area does not contain heritage significance and is not expected to contain relics. Therefore, in relation to the redevelopment of the site, it can proceed without any further assessment, monitoring, testing or salvage.</p> <p>The DA has satisfied the Heritage requirements subject to standard conditions if any unexpected finds are found during construction.</p>
5.21 Flood Planning	<p>Council's Senior Catchment and Development Engineer has reviewed the proposal and is not satisfied that this clause has been met due to the following:</p> <p>The site is impacted by flooding up to and including the PMF (Probable Maximum Flood). The site is also inundated by frequent events such as the 5% AEP according to Councils flood enquiry information.</p> <p>The current flood information provided by Council does not consider local overland flooding and it is limited to riverine/mainstream flooding. A flood study is required to determine the overland flow affectation. This was requested and not provided.</p> <p>The proposed building footprint fully interferes with the flood extents and causes loss of flood storage, due to this loss it is likely that the excess floodwater will be diverted to neighbouring sites. Therefore, it is likely that there will be flood impacts as a result of the development. The flood study must calculate and consider the impacts and as per the requirements of section 6.7 of the Parramatta DCP, the flood study report to certify that the development will not increase flood affectation elsewhere, having regard to: (i) loss of flood storage; (ii) changes in flood levels, flows and velocities caused by alterations to flood flows; and (iii) the cumulate impact of multiple potential developments in the vicinity.</p> <p>As per 6.3.5.4 of the Parramatta DCP electricity substations critical services infrastructure that could be damaged by flooding such as electrical, lift, sewer and water are to be placed above the PMF level, or, where that cannot be achieved, effectively flood-proofed. The proposed pump room (Architectural Drawings DA, 03 Rev A) and other critical facilities such as lifts at the basement must be adequately protected from floods.</p> <p>The OSD has a completely drowned outlet and it should be designed accordingly, refer to section 6.4 Drowned Outlets for the OSD Handbook. The SSRT requires to be increased as per the recommendation of the guideline which is likely to result in a significantly larger OSD size.</p>

	A Flood Emergency Response Plan was also requested and not provided.
Part 6 Additional local provisions	
6.1 Acid Sulfate Soils	<p>Does not comply.</p> <p>Classified as a class 4 sulfate soil, which requires development consent if works are proposed more than 2m below the natural ground surface.</p> <p>No Acid Sulfate Soils management plan has been submitted.</p>
6.2 Earthworks	<p>Complies.</p> <p>The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p> <p>The proposed Earthworks for the basement are considered to meet the controls.</p>
Part 7 – Parramatta City Centre	
7.3 Floor Space Ratio Allowable: 6:1 (sliding scale) or 2982sq.m Proposed: 6:1 or 2,982sq.m	<p>Complies.</p> <p>The proposed FSR for this site under this control is 6:1 (2982sq.m) as the site is less than 1000sq.m.</p> <p>The DA has proposed 2982sq.m of GFA (6:1)</p>
7.5 Sun Access	<p>Complies.</p> <p>The proposal complies with the sun access clause and does not over shadow the key public spaces identified in the clause.</p>
7.8 Active Frontages	<p>Complies.</p> <p>The original DA plan (not the draft plan submitted on 3 March) provides an active frontage for majority of the site.</p>
7.9 Floodplain Risk Management	See 5.21 Flood planning
7.11 Design Excellence	The proposal is not more than 40m in height and does not have a CIV of more than \$100m, therefore a design competition is not required.
7.15 Car Parking	No car parking is proposed, however co-living development is not captured by this standard and the DCP standard would apply. See DCP compliance table below.
7.21 End of journey facilities	Retail premises are not over 600sq.m and is not required.
7.22 Dual Water systems	Can be conditioned if approval proposed
7.23 High performing building design	Does not apply to co-living development
7.24 Commercial premises in Zone B4 Mixed Use	<p>Does not comply.</p> <p>A minimum 1:1 commercial FSR is not provided.</p>
7.25 Concurrence of Planning Secretary	Does not comply.

	A written Satisfactory Arrangements Certificate has not been provided by the Planning Secretary.
8.2 Public Utility Infrastructure	The development site has adequate arrangements for water, electricity and gas infrastructure.

Clause 4.6 Exceptions to Development Standards Building Height

As stated above, this DA is made pursuant to SEPP (Housing) 2021, however, clause 4.6 of PLEP 2011 allows Council to provide an appropriate degree of flexibility in applying certain development standards, where flexibility would achieve better outcomes.

Clause 4.6(1) – Objectives of Clause 4.6

In the absence of objectives for Clause 69 of the Housing SEPP the objectives of clause 4.6 of the PLEP 2011 are considered as follows:

- “(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,
(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances”*

It is not Council opinion that the proposal would meet a better outcome as described further below.

Clause 4.6(2) – Operation of Clause 4.6

The operation of clause 4.6 is not limited by the terms of Clause 4.6(8) of this LEP, or otherwise by any other instrument.

Clause 4.6(3) – The Applicant’s written request 4.6

Clause 4.6(3) requires that the applicant provide a written request seeking to justify contravention of the development standard. The request must demonstrate that:

- “(a) compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
(b) there are sufficient environmental planning grounds to justify contravening the development standard.”*

The applicant has submitted a written request justifying the variation to minimum lot size standard. In the justification the applicant states:

In accordance with the provisions of this clause it is considered that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case as there are sufficient environmental planning grounds to support the proposed departure to the minimum allotment size for a secondary dwelling given the following:

- The Parramatta LEP does not contain a minimum allotment size for residential flat buildings, commercial buildings, or Mixed Use Development) and this development that does not require a vehicular crossover will appropriately activate the site by providing a commercial promises and co-living development that activates the entire frontage of the site;*
- The control applies to sites in a suburban location where a co-living development in a garden setting is warranted. This CBD site where built to edge developments are encouraged is an appropriate size for the development;*
- The existing allotment that creates the development site is undersized and is a result of historic subdivisions before the current SEPP came into effect.*
- The main intent of the control is to ensure that an appropriately sized site is provided for co-living. The lodgement of a local development application allows Council to consider the merits of the application in terms of site coverage, building height etc;*
- The development proposal remains compliant with all other provisions of the LEP (height, FSR), and which indicates the form of development is entirely appropriate for the allotment notwithstanding the departure from the numerical control pertaining to lot size. Therefore, the area and dimensions of the lot are able to accommodate a Mixed Use Development with a co-living component consistent with the key planning controls*

notwithstanding the proposed departure from the lot size control. The design and scale of the development is therefore site responsive and respects the reduced lot size to deliver an appropriate form of development on the site;

- The development proposes a modest development on an allotment that has been designed to minimise impacts on adjoining properties. The development will not have an unacceptable impact on surrounding properties;
- The proposal provides for an intensity of development that is capable of being serviced by the existing infrastructure;
- The proposal seeks to improve the presentation of the building to the street and have a positive impact in turn upon the character of the locality;
- The subject site is within proximity of local amenities including employment opportunities, educational establishments, public transportation, and recreational activities; and
- The proposed variation to the minimum lot size is not readily perceived when compared with the existing subdivision pattern within the locality.

Underlying Objectives of the Standard - Compliance unreasonable or unnecessary

Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case as the underlying objectives of the control, and the objectives of the zone, are achieved despite the non-compliance to the numerical development standard as set out above, which satisfies Wehbe Test 1.

The objective of the clause is not identified but is assumed to relate to ensuring that an adequately sized allotment is provided for a co-living development.

Notwithstanding the numerical departure the development is considered to be consistent with the intent of the clause as:

- The existing allotment is undersized and are a result of historic subdivisions before the current LEP came into force. A residential flat building could be constructed on the site and given this, it is inconsistent with the Housing SEPP that a diverse form of housing being 'Co-Living' would be unable to be constructed on the same lot area that a RFB or shop top housing development could be;
- The subdivision pattern of the locality is varied with a variety of allotment shapes and sizes existing currently; and
- The Parramatta LEP does not contain a minimum allotment size for residential flat buildings, commercial buildings, or Mixed Use Development) and this development that does not require a vehicular crossover will appropriately activate the site by providing a commercial premises and co-living development that activates the entire frontage of the site.

The above discussion demonstrates that there are sufficient environmental planning grounds to justify the departure from the control, however we also note the following additional matters that demonstrate suitable environmental planning grounds exist to justify contravening the development standard and further demonstrates that the minimum lot size departure does not give rise to any environmental impacts, and therefore the proposal is an appropriate design response for the subject site.

Council response: An assessment has been undertaken to determine whether compliance with the standard is 'unreasonable and unnecessary' and there are 'sufficient planning ground' as follows:

An assessment against the relevant case law established in the NSW Land and Environment Court has been undertaken below. These cases establish tests that determine whether a variation under Clause 4.6 of an LEP is acceptable and whether compliance with the standard is unreasonable or unnecessary.

Wehbe v Pittwater Council

Case law in the NSW Land & Environment Court has considered circumstances in which an exception to a development standard may be well founded. In the case of *Wehbe v Pittwater Council* [2007] NSWLEC 827 the presiding Chief Judge outlined the following five (5) circumstances:

1. *The objectives of the development standard are achieved notwithstanding non-compliance with the standard.*

Council response: There are no objectives to section 69 of the Housing SEPP relating to minimum lot sizes. Given this the nearest and best objectives are the principles of the Housing SEPP given that the application is applied for under the policy. These principles and council's respective response are outlined further below:

(a) *enabling the development of diverse housing types, including purpose-built rental housing,*

Council response: Council does not have any objection to the delivery of co-living housing given the sites location within the CBD and proximity to three university campuses. This application would meet this development principle.

(b) *encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability,*

Council response: This objective is being met via the delivery of the co-living housing model.

(c) *ensuring new housing development provides residents with a reasonable level of amenity,*

Council response: This objective is not being met. Due to the 39% variation proposed to the minimum lot size required under section 69 of the Housing SEPP the level of amenity is unduly compromised. Due to the smaller lot size the following non-compliances have been triggered which reduces amenity for the residents, and adjoining properties:

- The setback to 189 Macquarie St contravenes the requirement of AS1668.2-2012 *The use of ventilation and airconditioning in buildings* – 4.4.2 (d)(ii) which requires the location of any relief-air openings, including vehicle entries and exits shall be more than 6m away from any outside air intake or natural ventilation opening not associated with the enclosure”.
- The setback to 189 Macquarie St and 12 Charles St is inconsistent with the ADG requirements and the 0 lot setback would leave a 12 storey blank wall to 12 Charles St, this would unfairly mean that 12 Charles St would have to provide the entire 12m-15m side setback to comply with the ADG or DCP standards depending on what they develop in the future. This is inconsistent with 69(b) of the Housing SEPP which requires compliance with the ADG building separations. While there are no minimum lot sizes in the Parramatta CBD DCP or PLEP for RFB's, any development would be required to comply with the building separations and setback requirements in the ADG and DCP which would not be possible on this site.
- The proposal does not demonstrate compliance with section 69(c) which requires at least 3 hours of direct solar access will be provided between 9am and 3pm at mid-winter in at least 1 communal living area. The proposals reduced setbacks due to the smaller lot size does not allow for greater windows and open space to the side boundaries which would allow greater solar access.
- The proposal does not comply with section 69(f) in that the design of the building is not compatible with the desired future character of the precinct. Due to the non-compliance with the lot size the development does not have a building design which is envisioned under the CBD DCP, being tall slender towers above a podium.
- Due to the site size the development does not have enough space for the proper flood planning provisions on the ground floor and leads to the development obstructing the flood extent and increases flooding impacts on adjoining sites.
- The proposal also does not comply with the minimum 35m site frontage requirement within section 6.3.2 of the Parramatta DCP.

Given these among other non-compliances with relevant planning standards the variation does not meet this principle of the Housing SEPP.

(d) *promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services,*

Council response: The location of the co-living development would meet this objective as it is located within the Parramatta CBD along the route of the future Parramatta Light Rail (due to open in 2024) which will have direct connections to the Western Sydney University Rydalmere Campus and is 400m (5min walk) from both the Parramatta City and Hassall St Engineering Innovation Hub WSU campuses.

(e) *minimising adverse climate and environmental impacts of new housing development,*

Council response: The development can meet this objective subject to the conditions of consent requiring compliance with the ESD requirements for dual piping under the PLEP and section 6.8 of the CBD DCP.

(f) *reinforcing the importance of designing housing in a way that reflects and enhances its locality,*

Council response: It can be argued that given that the development does not comply with the minimum lot size requirement and variations are proposed to the ADG and DCP building separations/setbacks that this development

would not enhance the locality which is undergoing transformation as per the newly created CBD DCP for the reasons listed above for principle (c).

- (g) supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,*

Council response: This principle is met.

- (h) mitigating the loss of existing affordable rental housing.*

Council response: This principle is met.

- 2. The underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary.*

Council response: Council is of the opinion that the underlying objective of the development (being the principles of the Housing SEPP) is relevant to the development. Given that lot B DP 375159 has not been developed and no evidence has been provided to Council to show that the applicant has offered to fairly purchase this land from 12 Charles St then it can be argued that compliance is not unnecessary. In addition, given the variations proposed as a result of this smaller lot size compliance would be necessary for many of the Housing SEPP requirements to be met.

- 3. The underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable.*

Council response: As detailed above the planning principles of the Housing SEPP would not be thwarted if compliance was provided.

- 4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable.*

Council response: This development standard is not abandoned, there are no examples within the Parramatta LGA of this requirement being abandoned for co-living housing. Given that co-living is a new use under the Housing SEPP, it is also considered that there are no examples of affordable housing such as a boarding house on a site of this size to the scale proposed.

- 5. The zoning of particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning was also unreasonable or unnecessary as it applied to that land and that compliance with the standard in that case would also be unreasonable or unnecessary.*

Council response: The Mixed-Use zoning is flexible with its application and can allow both residential and commercial uses. Compliance with the development standard would allow for a development which is appropriate for the future development for the site as envisioned under the CBD DCP.

Four2Five Pty Ltd v Ashfield Council

The proposal has been assessed on merit and having regard to the principles in *Four2Five v Ashfield Council* [2015] NSWLEC 90. The judgement suggests that 'sufficient environmental planning grounds' is more onerous than compliance with zone and standard objectives. The commissioner also established that the additional grounds had to be particular to the circumstances of the proposed development, and not merely grounds that would apply to any similar development.

Council response: It has not been demonstrated that environmental planning grounds exist to justify contravening the development standard. The development will lead to adverse impacts to the residents of this site and the adjoining properties, and hence there is not sufficient environmental planning grounds to vary this control.

Clause 4.6(4) - Consent Authority Assessment of Proposed Variation

Clause 4.6(4) of PLEP 2011 outlines that development consent must not be granted for development that contravenes a development standard unless:

- "a) the consent authority is satisfied that:
- i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
 - ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
- b) the concurrence of the Secretary has been obtained."

Council response: The matters of clause 4.6(4)(a)(ii) and Clause 4.6(4)(b) have been dealt with in the preceding section and the applicant's variation is not supported.

Public Interest

Clause 4.6(4)(a)(ii) of PLEP 2011 states:

Development consent must not be granted until the consent authority is satisfied that -

"The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out".

Council response: The proposed development is inconsistent with the objectives of the Housing SEPP which the application is made under and hence is not in the public interest. While a number of written objections have been made from the adjoining sites for other reasons, the proposed variation is not in the interest of future residents of this site and those at 189 Macquarie St and 12 Charles St.

Concurrence

Clause 4.6(4)(b) of PLEP 2011 states:

"The concurrence of the Secretary has been obtained".

Comment: Such concurrence is assumed (refer to the Planning Circular PS 20-002, 5 May 2020).

Conclusion: It is considered that the applicant's written request has not adequately addressed the matters required to be demonstrated and that the request to vary the minimum lot size for co-living housing within the Housing SEPP cannot be supported and does not meet the principles of the Housing SEPP. The proposal also includes non-compliant setbacks and amenity issues, for this reason the proposal is also not in the public interest. In reaching this conclusion, regard has been given to the relevant Judgements of the LEC.


9. Parramatta Development Control Plan 2011

Parramatta DCP 2011 (PDCP 2011) does not contain specific controls relating to co-living developments. A consideration of the relevant sections of the PDCP 2011, which includes the controls for general residential development and development within the Parramatta CBD is provided below.

Development Control	Comment	Comply
Part 2 Site Planning		
2.4.1 Views and Vistas	The site is not identified as containing significant views.	Yes
2.4.2 Water Management	Refer to CBD controls under section 6.7 of the DCP	No
2.4.3 Soil Management	Adequate sediment and erosion control measures are proposed as part of this development and can be conditioned.	Yes
2.4.4 Land Contamination	Refer to assessment under SEPP Resilience and Hazards 2021 – Chapter 4 Remediation of Land. A Preliminary Site Investigation (PSI) Report was requested and	No

	to be read in conjunction with the Geotechnical Investigation report, this was not provided.	
2.4.5 Air Quality	<p>The proposal does not comply with the required setbacks and is within 6m of the carpark vents for 189 Macquarie St which is the minimum separation between natural ventilation.</p> <p>The exhaust vents from the carpark would be within 3.5 metres of some of the windows of the proposed development within the void. This contravenes the requirement of AS1668.2-2012 <i>The use of ventilation and airconditioning in buildings</i> – 4.4.2 (d)(ii) “<i>The location of any relief-air openings, including vehicle entries and exits shall be more than 6m away from any outside air intake or natural ventilation opening not associated with the enclosure</i>”.</p>	No
2.4.6 Development on Sloping Land	The development responds to the topography of the site which is generally flat.	Yes
2.4.7 Biodiversity	There are no trees on the subject site.	Yes
2.4.8 Public Domain	<p>The proposal will result in an active street frontages that encourage pedestrian movement and pedestrian access which connects to and addresses the public domain.</p> <p>The proposal would be generally accessible to the street.</p> <p>Public Domain to Council requirements can be conditioned prior to CC if approved.</p>	Yes
Part 3 Development Principles		

3.1 Preliminary Building Envelope		
Not applicable. See 'Parramatta City Centre' controls below.		
3.2. Building Elements		
<ul style="list-style-type: none"> • Building Form and Massing • Building Façade and Articulation • Roof Design • Energy Efficient Design • Streetscape 	The building elements of this design are considered acceptable except for the side setbacks. See part 6 Parramatta City Centre DCP assessment below.	Yes
3.3 Environmental Amenity		
3.3.1 Landscaping	<p>No trees are on the subject site, the provided landscape plan has been reviewed by Councils Trees and Landscaping Officers, see referrals section above.</p> <p>The basement is proposed to extend beyond the building footprint which is not supported due to the reduction of deep soil.</p>	No
3.3.2 Private and Communal Open Space	Private and communal open space meets Housing SEPP requirements.	Yes
3.3.3 Visual Privacy 3.3.4 Acoustic Amenity	The application includes an acoustic report which recommends construction methods, materials and treatments to be used to meet the acceptable noise criteria for the site, given both internal and external noise sources. The location of the ground floor retail tenancy is unlikely to diminish the amenity of nearby residential uses from noise intrusion.	Yes
3.3.5 Solar Access and Cross Ventilation	See CBD DCP assessment below	Yes

3.3.6 Water Sensitive Urban Design Water Efficiency Stormwater Drainage Grey Water	Water Sensitive Urban Design Provisions can be considered as part of the landscaping plan and the Flood Risk Management Plan. Water Efficient Stormwater and grey water requirements can be conditioned appropriately.	-
3.3.7 Waste Management	<p>A waste storage space is provided within the basement; however, this basement cannot be accessed by a waste vehicle. Therefore, the property must be serviced from the street, this is not accepted and is inconsistent with Appendix A8 of the DCP which requires waste for a building of this size to be from the basement. This also has the potential to conflict with the operation of the PLR route which is along this side of the street as shown on figure 10 below.</p>  <p>Figure 10 - Aerial map of Macquarie St</p>	No
3.4 Social Amenity		
3.4.1 Culture and Public Art	The proposal includes a draft public art plan which outlines how public art would be developed for the site. This is an on-going process which would be coordinated post-approval with Council's City Animation team. Appropriate conditions can manage this post consent.	Yes
3.4.2 Access for People with Disabilities	The proposal includes an access report which outlines that access for people with disabilities is generally compliant with the relevant standards. The design is generally compliant, remaining issues to do with the fit out of the space can be dealt with via condition prior to CC	Yes
3.4.3 Amenities in Building Available to the Public	One toilet is available for the public on the ground floor.	Yes
3.4.4 Safety and Security	The proposal does not contribute to the provision of any increased opportunity for criminal or anti-social behaviour. Natural surveillance of the public domain would be significantly increased with the proposed level of occupancy.	Yes

3.4.5 Housing Diversity and Choice	As per 3.4.5.1 of the Parramatta DCP a minimum of 10% or 9 units are to be accessible/adaptable. This does not comply.	No
3.5 Heritage		
3.5.1 General 3.5.2 Archaeology 3.5.3 Aboriginal Cultural Heritage	See PLEP Heritage assessment.	Yes
3.6 Movement and Circulation		
3.6.1 Sustainable Transport		
Car Share <i>1 car share if over 50 units</i> Total required = 1	1 car share space required. Due to the sites size it is not possible to provide parking onsite, however given that there are 93 units proposed with no parking, a car share space is required. Given the difficulty in providing 1 space, it is unclear how this could be provided.	No
Green Travel Plan <i>Required for development within 800m radial catchment of a railway station</i>	Not provided, can be conditioned prior to OC.	Yes
3.6.2 Parking and Vehicular Access		
Car Parking Control 0 parking spaces required	<p>Given this application is lodged under the Housing SEPP parking is determined by the lesser of either the Housing SEPP or Council requirements.</p> <p>As per 68(e) of the Housing SEPP 19 car spaces are required.</p> <p>Section 7.15 of the Parramatta LEP does not prescribe a parking rate for this use so the DCP rates are to be considered. . Boarding Houses are the nearest and closest use listed under the parking rates in the Parramatta DCP.</p> <p>Boarding Houses require a minimum of 1 space per 10 boarding rooms; plus 1 space per resident manager / caretaker (where applicable); 1 space for any vehicle operated by the facility; plus 1 motorcycle space per 5 boarding rooms. This is a total of 11 spaces car spaces and 19 motorbike spaces.</p> <p>As such the DCP requirements would apply as they are the lesser.</p> <p>Councils Traffic and Transport Engineers have stated that they would be able to support a variation to this control if one parking space for loading/unloading/site caretaker is provided and adequate motorbike parking is provided, which has not been provided.</p> <p>This is in addition to any car share requirements.</p> <p>It is unlikely due to the sites size that this parking could be provided, TfNSW have also indicated it is highly unlikely that a new access will be allowed as</p>	No
6 Strategic Precinct - Parramatta City Centre		
6.1.2 General Objectives	The proposal does not promote urban and architectural design quality through planning procedures that foster design excellence nor manages flood waters to protect and enhance the quality of the public domain and private property in the City Centre. Therefore, it cannot meet all of the sections objectives.	Yes
6.2 Design Quality	The proposal does not qualify for a Design Competition as per the PLEP controls.	Yes
6.3 Built Form		

6.3.1 Guiding principles	While the proposal does provide adequate street setbacks it does not provide for proper separation between the buildings as per the ADG requirements.	Yes
6.3.2 Minimum Site Frontage	The proposal has a 10.6m street frontage. This does not comply and the objectives of this control are not met.	No
6.3.3 The Building Envelope	<p>6.3.3.1 Street Setbacks The proposal provides a compliant street wall of 16m. A street setback of 6m is then provided to the tower component. This is of similar height to the existing carpark at 189 Macquarie St.</p> <p>6.3.3.2 Building Separation Building separation is assessed in Housing SEPP assessment against ADG controls.</p> <p>6.3.3.3 Tower Slenderness The maximum floorplate is below the 800sq.m requirement.</p> <p>6.3.3.4 Floor Heights The commercial floor to floor heights on levels 1 and 2 comply with the 3.8m requirement. The residential floor to floor heights do not comply and only provide 3.0m, rather than the required 3.1, this is not supported.</p>	<p>Yes</p> <p>Yes</p> <p>No</p>
6.3.4 The Street Wall	The Street Wall is built to the street alignment and provides adequate modulation and street wall height.	Yes
6.3.5 Ground Floor	<p>6.3.5.1 Non Flood affected site Controls do not apply</p> <p>6.3.5.2 Flood affected Site The design of the commercial ground floor generally complies with these flood protection measures.</p> <p>6.3.5.2.3 Floodwater Management Design Elements As detailed in the PLEP flood mitigation assessment the proposal has not adequately demonstrated mitigation for the flood path.</p> <p>6.3.5.4 Services and Utilities The services and plant area are located on the roof, no services are located on the ground floor.</p>	<p>Yes</p> <p>No</p>
6.3.6 Above Ground Parking	N/A	-
6.3.7 Residential Apartment Design Quality	The proposal generally complies with these controls.	Yes
6.3.8 Wintergardens	No wintergardens proposed	N/A
6.3.9 Dwelling Mix and Flexible Housing	N/A as co-living housing mix must be compliant with the development standards in the Housing SEPP	-
Studio / 1 Bedroom - 20% of total dwellings		
2 Bedroom - 70% of total dwellings		
3 Bedrooms - 20% of total dwellings		

4 Bedrooms -10% of total dwellings		
6.4 Public Domain		
6.4.1 Solar access to significant parks and spaces	The proposal will not cause any overshadowing of Ollie Webb Reserve, Rosella Park, Robin Thomas and James Ruse Reserve or St Johns Cemetery in the nominated times.	Yes
6.4.2 Awnings and Trees on Streets	<p>6.4.2.1 Awnings have priority Awnings are not required under this control but are proposed under this DA which is acceptable.</p> <p>6.4.2.2 Street trees have priority Street trees are required under this DCP control but cannot be provided due to the PLR route minimising any space for this to be provided along this side of Macquarie St.</p> <p>4.2.3 Semi Recessed Awnings Controls have been met.</p>	Yes
6.4.3 Design of Awnings	The awning design has adequately considered these controls considering existing infrastructure.	Yes
6.4.4 Pedestrian lanes, shared zones and service lanes	N/A – The pedestrian lane was provided within the property at 189 Macquarie St, there is no laneway requirement on this property.	-
6.4.5 Pedestrian Overpasses and Underpasses	N/A	-
6.4.6 Vehicle Footpath Crossings	No vehicle entry point is proposed under this DA. This site has never historically had any site access point, if one is proposed it will need concurrence approval from TfNSW and is identified in figure 6.4.6.1 as not having any new vehicle entry point.	Yes
6.4.7 Views	The proposal will not impact any identified view corridors.	Yes
6.5 Special Areas		
6.5.1 City River	N/A	-
6.5.2 Civic Link	N/A	-
6.5.3 George St	N/A	-
6.5.4 Church St	N/A	-
6.5.5 Marion St	N/A	-
6.5.6 Campbell St and Great Western Highway	N/A	-
6.5.7 Auto Alley	N/A	-
6.5.8 Station St West	N/A	-
6.5.9 Creek Corridors	N/A	-
6.5.10 Park Edge	N/A	-
6.6 Heritage		
6.6.1 Guiding Principles	<p>The proposal is not a heritage site and has been designed to adequately address the nearby Heritage Conservation Area and heritage items.</p> <p>A detailed Heritage assessment has been conducted under the heritage controls in the LEP.</p>	Yes
6.7 Flood Risk Management		

6.7 Flood Risk Management	A Flood Risk Management plan was submitted, this was based off a flood modelling enquiry with Council.	Yes
6.7.1 Assessment and minimisation of flood hazards, risks and potential for harm	<p>The current flood information provided by Council which was submitted with the Flood Risk Management Plan does not consider local overland flooding it is limited to riverine/mainstream flooding. A flood study is required to determine the overland flow affectation, this has not been provided to Council. The associated development risks cannot therefore be verified.</p> <p>The proposed building footprint fully interferes with the flood extents and causes loss of flood storage, due to this loss it is likely that the excess floodwater will be diverted to neighbouring sites. Therefore, it is likely that there will be flood impacts as a result of the development. The flood study must calculate and consider the impacts and as requirement of the DCP, the flood study report to certify that the development will not increase flood affectation elsewhere, having regard to: (i) loss of flood storage; (ii) changes in flood levels, flows and velocities caused by alterations to flood flows; and (iii) the cumulative impact of multiple potential developments in the vicinity.</p>	No
6.7.2 Land Use and building levels	The habitable floors of all habitable residential uses within the building must be above the probable maximum flood (PMF) which for this site is 9.74m AHD. Whilst there are residential areas on the ground floor below this level, they are communal and not the only accommodation for residents of the site. Notwithstanding, a satisfactory flood hazard and risk assessment and appropriate flood mitigation measures have not been provided, which have been requested.	No
6.7.3 Sensitive and Critical Uses	Co-living is not defined as a sensitive or critical use as per table 2.4.2.1.1 of the PDCP	Yes
6.7.4 Flood Warning and Emergency Response Planning	A Flood Emergency Response Plan to address this part of the DCP was not submitted	No
6.7.8 Car park basements in flood prone areas	N/A as the proposed basement is not for car parking	N/A
6.8 Environmental Sustainability		
6.8.1 High Performing Buildings	The proposal is not seeking the High Performing Building target and a NABERS Commitment Agreement has not been submitted.	Yes
6.8.2 Dual Water Systems	A dual water system can be conditioned appropriately.	Yes
6.8.3 All Electric Buildings	All electric energy can be conditioned appropriately.	Yes
6.8.4 Electric Vehicle Charging Infrastructure	No car parking proposed	N/A
6.8.5 Urban Cooling	<p>6.8.5.1 Roof Surfaces Satisfactory, can be conditioned to comply.</p> <p>6.8.5.2 Facades Satisfactory.</p> <p>6.8.5.3 Heating and Cooling Systems – Heat Rejection A central heat rejection unit is provided on each floor, which has been architecturally designed into the building, it is not located on the street wall frontage or balconies.</p> <p>6.8.5.4 Green Walls or Roofs Green Walls or roofs are not proposed.</p>	Yes

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6.8.6 Solar Light Reflectivity (Glare)	The proposal is not considered to cause any undue solar reflectivity given its size in the context of the CBD heights.	Yes
6.8.7 Natural Refrigerants in Air Conditioning	All new air-conditioning and refrigeration equipment can be conditioned to use refrigerants with a GWP of less than 10;	Yes
6.8.8 Bird Friendly Design	Satisfactory	-
6.8.9 Wind Mitigation	The proposal is not considered to impact wind conditions given its size in the context of the area.	Yes
6.9 Vehicular Access, Parking and Servicing		
6.9.1 Vehicle Driveways and Maneuvering	No driveway is proposed under this DA.	N/A
6.9.2 On Site Car Parking	Bicycle parking and motorbike parking is provided as per the Housing SEPP requirements. No motorbike parking has been proposed under this DA but should be provided.	Yes
6.9.3 Bicycle Parking and End of Trip Facilities	<p>6.9.3.1 Bicycle Parking</p> <p>Refer to Housing SEPP requirements which only requires 'adequate' bike parking. 52 spaces has been provided which has been assessed as adequate to Councils Traffic and Transport Officer.</p> <p>9.3.2 End of Trip Facilities</p> <p>No end of trip facilities has been provided. Given that there is only 40sq.m of commercial space proposed, as the development does not comply with section 7.24 of the PLEP, this is not warranted.</p>	Yes
5 Other Provisions		
5.5 Signage	No signage proposed.	N/A

10. Design Excellence Advisory Panel (DEAP)

This item was considered at the DEAP meeting on 8th December 2022. The Parramatta DEAP comments are provided to assist both the applicant in improving the design quality of the proposal, and the City of Parramatta Council in its consideration of the application. The DEAP made the following comments regarding the design proposed:

DEAP Comments	Council officer response
The Panel supports boarding houses in principle in the LGA to address the needs of vulnerable members of the community (including students). It is understood that local provider, Unilodge is interested in managing the student accommodation if the proposal were to proceed.	Noted, no issue is raised to the proposed use which is compliant under the Housing SEPP.
It appears that the proposal has a complex history; the Applicants advised at the meeting that due to Council's decision NOT to amalgamate the subject site with properties to the west (when they were sold to private developers) the subject site has a 10.65m frontage - significantly less than the 35m width required by the PDCP, 2011. Numerous unsuccessful proposals have since been made for the site, including a mixed use development of 23 storeys in 2016 and a 13 storey mixed use development in 2017.	The subject site may be amalgamated with the property at 12 Charles St, it is irrelevant that the site was not purchased by Council when development discussions were undertaken for 189 Macquarie St. This site is not isolated and can be developed with the adjoining property.
The site and context analysis provided fails to provide basic information regarding the site, its streetscape and local context. Much of the information needed to assess the proposal was only gained in response to the Panel's questions. Despite clear separation issues and other challenges created by the site's non compliant width, scant information is provided regarding adjacent development and little contextual information is provided on plans and sections. Clearly, this is not acceptable for a building of this scale.	Noted

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<p>To the east of the site is a six storey existing building mainly comprising car parking; a setback residential tower above this building is currently being assessed by Council. To the west of the site is a vacant irregular shaped site; it was advised at the meeting that the applicants have prepared a compliant development for this site (including towers); this ought to be verified by Council and forwarded to the Panel for review.</p>	<p>The application currently being considered was refused, however, the setbacks for the approved 189 Macquarie St development are sufficient given the CBD setting in relation to the side boundaries. The proposed building separation to 189 Macquarie St from the subject DA, however, does not comply and is one of the reasons sought for refusal.</p> <p>While the package submitted from the applicant on the 3rd March included a concept proposal for 12 Charles St, this was not accepted and hence not provided to DEAP.</p>
<p>The Applicants advised that they have restricted building height and foregone a 15% density bonus so as to avoid mandating to a Design Competition.</p>	<p>-</p>
<p>Despite its noncompliant frontage width, the Panel can support the principle of a slim line student housing development on the subject site. However, the built form currently proposed raises a number of significant amenity and urban design issues that must be addressed to become an acceptable proposal :</p> <ul style="list-style-type: none"> - A new site and context analysis must be prepared in accordance with ADG part 3A and Appendix 1, comprehensively describing the context and demonstrating how key objectives have been conceived and how the proposal responds to its opportunities and constraints. - Existing and anticipated future built form context must be shown on all plan, elevation and section drawings and 3D street views would also assist in assessment of the public domain impacts - The proposal must be shown in the context of all adjacent existing and future towers, demonstrating compliant separation, solar access and adequate privacy measures - To provide adequate separation and primary source of light and air to individual rooms the light well must be redesigned to establish minimum dimensions of 9m x 6m. At a minimum, this will require the removal of unit 105 (and above) and a realignment of unit 106 (and above) with Unit 107 on lower levels; and the removal of Unit 704 (and above) and a realignment of unit 705 (and above) with Unit 706 on upper levels. - To ensure that visual and acoustic privacy is maintained between lobby and individual rooms across the light well, considered screening is required. - To enhance the visual and physical amenity of the light well, well considered landscape measures must be introduced to its courtyard at level 01 (OI) - The rear façade is too sheer, non compliant with the ADG above level 7 and liable to adversely impact on the existing residential building to the south. It is therefore recommended that a 3m setback be introduced at level 8 with suitable landscape treatment to the resultant terrace. - The lobby appears to be completely open and liable to become a CPTED issue after hours; an elegant and solution to securing the lobby space (compatible with the retail doors) is therefore required. 	<p>While the DEAP is able to support the principle of a building at this site in terms of a built form, this does not negate the need for the applicant to comply with the remaining planning instruments. The site size remains unacceptable for the reasons detailed above.</p> <p>The recommended design changes have not been made in any event.</p>

<p>In addition, it is recommended that the following measures be undertaken to improve the proposal's internal amenity :</p> <ul style="list-style-type: none"> - to take advantage of the north facing terrace, the level 1 indoor communal area should be relocated to level 5, with north facing uses to prioritise dining, living and other day common uses - to enhance natural ventilation and reduce reliance of air conditioning, ceiling fans must be provided to all rooms - to contain noise and other distracting impacts, the planning of the indoor communal space should include space dividing elements, such as quiet rooms, enclosed kitchen block, etc. - a roof top terrace should be considered with associated shade structures, bathroom, storage and kitchette/bbq facilities, and the composition of this as a part of a 5th elevation should be considered. 	<p>These design changes have not been made.</p>
<p>Landscape The opportunities to introduce greenery around in and around the perimeter of the building and the site should be maximised eg. the addition of climbers up the light well, planting and screening to add to the amenity of the ground floor and Level 5 terraces.</p> <p>Discussions should be held with Council in relation to enhancing the adjacent laneway through paving and planting improvements.</p>	<p>These design changes have not been made.</p>
<p>While the Panel supports the Mondrian like approach to façade composition and language, it notes the following :</p> <ul style="list-style-type: none"> - the exclusive reliance on painted surfaces is of concern - it would be preferable to use materials with an integrated durable quality such as brick or prefabricated and coloured concrete panels - screening should be designed to perform environmentally rather than for decorative purposes - the south elevation and light well elevations should consider their impacts on adjacent residential units and rooms across minimal separation distances - a subtle distinction between base and setback elements would improve the building's expression 	<p>These design changes have not been made</p>
<p>Fire boosters and other services, such as the location of downpipes, hot water systems etc, should be shown on the drawings.</p>	<p>These design changes have not been made</p>
<p>The Panel notes that there are further opportunities for including sustainability initiatives in a revised proposal, such as solar energy generation, rain water harvesting, increased provision of landscape (large trees to rear garden for example), etc.</p>	<p>No changes have been made, any ESD requirements have been assessed against the CBD DCP.</p>
<p>Once these changes and additional information has been incorporated into amended and supplementary drawings, the proposal should be returned to the Panel for discussion.</p>	<p>No amended plans have been received and the DA has not been sent back to the panel. Draft plans were submitted on the 3rd March 2023 which were not accepted by the Council at the time as they have not been formally lodged. In any event, these did not address all the DEAP issues raised.</p>

11. Development Contributions

As this Development Application was lodged on 25 October 2022. The Parramatta City Centre Local Infrastructure Contributions Plan 2022 commenced on 14 October 2022 and applies to the subject site. As such, a development contribution of 5% based on the cost of the proposed development would be required to be paid. This results in a contribution of \$89,171.58.

A standard condition of consent would be imposed requiring the contribution to be paid prior to the issue of a Construction Certificate.

As this is not affordable housing to be delivered on behalf of a social housing provider or public authority, this is not exempt from Contributions.

12. Bonds

In accordance with Council's Schedule of Fees and Charges, the developer would be obliged to pay Security Bonds to ensure the protection of civil infrastructure located in the public domain adjacent to the site. A standard condition of consent would be imposed requiring the Security Bond to be paid prior to the issue of a Construction Certificate if approval was sought.

13. EP&A Regulation 2021

Applicable Regulation considerations including demolition, fire safety, fire upgrades, compliance with the Building Code of Australia, compliance with the Home Building Act, PCA appointment, notice of commencement of works, sign on work sites, critical stage inspections and records of inspection can be addressed by appropriate consent conditions if approval was sought.

14. The likely impacts of the development

The assessment demonstrates that the proposal will have significant adverse impacts upon adjoining properties, existing and future, and the environment through non compliances with the applicable flood planning controls. All relevant issues regarding environmental impacts of the development are discussed elsewhere in this report, including natural impacts and built environment impacts such as traffic and built form. In the context of the site and the assessments provided by Council's experts, the development is not considered satisfactory in terms of environmental impacts.

15. Suitability of the Site

The subject site cannot accommodate the proposed co-living development of this scale as the site requires services and facilities to enable efficient and safe operation of the use without causing further impacts on the amenity of surrounding properties. While the physical location for co-living development being near university campuses is ideal also being close to the Parramatta CBD and Light Rail, the physical constraints of the site limits its suitability for this development as proposed when assessed against the Housing SEPP and Parramatta LEP and DCP.

Some suitable investigations and documentation have been provided to demonstrate that the site can be made suitable for the proposed development and the development is consistent with the land use planning framework for the locality. However, not all have been provided.

The floodway impacts are a natural hazard that are likely to have an unacceptably adverse impact on the proposed development.

Due to the reasons for refusal within the recommendation to this report, the site is not considered to be suitable for the proposed development.

16. Public Consultation

In accordance with the Parramatta Notification Plan the Development Application was notified and advertised for a period of 21 days between 3 November and 24 November 2022. During this period 8 unique submissions were received, all of which from the property at 6-10 Charles St (rear of subject site). The key concerns raised in the submissions are addressed below.

Issue	Response
Security/Privacy impacts	<p>The proposed use would be subject to a plan of management, which has been submitted with the DA and the site has provision for a manager who would remain onsite 24 hours a day. The proposed use is not considered to cause any undue social impacts by way of noise or crime.</p> <p>The required setbacks to the rear of the site to 6 Charles St meets the ADG requirements as there is a 9m setback provided to the rear of the site.</p>
Solar Access	The proposal will cause extra overshadowing between 10am and 2pm to the property at 6 Charles St. This remains consistent with the development controls as overshadowing would be difficult to reduce in a CBD location.
Traffic	No parking is proposed on site, it is considered operational traffic impacts would be minimal. Construction Traffic would be managed by way of a Construction Traffic Management Plan which would be reviewed and approved by Council and TfNSW before construction commences.
Construction Noise	Construction noise would be managed by private certifier and would be subject to conditions for standard construction noise as per Council guidelines.

17. Public interest

Regardless of the current submissions which could be managed by way of conditions, the development is not in the public interest as its impacts would be for the development rights of the adjoining property and impacts for future residents at both 189 Macquarie St and the subject site.

18. Conclusion

The application has been assessed relative to section 4.15 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls.

Whilst the proposed development is appropriately located within a CBD locality, some variations (as detailed above) in relation to the Housing SEPP are sought. The non compliance with the site size control results in further non compliances with setbacks and other standards resulting in a poor built form and substandard accommodation for future residents. This is exacerbated by the fact that the site does not benefit from a vehicular access and is unlikely to be granted one by PLR. This is not acceptable in this location given the site fronts the PLR route and will have to have some means for servicing or maintenance.

The development more broadly does not comply with several planning requirements of the Housing SEPP, PLEP and PDCP as detailed in the recommendation below, a number of these non-compliances are because of the non-compliance with the minimum lot size.

For these reasons, it is considered that the proposal is not satisfactory having regard to the matters of consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979 and is recommended for refusal for the reasons detailed below.

19. Recommendation

Pursuant to Section 4.16 of the Environmental Planning and Assessment Act, 1979:

- A. **That**, the Parramatta Local Planning Panel does not support the variation to section 69(1)(i) of the State Environmental Planning Policy (Housing) under the provisions of Clause 4.6 for the following reasons:
- Non compliance with Australian Standards** - The setback to 189 Macquarie St contravenes the requirement of AS1668.2-2012 *The use of ventilation and airconditioning in buildings* – 4.4.2 (d)(ii) which requires the location of any relief-air openings, including vehicle entries and exits to be more than 6m away from any outside air intake or natural ventilation opening not associated with the enclosure.

- b) **Setbacks** - The setback to 189 Macquarie St and 12 Charles St is inconsistent with the ADG requirements, section 69(b) of the Housing SEPP requires compliance with the ADG building separations.
- c) **Solar Access** - The proposal does not demonstrate compliance with section 69(c) of the Housing SEPP which requires at least 3 hours of direct solar access will be provided between 9am and 3pm at mid-winter in at least 1 communal living area. Reduced setbacks due to the smaller lot size does not allow for greater windows and open space to the side boundaries which would allow greater solar access.
- d) **Desired Future Character** - The proposal does not comply with section 69(f) of the Housing SEPP in that the design of the building is not compatible with the desired future character of the precinct. Due to the non-compliance with the lot size the development does not have a building design which is envisioned under the CBD DCP, being tall slender towers above a podium.
- e) **Flood Planning** - Due to the site size the development does not have enough space for the proper flood planning provisions on the ground floor and leads to the development obstructing the flood extent and increases flooding impacts on adjoining sites.
- f) **Parking/Site Access** - The site frontage does not allow for vehicular access and motorcycle, car parking and car share parking to meet the requirements of the Housing SEPP and Parramatta DCP 2011.
- g) **Waste Collection** - The site size does not allow for waste collections to occur within the site. This would not be possible from the street due to the PLR route. Due to the size of the development it is also inconsistent with the development controls contained within Appendix A8 of the Parramatta DCP for waste to be collected from the street.

- B. **That** the Parramatta Local Planning Panel, exercising the function of the consent authority, **refuse** development consent to DA/837/2022 for the construction of a 12-storey building containing a retail shop and a 'Co-Living' development comprising 93 rooms with indoor and outdoor communal spaces over 1 level of basement on land at 183 Macquarie St, Parramatta for the following reasons:

1. State Environmental Planning Policy (Housing) 2021

- a) **Section 69(1)(b)(ii)** - The development does not comply with the minimum lot size for co-living housing.
- b) **Section 69(1)(h)** - The development has not provided adequate motorcycle parking spaces
- c) **Section 69(2)(b)** - The development does not comply with the required building separations provided within 3F of the Apartment Design Guideline to both the eastern and western boundaries to 189 Macquarie St and 12 Charles St.
- d) **Section 69(2)(c)** - The development does not demonstrate compliance with the required solar access for at least 3 hours of direct solar access to be provided between 9am and 3pm at mid-winter in at least 1 communal living area.
- e) **Section 69(2)(f)** - The design of the building is not consistent with the desired future character of the precinct as envisioned by Part 6.3 of the Parramatta DCP 2011.

2. State Environmental Planning Policy (Resilience and Hazards) 2021

- a) **Section 4.6** - A Preliminary Site Investigation (PSI) Report which supports the Geotechnical Investigation is not provided. It cannot be confirmed that the site meets the contamination and remediation requirements. The lack of this document is not compliant with section 2.4.4 of the Parramatta DCP 2011 relating to land contamination.

3. State Environmental Planning Policy (Transport and Infrastructure) 2021

- a) **Section 2.99** - Concurrence has not been provided from TfNSW as the development proposes excavation below 2m within 25m measured horizontally of a rail corridor (Parramatta Light Rail)

4. Parramatta Local Environmental Plan 2011

- a) **Section 5.21** - The development has not demonstrated that it can adequately not obstruct the flood extents and causes loss of flood storage. This is also non-compliant with Section 6.7.2 of the Parramatta DCP 2011. A flood Emergency Response Plan is not provided which is required under section 6.7.4 of the Parramatta DCP 2011, and the development will not meet the objectives of this control nor any of the controls under 5.21(2).
- b) **Section 6.1** - The development is non-compliant as it has not been submitted with an Acid Sulfate Soil management plan and has not adequately addressed the provisions within this section.
- c) **Section 7.24** - The development has not provided a minimum 1:1 commercial FSR
- d) **Section 7.25** - The development does not comply as written concurrence of the Planning Secretary has not been provided

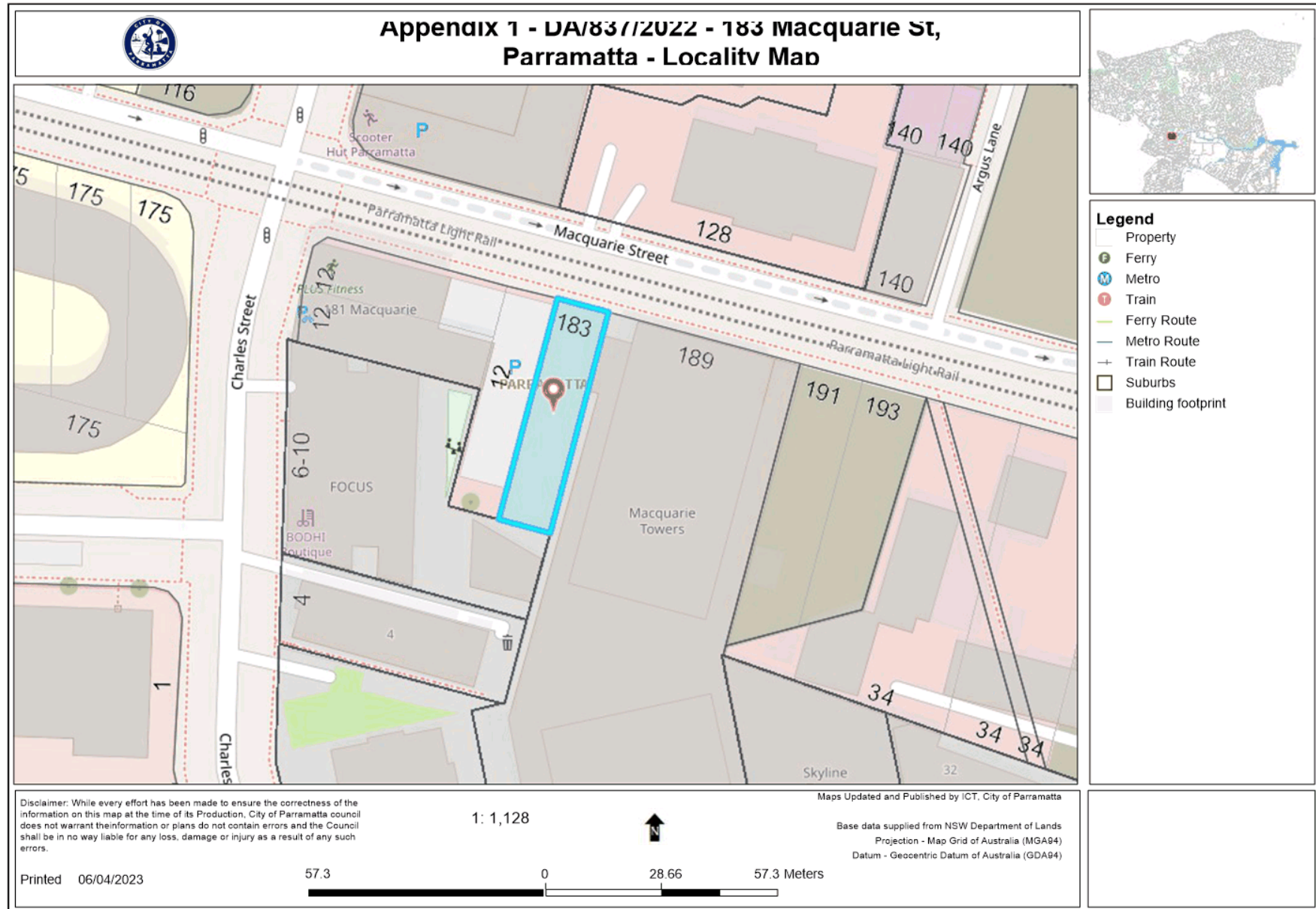
5. Parramatta Development Control Plan 2011

- a) **Section 2.4.5** - The Australian Standard 1668.2-2012 *The use of ventilation and airconditioning in buildings* – 4.4.2 (d)(ii) does not comply as the location of the relief-air openings at 189 Macquarie St are less than 6m away from any outside air intake or natural ventilation opening not associated with the enclosure
- b) **Section 3.3.1** – The proposed basement extends beyond the building footprint which reduces deep soil provision.
- c) **Section 3.3.7 1** – There is insufficient space on Macquarie St for waste management vehicles to service the site from the street and there is no provision for this to be done from the basement as required under Appendix A8 of the Parramatta DCP for a development of this size.
- d) **Section 3.4.5.1** – The development has not provided a minimum of 10% or 9 units are to be accessible/adaptable units as per the Australia Standards have not been provided.
- e) **Section 3.6.1** – The development has not provided a minimum of 1 car share spaces for use by the residents.
- f) **Section 3.6.2** – The development has not provided a minimum one parking space for use by the building manager/deliveries
- g) **Section 6.3.2** - The development has provided a 10.6m frontage rather than the 35m required and the objectives of the control have not been met.
- h) **Section 6.3.3.4** - The development has not provided the required 3.1m floor to floor heights for residential levels.

6. Environmental Planning and Assessment Act 1979

- a) **Section 4.15(1)(a)(i), (ii) and (iii)** – The development will lead to environmental impacts to the natural and built environment it is not suitable for this development and is not in the public interest.

C. **That** Council advise those who made a submission of the determination.



DRAWING LIST

00	COVER SHEET
01	SITE LOCATION
02	SITE PLAN
03	BASEMENT FLOOR PLAN
04	GROUND FLOOR PLAN
05	LEVEL 1 FLOOR PLAN
06	LEVEL 2-4 FLOOR PLAN
07	TYPICAL FLOOR PLAN (LEVEL 5-11)
08	ROOF PLAN
09	SECTION A
10	SECTION B
11	SECTION C
12	NORTH & SOUTH ELEVATIONS
13	EAST ELEVATION
14	WEST ELEVATION
15	FSR AREA CALCULATION
16	AMENITY AREA DIAGRAMS
17	SHADOW DIAGRAMS - SHEET 1
18	SHADOW DIAGRAMS - SHEET 2
19	SHADOW DIAGRAMS - SHEET 3
20	SHADOW DIAGRAMS - SHEET 4
21	181 MACQUARIE ST & 12 CHARLES ST GFA DIAGRAM
21	SOLAR STUDY DIAGRAMS
22	SOLAR STUDY DIAGRAMS
23	ROOM TYPE A, A.1 & B
24	ROOM TYPE C & D
25	ROOM TYPE E - ADAPTABLE ROOM
26	3D VIEW
27	SURVEY PLAN



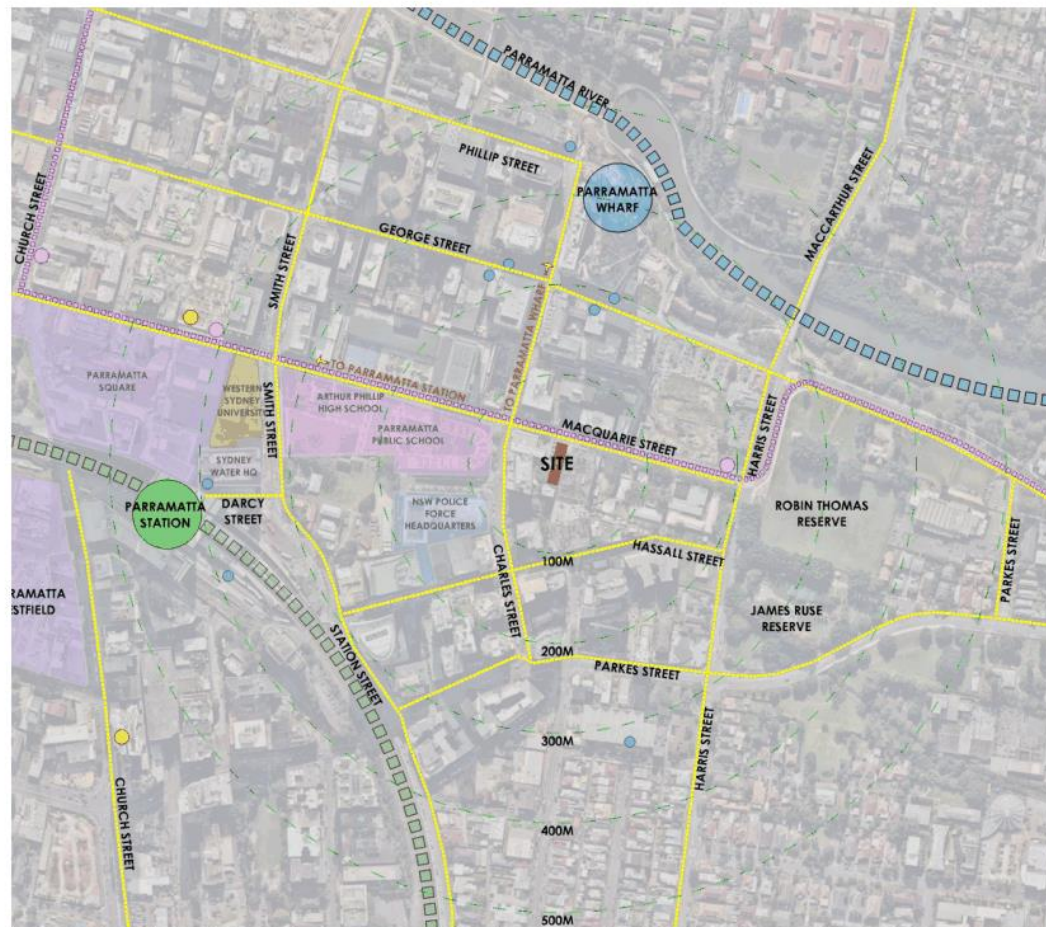
DEVELOPMENT APPLICATION FOR THE PROPOSED NEW STUDENT ACCOMMODATION AT 183 MACQUARIE STREET, PARRAMATTA



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Notified Registered Architect: Peter Israel (reg no 5064)
ABN 50 050 071 022

PREPARED FOR

RAPISARDA INVESTMENTS



1 SITE LOCATION PLAN
1:5000

LOCATION PLAN LEGEND

- SUBJECT SITE
- PRINCIPLE PEDESTRIAN ACCESS
- BUS STOP

- TRAIN STATION
- LIGHT RAIL
- FERRY WHARF
- GOGET CARSHARE



2 VIEW FROM EAST (MACQUARIE STREET)



3 VIEW FROM WEST (MACQUARIE STREET)



4 VIEW FROM NORTH (MACQUARIE STREET)



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REV DESCRIPTION
A Development Application

BY DATE
HP 15/10/2023

CLIENT
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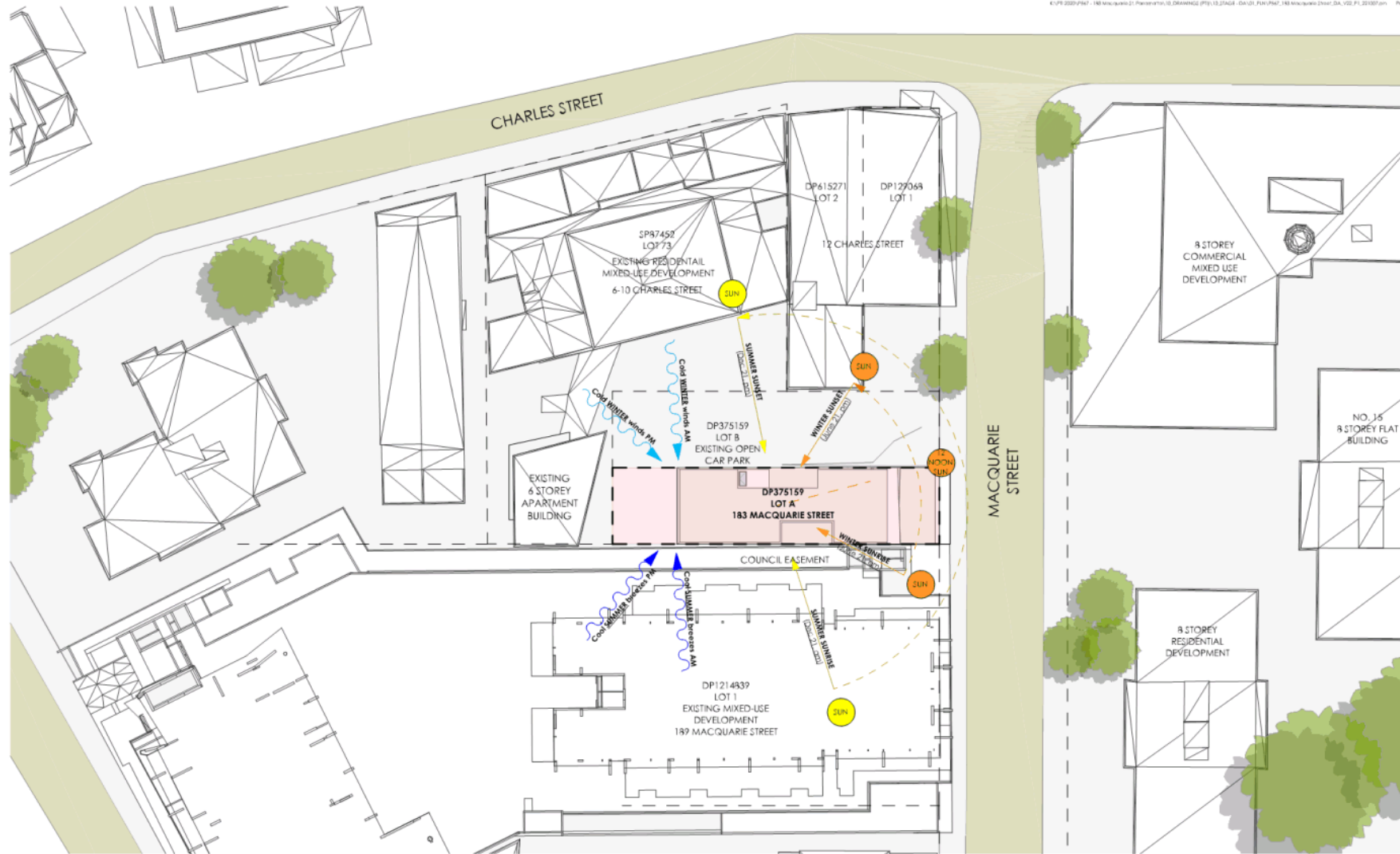
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DEVELOPMENT APPLICATION
NEW STUDENT ACCOMMODATION AT
183 MACQUARIE STREET, PARRAMATTA

DRAWING TITLE
SITE LOCATION



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PROJECT NO: P567

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designer architect



1 SITE LOCATION PLAN
1:500



ARCHITECTURE
Tourism + Residential

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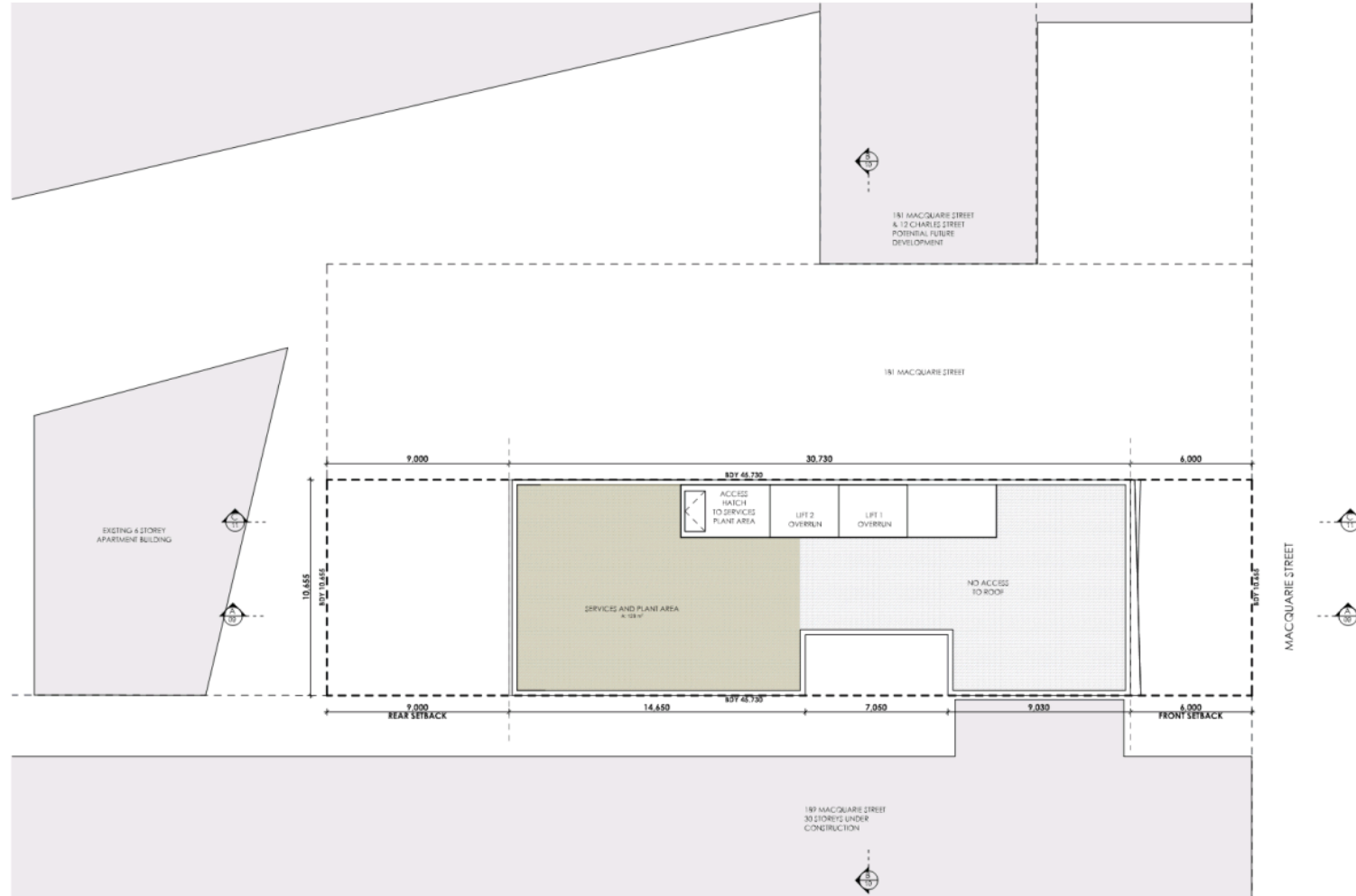
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PROJECT NO: P567

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1 ROOF PLAN
1:200



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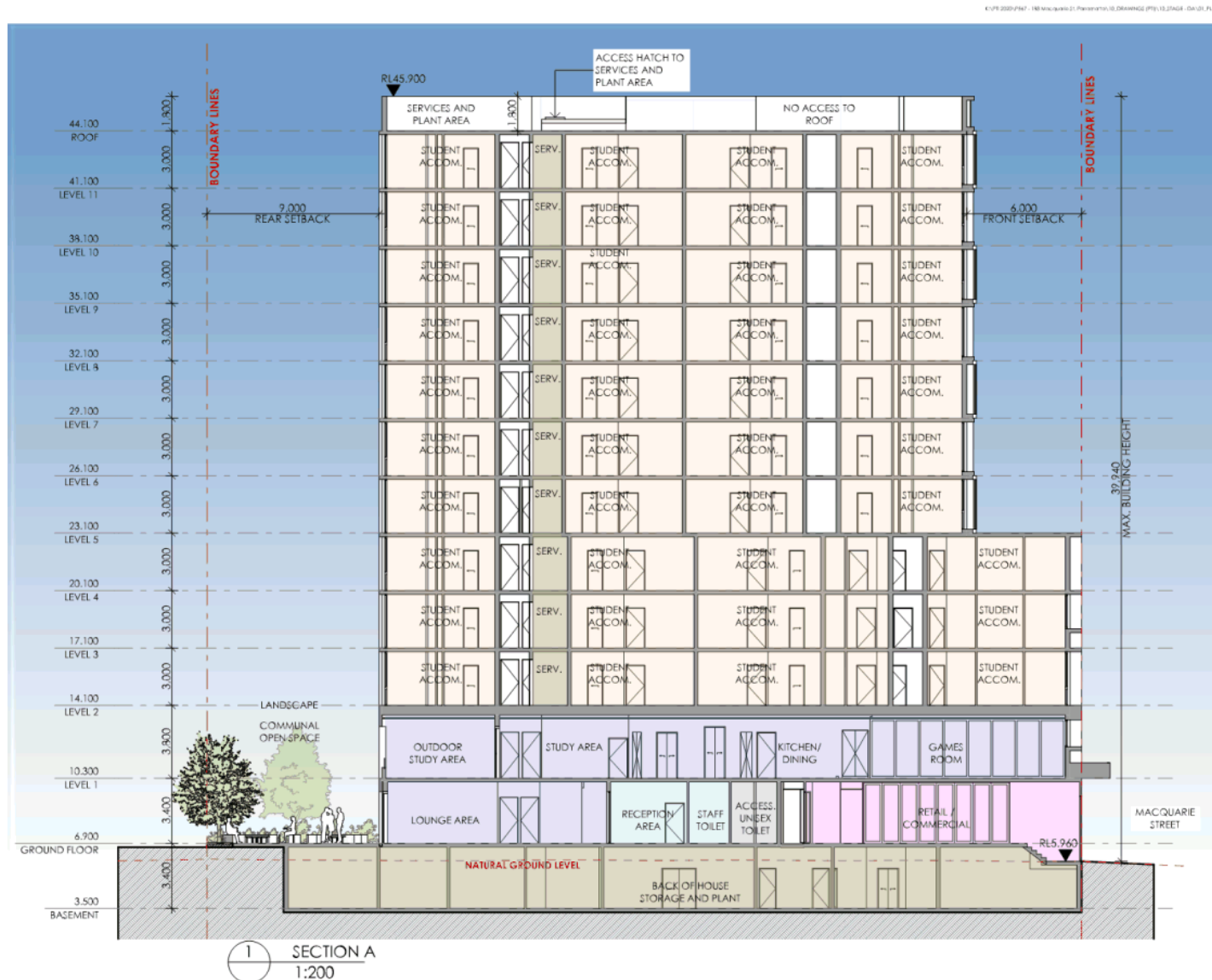
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NEW STUDENT ACCOMMODATION AT
183 MACQUARIE STREET, PARRAMATTA

DRAWING TITLE
ROOF PLAN



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RF DATE
NR 19/10/2022

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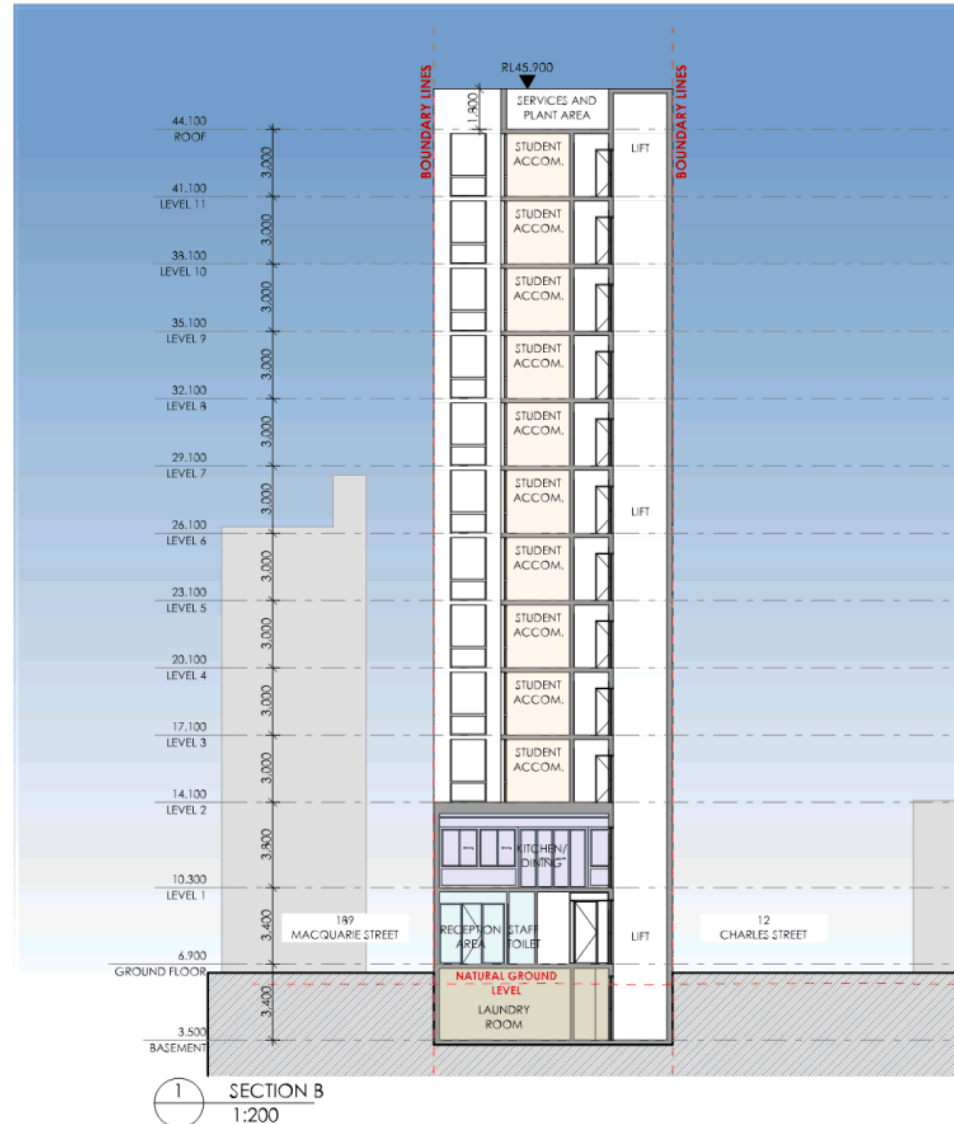
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183 MACQUARIE STREET, PARRAMATTA

DRAWING TITLE
SECTION A



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PROJECT NO: P567

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NR 19/10/2022

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PROJECT REF:
DEVELOPMENT APPLICATION
NEW STUDENT ACCOMMODATION AT
183 MACQUARIE STREET, PARRAMATTA

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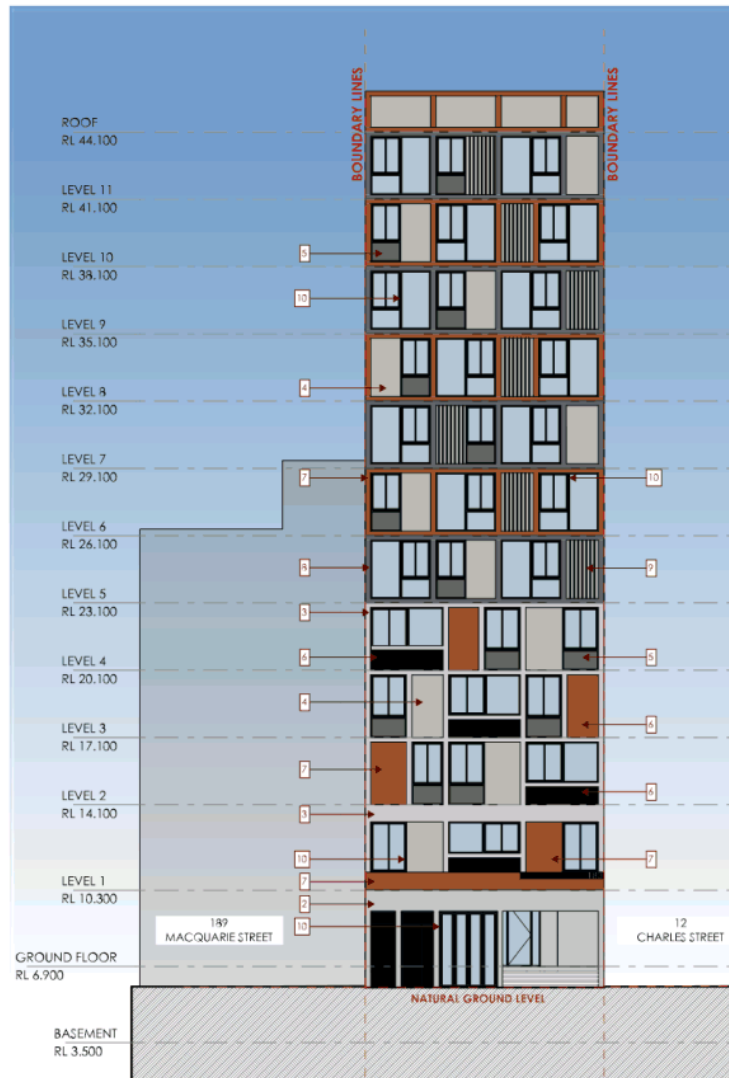
NORTH POINT



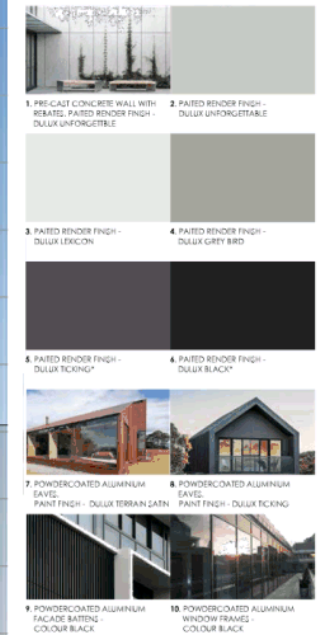
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PROJECT NO: P567

DA 10 A
stage designs design





EXTERNAL MATERIALS & FINISHES



NOTE:

GROUND AND FIRST LEVEL

ALL GLAZING FACING SOUTH TO BE DARK TINTED.

ALL GLAZING FACING NORTH TO BE CLEAR.

LEVEL 2 TO 4

ALL GLAZING FACING NORTH AND SOUTH TO BE DARK TINTED.

LEVEL 5 TO 11

ALL GLAZING FACING NORTH AND SOUTH TO BE DARK TINTED.



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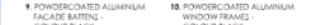
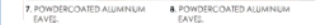
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183 MACQUARIE STREET, PARRAMATTA

DRAWING TITLE
NORTH & SOUTH ELEVATIONS



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SCALE: 1:200 AT A3
PROJECT NO: P567

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stage designs render



ALL GLAZING FACING EAST TO
BE CLEAR.

1 EAST ELEVATION
1:200



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A	Development Application

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NR	13/10/2022

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INVESTMENTS

PROJECT TITLE:
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NEW STUDENT ACCOMMODATION AT
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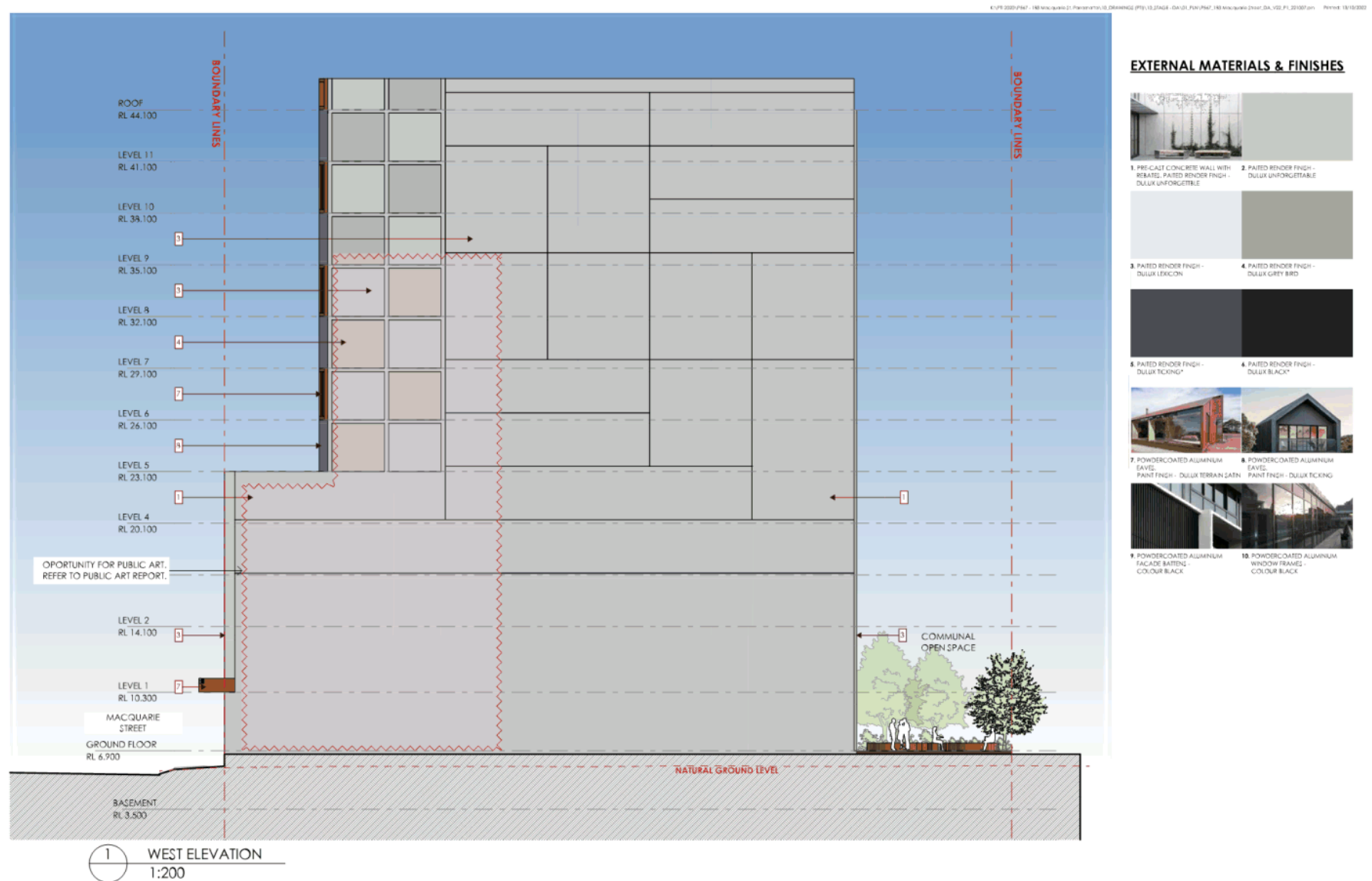
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EAST ELEVATION

NORTH POPE:



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SCALE: 1:200 AT A3
PROJECT No: P567

DA 13
stage design



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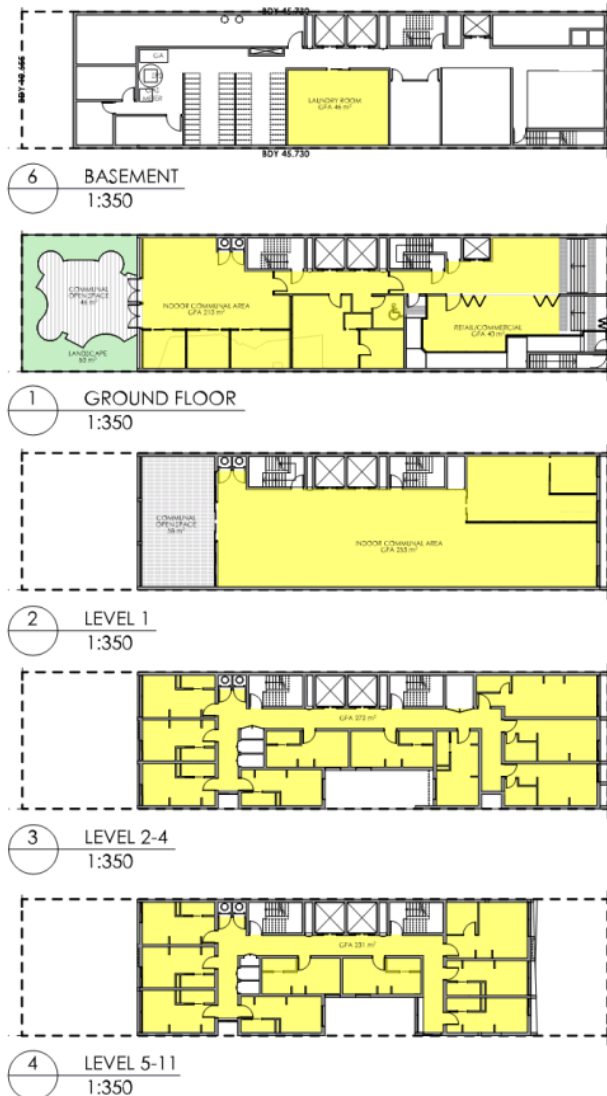
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183 MACQUARIE STREET, PARRAMATTA

CITY OF PARRAMATTA COUNCIL

ZONING = B4 MIXED USE

HEIGHT = 39.940m

FSR = 6:1

ALLOWABLE MAX. GFA = 2,982m²

ALLOWABLE MAX. HEIGHT = 40m

EXISTING SITE AREA = 497m²

ACCOMMODATION SCHEDULE

NUMBER OF ROOMS	GF	0
LEVEL 1		0
LEVEL 2-4		30 (10 PER LEVEL)
LEVEL 5-11		63 (9 PER LEVEL)
TOTAL NUMBER OF STUDENT ROOMS		93
COMMUNAL AREAS		3 (AT BASEMENT, GF AND LEVEL 1)
ACCESSIBLE ROOMS		7 PROVIDED WITHIN THE 93
MANAGER/RECEPTION AREA		1 (AT GF)

AREA SCHEDULE

RETAIL GFA	40 m²
STUDENT ACCOMMODATION GFA	LEVEL 2-4 816 m ² (272 m ² EACH LEVEL)
	LEVEL 5-11 1,617 m ² (231 m ² EACH LEVEL)
TOTAL STUDENT ACCOMMODATION GFA	2,433.0 m²
COMMUNAL INDOOR SPACE AREA	509 m²
COMMUNAL OPEN SPACE AREA	104 m²
LANDSCAPE AREA	50 m²

AREA SCHEDULE

TOTAL PROPOSED GFA	2,982 m²
TOTAL PROPOSED FSR	6:1



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 Notwithstanding Registered Architect Peter Israel (reg no 5064)
 ABN 50 050 071 022

REV DESCRIPTION
 A Development Application

BY DATE
 MR 15/10/2022

CLIENT
 RAPISARDA
 INVESTMENTS

PROJECT TITLE
 DEVELOPMENT APPLICATION
 NEW STUDENT ACCOMMODATION AT
 183 MACQUARIE STREET, PARRAMATTA

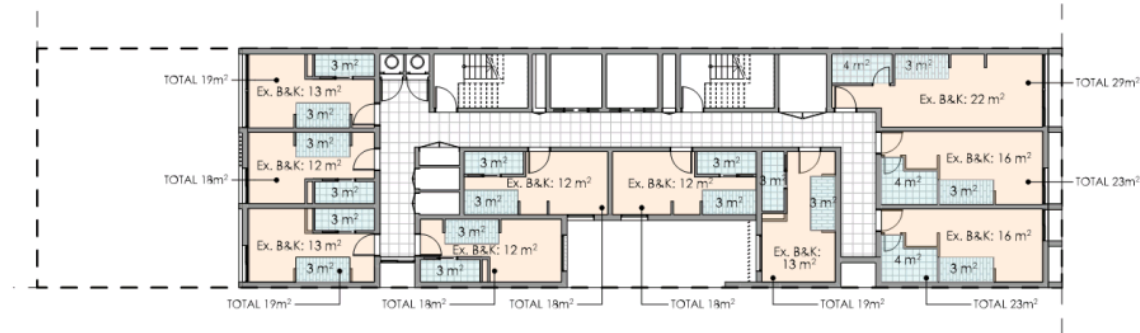
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 FSR AREA CALCULATION



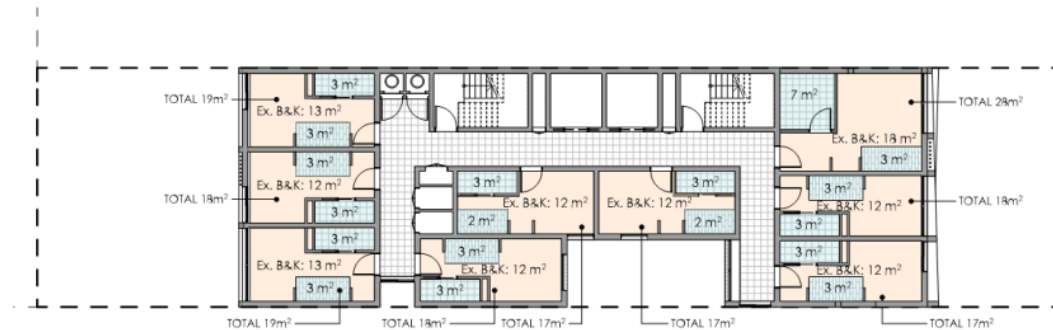
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 PROJECT NO: P567

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1 LEVEL 2-4
1:200



2 LEVEL 5-11
1:200

AMENITY AREA LEGEND

- ROOM AREA (EXCL. KITCHEN & BATHROOM)
- AMENITY AREA (KITCHEN / BATHROOM)
- PRIVATE OPEN SPACE



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NEW STUDENT ACCOMMODATION AT
183 MACQUARIE STREET, PARRAMATTA

DRAWING TITLE
AMENITY AREA DIAGRAM

NORTH POINT

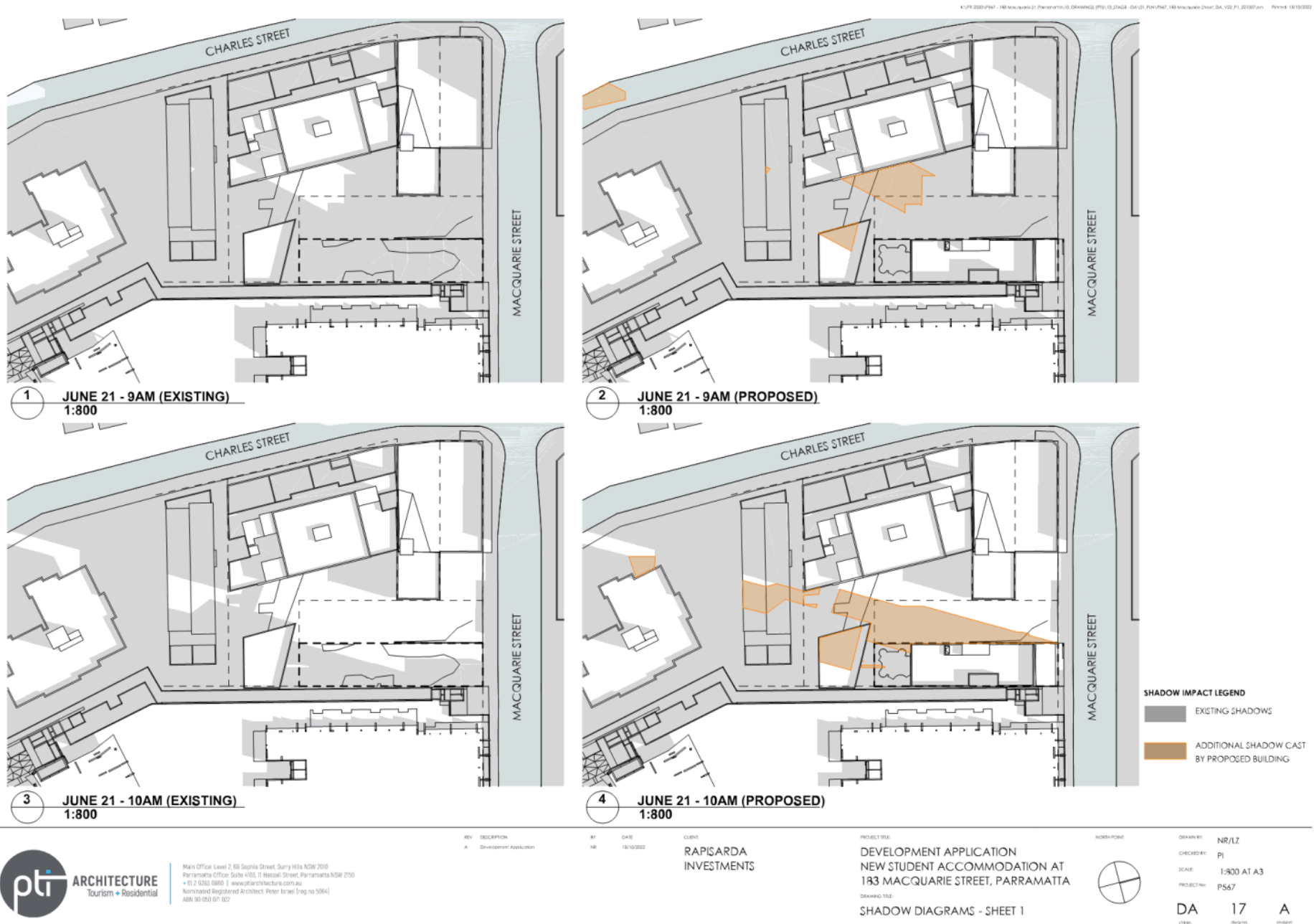


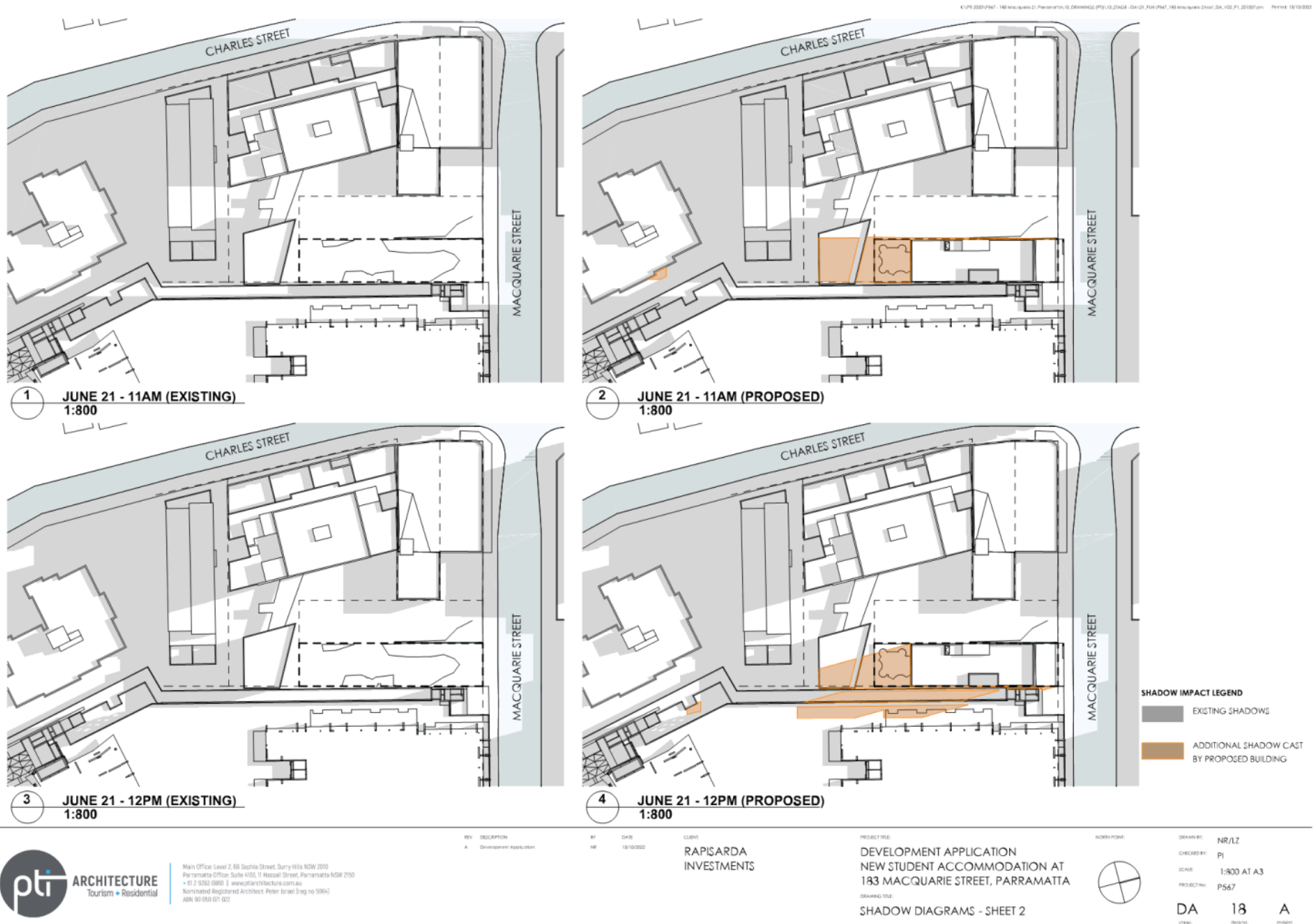
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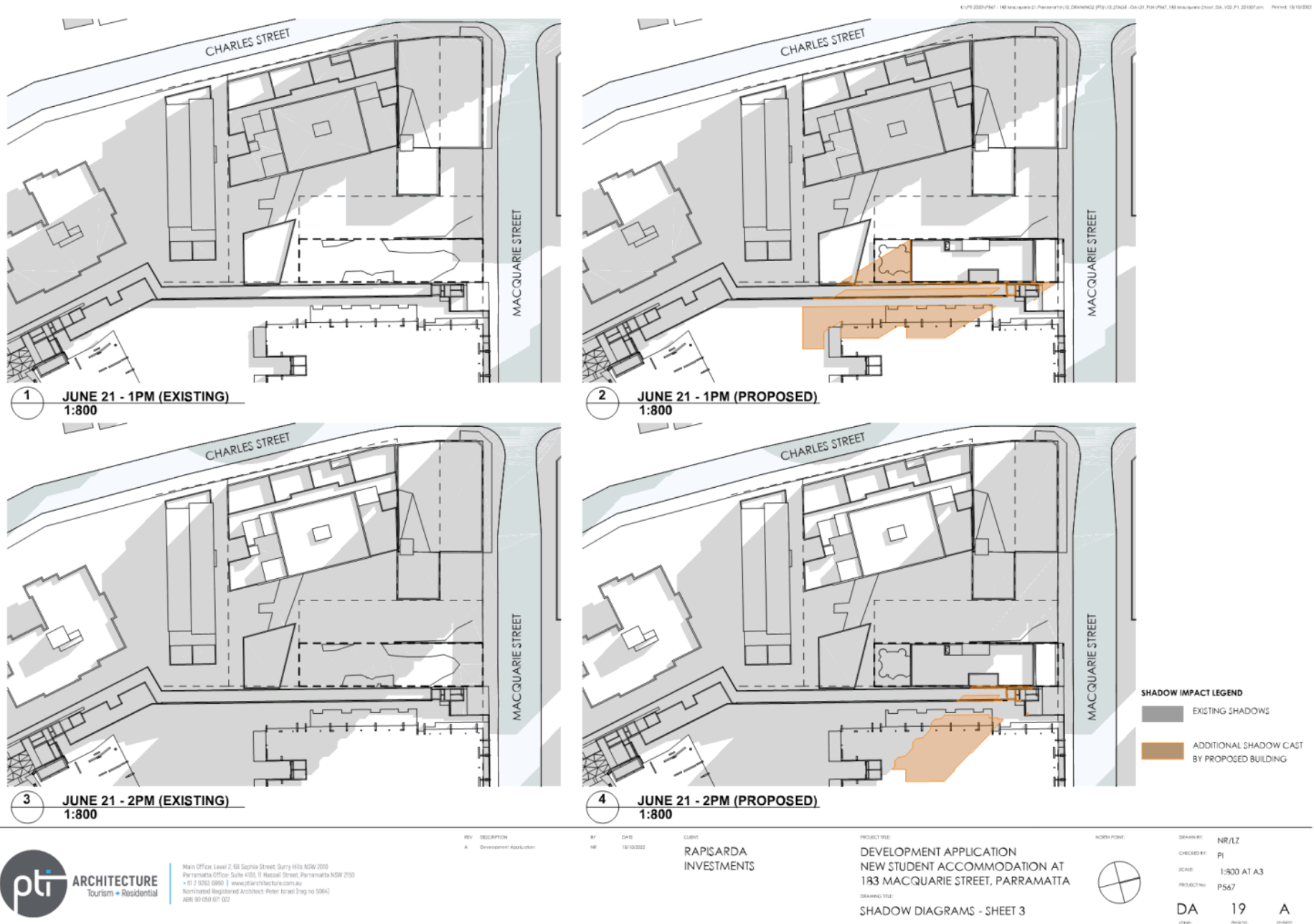
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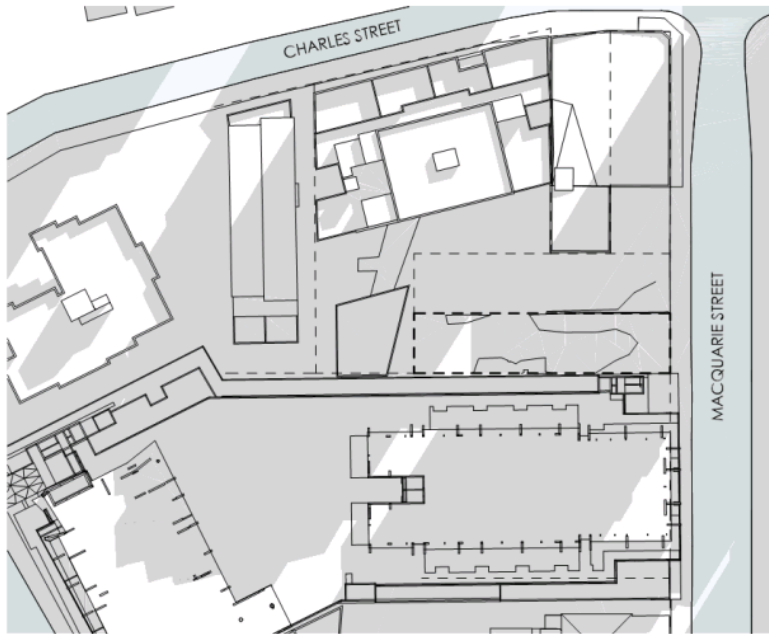
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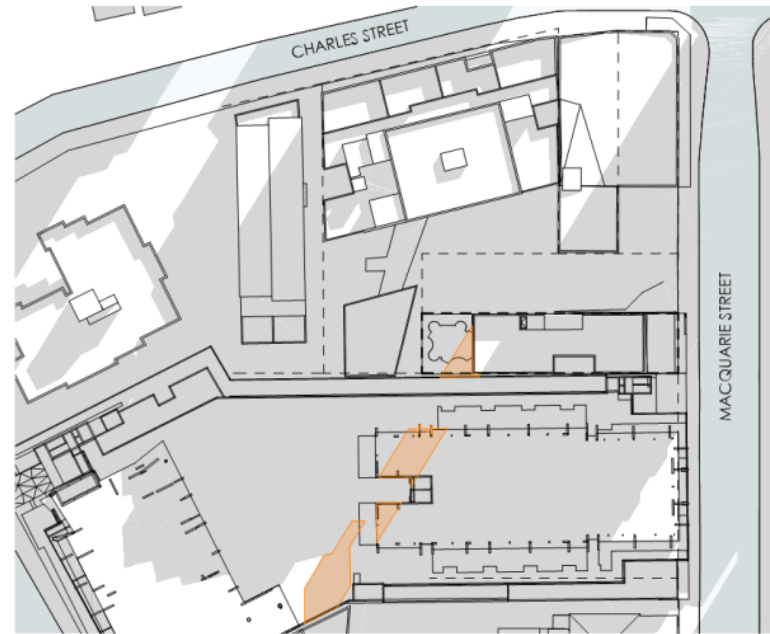








1 JUNE 21 - 3PM (EXISTING)
1:800



2 JUNE 21 - 3PM (PROPOSED)
1:800

SHADOW IMPACT LEGEND

- EXISTING SHADOWS
- ADDITIONAL SHADOW CAST BY PROPOSED BUILDING



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NEW STUDENT ACCOMMODATION AT
183 MACQUARIE STREET, PARRAMATTA

DRAWING TITLE
SHADOW DIAGRAMS - SHEET 4

NORTH POINT

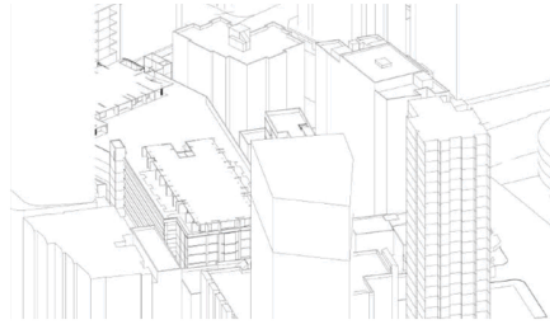


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PROJECT NO: P567

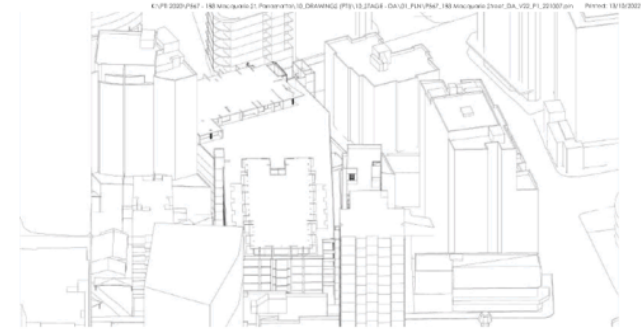
DA 20 A
stage designs renders



1 SOLAR ACCESS - 9AM 21 JUNE
NTS



2 SOLAR ACCESS - 9AM 21 JUNE
NTS



3 SOLAR ACCESS - 9AM 21 JUNE
NTS



4 SOLAR ACCESS - 9AM 21 JUNE
NTS



5 SOLAR ACCESS - 9AM 21 JUNE
NTS



6 SOLAR ACCESS - 9AM 21 JUNE
NTS



7 SOLAR ACCESS - 9AM 21 JUNE
NTS



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NEW STUDENT ACCOMMODATION AT
183 MACQUARIE STREET, PARRAMATTA

DRAWING TITLE
SOLAR STUDY DIAGRAMS

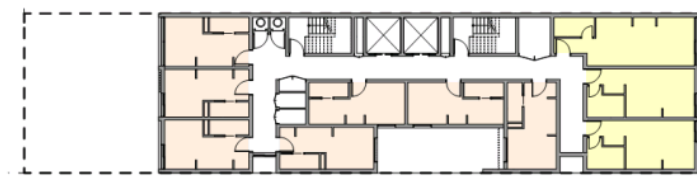
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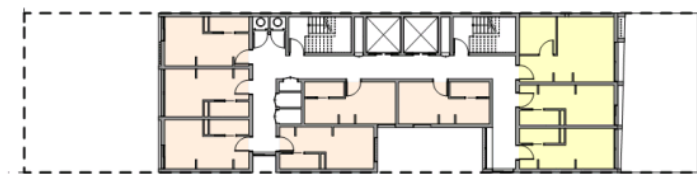
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PROJECT NO: P567

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stage design design

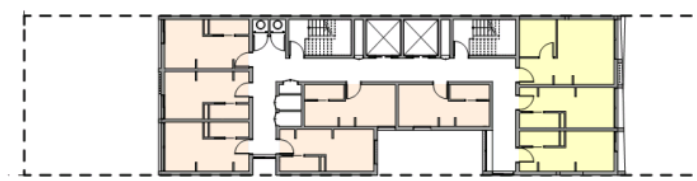
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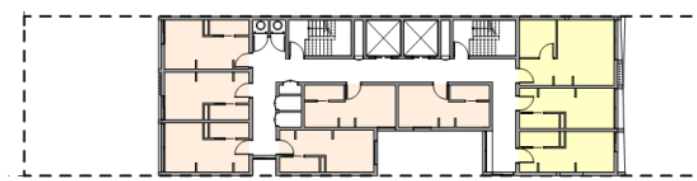
1 SOLAR STUDY - LEVEL 2 - 4
1:300



2 SOLAR STUDY - LEVEL 5
1:300





5 SOLAR STUDY - LEVEL 6 - 8
1:300



6 SOLAR STUDY - LEVEL 9 - 11
1:300

SOLAR ACCESS		
2 HOURS DIRECT SUNLIGHT		
SUN ACCESS FROM 9AM-3PM MIN 2HRS		
LEVEL	TOTAL NO. UNITS	ACHIEVE 2 HOURS SUNLIGHT
GF	-	-
L1	-	-
L2 - 4	30 (10 PER LEVEL)	9 (3 PER LEVEL)
L5 - 11	63 (9 PER LEVEL)	21 (3 PER LEVEL)
TOTAL	93	30 (32.25%)
NO DIRECT SUNLIGHT		
LEVEL	TOTAL NO. UNITS	NO DIRECT SUNLIGHT
GF	-	-
L1	-	-
L2 - 4	30 (10 PER LEVEL)	21 (7 PER LEVEL)
L5 - 11	63 (9 PER LEVEL)	42 (6 PER LEVEL)
TOTAL	93	63 (67.75%)
NOTE:		

SOLAR ACCESS LEGEND

-  UNITS & PRIVATE OPEN SPACE
RECEIVING 2 HRS SOLAR ACCESS
-  UNITS & PRIVATE OPEN SPACE
RECEIVING NO DIRECT SUNLIGHT



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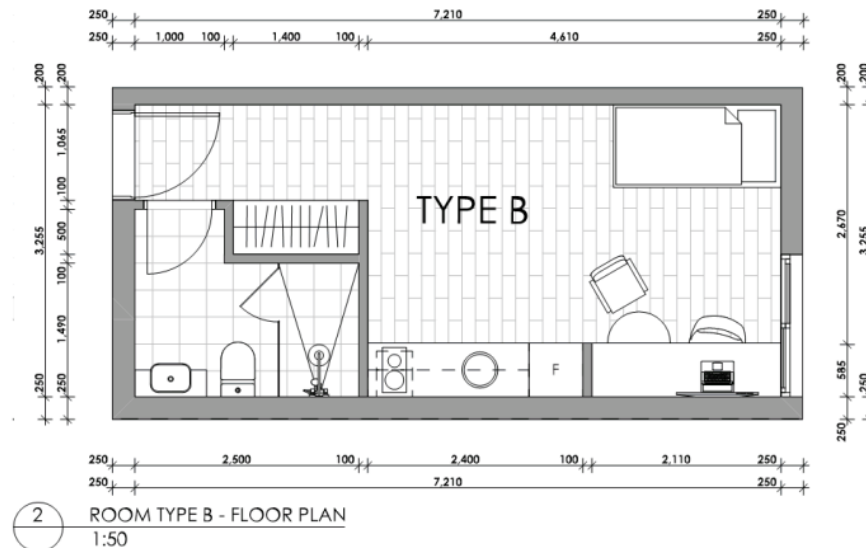
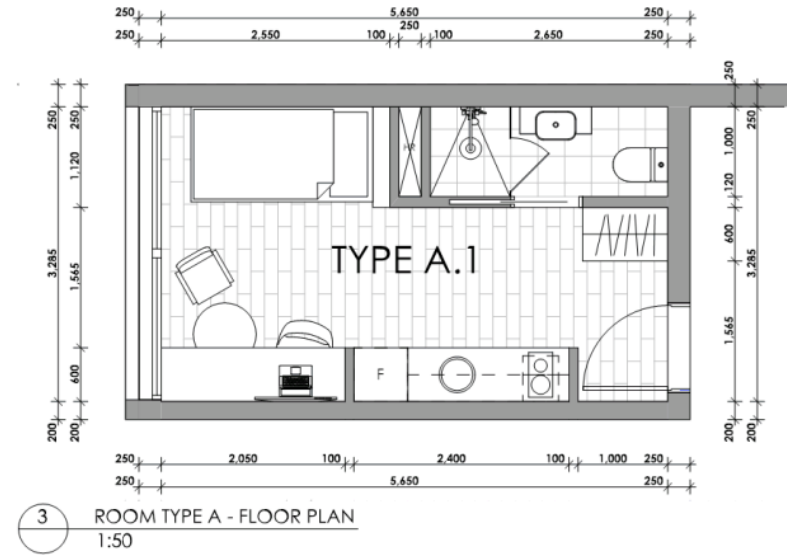
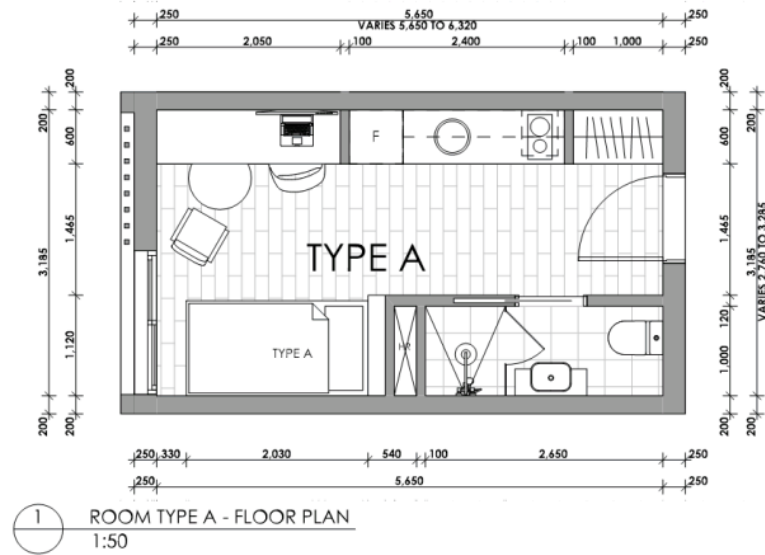
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 #2 18/10/2022

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PROJECT REF:
 DEVELOPMENT APPLICATION
 NEW STUDENT ACCOMMODATION AT
 183 MACQUARIE STREET, PARRAMATTA
 DRAWING TITLE:
 SOLAR STUDY DIAGRAMS



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 SCALE: 1:300 AT A3
 PROJECT NO: P567
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PROJECT TITLE
DEVELOPMENT APPLICATION
NEW STUDENT ACCOMMODATION AT
183 MACQUARIE STREET, PARRAMATTA

DRAWING TITLE
ROOM TYPE A, A.1 & B

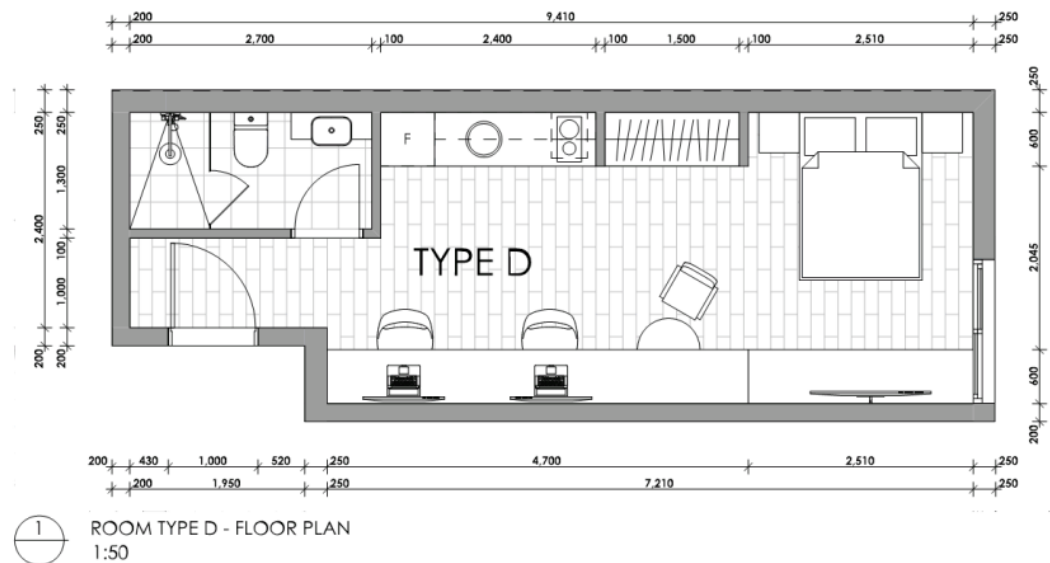


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PROJECT No: P567

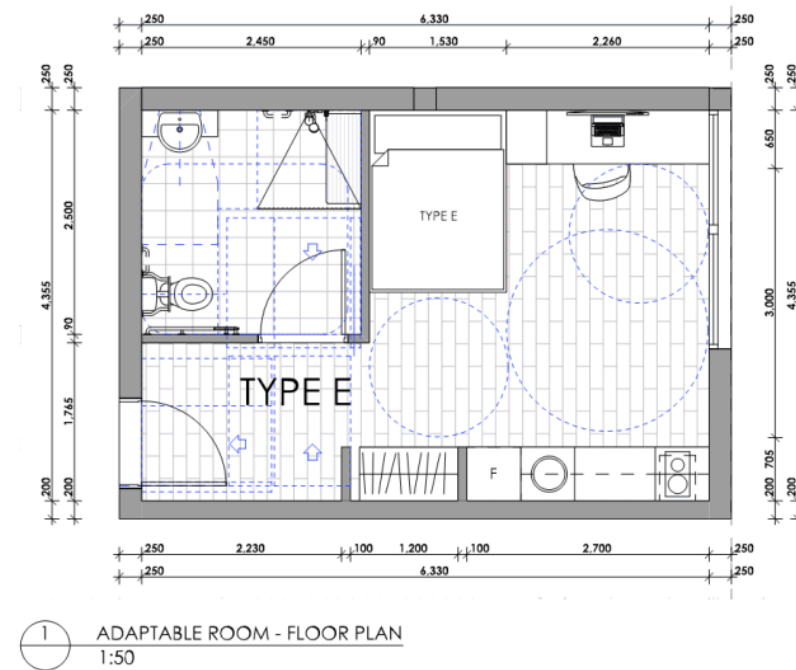
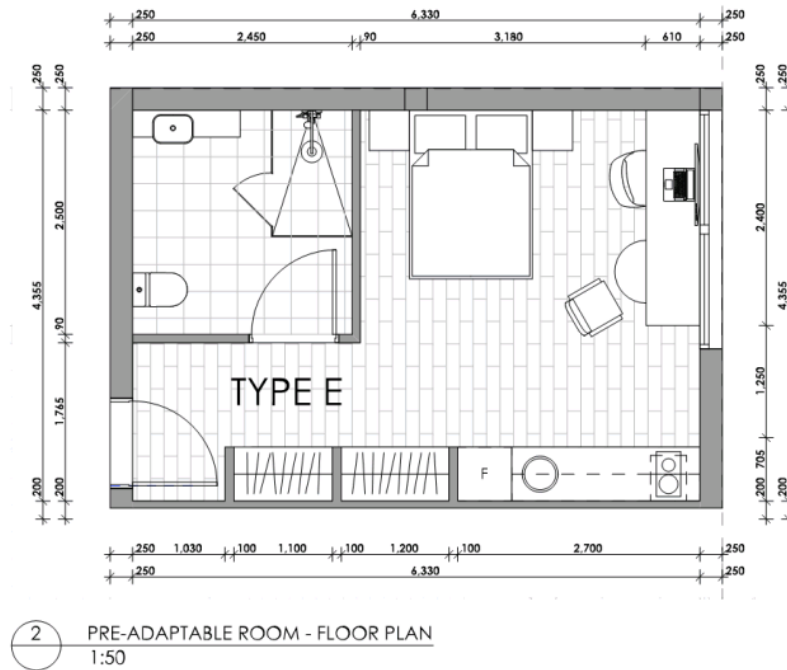
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PROJECT TITLE
 DEVELOPMENT APPLICATION
 NEW STUDENT ACCOMMODATION AT
 183 MACQUARIE STREET, PARRAMATTA
 DRAWING TITLE
 ROOM TYPE E - ADAPTABLE ROOM



DRAWN BY: NR/LZ
 CHECKED BY: PJ
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 PROJECT NO: P567

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A	Development Application

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HP	19/10/2022

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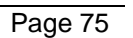
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**DEVELOPMENT APPLICATION
NEW STUDENT ACCOMMODATION AT
183 MACQUARIE STREET, PARRAMATTA**

DRAWING TITLE
3D VIEW



DRAWN BY	CHECKED BY	SCALE	PROJECT NO.
NR/LZ	PJ	1:0.77 AT A3	P567

DA	26	A
design	design	design



Student Accommodation
183 Macquarie Street, Parramatta NSW

DWG NO.	DRAWING TITLE	SCALE
000	LANDSCAPE COVER SHEET	
C101	LANDSCAPE COLOR PLAN	1:75
101	LANDSCAPE PLAN - GROUND FLOOR	1:75
102	INDICATIVE MATERIALS & DESIGN CHARACTER	1:75
201	LANDSCAPE PLANTING PLAN - GROUND FLOOR	1:75
501	LANDSCAPE SPECIFICATION / INDICATIVE PLANT SCHEDULE	AS SHOWN
502	LANDSCAPE DETAILS	AS SHOWN

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The contractor shall check and verify all work on site including work by others before commencing the landscape installation. Any discrepancies are to be reported to the Project Manager or Landscape Architect prior to commencing work. Do not scale this drawing. Any required dimensions not shown shall be referred to the Landscape Architect for confirmation.

B	Preliminary
A	Preliminary
Issue	Revision/Description

NUR	RS	11.10.22
SS	RS	18.09.22
Drawn	Check	Date

LEGEND

Key Plan



SITE IMAGE

Landscape Architects
Level 1, 315 Bapfield Street
Hawthorn Victoria 3122
Australia
Tel: 0312 8122 5680
Fax: 0312 3688 2677
www.siteimage.com.au

Client
RAPISARDA INVESTMENTS

Project
Student Accommodation
183 Macquarie Street
Parramatta NSW

Drawing Name:
Landscape Cover Sheet

PRELIMINARY

Scale:	Job Number:	Drawing Number:	Issue:
SS22-5030	000	B	



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Rev	Revision Description	Drawn	Check	Date
B	Preliminary	MJM	RS	11/05/22
A	Preliminary	SS	RS	16/09/22

Rev	Revision Description	Drawn	Check	Date
B	Preliminary	MJM	RS	11/05/22
A	Preliminary	SS	RS	16/09/22

LEGEND

- Proposed groundcover planting
- Proposed shrub planting
- Loose seating & tables

- Proposed trees
- Timber decking
- Concrete seating alcove

- Tree up lighting
- Feature square seating

Key Plan



SITE IMAGE

Client
RAPISARDA INVESTMENTS

Project
**Student Accommodation
183 Macquarie Street
Parramatta NSW**

Site Image
Level 1, 1st Floor
183 Macquarie Street
Parramatta NSW 2150
Australia

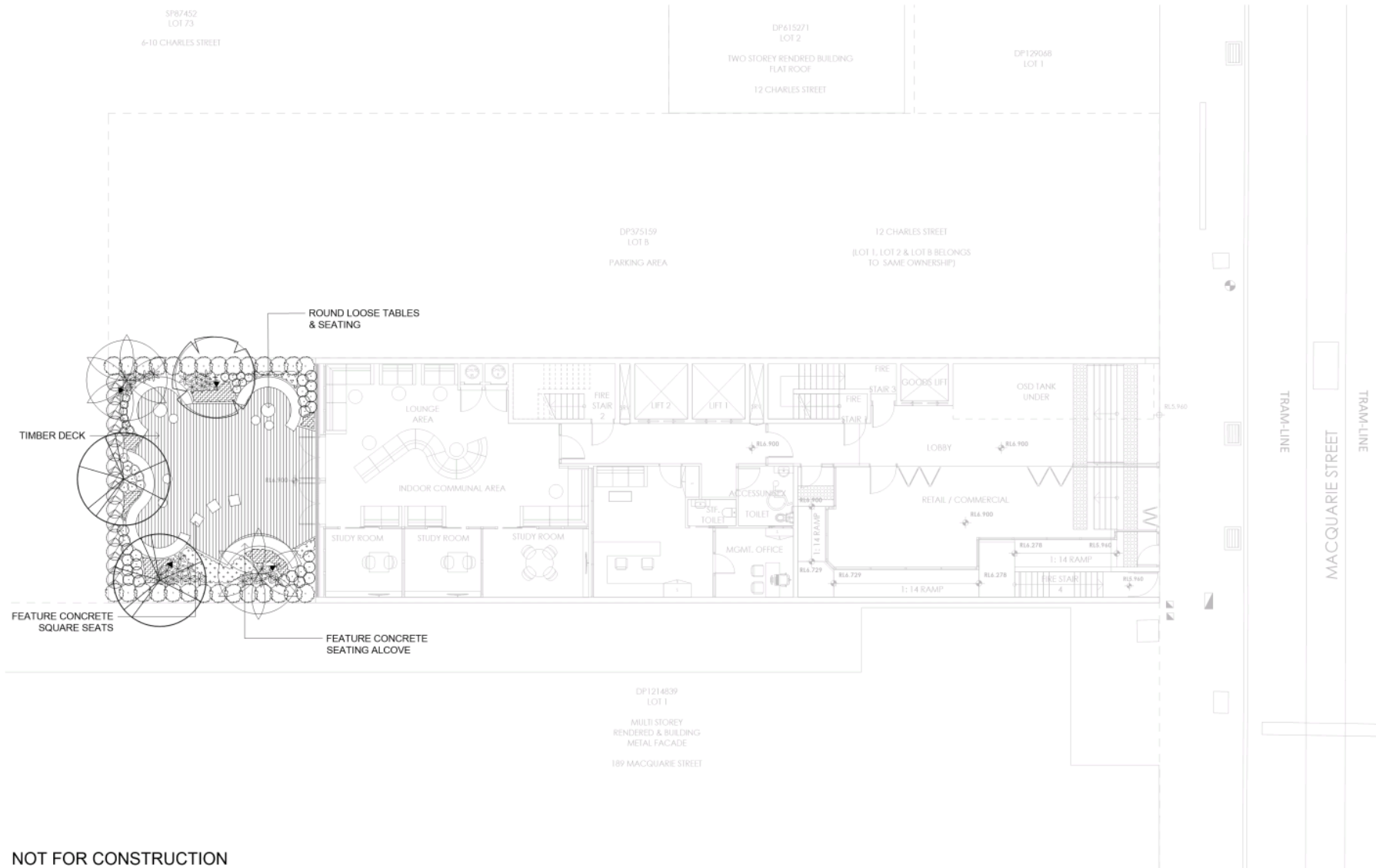
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Drawing Name:
**Landscape Colour Plan
Ground Floor**

PRELIMINARY

Scale: 1:75 @ A1
Job Number:
SS22-5030

Drawing Number:
C101 B



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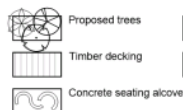
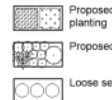
The contractor shall check and verify all work on site including work by others before commencing the landscape installation. Any discrepancies are to be reported to the Project Manager or Landscape Architect prior to commencing work. Should there be any change, any required dimensions not shown shall be referred to the Landscape Architect for confirmation.

A1

B Preliminary
A Preliminary
Issue Revision Description

NUR RS 11.10.22
SS RS 16.09.22
Drawn Check Date

LEGEND



Key Plan

SITE IMAGE



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Project:
**Student Accommodation
183 Macquarie Street
Parramatta NSW**

Drawing Name:
**Landscape Plan
Ground Floor**

PRELIMINARY

Scale: 1:75 @ A1
Job Number:
SS22-5030

Drawing Number:
101 B

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0 0.5 1 1.5 2 2.5m
Drawing Number: 102 B

LANDSCAPE SPECIFICATIONS

GENERAL NOTES

References

All plans and details included in the project documents shall be read in conjunction with this specification. All structural and civil works components of the landscape design shall be referenced to engineer's details and specifications. Read this specification in conjunction with the plant and materials schedules on the drawings. If in doubt about any detail or if conflicts are found in the documents, seek advice.

Workmanship and Materials

The whole of the landscape works shall be carried out by a competent, trained and qualified landscape contractor who is experienced in horticultural practices, landscape construction and planting procedures. The landscape contractor shall hold a current Building Contractors License and/or be a financial member of LNA Landscape Association NSW or A/C or equivalent organisations in other states.

EXISTING TREES AND SHRUBS

Trees and Shrubs to be Retained and Protected

Identify and mark trees and shrubs to be retained using a suitable non-injurious, easily visible and removable means of identification. Protect from damage the trees and shrubs to be retained, including those beyond the site area, both above and below the ground. If a tree becomes damaged during the works, or it is proposed to perform work on a tree, give written notice immediately and obtain instructions.

Work Near Trees and Shrubs

Keep the area of the drop line free from construction material and debris. Do not place bulk materials and harmful materials against tree canopies or near trees. Do not place spoil from excavations against tree trunks. Prevent wind-blown building materials, such as cement, from covering trees and other plants. Do not remove topsoil from, or add topsoil to, the area within the drip line of trees.

EARTHWORKS

Excavation, Trimming and Filling

Except as otherwise noted in the contract, bulk excavation is excluded from the landscape works. After the completion of bulk excavation by others, trim and fill the excavated ground surfaces to achieve design levels to accommodate finish materials as detailed. Prepare the sub-grade surface as required for the various finished ground treatments.

Sub-soil Drainage

Keep the excavated works drained and free of standing water. Allow to supply and install sub-soil drainage pipes as required for the new works to ensure that all gardens are well drained. Connect the sub-soil drainage pipes to the nearest downstream stormwater pits. Include pipe filter socks and coarse sharp aggregate backfilling of trenches.

HARDWORKS

Furniture, Handrails, Balustrades

Supply and install the scheduled items in accordance with the manufacturer's recommendations, as detailed and in the locations shown on plan. Provide all fixings and fixings required for the items to be stable and in accordance with applicable codes and standards.

Garden Walls, Fences, Edging

Construct garden walls, fences, and edging as shown on plan, as detailed and of the material scheduled. Refer to engineer's details for structural retaining walls, concrete stairs, concrete strength, reinforcing and joint placement.

Continuous, Unit and Loose Pavement

Install the scheduled material pavement to the locations shown on plan. Ensure that all subgrade/surfaces works are complete prior to commencing paving. Confer with the engineer to ensure the structural integrity of the subgrade. Ensure that the base course under paved surfaces is a continuous plane offering a constant depth of bedding material not exceeding 50mm. If heavy and porous in a cement mortar bed on a concrete sub-base ensure that joints in paving match the location of joints in the concrete. Refer to engineer's details for heavy duty slabs, concrete stairs, concrete strength, reinforcing, and joint type and placement.

SOFT WORKS

Site Soil Testing

Where site soil is to be retrieved from site and stored on site for reuse, undertake at least two (2) soil tests in locations as advised by the Project Manager, or as shown on the plans. Provide results and recommendations regarding soil additives for the benefit of healthy plant growth and to adjust the soil components to achieve an appropriate planting medium for successful plant development.

Subsoil

Excavate and/or fill all garden beds to bring the top of subsoil to at least 300mm below finished design levels. Excavate all turf areas to bring the subsoil to at least 100mm below finished design levels. In all areas shape the subsoil to fall to subsoil drains where applicable. Do not excavate within the drip line of trees and shrubs to be retained. Cultivate or rip the subsoil to a further depth of 100mm before placing top soil. Remove stones of size exceeding 25mm, clots of earth exceeding 50mm, and weeds, rubbish or other deleterious material brought to the surface during cultivation. Do not disturb services or existing tree roots. If necessary cultivate these areas by hand. During cultivation, thoroughly mix in materials required to be incorporated into the subsoil, as recommended in the soil testing results and to manufacturer's recommendations. Trim the surface to design levels again after cultivation.

Topsoil

Import topsoil for the garden and turf areas, unless the topsoil can be provided from material recovered from the site, as recommended in the soil testing results. Spread the topsoil on the prepared subsoil and grade evenly, compact lightly and uniformly in 150mm layers. Avoid differential subsidence and excess compaction and produce a finished topsoil surface which has the following characteristics:

- Finished to design levels, allowing for mulch or turf, which is to fresh finish with adjoining hard surfaces such as paths and edges.
- Smooth and free from inorganic matter, stones or clods of soil.
- Graded to drain freely, without ponding, to catchment and/or sub-soil drains.
- Graded evenly to adjoining surfaces, and.
- Ready for planting.

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The contractor shall check and verify all work on site (including work by others) before commencing the landscape installation. Any discrepancies are to be reported to the Project Manager or Landscape Architect prior to commencing work. Do not waste money. Any requests or demands not shown shall be referred to the Landscape Architect for confirmation.

Compost

Provide, in accordance with AS 4454, well rotted vegetative material or animal manure, free from harmful chemicals, inorganic matter, grass, weeds and the reproductive parts of unwanted plants.

Fertiliser

Provide proprietary fertilisers, delivered to the site in sealed containers marked to show manufacturer or vendor, weight, fertiliser type, N/P/K ratio, recommended uses, application rates and safety procedures. Apply appropriate fertiliser suited to the provenance of plants (indigenous or exotic) included in the design.

Plants

Supply plants in accordance with the landscape design drawings and schedules, which have the following characteristics:

- Large healthy root systems, with no evidence of root rot, restriction or damage.
- Vigorous, well established, free from disease and pests, of good form consistent with the species variety.
- Handed off, not soft or forced, and suitable for planting in the normal climatic conditions prevailing at the site in full sun, partial shade or full shade conditions.
- Grown in final containers for not less than twelve weeks;
- Trees, unless required to be multi-stemmed, shall have a single leading shoot, and
- Containers shall be free from weeds and of appropriate size in relation to the specified plant size.

Plant Installation

Following excavation of the planting hole, place and spread 15gms of wetting agent pre-mixed with one (1) litre of water. Place the plant correctly orientated to north or for best presentation. Backfill the planting holes with specified topsoil gradually. Lightly tamp and water to eliminate air pockets. Ensure that the backfill soil is not placed over the top of the root ball and that the root ball is not higher than the soil at the time of planting.

Embankment Stabilisation

Where necessary and shown on the drawings prevent soil erosion or soil movement by stabilising embankments as follows. As a minimum this should be on slopes steeper than or equal to 1:3 gradient. Stabilise embankments using biodegradable fibre reinforced heavy weight jute fabric. Lay fabric from top to bottom of slope. Install in accordance with manufacturer's specification, including 300 x 300mm anchor trench at top and bottom of slope, backfilled with soil over the fabric and compacted into the trenches. Using U-shaped galvanneal steel pegs at 1000mm centres generally and 250mm centres at edge overlaps, secure the fabric to the prepared soil surface. Plant through the fabric after it is installed.

Root Barrier

Supply and install root control barriers to all new tree plantings adjacent to walls, paths, kerbs and all service trenches, where their proximity poses a threat to the stability of the built infrastructure. Install in accordance with manufacturer's recommendations.

Mulch

Unless noted otherwise, mulch shall be approved proprietary recycled wood fibre or pine bark material. Place mulch in all garden beds to a depth of 50mm after all specified plants are installed. Keep mulch clear of all plant stems and rake to an even plane, flush with the surrounding surfaces evenly graded between design surface levels. Over fill to allow mulch to settle to the specified depth.

Stakes and Ties

Stakes shall be durable hardwood, straight, free of knots and bents, pointed at one end, in the following quantities and sizes for each of the various plant pot sizes:

- Plants >25 L x 1 of 36 x 36 x 1000mm;
- Semi-advanced plants >75 L x 2 of 50x50x 1800mm;
- Advanced plants >100 L x 3 of 50 x 50 x 2400mm.

Turf

Turf shall be delivered to site as 20mm minimum thick cut turfs. Obtain turf from a specialist grower of cultivated turf. Turf shall have an even thickness, free from weeds and other foreign matter. Deliver turf to the site within 24 hours of being cut and lay it within 24 hours of delivery. Prevent it from drying out between cutting and laying. Lay the turf in the following manner:

- In stretcher pattern, joints staggered and close butted,
- Prevent long sides of level areas, with contours or slopes, and
- To flush finish, after lightly tamping, with adjacent finished surfaces and design levels.

Species: Derwentham excavatum: Sir Walter Soil leaf Buffalo.

IRRIGATION

Scope: Unless otherwise noted or instructed irrigate all planted areas shown on plans including planters, tubs, gardens, turf and the like.

The irrigation system shall be an automatic permanent system, with an irrigation controller self operated via a soil moisture sensor. The system shall be calibrated to deliver the optimum rate and volume of water appropriate to the type of plants in the design. The system shall be adjustable and fully serviceable. The layout of the entire irrigation system shall focus on delivering the required amount of water to maintain healthy and vigorous growth. The irrigation system shall be such that, component theft, vandalism, over spray and wetting of paths shall be reduced to a minimum or completely eliminated by the use of drip, pop-up sprinklers and judiciously placed fixed spray emitters. Generally do not use free line emitters that provide a drifting mist that may wet paths and the buildings unless, specifically required by the design.

LANDSCAPE MAINTENANCE

The Landscape Contractor shall rectify defects during isolation and final become apparent in the works under normal use for the duration of the contract Defects Liability Period. Unless contracted otherwise, the Landscape Contractor shall maintain the contracted areas for the implementation of industry accredited horticultural practices for 52 weeks from Practical Completion of the works. The landscape maintenance works shall include, but not be limited to:

- Replacing failed plants,
- Pruning,
- Insect and pest control,

- Fertilising;
- Maintaining and removing stakes and ties;
- Maintaining mulch;
- Mowing and top dressing;
- Irrigation and watering;
- Erasing control, and
- Weeding and rubbish removal.

Maintenance Log Book

Implement and keep a maintenance log book recording when and what maintenance work has been undertaken and what materials, actions and discussions have been used, implemented and concluded to keep the landscape always looking its best. Enter data daily and review information every 2 weeks. Observe trends and develop a maintenance regime around seasonal and observed event occurrences.

Maintenance Activities

During the defects maintenance period schedule the following activities to occur on a timely basis:

- Plant replacement** - Replace plants that have failed to mature, die or are damaged. Replacement plants shall be in a similar size and quality and identical species or variety to the plant that has failed. Replacement of plants shall be at the cost of the landscape contractor unless advised otherwise. If the cause of the failure is due to a controllable situation then correct the situation prior to replacing plants. Observe and replace failed plants within 2 weeks of observation.
- Pruning** - Prune dead wood, broken limbs, dead or infected foliage and as needed to develop strong, healthy plants to achieve the shape and form expected of the plant type. Observe daily and prune plants on a needs basis.
- Insect, disease and pest control** - Avoid spraying
 - if ever possible;
 - if wet weather or if wet weather is imminent,
 - if target plants are still wet after rain;
 - in windy weather; and
 - if non-target species are too close.Immediately report to the Project Manager any evidence of intensive weed infestation, insect attack or disease amongst plant material. Submit all proposals to apply chemicals and obtain approval before starting this work. When approved, spray with herbicide, insecticide, fungicide as appropriate in accordance with the manufacturer's recommendations. Observe daily and act as necessary to control any infestation or disease. Record in the logbook all relevant details of spraying activities including:
 - Product brand / manufacturer's name,
 - Chemical / product name,
 - Chemical contents,
 - Application quantity and rate,
 - Date of application and location,
 - Results of application, and
 - Use approval authority.
- Fertilising** - Fertilise gardens with a proprietary slow release fertiliser applied in accordance with the manufacturer's directions any recommended. Apply 6-12 monthly. Record in the logbook all relevant details of fertilising including:
 - Product brand / manufacturer's name,
 - Fertiliser / product name,
 - Application quantity and rate, and
 - Date of application and location.
- Stakes and ties** - Adjust and replace as required to ensure plants remain correctly staked. Remove those not required at the end of the planting establishment period (Defects Liability Period). Inspect and act at least every 2 weeks.
- Maintaining mulch** - Maintain the surface in a clean, tidy and weed free condition and restate the mulch as necessary to ensure correct depth as specified. Observe weekly and replenish mulch as required.
- Mowing and top dressing** - Mow the turf to maintain a grass height of between 30-50mm. Do not remove more than one third of the grass height at any one time. Remove grass clippings from the site after each mowing. Top dress to a maximum of 10mm to fill depressions and hollows in the surface. Mow weekly/twofortnightly in warmer months. Mow monthly or as required in cooler months. The dress at approximately 6 monthly intervals.
- Irrigation and watering** - Maintain the irrigation system to ensure that each individual plant receives the required amount of water to maintain healthy and vigorous growth. Adjust and calibrate as required. Provide additional watering, if necessary but inspect irrigation weekly and make repairs as necessary.
- Drainage control** - Where necessary, maintain the erosion control fabric in a tidy and weed free condition and restate as necessary to ensure control measures are effective where deemed necessary. Inspect every 2 weeks and act to repair any damage as soon as possible.
- Weeding and rubbish removal** - During the plant establishment period remove by hand, rubbish and weed growth that may occur or re-occur throughout all planted, mulched and paved areas. The contractor shall target weeds that are capable of producing a major infestation of unwanted plants by seed distribution. Whenever possible, time weed removal to provide flowering and seed set. Constant observation and removal of weeds is essential.

SS22-5030 183 Macquarie Street, Parramatta NSW.

Plant Schedule

Symbol	Botanical Name	Common Name	Mature Height (m.)	Mature Spread (m.)	Pot Size	Qty
Trees						
Hf	Howea forsteriana	Kentia Palm	20	5	3m clear trunk height	2
MLG	Magnolia grandiflora 'Little Gem'	Dwarf Magnolia	5	3	200L	2
Ns	Nyssa sylvatica	Black Tupelo	11	6	200L	1
Accents & Shrubs						
Ae	Aspidistra elatior	Cast Iron Plant	0.4	0.2	200mm	16
AiR	Alcantarea imperialis 'Rubra'	Giant Bromeliad	1.2	1.2	300mm	12
Mp	Murraya paniculata	Orange jessamine	3.0	2.0	300mm	15
Re	Rhapis excelsa	Lady Palm	2.0	1.0	1.2m high	15
ROP	Raphiolepis 'Oriental Pearl'	Oriental Pearl	1	1	200mm	7
Sa	Syzygium australe 'Resilience'	Lilly Pilly	3	2	300mm	28
Zf	Zamia furfuracea	Cardboard Plant	0.5	0.5	200mm	7
Grasses & Groundcovers						
CBB	Crassula 'Bluebird'	Jade plant	0.5	0.5	300mm	19
Lm	Liriope muscari	Evergreen Giant	6/m2	0.5 x 0.5	150mm	26
Px	Philodendron Xanadu	Xanadu	5/m2	0.8 x 1.0	150mm	33

LEGEND

Key Plan:

SITE IMAGE

Landscape Architects

Level 1, 3-5 August 2019

Ref: 183 Macquarie Street

Site: 183 Macquarie Street

Site: 183 Macquarie Street

Site: 183 Macquarie Street

Site: 183 Macquarie Street

Site: 183 Macquarie Street

Site: 183 Macquarie Street

Site: 183 Macquarie Street

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Site: 183 Macquarie Street

Site: 183 Macquarie Street

Site: 183 Macquarie Street

Site: 183 Macquarie Street

Architectural and Landscape Plans

Drawing Name:

Landscape Specification /

Indicative Planting Schedule

Scale: 1/75 @ A1

Job Number:

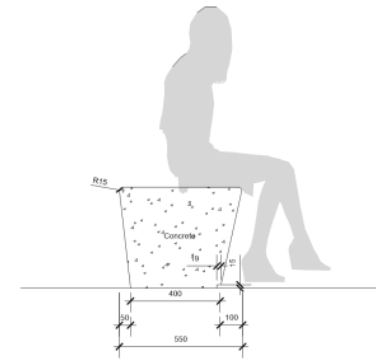
SS22-5030

Drawing Number:

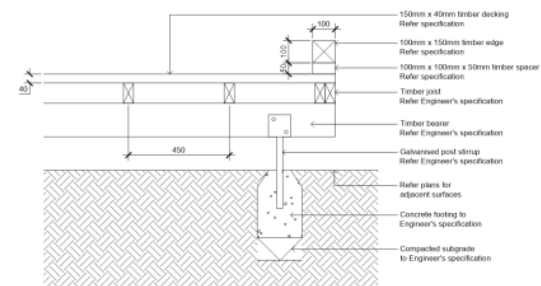
501

Issue:

B



3 Feature concrete seat - Section
502 1:10



6 RAISED TIMBER DECK - SECTION BB
502 SCALE 1:10

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The contractor shall check and verify all work on site (including work by others) before commencing the landscape installation. Any discrepancies are to be reported to the Project Manager or Landscape Architect prior to commencing work. Do not scale this drawing. Any required dimensions not shown shall be referred to the Landscape Architect for confirmation.

Key Plan:

RAPISARDA INVESTMENTS

Drawing Name:
Landscape Details



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Level 5, 3-5 Hapting Street
Rusden VIC 3207
Australia
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Fax: (01 2) 9688 2877
www.obernager.com.au

Project
Student Accommodation
183 Macquarie Street
Parramatta NSW

PRELIMINARY

Scale: 1:75 @ A1
Job Number:
SS22-5030

0 0.5 1 1.5 2 2.5m
Drawing Number: 50



Clause 4.6 Variation

MINIMUM ALLOTMENT SIZE FOR CO-
LIVING DEVELOPMENT

183 MACQUARIE STREET,
PARRAMATTA

OCTOBER 2022



QUALITY ASSURANCE	
PROJECT:	Clause 4.6 – Minimum allotment size Co-Living
ADDRESS:	Lot A in DP 375159
LOT/DP:	183 Macquarie Street, Parramatta
COUNCIL:	City of Parramatta
AUTHOR:	Think Planners Pty Ltd

Document Management				
Date	Purpose of Issue	Revision	Reviewed	Authorised
7 October 2022	Co-ordination	Draft	BD	BD
13 October 2022	Lodgement Issue	Final	BD	BD

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CLAUSE 4.6 DEPARTURE – MINIMUM ALLOTMENT SIZE

BACKGROUND

This Clause 4.6 variation has been prepared in support of a development application that seeks approval for the construction of a 12 storey building containing a retail shop and a 'Co-Living' development containing 93 rooms and indoor and outdoor communal spaces at 183 Macquarie Street, Parramatta.

Clause 69(1b) of the Housing SEPP 2021 states that:

69 Standards for co-living housing

(1) Development consent must not be granted for development for the purposes of co-living housing unless the consent authority is satisfied that—

(b) the minimum lot size for the co-living housing is not less than—

(i) for development on land in Zone R2 Low Density Residential—600m², or

(ii) for development on other land—800m², and

The development site has area of 487.3.m² and accordingly seeks to vary this control by 312.7m².



LAND AND ENVIRONMENT CASE LAW

The decision by Chief Judge Preston in a judgement dated 14 August 2018 in the matter of *Initial Action Pty Ltd v Woollahra Council* confirmed that the absence of impact was a suitable means of establishing grounds for a departure and also confirmed that there is no requirement for a development that breaches a numerical standard to achieve a 'better outcome'. However more recent developments in the law in *RebelMH Neutral Bay Pty Limited v North Canterbury Council* [2019] NSWCA 130 have set out to confirm that the approach taken in *Al Maha Pty Ltd v Huajun Investments Pty Ltd* [2018] NSWCA 245 ('*Al Maha*') is also relevant. In simple terms, *Al Maha* requires that a Clause 4.6 departure will have only adequately addressed Clause 4.6(3) if the consent authority is satisfied the matters have been demonstrated in the Clause 4.6 request itself- rather than forming a view by the consent authority itself. This Clause 4.6 request demonstrates the matters if Clause 4.6 (3).

The key tests or requirements arising from these judgements is that:

- The consent authority be satisfied the proposed development will be in the public interest because it is "consistent with" the objectives of the development standard and zone is not a requirement to "achieve" those objectives. It is a requirement that the development be compatible with the objectives, rather than having to 'achieve' the objectives.
- Establishing that 'compliance with the standard is unreasonable or unnecessary in the circumstances of the case' does not always require the applicant to show that the relevant objectives of the standard are achieved by the proposal (Wehbe "test" 1). Other methods are available as per the previous 5 tests applying to SEPP 1, set out in *Wehbe v Pittwater*.
- When pursuing a clause 4.6 variation request it is appropriate to demonstrate environmental planning grounds that support any variation: and
- The proposal is required to be in 'the public interest'.

In relation to the current proposal the keys are:

- Demonstrating that the development remains consistent with the objectives of the minimum lot size standards;
- Demonstrating consistency with existing streetscape;
- Demonstrating compliance with objectives of the B4 zone; and
- Satisfying the relevant provisions of Clause 4.6.

This Clause 4.6 Variation request deals with the minimum lot size matters in turn below.

ADDRESSING CLAUSE 4.6 PROVISIONS MINIMUM LOT SIZE

Clause 4.6 of the Parramatta Local Environmental Plan 2011 provides that development consent may be granted for development even though the development would contravene a development standard. This is provided that the relevant provisions of the clause are addressed, in particular subclause 3-5 which provide:

- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
 - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.*
- (4) Development consent must not be granted for development that contravenes a development standard unless:*
 - (a) the consent authority is satisfied that:*
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
 - (b) the concurrence of the Secretary has been obtained.*
- (5) In deciding whether to grant concurrence, the Secretary must consider:*
 - (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*
 - (b) the public benefit of maintaining the development standard, and*
 - (c) any other matters required to be taken into consideration by the Secretary before granting concurrence.*

Clause 4.6 does not fetter the consent authority's discretion as to the numerical extent of the departure from the development standard. Each of the relevant provisions of Clause 4.6 are addressed in turn below.

Clause 4.6(3)- Environmental Planning Grounds

In accordance with the provisions of this clause it is considered that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case as there are sufficient environmental planning grounds to support the proposed departure to the minimum allotment size for a secondary dwelling given the following:

- The Parramatta LEP does not contain a minimum allotment size for residential flat buildings, commercial buildings, or Mixed Use Development) and this development that does not require a vehicular crossover will appropriately activate the site by providing a commercial premises and co-living development that activates the entire frontage of the site;
- The control applies to sites in a suburban location where a co-living development in a garden setting is warranted. This CBD site where built to edge developments are encouraged is an appropriate size for the development;
- The existing allotment that creates the development site is undersized and is a result of historic subdivisions before the current SEPP came into effect.
- The main intent of the control is to ensure that an appropriately sized site is provided for co-living. The lodgement of a local development application allows Council to consider the merits of the application in terms of site coverage, building height etc;
- The development proposal remains compliant with all other provisions of the LEP (height, FSR), and which indicates the form of development is entirely appropriate for the allotment notwithstanding the departure from the numerical control pertaining to lot size. Therefore, the area and dimensions of the lot are able to accommodate a Mixed Use Development with a co-living component consistent with the key planning controls notwithstanding the proposed departure from the lot size control. The design and scale of the development is therefore site responsive and respects the reduced lot size to deliver an appropriate form of development on the site;
- The development proposes a modest development on an allotment that has been designed to minimise impacts on adjoining properties. The development will not have an unacceptable impact on surrounding properties;
- The proposal provides for an intensity of development that is capable of being serviced by the existing infrastructure;
- The proposal seeks to improve the presentation of the building to the street and have a positive impact in turn upon the character of the locality;
- The subject site is within proximity of local amenities including employment opportunities, educational establishments, public transportation, and recreational activities; and
- The proposed variation to the minimum lot size is not readily perceived when compared with the existing subdivision pattern within the locality.

Underlying Objectives of the Standard - Compliance unreasonable or unnecessary

Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case as the underlying objectives of the control, and the objectives of the zone, are achieved despite the non-compliance to the numerical development standard as set out above, which satisfies Wehbe Test 1.

The objective of the clause is not identified but is assumed to relate to ensuring that an adequately sized allotment is provided for a co-living development.

Notwithstanding the numerical departure the development is considered to be consistent with the intent of the clause as:

- The existing allotment is undersized and are a result of historic subdivisions before the current LEP came into force. A residential flat building could be constructed on the site and given this, it is inconsistent with the Housing SEPP that a diverse form of housing being 'Co-Living' would be unable to be constructed on the same lot area that a RFB or shop top housing development could be;
- The subdivision pattern of the locality is varied with a variety of allotment shapes and sizes existing currently; and
- The Parramatta LEP does not contain a minimum allotment size for residential flat buildings, commercial buildings, or Mixed Use Development) and this development that does not require a vehicular crossover will appropriately activate the site by providing a commercial premises and co-living development that activates the entire frontage of the site.

The above discussion demonstrates that there are sufficient environmental planning grounds to justify the departure from the control, however we also note the following additional matters that demonstrate suitable environmental planning grounds exist to justify contravening the development standard and further demonstrates that the minimum lot size departure does not give rise to any environmental impacts, and therefore the proposal is an appropriate design response for the subject site.

Clause 4.6(4)

In accordance with the provisions of Clause 4.6(4) Council can be satisfied that this written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3).



As addressed the proposed development is in the public interest as it remains consistent with the objective of the minimum allotment size control.

In addition, the proposal is consistent with the objectives of the B4 zone, insofar as the development is not antipathetic to the zone objectives (per *Schaffer Corporation v Hawkesbury City Council* (1992) 77 LGRA 21). The zone objectives are outlined below

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To encourage development that contributes to an active, vibrant and sustainable neighbourhood.*
- *To create opportunities to improve the public domain and pedestrian links.*
- *To support the higher order Zone B3 Commercial Core while providing for the daily commercial needs of the locality.*
- *To protect and enhance the unique qualities and character of special areas within the Parramatta City Centre*

The proposal, despite the numerical noncompliance remains consistent with the zone objectives as:

- The development seeks to provide a commercial premise and co living rooms within the same development in a precinct dominated by Mixed Use Development;
- The development provides a diverse form of housing in a highly accessible area in which residents could walk to study, public transport, jobs, community facilities, shops and government services.
- The development will activate this western precinct of the Parramatta CBD;
- The development will improve passive surveillance of the public domain;
- The development will support the nearby B3 commercial core and increase patronage; and
- The development will facilitate the rejuvenation of a vacant site in the Parramatta CBD.

Clause 4.6(5)

The Secretary (of the Department of Planning and Environment) can be assumed to have concurred to the variation. This is because of Department of Planning Circular PS 18–003 'Variations to development standards', dated 21 February 2018. This circular is a notice under 64(1) of the *Environmental Planning and Assessment Regulation 2000*.

A consent granted by a consent authority that has assumed concurrence is as valid and effective as if concurrence had been given.

In addition, the following points are made in relation to this clause:

- a) The contravention of the lot size control does not raise any matter of significance for State or regional environmental planning given the nature of the development proposal and unique attributes of the site and interface of the B4 zoned land; and
- b) There is no public benefit in maintaining the development standard as it relates to the current proposal. The departure from the dwelling lot size control is acceptable in the circumstances given the underlying objectives are achieved and it will not set an undesirable precedent for future development within the locality based on the observed building forms in the locality and based on the unique site attributes.

Strict compliance with the prescriptive lot size requirement is unreasonable and unnecessary in the context of the proposal and its unique circumstances. The proposed development meets the underlying intent of the control and is a compatible form of development that does not result in unreasonable environmental amenity impacts. The public benefit of the variation is that it will appropriately facilitate the provision of diverse housing as sought by Council when zoning the land B4 Mixed Use. The design response aligns with the intent of the control and provides for an appropriate relationship to the adjoining properties.

The proposal promotes the economic use and development of the land consistent with its zone and purpose. Council is requested to invoke its powers under Clause 4.6 to permit the variation proposed. The objection is well founded and considering the absence of adverse environmental, social, or economic impacts, it is requested that the consent authority support the development proposal.



CONCLUSION

Strict compliance with the prescriptive minimum lot size requirement is unreasonable and unnecessary in the context of the proposal and its circumstances. The proposed development meets the underlying intent of the control and is a compatible form of development that does not result in unreasonable environmental amenity impacts.

The proposed development meets the underlying intent of the control and is a compatible form of development that does not result in unreasonable environmental amenity impacts.

The design response aligns with the intent of the control and provides for an appropriate transition to the adjoining properties.

The proposal promotes the economic use and development of the land consistent with its zone and purpose.

The proposal will not have any adverse effect on the surrounding locality and is consistent with the future characterised envisioned for the subject area. The proposal promotes the economic use and development of the land consistent with its zone and purpose. Council is requested to invoke its powers under Clause 4.6 to permit the variation proposed.

The objection is well founded and considering the absence of adverse environmental, social or economic impacts, it is requested that Council support the development including departure to the minimum lot size control.



DEVELOPMENT APPLICATION

ITEM NUMBER	5.2
SUBJECT	PUBLIC MEETING: 73 Murray Farm Road CARLINGFORD NSW 2118 (Lot 5 DP 542112)
DESCRIPTION	Demolition of existing structures and construction of a two storey 65 place childcare centre with 16 basement car parking spaces.
REFERENCE	DA/116/2023 - D08950394
APPLICANT/S	J Glanville
OWNERS	M Glanville and E M Glanville
REPORT OF	Group Manager Development and Traffic Services
RECOMMENDED	Refusal

DATE OF REPORT 28 APRIL 2023

REASON FOR REFERRAL TO LPP

The application is referred to the Parramatta Local Planning Panel as the application has received more than ten (10) unique objections.

EXECUTIVE SUMMARY

The subject site is legally described as Lot 5 DP 542112 and commonly known as 73 Murray Farm Road, Carlingford and has an approximate area of 945m².

The lot currently comprises two storey dwellings with vehicular access provided off Murray Farm Road and has a street frontage of approximately 20.115m.

It is located within an area comprising of low-density residential developments and to the rear is the Murray Farm Reserve. The reserve is accessed by pedestrians and vehicles from the eastern adjacent site known as 75 Murray farm Road.

Development application DA/116/2023 was lodged on 23 February 2023 for a 65 Place childcare centre.

The application had been with council for 48 days when a deemed refusal was lodged with the Land and Environment court on 11 April 2023.

In accordance with the Parramatta Notification Plan the Development Application was notified and advertised between 7 March 2023 and 28 March 2023. Twelve (12) submissions were received. The issues raised have been addressed in the report.

The application has been assessed relative to section 4.15 of the *Environmental Planning and Assessment Act 1979*, taking into consideration all relevant state and local planning controls. Consideration of technical matters by Council's engineering and landscaping departments has identified substantial and fundamental issues of concern.

The proposal does not demonstrate reasonable compliance with the statutory requirements with variation to some controls in the Child Care Planning Guideline 2021 and the current DCP that cannot be supported.

Having regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, it is recommended Development Application No. DA/116/2023 be refused.

In its context, this development proposal is not able to be supported in terms of the development's context, function, environmental impacts and overall lack of public benefit.







RECOMMENDATION

- (a) **That** the Parramatta Local Planning Panel, exercising the functions of Council under section 4.16 of the *Environmental Planning and Assessment Act 1979*, **refuse** development consent for DA/116/2023 for the *Demolition of existing structures and construction of a two storey 65 place childcare centre with 16 basement car parking spaces* on land at 73 Murray Farm Road, Carlingford for the reasons stated in **Attachment 1**.
- (b) **Further, that** submitters are advised of the decision.

REASONS FOR REFUSAL

1. The proposal does not facilitate the orderly implementation of the objectives of the *Environmental Planning and Assessment Act 1979* and the aims and objectives of Parramatta (former The Hills) Local Environmental Plan 2012.
2. The proposal whilst permissible within the R2 Low Density Residential zone does not comply with the provisions against Section 4.15 of the *Environmental Planning and Assessment Act 1979*;
3. The development is incompatible with the emerging and planned future character of the area; and
4. Refusal of the application is in the public interest.

ATTACHMENTS:

1		Assessment Report	34 Pages
2		Locality Map	1 Page
3		Plans used during the assessment	35 Pages
4		Arboricultural Impact Assessment	22 Pages
5		Traffic and Parking Assessment	13 Pages
6		Plan of Management	14 Pages

REFERENCE MATERIAL



City of Parramatta	
File No:	DA/116/2023

SECTION 4.15 ASSESSMENT REPORT

Environmental Planning & Assessment Act 1979

DA No:	DA/116/2023
Subject Property:	Lot 5 DP 542112, 73 Murray Farm Road, CARLINGFORD, NSW 2118
Proposal:	Demolition of existing structures and construction of a two storey 65 place childcare centre with 16 basement car parking spaces.
Date of receipt:	23 February 2023
Applicant:	J Glanville
Owner:	Mr M J Glanville and Mrs E M Glanville
Property owned by a Council employee or Councillor:	The site is not known to be owned by a Council employee or Councillor
Political donations/gifts disclosed:	None disclosed on the application form
Submissions received:	Twelve (12) unique submissions
Recommendation:	Refusal
Assessment Officer:	Najeeb Kobeissi

Legislative Requirements

Relevant provisions considered under section 4.15(1)(a) of the Environmental Planning and Assessment Act 1979	<ul style="list-style-type: none"> • State Environmental Planning Policy (Biodiversity and Conservation) 2021 • State Environmental Planning Policy (Resilience and Hazards) 2021 • State Environmental Planning Policy (Transport and Infrastructure) 2021 • Parramatta Local Environmental Plan 2023 (PLEP 2023) • Parramatta (former The Hills) Local Environmental Plan 2012 (PLEP 2012) • The Hills Development Control Plan 2012 (THDCP 2012)
Zoning	R2 Low Density Residential
Bushfire Prone Land	No
Heritage	No
Heritage Conservation Area	No
Designated Development	No
Integrated Development	No
Clause 4.6 variation	No
Delegation	<ul style="list-style-type: none"> • Parramatta Local Planning Panel (PLPP) due to receiving 10 or more unique submissions during the notification period.

1. Executive Summary

Development application DA/116/2023 was lodged on 23 February 2023 for a 65 Place childcare centre.

The application had been with council for 48 days when a deemed refusal was lodged with the Land and environment court on 11 April 2023.

In accordance with the Parramatta Notification Plan the Development Application was notified and advertised between 7 March 2023 and 28 March 2023. Twelve (12) submissions were received. The issues raised have been addressed in the report.

Section 4.15 Assessment Summary

The application has been assessed relative to section 4.15 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls. Consideration of technical matters by Council's engineering and landscaping departments has identified substantial and fundamental issues of concern.

The proposal does not demonstrate reasonable compliance with the statutory requirements with variation to some controls in the Child Care Planning Guideline 2021 and the current DCP that cannot be supported.

Having regard to the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, it is recommended Development Application No. DA/116/2023 be refused.

In its context, this development proposal is not able to be supported in terms of the development's context, function, environmental impacts and overall lack of public benefit.

2. Site Description and Conditions

The subject site is legally described as Lot 5 DP 542112 and commonly known as 73 Murray Farm Road, Carlingford and has an approximate area of 945m².

The lot currently comprises two storey dwellings with vehicular access provided off Murray Farm Road. The site is located on sloping land, falling from the southwest frontage corner toward northeast rear corner.

The site has a street frontage of approximately 20.115m to Murray Farm Road and is oriented north-south towards.

It is located within a residential area comprising of low-density residential developments and to the rear is the Murray Farm Reserve. The reserve is accessed by pedestrians and vehicles from the eastern adjacent site known as 75 Murray farm Road.

To clarify the location of the application site and specifically that of the subject site, refer to the aerial image and photographs in **Figures 1 - 8** below.



Figure 1: Aerial view of the subject site and surrounds. Subject site outlined in red. Source: Nearmap: April 2023.



Figure 2: Subject site as viewed from Murray Farm Road. Source: Site Inspection.



Figure 3: Subject site as viewed from Murray Farm Road adjacent to the entrance to the reserve. Source: Site Inspection.



Figure 4: The Subject Site viewed from within Murray Farm Reserve. Source: Google Street View.



Figure 5: View into Murray Farm Reserve with the subject site on the left. Source: Google Street View.



Figure 6: THLEP 2012 Zoning map with the subject site highlighted in yell. Source: Global Information System Map



Figure 7: THLEP 2012 Building Height map with the subject site highlighted in yell. Source: Global Information System Map.



Figure 8: THLEP 2012 Floor Space Ratio map with the subject site highlighted in yellow (not identified). Source: Global Information System Map

3. The Proposal

Development Application DA/116/2023 was lodged on 23/02/2023 for the construction of a two storey 65 place childcare centre. Specifically, the application seeks approval for:

- Enabling works which comprise:
 - Demolition of all existing structures on site
 - Removal of 4 trees throughout the site
- Construction of a two storey child care centre

Basement Level

Fifteen (15) car parking spaces, one (1) disabled space with a shared zone, bin/waste room, a lift and access stairs.

Ground Floor Level

Two (2) playroom's, outdoor play area, office/reception room, nappy room, laundry, porch/foyer, storeroom, one (1) children's toilet, lift, access stairs, disabled toilet and.

First Floor Level

Kitchen, laundry, play room (3-6) year, kids water closet, staff room, access stairs, one (1) disabled bathroom and a lift.

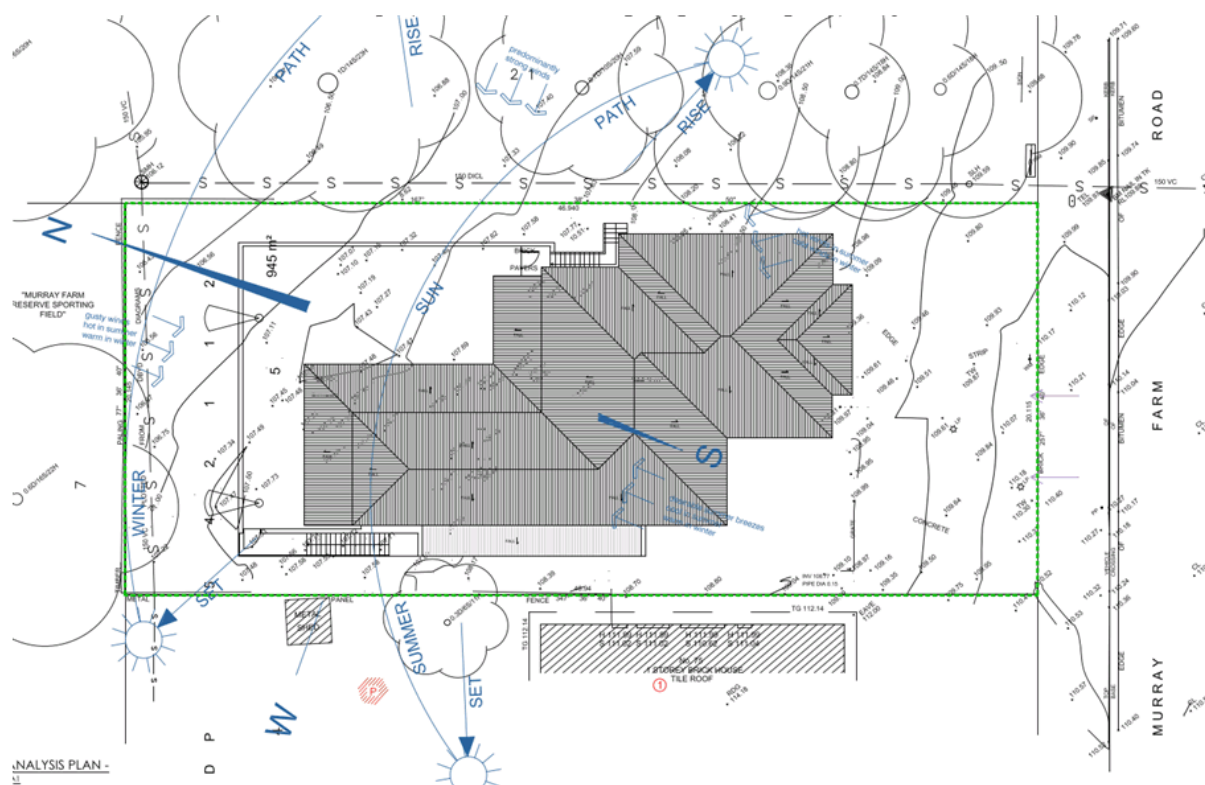


Figure 9: Site Plan. Source: Submitted Architectural plans prepared by Janssen Designs.



Figure 10: Streetscape (Murray Farm Road) Elevation. Source: Submitted Architectural plans prepared by Janssen Designs.

4. Relevant Application History

Date	Comment
23 February 2023	The application was lodged with Council
07 March 2023 – 28 March 2023	The application was notified to the neighbouring properties and advertised with a sign on the site as per Council's Consolidated Notification Requirements.
11 April 2023	A deemed refusal Appeal was lodged with the Land and Environment Court.

5. Referrals

The following section outlines the response and conditions recommended from each of the internal and external referrals in relation to the subject application.

Referral	Comment
Development Engineer	Not Supported <ul style="list-style-type: none"> - The location of the OSD system under the play area is not acceptable. - The proposal does not meet the requirements of water sensitive urban design. - Insufficient information was not provided to assess the levels of the driveway in relation to Murray Farm Road and the footpath.
Landscaping	Not Supported <ul style="list-style-type: none"> - Arborist report lacks information regarding trees on the site and surrounding. - Arborist report does not list all documentation referenced during the assessment process and demonstrate due consideration to the development in its entirety - Insufficient volumes in planter boxes - Unsustainable landscape design.
Traffic	Not Supported <ul style="list-style-type: none"> - As per The Hills DCP 2012, a minimum 23 car parking spaces is required, however, only 16 carparking spaces are provided. - A splay extending 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway was not provided. - A marked 1.2m wide separate pedestrian pathway from car parking spaces to the lift and stairs to provide a safe pedestrian environment was not provided.
Universal Access	Not Supported <ul style="list-style-type: none"> - The proposal does not fully comply with the access report by Wongala Consulting Engineers. - Low level thresholds have not been provided. - The abutments of varying surfaces do not provide level transitions. - The proposed reception desk does not provide accessible features. - Equipment and furniture within common areas do not provide suitable features for a person with a mobility impairment.
Environmental Health (General)	Supported subject to conditions of consent.
Environmental Health (Acoustic)	Supported subject to conditions of consent.
Environmental Health (Food)	Supported subject to conditions of consent.
Waste Management	Supported subject to conditions of consent.
Open Space	Not Supported <p>The proposed easement is not supported due to the following:</p> <ul style="list-style-type: none"> - Impacts due to the length of the proposed easement (approximately 150m), - Impacts due to its proximity to significant trees - Impacts on Council assets (access road and carparking) - Future impacts on the Murray Farm reserve due to future embellishments.
Internal Property (strategic Assets)	Not Supported <p>A requirement for Council's property team to support a drainage easement through a council reserve is the support of the Parks and Open Space Team.</p>

PLANNING ASSESSMENT

6. Environmental Planning Instruments

7.1 Overview

The instruments applicable to this application are:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021

- State Environmental Planning Policy (Transport and Infrastructure) 2021
- Parramatta Local Environmental Plan 2023 (PLEP 2023)
- Parramatta (former The Hills) Local Environmental Plan 2012 (PLEP 2012)
- The Hills Development Control Plan 2012 (THDCP 2012)

Compliance with these instruments is addressed below.

7.3 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021 – CHAPTER 2 VEGETATION IN NON-RURAL AREAS

The State Environmental Planning Policy (Biodiversity and Conservation) 2021 applies to the site. The aims of the plan are to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of the non-rural areas of the State through the preservation of trees and other vegetation.

Council's Consultant Landscape Architect/Arborist raised objections to the proposal due to insufficient information and impacts on trees on neighbouring sites.

7.4 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021 – CHAPTER 6 WATER CATCHMENTS

The site is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of the above SEPP. The aims of the Plan are to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways by establishing planning principles and controls for the catchment as a whole.

Given the nature of the project and the location of the site, there are no specific controls that directly apply to this proposal, and any matters of general relevance (erosion control, etc) are able to be managed by conditions of consent.

7.5 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021 – CHAPTER 4 REMEDIATION OF LAND

The requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 apply to the subject site. In accordance with Chapter 4 of the SEPP, Council must consider if the land is contaminated, if it is contaminated, is it suitable for the proposed use and if it is not suitable, can it be remediated to a standard such that it will be made suitable for the proposed use.

The site is not identified in Council's records as being contaminated. A site inspection reveals the site does not have an obvious history of a previous non-residential land use that may have caused contamination and there is no specific evidence that indicates the site is contaminated.

Therefore, in accordance with Clause 4.6 of the State Environmental Planning Policy (Resilience and Hazards) 2021, the land is suitable for the proposed development being a childcare centre.

Standard and special conditions relating asbestos, site audit statement, site investigation and contamination have been recommended.

7.6 STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021 – CHAPTER 2 INFRASTRUCTURE

The relevant matters to be considered under Chapter 2 of the SEPP for the proposed development are outlined below.

CLAUSE	COMMENT
Clause 2.48 – Electricity infrastructure	The subject site is not in the vicinity of electricity infrastructure that would trigger the concurrence of the electricity supply authority.
Clause 2.98 – Development adjacent to rail corridors	The subject site is not adjacent to a rail corridor.
Clause 2.119 – Impact of road noise or vibration on non-road development	The subject site does not have frontage to a classified road.
Clause 2.120 – Impact of road noise or vibration on non-road development	<i>Murray Farm Road</i> has an average daily traffic volume of less than 20,000 vehicles per day. As such, clause 102 is not applicable to the development application.

Clause 2.122 – Traffic-generating development	<p>The proposal does not generate more than 200 motor vehicles per hour and is not a site with access to a classified road or to a road that connects to a classified road.</p> <p>The proposed Childcare centre on Murray Farm Road does not trigger Clause 2.122.</p>
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7.7 STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021 – CHAPTER 3: EDUCATIONAL ESTABLISHMENTS AND CHILD CARE FACILITIES

The relevant matters to be considered under this SEPP for the proposed development are outlined below.

DEVELOPMENT STANDARD	PROPOSED	COMPLIANCE
3.22 – Concurrence of the Regulatory Authority This clause applies to development for the purpose of a centre-based child care facility if: (a) the floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the Education and Care Services National Regulations, or (b) the outdoor space requirements for the building or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those Regulations.	Total no. of children = 65 Minimum unencumbered space: Indoor – 211.25m ² Outdoor – 455m ² Proposed Indoor – 213.2m ² Outdoor – 346.2m ² Outdoor Variation – 108.8m ² or 24%	The proposal complies with the required amount of indoor Play space. The proposal does not comply with the required outdoor play space (see below comments).
The proposed outdoor play area does not meet the required minimum 455m ² of unencumbered outdoor play area with a short fall of 108.8m ² . At the rear of the site has an area of 97m ² that has been excluded from the calculation of outdoor play area as this space has been determined as not suitable for children due to its access requiring the use of stairs as it is 1-2m below the upper level and would result in poor supervision of the children and a hazard as a set of stairs is included in their play area. Should that area have been included, the proposal would still have a shortfall of 11.8m ² .		
3.23 – Matters for Consideration by Consent Authorities Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the Child Care Planning Guideline, in relation to the proposed development.	The proposal has been assessed against the relevant provisions of the Child Care Planning Guidelines.	Refer to table below for discussion.
3.24 – Additional Matters for Consideration by Consent Authorities The consent authority must consider the following matters before determining a development application for development for the purpose of a centre-based child care facility on land in Zone IN1 General Industrial or Zone IN2 Light Industrial— (a) whether the proposed development is compatible with neighbouring land uses, including its proximity to restricted premises, sex services premises or hazardous land uses, (b) whether the proposed development has the potential to restrict the operation of existing industrial land uses, (c) whether the location of the proposed development will pose a health or safety risk to children, visitors or staff.	N/A	N/A – The subject site is not located within land zoned IN1 General Industrial or IN2 Light Industrial.
3.25 – Floor Space Ratio Development consent must not be granted for the purposes of a centre-based child care facility in Zone R2 Low Density Residential if the floor space ratio for the building on the site of the facility exceeds 0.5:1. This section does not apply if another environmental planning instrument or a development control plan sets a maximum floor space ratio for the centre-based child care facility.	The site is located in an R2 Low density residential. Maximum FSR = 0.5:1 or 472.5m ² Proposed FSR = 0.46:1 or 438.6m ² The outdoor play area on the ground floor is not included as part of the GFA calculation having considered that a 1.4m high acoustic barrier is proposed. (see below discussion)	Complies

In respect to the external play area on the ground floor being included in the calculation of FSR, the legal advice provided to a similar, determined development stating that it should be excluded for the following reasons:

- The acoustic barriers on the side of the outdoor play area are not external walls.
- An external wall of a building is weather-proof. The acoustic barrier does not come close to meeting the underside of the slab above (where there is a slab). The barrier clearly does not serve a weather protection function. The outdoor play area will not be insulated from the impacts of wet weather or outdoor temperatures.
- An external wall of a building separates the interior of a building from the exterior. A significant part of the contiguous outdoor play area is open to the sky. The acoustic barriers do not separate the interior of the building from the exterior.

The legal advice also discussed prior caselaw, including **GGD Danks Street Pty Ltd and CR Danks Street Pty Ltd v Council of the City of Sydney [2015] NSWLEC 1521** which considered (at [31]) that 'an external wall must provide the weatherproofing that maintains the internal wall or face as a dry wall'. It also considered (at [35]) that 'the external play area... is outside the external walls of the building and is bounded by a 1800mm high brick fence with horizontal timber slat infill panels.'

Planner's Comment

In this instance, a merit assessment was undertaken. The proposed development will have a ground floor outdoor play area that is greatly, but not entirely, covered by the Level 1 outdoor play area. Although there will be an acoustic fence around the perimeter of the play area, the fencing does not connect with the ceiling. In conjunction with the proposed opening to the sky, the ground floor outdoor play area is not considered to be weatherproof and therefore excluded from the calculation of FSR.

This same principle was applied to another Child Care Centre assessments with a similar multi-level outdoor play area design under DA/240/2021 at 2 Palmer Street, Parramatta. The assessment concluded that as the play areas had 'permanent open space and exposure to the elements' they could be excluded from the calculation of FSR. This principle was reported to and endorsed by the SCCPP.

3.26 – Non-Discretionary Development Standards (a) Location (b) Indoor and Outdoor Space (c) Site Area and Site Dimensions (d) Colour of Building Materials or Shade Structures (e)	The non-discretionary development standards subject of this clause (a) – (d) have been considered within this assessment.	The proposal does not meet the requirements of outdoor unencumbered space.
3.27 – Development Control Plans 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 ages, age ratios, groupings, numbers or the like, of children) <u>does not apply</u> to development for the purpose of a centre-based child care facility: (a) operational or management plans or arrangements (including hours of operation), (b) demonstrated need or demand for child care services, (c) proximity of facility to other early education and care facilities, (d) any matter relating to development for the purpose of a centre-based child care facility contained in— (i) the design principles set out in Part 2 of the Child Care Planning Guideline, or (ii) the matters for consideration set out in Part 3 or the regulatory requirements set out in Part 4 of that Guideline (other than those concerning building height, side and rear setbacks or car parking rates).	The proposal has been assessed against the provisions of The Hills DCP 2012. It is noted that the provisions contained within THDCP 2012 pertaining to this clause have not been applied when assessing the proposed development.	N/A

Compliance with Child Care Planning Guideline 2021

The Guideline identifies issues that must be taken into consideration when assessing the proposal for a Childcare Centre. It also refers to the application of the *National Regulations for Childcare Centres*. The table below responds to each consideration raised in the Guideline. The assessment against the National Regulations is addressed in a separate table.

Provisions	Comment
Part 2 – Design Quality Principles	
Principle 1 – Context	The site is not a battle-axe allotment or cul-de sac and not located off an arterial road. The proposal is not within proximity to any intensive, offensive and hazardous land uses. The predominant land uses within the surrounding locality comprise residential uses with Murray Farm Reserve to the rear and east.

	<p>The proposal does not respond to the natural environment proposing fill along the boundaries and a basement that extends above the natural ground level with a raised outdoor play area proposed.</p> <p>The proposal does not meet the requirements of principle 1 – Context.</p>
Principle 2 – Built Form	<p>The proposed built form exceeds the scale of nearby dwelling by proposing large outdoor play areas on balcony type structures and is additionally inconsistent with the proposed future built form of the area.</p> <p>While compliant with FSR and height controls, and the current THDCP 2012 setback requirements, the draft Parramatta DCP (currently on exhibition at the time of this report) requires a rear setback to dwelling equal to 30% of the site length, and in this case would be 14.1m. The current rear setback for the proposal is 5m resulting in a built form that is inconsistent with surrounding development, especially as the North, rear elevation and the east elevation (mislabelled west elevation in the architectural plans) are completely visible from the Murry farm reserve.</p> <p>The proposal does not meet the requirements of principle 2 – Built form.</p>
Principle 3 – Adaptive Learning Spaces	<p>The subject site has been assessed on its adaptive learning spaces. It is noted that the proposed indoor space would facilitate adequate learning spaces for children and staff that are fit-for-purpose, enjoyable and easy to use. It is acknowledged that the proposed use is likely to offer a variety of settings, technology and opportunities for interaction.</p> <p>The proposal does meet the requirements of principle 3 – Adaptive Learning Spaces</p>
Principles 4 – Sustainability	<p>Due to the south facing orientation of the site, the indoor and outdoor play areas will receive a sufficient amount on sunlight. The ground floor indoor playrooms have multiple windows allowing for natural ventilation.</p> <p>It is noted that the sustainable measures imposed are considered appropriate. Council's Environmental Health Officer has no objection subject to conditions of consent.</p> <p>The proposal does meet the requirements of principle 4 – Sustainability</p>
Principle 5 – Landscape	<p>The proposal lacks sufficient landscaping that would result in an attractive development and does not make outdoor spaces assets for learning. Only 5m of the rear of the proposal is capable of landscaping and that space is considered unsuitable for children. This results in no outdoor play spaces having natural landscaping.</p> <p>Additionally, the proposal does not contribute to the landscape character of the area but has been identified to be detrimental to several mature trees in the adjacent Murray Farm Reserve. As these trees are positive natural features that contribute to the local context, the proposal does not make efforts to retain them.</p> <p>The proposal does not meet the requirements of principle 5 – Landscape.</p>
Principle 6 – Amenity	<p>The internal amenities of the proposal are compromised as the proposed multiple levels of play areas on the ground floor do not contribute to effective surveillance of the development. With a compromise to the surveillance, the proposal does not achieve good amenity or contribute to positive learning environments and the well-being of children and staff.</p> <p>The proposal does not meet the requirements of principle 6 – Amenity.</p>
Principle 7 – Safety	<p>The childcare centre has clearly defined public and private spaces with controlled access for parents and children.</p> <p>The proposed multiple levels of play areas on the ground floor do not contribute to effective surveillance of the development. With a compromise to the surveillance, a health and safety risk to children is created.</p> <p>With the subject site having a rear and side boundary to a public park, security issues along the boundaries can be opportune. Additionally, lower Finish Floor Level at the rear can be a potential hiding space for intruders from occupants in the childcare centre. A Crime Prevention Through Environmental Design (CPTED) assessment report should have been prepared by a qualified professional explaining how the safety of the children and occupants in established and maintained.</p> <p>The proposal does not meet the requirements of principle 7 – Safety</p>

Part 3 – Matters for Consideration	
3.1 – Site Selection and Location	
<p>C1 For proposed developments in or adjacent to a residential zone, consider:</p> <ul style="list-style-type: none"> the acoustic and privacy impacts of the proposed development on the residential properties the setbacks and siting of buildings within the residential context visual amenity impacts (e.g. additional building bulk and overshadowing, local character) traffic and parking impacts of the proposal on residential amenity and road safety 	<p>Visual and Acoustic Privacy – The proposed development maintains the acoustic and visual privacy of neighboring properties.</p> <p>Setbacks – NOT acceptable The subject site is zoned R2 Low Density Residential. The front and side setbacks are acceptable. However, a noncompliant rear setback on the first floor is proposed.</p> <p>Visual Amenity - acceptable The proposal complies with the prescribed building height and FSR development standards for the locality.</p> <p>Traffic and Parking – not acceptable. The number of parking spaces provided does not comply with the numerical requirements.</p> <p>DOES NOT COMPLY</p>
<p>C2 When selecting a site, ensure that:</p> <ul style="list-style-type: none"> the location and surrounding uses are compatible with the proposed development or use the site is environmentally safe including risks such as flooding, land slip, bushfires, coastal hazards there are no potential environmental contaminants on the land, in the building or the general proximity, and whether hazardous materials remediation is needed the characteristics of the site are suitable for the scale and type of development proposed having regard to: <ul style="list-style-type: none"> size of street frontage, lot configuration, dimensions and overall size number of shared boundaries with residential properties the development will not have adverse environmental impacts on the surrounding area, particularly in sensitive environmental or cultural areas where the proposal is to occupy or retrofit an existing premises, the interior and exterior spaces are suitable for the proposed use. Where the proposal relates to any heritage item, the development should retain its historic character and conserve significant fabric, setting or layout of the item. there are suitable drop off and pick up areas, and off and on street parking the characteristics of the fronting road or roads (for example its operating speed, road classification, traffic volume, heavy vehicle volumes, presence of parking lanes) is appropriate and safe for the proposed use the site 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 it is not located closely to incompatible social activities and uses such as restricted premises, injecting rooms, drug clinics and the like, premises licensed for alcohol or gambling such as hotels, clubs, cellar door premises and sex services premises. 	<p>Compatible uses – NOT acceptable Contextually, existing developments in the surrounding area are detached residential dwellings. The proposed development is considered to be compatible as viewed from Murray Farm Road. However, when viewed from the east, from the Murray Farm Reserve, the proposal appears excessive in comparison to the existing developments. Additionally, when compared to the future character as per the Draft Parramatta DCP, the proposal would require a 14.1m rear setback when a 5m rear setback is currently proposed.</p> <p>Contamination – Acceptable A review of Council's records does not indicate any contamination on the site that warrants additional assessment. The existing dwelling may contain asbestos and should be disposed of appropriately.</p> <p>Site Characteristics – Acceptable The proposed childcare centre is considered to have a built form that does not mimics that of residential dwelling. This is due to the scale of the proposal exceeding its rear setback requirements.</p> <p>Drop off areas – NOT acceptable The site provides 16 parking spaces within the car park when 23 spaces are required. Currently 7 drop off spaces are only provided. Insufficient car parking is provided on site.</p> <p>Restricted Premises The site is not located in proximity to any restricted premises or places of incompatible social behaviour.</p> <p>DOES NOT COMPLY</p>
<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 childcare centre is located within a predominantly residential area.</p> <p>The closest public transport to the subject site, a bus stop, is approximately 450m away on Oakes Road.</p> <p>With the exception of the Murray farm Reserve, the subject site is not located near compatible social uses or employment areas.</p> <p>DOES NOT COMPLY</p>
C4	Flooding

<p>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 Liquefied Petroleum Gas (LPG) tanks or service stations water cooling and water warming systems odour (and other air pollutant) generating uses and sources or sites which, due to prevailing land use zoning, may in future accommodate noise or odour generating uses extractive industries, intensive agriculture, agricultural spraying activities any other identified environmental hazard or risk relevant to the site and/ or existing buildings within the site. 	<p>The site is not located in proximity to areas that would cause risk to children, staff or visitors.</p> <p>Complies</p>
3.2 – Local Character, Streetscape and the Public Domain Interface	
<p>C5</p> <p>The proposed development should:</p> <ul style="list-style-type: none"> contribute to the local area by being designed in such a way to respond to the character of the locality and existing streetscape 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 and respond to predominant streetscape qualities, such as building form, scale, materials and colours include design and architectural treatments that respond to and integrate with the existing streetscape and local character use landscaping to positively contribute to the streetscape and neighbouring and neighbourhood amenity integrate car parking into the building and site landscaping design in residential areas in R2 Low Density Residential zones, limit outdoor play space to the ground level to reduce impacts on amenity from acoustic fences/barriers onto adjoining residence, except when good design solutions can be achieved. 	<p>Design</p> <p>Contextually, existing developments in the surrounding area are detached residential dwellings. The proposed development is considered to be compatible as viewed from Murray Farm Road.</p> <p>However, when viewed from the east, from the Murray Farm Reserve, the proposal appears excessive in comparison to the existing developments. Additionally, when compared to the future character as per the Draft Parramatta DCP, the proposal would require a 14.1m rear setback when a 5m rear setback is currently proposed.</p> <p>DOES NOT COMPLY</p>
<p>C6</p> <p>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>Play Space</p> <p>The childcare centre has clear delineations between the public and private domain with a single entry to the centre.</p> <p>Complies</p>
<p>C7</p> <p>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>Multiple Entries</p> <p>A pedestrian entry lobby to the childcare facility is proposed. The lobby is accessed from an entry path off Murray Farm Road, which is not clearly delineated from the driveway. The proposed driveway and pedestrian access are adjoined and not separated by landscaping but are differentiated in materiality.</p> <p>The proximity of the pedestrian access to the driveway lacks legibility and potentially unsafe.</p> <p>DOES NOT COMPLY</p>
<p>C8</p> <p>Where development adjoins public parks, open space or bushland, the facility should provide an appealing streetscape frontage by adopting some of the following design solutions:</p> <ul style="list-style-type: none"> clearly defined street access, pedestrian paths and building entries low fences and planting which delineate communal/ private open space from adjoining public open space minimal use of blank walls and high fences. 	<p>The subject site does adjoin a public park, The Murray Farm Reserve.</p> <p>The proposal does incorporate the required design solutions by including clear access, low fences and planting to properly define the subject site from the reserve and an articulated façade.</p> <p>Complies</p>
<p>C9</p> <p>Front fences and walls within the front setback should be constructed of visually permeable materials and treatments. Where the site is listed as a heritage item, adjacent to a heritage item or within a conservation area front fencing should be designed in accordance with local heritage provisions.</p>	<p>Front fencing</p> <p>A front fence is not proposed.</p> <p>Complies</p>
<p>C10</p>	<p>Fencing on Classified Roads</p>

<p>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>The site does not front a classified road.</p> <p>Complies</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: <ul style="list-style-type: none"> facing doors and windows away from private open space, living rooms and bedrooms in adjoining residential properties placing play equipment away from common boundaries with residential properties 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>Solar Access – Acceptable The indoor and outdoor spaces will receive solar access throughout the day due to the orientation of the site and comply.</p> <p>Visual Privacy – Acceptable The proposal will have glazed windows facing the eastern side boundary to allow for morning solar access into the indoor play areas whilst protecting the privacy of adjoining neighbours.</p> <p>Overshadowing – Acceptable Due to the orientation of the site, the majority of the overshadowing occurs onto Murray Farm Road. The adjoining neighbours maintain their solar access.</p> <p>Cut and Fill – NOT acceptable Due to the proposed basement, the excavation on site reaches a maximum depth of 2.4m below natural ground level. In this instance, the level of cut is acceptable. However, the rear of the site is proposed with 1.3m of fill along the rear boundary. The proposed fill along the rear boundary is a poor response to the natural features of the site and is proposed to reduce the difference between the levels of the ground floor outdoor play areas.</p> <p>DOES NOT COMPLY</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 Where a Local Environmental Plan or Development Control Plan do not specify a floor space ratio for the R2 Low Density Residential zone, a floor space ratio of 0.5:1 is to apply to a child care facility in the R2 zone. 	<p>The proposed scale and building mass are not compliant with the setback controls for the locality as per THDCP 2012. When the future context of the area is taken into consideration under the Draft PDCP, the scale and building mass will no align with future context and detract from the local character.</p> <p>The site is located in an R2 Low density residential. Maximum FSR = 0.5:1 or 472.5m² Proposed FSR = 0.46:1 or 438.6m²</p> <p>DOES NOT COMPLY</p>
<p>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.</p>	<p>The subject site is zoned R2 Low Density Residential. The 10m front setback to the street is satisfactory.</p> <p>Complies</p>
<p>C14 On land in a residential zone, side and rear boundary setbacks should observe the prevailing setbacks required for a dwelling house</p>	<p>The subject site is zoned R2 Low Density Residential. The 2m side setbacks exceed the requirements of a dwelling house.</p>
<p>C15 The built form of the development should contribute to the character of the local area, including how it:</p> <ul style="list-style-type: none"> respects and responds to its physical context such as adjacent built form, neighbourhood character, streetscape quality and heritage contributes to the identity of the place retains and reinforces existing built form and vegetation where significant considers heritage within the local neighbourhood including identified heritage items and conservation areas responds to its natural environment including local landscape setting and climate 	<p>Contextually, existing developments in the surrounding area are detached residential dwellings. The proposed development is considered to be compatible as viewed from Murray Farm Road. However, when viewed from the east, from the Murray Farm Reserve, the proposal appears excessive in comparison to the existing developments. Additionally, when compared to the future character as per the Draft Parramatta DCP, the proposal would require a 14.1m rear setback when a 5m rear setback is currently proposed.</p>

<ul style="list-style-type: none"> • contributes to the identity of place 	<p>Additionally, the rear of the site is proposed with 1.3m of fill along the rear boundary. The proposed fill along the rear boundary is a poor response to the natural features of the site and is proposed to reduce the difference between the levels of the ground floor outdoor play areas.</p> <p>DOES NOT COMPLY</p>
<p>C16 Entry to the facility should be limited to one secure point which is:</p> <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>Entry to the subject site is accommodated by a pedestrian entry from Murray farm Street to a single lobby area and is considered acceptable.</p>
<p>C17 Accessible design can be achieved by:</p> <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>The development provides an accessible visitor car space within the site and accessibility ramps from the street.</p> <p>However, the following issues have been identified by Council's Universal access officer:</p> <ul style="list-style-type: none"> - The proposal does not fully comply with the access report by Wongala Consulting Engineers. - Low level thresholds have not been provided. - The abutments of varying surfaces do not provide level transitions. - The proposed reception desk does not provide accessible features. - Equipment and furniture within common areas do not provide suitable features for a person with a mobility impairment. <p>DOES NOT COMPLY</p>
<p>3.4 - Landscaping</p>	
<p>C18 Appropriate planting should be provided along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space.</p> <p>Use the existing landscape where feasible to provide a high quality landscaped area by:</p> <ul style="list-style-type: none"> • reflecting and reinforcing the local context • incorporating natural features of the site, such as trees, rocky outcrops and vegetation communities into landscaping. 	<p>The proposal does not contribute to the landscape character of the area but has been identified to be detrimental to several mature trees in the adjacent Murray Farm Reserve. As these trees are positive natural features that contribute to the local context, the proposal does not make efforts to retain them.</p> <p>Landscaping is proposed in the front setback facing Murray Farm Road, however, only 5m of the rear of the proposal is capable of landscaping and that space is considered unsuitable for children.</p> <p>DOES NOT COMPLY</p>
<p>C19 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 and context when siting car parking areas within the front setback • using low level landscaping to soften and screen parking areas. 	<p>The proposed carparking is in the basement.</p>
<p>3.5 – Visual and Acoustic Privacy</p>	
<p>C20 Open balconies in mixed use developments should not overlook facilities nor overhang outdoor play spaces.</p>	<p>N/A – the proposal is not for a mixed use development</p>
<p>C21 Minimise direct overlooking of indoor rooms and outdoor play spaces from public areas through:</p> <ul style="list-style-type: none"> • appropriate site and building layout • suitably locating pathways, windows and doors • permanent screening and landscape design. 	<p>Overlooking from public space The play areas are located on the ground and first floors and properly screened by acoustic fencing.</p> <p>Complies</p>
<p>C22 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>Overlooking onto adjoining private space The proposal does not overlook into adjoining properties. Window Placement and 1.4m high balustrade is proposed to further minimise potential for overlooking.</p>

	Complies
C23 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: <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. 	Acoustic privacy The proposal utilises a 1.8m high solid barrier along boundaries, and no issues were raised by council officers regarding the fence. A satisfactory acoustic report was submitted with the proposal. Complies
C24 A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters: <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. 	Acoustic Consultant The application was accompanied by an Acoustic Report. The report was referred to Council's Environmental Health Officer who raised no issues.
3.6 – Noise and Air Pollution	
C25 Adopt design solutions to minimise the impacts of noise, such as: <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. 	Noise attenuation measures from centre The proposal utilises a 1.8m high solid barrier along boundaries. Complies
C26 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: <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. 	Noise attenuation from external sources The centre is not located nearby a noise source that requires attenuation of external noise sources.
C27 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.	Air Pollution The subject site is not located in close proximity to external sources of air pollution.
C28 A suitably qualified air quality professional should prepare an air quality assessment report to demonstrate that proposed child care facilities close to major roads or industrial developments can meet air quality standards in accordance with relevant legislation and guidelines. The air quality assessment report should evaluate design considerations to minimise air pollution such as: <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 	Air Quality Report Not Required
3.7 – Hours of Operation	

<p>C29 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 proposed CCC is located within a residential environment and has core hours of 7AM to 6PM Monday to Friday.</p> <p>Complies</p>
<p>C30 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>N/A – the locality is not of a commercial nature.</p>
<p>3.8 – Traffic, Parking and Pedestrian Access</p>	
<p>C31 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>The proposal does not comply with the quantum of parking spaces required for a 65 place CCC. The application was referred to Council's Traffic Engineer who did not support the proposal.</p> <p>The site provides 16 parking spaces within the car park when 23 spaces are required. Currently 7 drop off spaces are only provided. Insufficient car parking is provided on site.</p> <p>DOES NOT COMPLY</p>
<p>C32 In commercial or industrial zones and mixed use developments, on street parking may only be considered where there are no conflicts with adjoining uses, that is, no high levels of vehicle movement or potential conflicts with trucks and large vehicles</p>	<p>N/A – the locality is not of a commercial or industrial nature.</p>
<p>C33 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:</p> <ul style="list-style-type: none"> the amenity of the surrounding area will not be affected there will be no impacts on the safe operation of the surrounding road network. 	<p>The application was accompanied with a traffic and parking study.</p> <p>The application was referred to Council's Traffic Engineer who did not support the proposal.</p> <p>The site provides 16 parking spaces within the car park when 23 spaces are required. Currently 7 drop off spaces are only provided. Insufficient car parking is provided on site.</p> <p>This will result in on street parking and impact on the amenity of the area.</p> <p>DOES NOT COMPLY</p>
<p>C34 Alternate vehicular access should be provided where child care facilities are on sites fronting:</p> <ul style="list-style-type: none"> a classified road roads which carry freight traffic or transport dangerous goods or hazardous materials. <p>The alternate access must have regard to:</p> <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. 	<p>N/A – no vehicular access to a classified road is proposed.</p>
<p>C35 Child care facilities proposed within cul-de-sacs or 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.</p>	<p>N/A – the subject site is not located within a cul-de-sac.</p>
<p>C36 The following design solutions may be incorporated into a development to help provide a safe pedestrian environment:</p> <ul style="list-style-type: none"> separate pedestrian access from the car park to the facility defined pedestrian crossings included within large car parking areas separate pedestrian and vehicle entries from the street for parents, children and visitors pedestrian paths that enable two prams to pass each other delivery, loading and vehicle turnaround areas located away from the main pedestrian access to the building and in clearly designated, separate facilities minimise the number of locations where pedestrians and vehicles cross each other in commercial or industrial zones and mixed use developments, the path of travel from the car parking to the centre entrance 	<p>The proposed car park will have a separate pedestrian access and allows for cars entering and exiting the site in a forward direction.</p> <p>However, the pedestrian access and driveway are directly adjoining one another. For the safety of the pedestrians, a separation between the accesses is required.</p> <p>DOES NOT COMPLY</p>

<p>physically separated from any truck circulation or parking areas</p> <ul style="list-style-type: none">vehicles can enter and leave the site in a forward directionclear sightlines are maintained for drivers to child pedestrians, particularly at crossing locations.		
<p>C37</p> <p>Mixed use developments should include:</p> <ul style="list-style-type: none">driveway access, manoeuvring areas and parking areas for the facility that are separate to parking and manoeuvring areas used by trucksdrop 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>N/A – the proposal is not for a mixed use development.</p>	
<p>C38</p> <p>Car parking design should:</p> <ul style="list-style-type: none">include a child safe fence to separate car parking areas from the building entrance and play areasprovide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standardsinclude wheelchair and pram accessible parking.	<p>The proposed car park will have a separate pedestrian access and allows for cars entering and exiting the site in a forward direction.</p> <p>However, the pedestrian access and driveway are directly adjoining one another. For the safety of the pedestrians, a separation between the accesses is required.</p> <p>DOES NOT COMPLY</p>	
Part 4 – Applying the National Regulations to Development Proposals (Checklist)		
Controls	Proposed	Compliance
4.1 Indoor space requirements		
<p>Regulation 107</p> <p>Every child being educated and cared for within a facility must have a minimum of 3.25m² of unencumbered indoor space.</p>	<p>Required – 211.25m²</p> <p>Provided – 213.2m²</p>	<p>Yes</p>
<p>Verandas' as indoor space</p> <p>For a veranda to be included as unencumbered indoor space, any opening must be able to be fully closed during inclement weather.</p>	<p>The application does not rely on verandahs as indoor space.</p>	<p>N/A</p>
<p>Storage</p> <p>Storage areas including joinery units are not to be included in the calculation of indoor space.</p> <p>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 spacea minimum of 0.2m³ per child of internal storage space.	<p>Required:</p> <p>External storage space – 19.5m³</p> <p>Internal storage space – 13m³</p> <p>Proposed:</p> <p>External storage space – 0m³</p> <p>Internal storage space – 21.6m³</p> <p>No External storage is proposed.</p>	<p>NO</p>
4.2 Laundry and hygiene facilities		
<p>Regulation 106</p> <p>There must be laundry facilities or access to laundry facilities; or other arrangements for dealing with soiled clothing, nappies and linen</p>	<p>A laundry room is provided on the first floor. This room is contained so as not to pose a risk to children.</p> <p>However, the plans only identify a room as laundry with no indication of laundry machines or dryers.</p>	<p>Insufficient information</p>
4.3 Toilet and hygiene facilities		
<p>Regulation 109</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>Windows into bathrooms for supervision have been implemented.</p> <p>Insufficient information has been provided to indicate junior toilet pans, low level sinks and hand drying facilities. Rooms have been labelled as <i>Kids WC</i> with no further detail to determine if the facilities enable safe use and convenient access by the children.</p>	<p>Insufficient information</p>
4.4 Ventilation and natural light		
<p>Regulation 110</p>		<p>Yes</p>

Education and Care Services National Regulations Services must be well ventilated, have adequate natural light, and be maintained at a temperature that ensures the safety and wellbeing of children.	Each room to be utilised by the children has access to an external opening to provide the required ventilation and natural light	
4.5 Administrative space		
Regulation 111 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.	The CCC is provided with a reception area, and entry but does not seem to have a waiting area, private meeting room, and document area. It is unclear how incoming parents/guardians will be managed.	Insufficient information
4.6 Nappy change facilities		
Regulation 112 Childcare 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.	As the CCC will accommodate children that wear nappies, nappy change facilities are provided in children's bathrooms on the ground floor. The first-floor bathroom that adjoins the 3-6 years old play area does not provide a nappy change area.	Yes
4.7 Premises designed to facilitate supervision		
Regulation 115 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.	Windows into bathrooms for supervision have been implemented. Insufficient information has been provided to indicate junior toilet pans, low level sinks and hand drying facilities. Rooms have been labelled as <i>Kids WC</i> with no further detail to determine if the facilities enable safe use and convenient access by the children. The Plan of Management and Statement of Environmental effects does not properly discuss how the proposed layout affords and assists in the supervision of children as it lacks critical information regarding the rear outdoor play area on the ground floor at a lower finish floor level from the rest of the play area.	Insufficient information
4.8 Emergency and evacuation procedures		
Regulations 97 and 168 Regulation 168 sets out the list of procedures that a care service must have, including procedures for emergency and evacuation. Regulation 97 sets out the detail for what those procedures must cover including: <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. 	An emergency evacuation plan has been provided.	Yes
4.9 Outdoor space requirements		
Regulation 108 An education and care service premises must provide for every child being educated and cared for within the facility to have a minimum of 7m ² of unencumbered outdoor space. If this requirement is not met, the concurrence of the regulatory authority is required under the SEPP.	Required Outdoor – 455m ² Proposed Outdoor – 346.2m ² Outdoor Variation – 108.8m ² or 24%	NO
4.10 Natural environment		
Regulation 113	The proposal lacks sufficient natural features that would make outdoor spaces assets for learning. Only 5m of the rear of the proposal is capable of	NO

The approved provider of a centre-based service must ensure that the outdoor spaces allow children to explore and experience the natural environment. Creating a natural environment to meet this regulation includes the use of natural features such as trees, sand and natural vegetation within the outdoor space.	landscaping and that space is considered unsuitable for children. This results in no outdoor play spaces having natural landscaping.	
4.11 Shade		
Regulation 114 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.	Required – 136.5sqm or 30% Provided shade area – 209.2sqm or 45.9% The shaded areas are evenly distributed throughout the CCC.	Yes
4.12 Fencing		
Regulation 104 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. 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.	The proposal utilises a 1.8m high solid barrier along boundaries.	Yes
4.13 Soil Assessment		
Regulation 25 Education and Care Services National Regulations Subclause (d) of regulation 2 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. With every service application one of the following is required: <ul style="list-style-type: none"> • A soil assessment for the site of the proposed education and care services 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; and • 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. 	A review of Council's records indicates that the site does not contain potential for contamination and was deemed to be satisfactory.	Yes

7. PARRAMATTA LOCAL ENVIRONMENTAL PLAN 2023

Parramatta LEP 2023 was gazetted on 2 March 2023. Clause 1.8 of the LEP now repeals the following planning instrument which applies to the land:

- Auburn Local Environmental Plan 2010
- Holroyd Local Environmental Plan 2013
- Parramatta (former The Hills) Local Environmental Plan 2012
- Parramatta Local Environmental Plan 2011

Clause 1.8A Savings provision relating to development applications states:

If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced.

The current DA was lodged on 23 February 2023 and therefore shall be assessed under the Parramatta (former The Hills) LEP 2012.

8. PARRAMATTA (FORMER THE HILLS) LOCAL ENVIRONMENTAL PLAN 2012

The relevant matters considered under the PLEP 2023 for the proposed development are outlined below:

1.2 Aims of Plan

(1) This Plan aims to make local environmental planning provisions for land in the City of Parramatta in accordance with the relevant standard environmental planning instrument under section 3.20 of the Act.

(2) The particular aims of this Plan are as follows—

(aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,

(a) to guide the orderly and sustainable development of the City of Parramatta local government area, balancing its economic, environmental and social needs,

(b) to provide strategic direction and urban and rural land use management for the benefit of the community,

(c) to provide for the development of communities that are liveable, vibrant and safe and that have services and facilities that meet their needs,

(d) to provide for balanced urban growth through efficient and safe transport infrastructure, a range of housing options, and a built environment that is compatible with the cultural and natural heritage of the City of Parramatta local government area,

(e) to preserve and protect the natural environment of the City of Parramatta local government area and to identify environmentally significant land for the benefit of future generations,

(f) to contribute to the development of a modern local economy through the identification and management of land to promote employment opportunities and tourism.

It is considered that the development does not satisfactorily meet the aims of the plan due to the impacts on the natural environment that would not preserve and protect the natural environment of the City of Parramatta. The proposal is environmentally unsustainable and would have a negative impact on the Murray Farm Reserve.

Clause 2.3 Zone objectives and Land Use Table

The site is zoned R2 Low Density Residential. The aims and objectives for the R2 zone in Clause 2.3 – Zone Objectives 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 existing low density residential character of the area.

The proposal is consistent with these objectives.

Standards and Provisions	Compliance
Part 4 Principal development standards	
Cl. 4.1 Minimum Lot Size (MLS)	N/A for this application
Cl. 4.2 Rural Subdivision	Does Not Apply
Cl. 4.3 Height of buildings Allowable: 9m	Proposed: 8.66m Complies
Cl. 4.4 Floor space ratio	The subject site is not identified on the LEP floor space ratio map. However, Clause 3.25 of the SEPP (Transport and Infrastructure) 2021 imposed a FSR of 0.5:1 as the site is located in an R2 Low Density Residential zone. Maximum FSR = 0.5:1 or 472.5m ² Proposed FSR = 0.46:1 or 438.6m ² The outdoor play area on the ground floor is not included as part of the GFA calculation having considered that a 1.4m high acoustic barrier is proposed. (see discussion in Clause 3.25 of the SEPP (Transport and Infrastructure) 2021)
Cl. 4.6 Exceptions to Development Standards	A variation to a development standard is not proposed.
Part 5 Miscellaneous provisions	
Cl. 5.1 Relevant acquisition authority	Not identified for acquisition.
Cl. 5.1A Development on land intended to be acquired for public purposes	Not identified for acquisition.
Cl. 5.2 Classification and reclassification of public land	Does Not Apply

Cl. 5.3 Development near zone boundaries	The subject site is on a zone boundary, however, as the abutting zone is RE1 Public Recreation, Clause 5.3 does not apply.
Cl. 5.4 Controls relating to miscellaneous permissible uses	Does Not Apply
Cl. 5.5 Controls relating to secondary dwellings on land in a rural zone	Does Not Apply
Cl. 5.6 Architectural roof features	An architectural roof feature is not proposed.
Cl. 5.7 Development below mean high water mark	The proposal is not for the development of land that is covered by tidal waters.
Cl. 5.8 Conversion of fire alarms	Does Not Apply
Cl. 5.9 Dwelling house or secondary dwelling affected by natural disaster	Does Not Apply
Cl. 5.10 Heritage conservation	The subject site is not identified as being a heritage item, nor is it located within land identified as a heritage conservation area.
Cl. 5.11 Bush fire hazard reduction	The site is not identified as Bush fire Prone.
Cl. 5.12 Infrastructure development and use of existing buildings of the Crown	Does Not Apply
Cl. 5.13 Eco-tourist facilities	Does Not Apply
Cl. 5.14 Siding Spring Observatory—maintaining dark sky	Does Not Apply
Cl. 5.15 Defence communications facility	Does Not Apply
Cl. 5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones	Does Not Apply
Cl. 5.17 Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations	Does Not Apply
Cl. 5.18 Intensive livestock agriculture	Does Not Apply
Cl. 5.19 Pond-based, tank-based and oyster aquaculture	Does Not Apply
Cl. 5.20 Standards that cannot be used to refuse consent—playing and performing music	Does Not Apply
Cl. 5.21 Flood Planning	The site is not identified as flood Prone.
Cl. 5.22 Special flood considerations	Does Not Apply
Cl. 5.23 Public bushland	Does Not Apply
Cl. 5.24 Farm stay accommodation	Does Not Apply
Cl. 5.25 Farm gate premises	Does Not Apply
Part 7 Additional local provisions	
Cl. 7. 2 Earthworks	<p>Due to the proposed basement, the excavation on site reaches a maximum depth of 2.4m below natural ground level. In this instance, the level of cut is acceptable. However, the rear of the site is proposed with 1.3m of fill along the rear boundary and is a poor response to the natural features of the site. The fill is proposed to reduce the difference between the levels of the ground floor outdoor play areas but results in visual impacts to the Murray Farm reserve and does not respond to the natural features of the site.</p> <p>The proposed earthworks do not satisfy the objectives and requirements of the clause due to impacts on the amenity of adjoining neighbours, including the reserve, and are not considered to be earthworks of a minor nature.</p>
Cl. 7. 8 Underground power lines at Carlingford	The subject site is not on land identified as "Area A" on the Key Sites Map.
Cl. 7. 9 Restricted premises	Does Not Apply

9. The Parramatta (former The Hills) Development Control Plan 2012

PART B SECTION 6 BUSINESS		
CONTROL	PROPOSED	COMPLIANCE

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.	The proposal does not satisfactorily address all matter pertaining to Part B – Section 2 – Residential. These matters are assessed further in the report.	No
(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.	Conditions would have been imposed to ensure that the development is compliant with NCC requirements.	Noted.
(e) Setbacks for childcare centre car parking areas: Residential zones Minimum 5 metre setback from the front property boundary.	Parking is located within the basement.	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.	Parking is proposed in the basement and therefore would not require screening from view of the street and surrounding properties.	N/A
(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.	Parking is proposed in the basement.	N/A
(h) The location of external child play areas in the front setback area is not permitted.	The proposal does not seek a play space forward of the building.	Yes
(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.	The proposal does not adequately address all landscaping requirements. See landscape comments.	No
(k) Trees and shrubs shall be provided alongside and rear boundaries to screen outdoor play areas	The proposal does not adequately address all landscaping requirements. See landscape comments.	No
(l) Food preparation areas in a child care centre must comply with: <ul style="list-style-type: none"> Food Act 2003; Children's Services Regulation 2004; Food Safety Standards; and Australian Standard 4674-2004 – Design, Construction and Fit-out of Food Premises. Premises are required to register with: NSW Food Authority and The Hills Shire Council. 	Council's Environmental Health Officer (food premises) has no objection to the proposal.	Yes
PART C SECTION 1 PARKING		
CONTROL	PROPOSED	COMPLIANCE
2.1.1. General		
(a) Number of required parking spaces and associated conditions must be provided in accordance with Table 1. Any part spaces must be rounded up to the nearest whole number. Child Care Centres: 1 space per employee plus 1 space per 6 children enrolled for visitors and/or parent parking	A minimum 23 car parking spaces is required, however, only 16 carparking spaces are provided.	NO
(b) All car parking spaces must be provided onsite.	All parking spaces would be provided on-site.	Yes
(e) Car parking for childcare centres must be situated in a convenient location, allowing for safe movement of children to and from the centre.	Council's Traffic Engineers do not support the proposal due to a non-compliance with the required number of car parking spaces.	Yes
2.2 Parking for Disables Parsons and Parents with Prams		
(a) A proportion of the total parking spaces required shall be provided for disabled persons in accordance with Table 2. Retail/Commercial: 2% of total car parking	2% of 23 = 1 (rounded up to nearest whole number) 1 space provided within the basement.	Yes
(b) A continuous, accessible path of travel in accordance with AS 1428.1 shall be provided between each parking space and an accessible entrance to the building or to a wheelchair accessible lift.	Noted.	Noted
2.6. Set Down Areas		

(c) The following forms of development should provide set down areas for cars: <ul style="list-style-type: none"> • Educational establishments. • Shopping centres. • Community centres. • Libraries. • Entertainment facilities. • Child Care Centres. • Recreational facilities. • Transport terminals and interchanges. 	The proposal is not in close proximity to a busy centre and thus does not require a set down area.	Yes
2.7. Car Park Design and Layout		
2.7.1 General		
(a) The layout of the car park should facilitate ease of access and egress of vehicles through the parking area at all times without congestion.	The proposal would facilitate ease of access and egress of vehicles through the parking area.	Yes
(b) For all development other than single dwelling houses and dual occupancies, vehicles must enter and exit the site in a forward direction.	The proposed double driveway would ensure vehicles exit the site in a forward direction.	Yes
(e) Provisions within this section are in accordance with AS 2590.1 – 1993 Parking Facilities – Part 1 Off Street Car Parking. For further design requirements for car park design and layout please refer to the Australian Standard.	Noted.	Noted
2.7.2 Parking Dimensions		
(a) The minimum car parking dimensions required for right angle parking shall be provided in accordance with Table 4. Tenant , employee and commuter parking, universities (generally parking all day): 2.4m x 5.4m Short-term town centre parking, shopping centres, supermarkets, hospitals & medical centres (generally short-term parking and where children & goods can be expected to be loaded into the vehicles): 2.6m x 5.4m	The proposal achieves the minimum car parking dimensions required for right angle parking.	Yes
(d) All parking spaces shall be designed to ensure they can be accessed by a maximum 3-point combined manoeuvre, i.e. 1 movement to enter the space and 2 movements to leave, or 2 movements to enter and 1 to leave.	Council's Traffic Engineers do not support the proposal due to a non-compliance with the required number of car parking spaces.	No
(f) At blind aisles the end spaces should be made one metre wider than the adjacent spaces. (See Figure 3). Otherwise, provision should be made for cars to turn round at the end of aisles and allow vehicles to exit in a forward direction	The proposed basement layout ensure vehicles would leave in a forward direction.	Yes
(g) Spaces adjacent to obstructions must be 300mm wider on the side of the obstruction.	No spaces are proposed adjacent to obstructions.	Yes
(i) Basement parking areas should be setback the same distance as the building above.	The proposed basement is setback the same distance as the building above.	Yes
2.8 Landscaping		
(a) Outdoor parking areas are to be provided with two-metre-wide landscaping strips: <ul style="list-style-type: none"> • Between rows served by different aisles. • Between spaces at a rate of one in every ten car parking spaces. 	The proposal does not seek outdoor parking areas.	N/A
(b) Outdoor parking areas are to be screened by a minimum of two metre wide landscaping strips. Such landscaping is to be of a mature and dense nature and be designed according to Part C Section 3 – Landscaping of this DCP.	The proposal does not seek outdoor parking areas.	N/A
(c) Driveways are to be screened by a minimum of two-metre-wide landscaping strip on either side.	The proposed driveways do not achieve a minimum of two-metre-wide landscaping strip on either side. The driveway is adjacent to the pedestrian access.	No
PART B SECTION 2 RESIDENTIAL		
STANDARD	PROPOSED	COMPLIANCE

2.3 Restricted Development Areas	No RDAs are located on site.	N/A
2.4 Site Analysis Development should be designed to respect the streetscape and site constraints such as topography, drainage, soil, landscapes, flora, fauna, drainage and bushfire hazard. Development on land adjoining bushland reserves should prevent any impact on the reserves.	The proposed development would not be of a scale consistent to the streetscape. Upon review of the site analysis, it is noted that the proposed development does not respond to the natural features of the site and surround natural environment due to a disregard to the topography, as seen with the basement design and proposed fill in the rear, and the impact on mature trees located in the Murray farm Reserve.	No
2.5 Streetscape & Character The proposed development must: Contribute to an attractive residential environment with clear character and identity. Address the street and boundaries to the site. Retain, complement and sensitively harmonise with any heritage item or conservation area in the vicinity that are identified in Council's Local Environmental Plan; and Provide building setbacks that progressively increase as wall heights increase to reduce bulk and overshadowing.	The proposal is unlikely to contribute to an attractive residential environment for the following reasons: The proposed development is considered to be compatible as viewed from Murray Farm Road. However, when viewed from the east, from the Murray Farm Reserve, the proposal appears excessive in comparison to the existing developments. Additionally, when compared to the future character as per the Draft Parramatta DCP, the proposal would require a 14.1m rear setback when a 5m rear setback is currently proposed.	No
2.9 Erosion and Sediment Control An Erosion and Sediment Control Plan (ESCP) is required to be submitted in accordance with "Managing Urban Stormwater – Soils and Construction", produced by the NSW Department of Housing.	An ESCP was prepared and submitted for assessment.	Yes
2.10 Heritage	The subject site is not a heritage item or located within an HCA.	N/A
2.12 Stormwater Management Concentrated stormwater flow must be connected to Council's drainage system. Check 88B Instrument whether OSD is required, and whether the subject lot has legal rights to connect to drainage easements. On Rural land, discharge points from tank overflows etc should not cause erosion or impact on adjoining properties.	Council's Engineering Officer cannot support the application in its current form. Refer to engineering comments above in part 5 of this report.	No
2.14.1 Dwellings – Building Setbacks Site specific controls apply to land adjoining Heritage Park facing Old Castle Hill Road. Hunterford Estate in Oatlands and Gilroy College Target Site (Refer to Appendix C – Precinct Plan Maps and Site-Specific Controls). Classified Road: 10m Other Road: 10m or as depicted on DCP Maps 1-4 Where the predominant setback pattern of the street exceeds the above requirements, the setbacks of three (3) adjoining dwellings either side of the proposed dwelling will apply.	Control = 10m Proposed = 10m	Yes
Corner Setbacks	The subject site is not a corner allotment.	N/A

Minimum 6 metres for the primary frontage and 4 metres to a secondary road frontage.													
Side Setback <table><tr><th>Height of building</th><th>Distance of wall to boundary line</th><th>Distance to eave to boundary line</th></tr><tr><td>1 or 2 storeys</td><td>900mm</td><td>675mm</td></tr><tr><td>3 storeys</td><td>1500mm</td><td>1175mm</td></tr></table>			Height of building	Distance of wall to boundary line	Distance to eave to boundary line	1 or 2 storeys	900mm	675mm	3 storeys	1500mm	1175mm	Side setbacks = 2m	Yes
Height of building	Distance of wall to boundary line	Distance to eave to boundary line											
1 or 2 storeys	900mm	675mm											
3 storeys	1500mm	1175mm											
Rear Setback <table><tr><th>Height of building</th><th>Setback</th></tr><tr><td>1 storey element of dwelling</td><td>4m</td></tr><tr><td>2-3 storey elements of dwelling</td><td>6m</td></tr></table>			Height of building	Setback	1 storey element of dwelling	4m	2-3 storey elements of dwelling	6m	Ground Floor Rear setback = 5m First Floor Rear setback = 5.33m First Floor Variation = 0.67m or 11.17% The proposal is of a bulk and scale that is not compatible with the character of the neighbourhood.	No			
Height of building	Setback												
1 storey element of dwelling	4m												
2-3 storey elements of dwelling	6m												
2.14.2 Site Coverage <p>The maximum site coverage permitted is 60% (567m²) with the exception of land zoned E4 and land identified in the Map Sheets by pink shading, where the maximum site coverage is 30%.</p> <p>Dwelling building footprint is to be no more than 45% (255.15m²) of the site coverage, with the exception of land shaded pink on Map Sheets 1-42.</p>			Site coverage = 712.7m ² or 75.5% Variation = 145.7m ² or 15.5% Dwelling footprint = 286m ² or 50.4% of the site coverage Variation = 70.85m ² or 5.4% The proposal is of a bulk and scale that is not compatible with the character of the neighbourhood.	No									
2.14.3 Building Height <p>LEP 2012 4.3 Height of buildings</p> <p>(1) The objectives of this clause are as follows:</p> <p>(a) to ensure the height of buildings is compatible with that of adjoining development and the overall streetscape.</p> <p>(b) to minimise the impact of overshadowing, visual impact, and loss of privacy on adjoining properties and open space areas.</p> <p>(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.</p>			Required = 9m Proposed = 8.66m	Yes									
2.14.5 Landscaping <p>All setback and car parking areas are to be landscaped and maintained in accordance with the provisions of Part C Section 3 – Landscaping.</p> <p>A Minimum 40% (378m²) landscaped area is required with the exception of land zoned E4, where the minimum is 70%.</p> <p>Note: Landscaped area does not include any paved or built upon area such as driveways, tennis courts, patios/decks, outbuildings or pools.</p>			Landscaping = 230.3m ² or 24.4% Variation = 147.7m ² or 15.6% Without the minimum required 40% landscaping, the proposal would not be compatible with the character of the neighbourhood.	No									
2.14.7 Cut and Fill <p>Maximum 600mm of filling without a concealed dropped edge beam.</p>			Due to the proposed basement, the excavation on site reaches a maximum depth of 2.4m below natural ground level. In this instance, the level of cut is acceptable.	No.									

Maximum of 1.5 metres with a concealed dropped edge beam. 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 engineer's details of retaining walls with the Development Application, or alternatively, a separate Development Application is to be submitted.	However, the rear of the site is proposed with 1.3m of fill along the rear boundary when a maximum of 0.6m is permitted. The proposed fill along the rear boundary does not comply with the DCO and is a poor response to the natural features of the site. The fill is proposed to reduce the difference between the levels of the ground floor outdoor play areas but results in visual impacts to the Murray Farm reserve and does not respond to the natural features of the site.	
2.14.8 Building Materials Materials to be compatible with surrounding developments. A schedule of external materials and colours is required.	A schedule of external materials and colours has not been submitted with the proposal.	No
2.14.9 Visual and Acoustic Privacy Buildings are to be designed to ensure maximum protection of privacy. Where appropriate consideration should be given to: using windows that are narrow, translucent or obscured or, in the case of bathrooms, have windowsills a minimum of 1.5 metres above the upper storey floor level; and ensuring that windows that face directly to the windows, balconies or yards of adjoining dwellings are appropriately screened. First floor balconies will not be permitted where they overlook living areas of adjacent dwellings. Windows should be placed to minimise direct viewing between dwellings. Dwellings are to be designed to limit the potential for noise transmission to the living and sleeping areas of adjacent existing and future developments. 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. Private open space areas and driveways are to be designed to minimise noise impacts. Dwellings that adjoin classified roads are to be designed to ensure acceptable internal noise levels, based on Environmental Protection Authority – Environmental Criteria for Road Traffic Noise and Australian Standard 3671 – Road Traffic Noise Intrusion – Building Siting and Construction.	Visual Privacy The proposal does not overlook into adjoining properties. Window Placement and 1.4m high balustrade is proposed to further minimise potential for overlooking. Acoustic privacy The proposal utilises a 1.8m high solid barrier along boundaries, and no issues were raised by council officers regarding the fence. A satisfactory acoustic report was submitted with the proposal.	Yes
2.14.10 Solar Access 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 indoor and outdoor spaces will receive solar access throughout the day due to the orientation of the site and comply.	Yes
2.14.11 Ventilation Maximise ventilation and consider fans, louvered windows and seals.	The proposed design addresses the ventilation requirements for the childcare centre.	Yes
2.14.12	Noted.	Noted

Lighting Lighting to comply with BCA and maximise natural lighting		
2.14.14 Car Parking and Vehicular Access Car parking is to be provided in accordance with Part C Section 1 – Parking. Driveways and parking areas should enable the opportunity for landscape screening and be convenient and safe. At least one car parking space must be provided behind the front building line. Single garages: Minimum 5.5m x 3.0m. Double garages: Minimum 5.5m x 5.0m.	The proposal is not support regarding car parking and vehicular access for the following reasons: - As per The Hills DCP 2012, a minimum 23 car parking spaces is required, however, only 16 carparking spaces are provided. - A splay extending 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway was not provided. - A marked 1.2m wide separate pedestrian pathway from car parking spaces to the lift and stairs to provide a safe pedestrian environment was not provided.	No
2.14.15 Access and Surveillance (a) Site planning and dwelling design is to allow general observation of the street, the site and the approaches to the dwelling entry from the inside of each dwelling. (b) Access to dwellings is to be direct and without unnecessary barriers. For example, use ramps instead of stairs/steps, consider the height and length of handrails and eliminate changes in level between ground surfaces. (c) Stairs and ramps are to have reasonable gradients and non slip even surfaces. Refer to Australian Standard 1428.1 - 2001 Design for Access and Mobility and supplementary AS 1428.2 - 1992.	The proposed front setback is considered to have been suitably treated to allow for passive surveillance to main entryways into the site.	Yes
2.15 Fencing Site specific fencing controls apply to land adjoining Heritage Park and at the corner of Old Windsor Road and Seven Hills Road, Baulkham Hills (Refer to Appendix C– Precinct Plan Maps and Site Specific Controls). Any boundary fencing shall be subject to the requirements of the Dividing Fences Act 1991. 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. Where front fencing over 1.2 metres in height is proposed, this shall be of open style. 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. Consideration will be given to fencing on secondary road frontage setbacks, subject to there being no adverse effect 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. Side and rear boundary fencing should be a maximum of 1.8 metres in height.	The proposed fencing on site is acceptable	Yes

<p>2.16 Waste Management</p> <p>Adequate storage for waste materials must be provided on site.</p> <p>All waste storage areas must be screened from view from any adjoining property or public place.</p> <p>Bin storage space is to be:</p> <p>incorporated into the landscape design of each dwelling; and</p> <p>adequate for one 240 litre garbage bin and one 240 litre recycling bin per dwelling.</p> <p>Location of the bin storage space must allow the bins to be wheeled to the street kerb over flat or ramped surfaces with a maximum grade of 7% and not over steps, landscape edging or gutters or through the dwelling.</p>	<p>An adequate storage and waste management plan has been provided as part of this application.</p>	<p>Yes</p>
<p>2.17 Services</p> <p>Ensure sufficient water supply and disposal of sewage measures are available.</p> <p>All water, gas, power and communication services are to be located underground.</p>	<p>Yes</p>	<p>Yes</p>
PART C SECTION 3 LANDSCAPING		
CONTROL	PROPOSED	COMPLIANCE
3.1. General Planning and Design Controls		
<p>(a) The landscaping of any site should have regard to the natural environment of the location and be consistent with landscaping character of the area.</p> <p>(b) Landscaped areas shall have a minimum width of two metres</p> <p>(h) For all planting on slab and planter boxes allow the following minimum soil depths:</p> <ul style="list-style-type: none"> • 1.2m for large trees, 1m for medium trees and 800mm for small trees. • 500-600mm for shrubs • 200-450mm for groundcovers; and • 200mm for turf. 	<p>Council's Landscape Officer has reviewed the application and notes that the submitted design does not sufficiently address all landscape matters and will have impacts mature trees in the Murray Farm Reserve. See landscape comments.</p>	<p>No</p>

10. Development Contributions

A condition of consent relating to the payment of the contribution would have been imposed if the application was recommended for approval. A standard condition of consent has been imposed requiring the contribution to be paid prior to the issue of a Construction Certificate.

12. Bonds

A standard condition of consent has been imposed requiring the Security Bond to be paid prior to the issue of a Construction Certificate. A condition of consent relating to the payment of the Security Bond would have been imposed, if the application was recommended for approval.

13. EP&A Regulation 2021

Applicable Regulation considerations including demolition, fire safety, fire upgrades, compliance with the Building Code of Australia, compliance with the Home Building Act, PCA appointment, notice of commencement of works, sign on work sites, critical stage inspections and records of inspection would have been addressed by appropriate conditions of

consent.

14. The likely impacts of the development

The assessment demonstrates that the proposal will have a significant adverse impact upon the adjoining property, Murry Farm Reserve.

All relevant issues regarding environmental impacts of the development are discussed elsewhere in this report, including natural impacts such as impacts on mature trees, excessive fill, and built environment impacts such as build form. In the context of the site and the assessments provided by Council's experts, the development is not considered satisfactory in terms of environmental impacts.

15. Suitability of the Site

The subject site cannot accommodate the development of a 65 place childcare centre of this scale as the site requires services and facilities to enable efficient and safe operation of the use without causing further impacts on the amenity of surrounding properties.

With the proposal of 65 children, the site is not able to provide the required area for unencumbered outdoor play area and the required number of carparking spaces. The excessive scale is additionally impacting on the mature trees in the neighbouring Reserve.

In regard to drainage of the site, the proposed easement will have very detrimental impacts on Council's assets and the mature trees in the Murray Farm Reserve.

Suitable investigations and documentation have not been provided to demonstrate that the site can be made suitable for the proposed development, however, the development is consistent with the land use planning framework for the locality.

No natural hazards or site constraints exist that are likely to have an unacceptably adverse impact on the proposed development.

Subject to the conditions provided within the recommendation to this report, the site is considered to not be suitable for the proposed development.

16. Public Consultation

In accordance with the City of Parramatta Notification Requirements, the Development Application was notified.

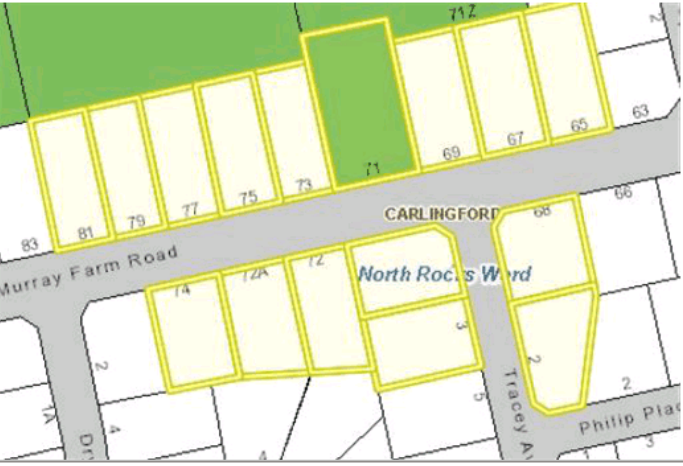
The notification period started on 7 March 2023 and ended on 28 March 2023. Twelve (12) submissions were received objecting to the proposal.

Key concerns raised in the submissions are addressed below.

Issue	Response
The proposed development will cause noise pollution, impacting adjoining properties.	A satisfactory acoustic report was submitted with the proposal and reviewed by Council's specialist who raised no objection.
Noise from the childcare centre is unlikely to be manageable by closed windows and acoustic barriers.	A satisfactory acoustic report was submitted with the proposal and reviewed by Council's specialist who raised no objection.
Increased traffic associated with the proposed development will increase noise levels in the area, reducing the amenity of adjoining properties.	The increase in traffic will not increase the average daily traffic volume to be over 20,000 vehicles per day. As per the State Environmental Planning Policy (Transport and Infrastructure) 2021, an assessment on the noise generated by traffic is not triggered.
The Plan of Management is inconsistent with supporting documents.	The Plan of Management is not adequately addressing the proposal and a substantial amount of the information included seems generic and unspecific to the proposal.

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	The submitted plan of management is not satisfactory.
The proposed development will result in light pollution into adjoining properties.	The proposal is not intended to operate at night and no light would be left on during closed hours. The proposed hours of operation are 7am – 6pm, Monday to Friday.
The proposed development will generate traffic issues in an area that is already congested	The proposal will have a detrimental impact on the traffic conditions in the area as insufficient parking is proposed on site. Additional on-site parking is required.
The area already has a childcare centre located nearby; another should be considered unnecessary.	In the current vicinity, there are no childcare centres running. A proposed DA for a childcare centre was lodged with council on 19 Tracey Avenue Carlingford (approx. 280m away), however, the application was refused.
The proposal is incompatible in the area as it already hosts a primary school	The proposal is for a childcare centre and does not care for children in Primary school. Each establishment would care for children at different ages.
The proposed childcare centre is not consistent with Zone R2 Objectives and the plan of management does not address the Zone R2 objectives.	A childcare centre is permissible in an R2 Low Density Residential zone with consent.
The proposed childcare centre is to be compatible with the existing “low density residential character” and is not required to consider the future population.	It has been determined that the childcare centre is not compatible with the current character of the area and the future character. The size and scale of the proposal would be detrimental to the locality and is not supported.
The large number of children will reduce the neighbour’s privacy and amenity.	The proposal maintains visual privacy to neighbouring residential developments.
The value of surrounding properties will be reduced.	This is not a matter of consideration under clause 4.15 of the Environmental Planning and Assessment Act 1979.
With increased traffic and vehicles moving in and out of the center, there is a high risk of accidents involving young children who may be running around, playing outside the premises or crossing the road.	All children in the childcare centre will be inside and not playing in the street and the frontage. The vehicular access to the site is required, however, allowing for separation between the pedestrian access and vehicular access has been commented on in the report.
Increased risk of air pollution which could affect the health and well-being of residents in the surrounding area.	Childcare centres are not known to be producers of air pollution and if a centre was identified to contribute to risky air pollution, then the proposal would be a risk to residents, and the children in the centre. The proposed childcare centre will not be detrimentally increasing the risk of air pollution in the area.
The site is nearby to a no leash dog park and sports field which puts children at risk	The children in the centre are to remain in the centre as is the norm for all childcare centres. The nearby park is not considered part of the facilities of the centre.
The traffic study and Acoustic reports contains conflicting and/or inadequate information and was not conducted at an appropriate time or in an appropriate way.	The proposed traffic study will need to be revised as the proposal does not provide the required number of car parking spaces. The submitted acoustic report was reviewed by Council's specialist who raised no objection.
The overall scale and the facade of the building is not in keeping with the adjacent houses along the street, the setbacks are also considered unreasonable.	It has been determined that the childcare centre is not compatible with the current character of the area and the future character. The size and scale of the proposal would be detrimental to the locality and is not supported.
All owners and residents within 1km of the subject site were not notified of the proposed development.	The proposal was notified as per Council's Consolidated Notification Requirements.

	<p>Written notification would be provided to the 10 closest surrounding properties. Where there is no impact to adjoining properties to the rear of the subject site, notification would be limited to the 5 closest surrounding properties to the side and opposite the subject site.</p> <p>In this case, 15 properties (excluding 73 Murray farm Road) were notified of the application and a notification sign was placed on site.</p> 
All information was not made available for public consultation	All relevant information regarding the development application was available for public consultation.
The Arboricultural Impact Assessment did not conduct below ground inspections and did not consider the proposed stormwater plans.	<p>The Arboricultural Impact Assessment was missing vital information that would have assisted in the assessment of the application.</p> <p>Due to the missing information a proper assessment cannot be conducted, and the application cannot be supported.</p>
Increased stormwater into Murray Farm Reserve will cause additional flooding and prolonged water sitting on the grounds of the reserve, reducing access to the reserve for recreation.	The proposed Stormwater proposal is not supported due to insufficient information and the substantially detrimental impacts on the assets and mature trees in Murray farm reserve.
Impact of the proposed demolition and development on the trees and landscape on the adjoining properties.	The proposal will have substantially detrimental impacts on the assets and mature trees in Murray Farm Reserve. Council cannot support the proposal due to these impacts.
The proposal allows for insufficient car parking	Council has determined that insufficient carparking is proposed on site and the application is not supported.
The Waste Management Plan including ongoing storage, maintenance and disposal of bins is considered inadequate.	Council's Environmental Health Officers have reviewed the proposal and raised no issues to the waste management plan submitted.

17. Public interest

The proposal is not in the public interest as the built form would have a detrimental impact on the local character and the substantial impacts on the Murray Farm Reserve would reduce to quality of a vital open green space used by the community.

18. Conclusion

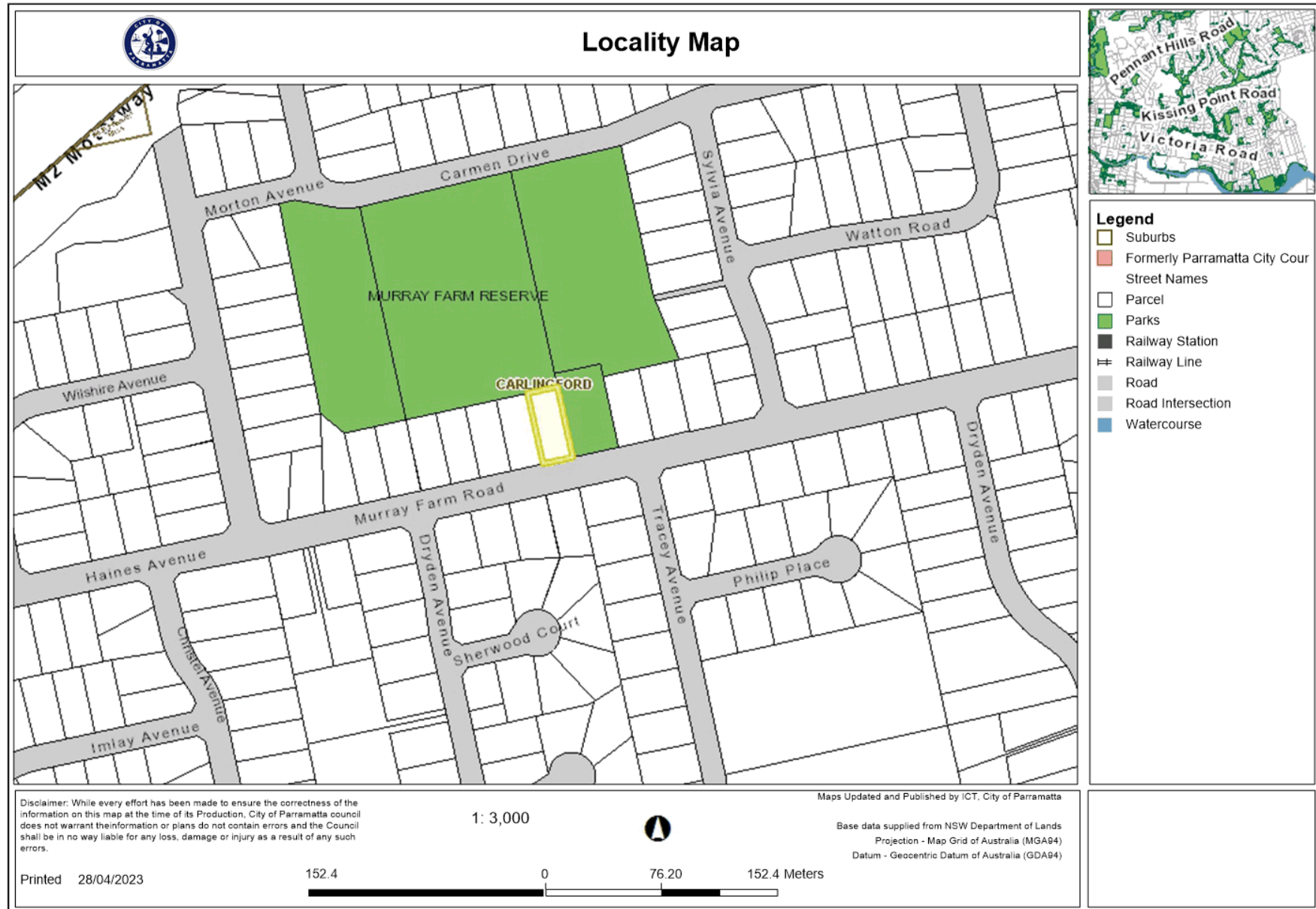
The application has been assessed relative to section 4.15 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls.

For these reasons, it is considered that the proposal is not satisfactory having regard to the matters of consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979 and is recommended for refusal.

21. Recommendation

Pursuant to Section 4.16 of the Environmental Planning and Assessment Act, 1979:

- A. **That the Parramatta Local Planning Panel**, exercising the functions of Council under section 4.16 of the Environmental Planning and Assessment Act 1979, REFUSE development consent for DA/116/2023 for the *Demolition of existing structures and construction of a two storey 65 place childcare centre with 16 basement car parking spaces* on land at 73 Murray Farm Road, Carlingford for the following reasons:
1. In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposal does not comply with the requirements to the following clauses of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021 – Chapter 2 Vegetation in Non-Rural Areas*
 2. In accordance with Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposal does not comply with the requirements to the following clauses of the *State Environmental Planning Policy (Transport and Infrastructure) 2021 Chapter 3 - Educational Establishments and Child Care Facilities*:
 - a. Clause 3.22 – Concurrence of the Regulatory Authority
 - b. Childcare Planning Guidelines Part 2 – Design Quality Principles
 - c. Childcare Planning Guidelines Part 3.1 Site selection and location
 - d. Childcare Planning Guidelines Part 3.2 Local character, streetscape and the public domain interface
 - e. Childcare Planning Guidelines Part 3.3 Building orientation, envelope and design
 - f. Childcare Planning Guidelines Part 3.4 Landscaping
 - g. Childcare Planning Guidelines Part 3.8 Traffic, Parking and Pedestrian Circulation
 - h. Education and Care Services National Regulations Part 4.1 Indoor space requirements (storage areas)
 - i. Education and Care Services National Regulations Part 4.2 Laundry and hygiene facilities
 - j. Education and Care Services National Regulations Part 4.3 Toilet and hygiene facilities
 - k. Education and Care Services National Regulations Part 4.5 Administrative space
 - l. Education and Care Services National Regulations Part 4.7 Premises designed to facilitate supervision
 - m. Education and Care Services National Regulations Part 4.9 Outdoor space requirements
 - n. Education and Care Services National Regulations Part 4.10 Natural environment
 3. In accordance with Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposal does not comply the following parts of The Hills Development Control Plan 2012:
 - a. Part B, Section 2.4 Site analysis,
 - b. Part B, Section 2.5 Streetscape & character,
 - c. Part B, Section 2.12 Stormwater Management,
 - d. Part B, Section 2.14.1 Rear Setback,
 - e. Part B, Section 2.14.2 Site coverage,
 - f. Part B, Section 2.14.5 Landscaping,
 - g. Part B, Section 2.14.7 Cut and fill,
 - h. Part B, Section 2.14.8 Building Materials,
 - i. Part B, Section 2.14.14 Car Parking and Vehicular access,
 - j. Part B Section 2.34 Centre Based Child Care Facilities – Additional Controls
 - k. Part C, Section 2.1.1 Parking,
 - l. Part C, Section 2.7.2 Parking Dimensions,
 - m. Part C, Section 2.8 Landscaping,
 - n. Part C, Section 3.1 Landscaping
 4. In accordance with Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979, the proposal is not suitable for the site.
 5. In accordance with Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, the proposal is not in the public interest.
- B. **That** Council advise those who made a submission of the determination.



73 Murray Farm Road, Carlingford

Proposed Child Care Centre

DRAWING SCHEDULE:

A000 - COVER PAGE
 A001 - CALCULATIONS PAGE / LEP MAPS
 A002 - SITE CONTEXT PLAN
 A003 - DEMOLITION PLAN
 A004 - SITE ANALYSIS PLAN
 A005 - SITE PLAN
 A006 - BASEMENT PLAN
 A007 - GROUND FLOOR PLAN / ACOUSTIC TREATMENT DETAILS
 A008 - FIRST FLOOR PLAN / ACOUSTIC TREATMENT DETAIL
 A009 - SECOND FLOOR PLAN
 A010 - ROOF PLAN
 A011 - GROUND FLOOR OUTDOOR AREA COVERAGE DIAGRAM
 A012 - FIRST FLOOR OUTDOOR AREA COVERAGE DIAGRAM
 A013 - CUT AND FILL PLAN
 A014 - NORTH AND EAST ELEVATIONS (STREETSCAPE)
 A015 - WEST AND SOUTH ELEVATIONS
 A016 - SECTION A-A & SECTION B-B
 A017 - DRIVEWAY SECTION
 A018 - SHADOW DIAGRAMS (9AM & 12 NOON)
 A019 - SHADOW DIAGRAM (3PM)
 A020 - 3D PERSPECTIVES
 A021 - 3D PERSPECTIVES
 A022 - GROUND FLOOR - EMERGENCY EVACUATION PLAN
 A023 - FIRST FLOOR - EMERGENCY EVACUATION PLAN

GENERAL NOTES

1. CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK OR PREPARING SHOP DRAWINGS. DO NOT SCALE FROM DRAWINGS.
 2. ALL BUILDING WORKS SHALL BE IN ACCORDANCE WITH THE RELEVANT NATIONAL CONSTRUCTION CODE (NCC), BUILDING CODE OF AUSTRALIA (BCA), RELEVANT AUSTRALIAN STANDARDS (AS), INCLUDING AMENDMENTS AND THE REQUIREMENTS OF COUNCIL AND PRIVATE CERTIFIERS (PC) AND OTHER AUTHORITIES HAVING JURISDICTION.
 3. THE ARCHITECTURAL DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ALL RELEVANT CONSULTANT DRAWINGS AND REPORTS FOR COORDINATION AND INFORMATION.
 4. THRESHOLDS AND DOORWAYS ARE FLUSH FOR WHEELCHAIR ACCESS IN ACCORDANCE WITH AS 1428.1 DESIGN FOR ACCESS AND MOBILITY. REFER TO ACCESS CONSULTANT REPORT FOR DIFFERENTIATIONS AND POTENTIAL PERFORMANCE SOLUTION PROPOSED.
 5. DRAWINGS ARE NOT COORDINATED BY JANSSEN DESIGNS. CONDITIONS AND DOCUMENTS NEED TO BE COORDINATED AND CHECKED TO CONFIRM THEY SATISFY THE AUSTRALIAN STANDARDS, SPECIALIST DISABILITY ACCOMMODATION, DESIGN FOR DISABILITY ACCOMMODATION, DEVELOPMENT APPLICATION REQUIREMENTS, THE NCC, BCA CODES AND CONTROLS THAT APPLY TO THIS PROJECT. A COORDINATED CONSTRUCTION SET MAY VARY FROM THE PRODUCED DRAWINGS. JANSSEN DESIGNS DOES NOT ACCEPT ANY LIABILITY, DIRECT OR INDIRECT, FOR ANY LOSS, LIABILITY OR LOSS SUFFERED OR INCURRED BY ANY PERSON OR THIRD PARTY PLACING ANY RELIANCE ON THE SERVICES OR DOCUMENTS OR ADVICE ARISING IN CONNECTION WITH THE SERVICE.
 6. ALL STRUCTURAL ELEMENTS ARE SHOWN INDICATIVELY AND ARE TO BE CONFIRMED WITH THE DESIGN, DETAIL AND SPECIFICATION OF THE STRUCTURAL ENGINEER.
 7. ALL STRUCTURAL FRAMING, LOADING, BEARING, RETAINING AND FIXING OF ELEMENTS ARE TO THE DESIGN, DETAIL AND SPECIFICATION OF THE STRUCTURAL ENGINEER.
 8. ALL SERVICES ELEMENTS INCLUDING HYDRAULICS, ELECTRICAL, MECHANICAL, FIRE AND COMMUNICATION SERVICES SHOWN ARE INDICATIVE ONLY. REFER TO SERVICES CONSULTANT SEPARATE DOCUMENTATION AND SPECIFICATION FOR DETAILED DESIGN.
 9. ANY DISCREPANCIES BETWEEN ARCHITECTURAL CONSULTANT DOCUMENTATION ARE TO BE REPORTED TO THE ARCHITECT IMMEDIATELY FOR CLARIFICATION.
 10. ALL CONCRETE AND METALWORK ITEMS, SUCH AS SHOP DRAWINGS, TO BE ORGANISED AND REVIEWED BY THE CLIENT.
 11. ALL SITE AND BUILDING GRID SET OUT IS TO BE CONDUCTED AND VERIFIED BY A REGISTERED SURVEYOR BEFORE COMMENCEMENT OF CONSTRUCTION WITH ANY DISCREPANCIES NOTIFIED TO THE CLIENT FOR CLARIFICATION.



AMENDMENTS			Project Title:	Drawing Title:	Client (Ref):		
Date	Description	Date					
			Proposed Child Care Centre	Cover Page	Glanville		
			LOCAL GOVERNMENT AREA:				
			Paramatta Council				
			ADDRESS:				
			73 Murray Farm Road, Carlingford				
			DATE: 14/11/2023				
			Scale: 1:100				
			Sheet: 1 of 1				
			Project: A				

COMPLIANCE TABLE

TOTAL SITE AREA	944.90m2
MAX. REQUIRED FLOOR SPACE RATIO	472.45m2 0.5:1 (CHILD CARE DESIGN GUIDELINE)
PROPOSED FLOOR SPACE RATIO	445m2 0.47:1 - COMPLIES
MAX BUILDING HEIGHT	9M
PROPOSED BUILDING HEIGHT	8.5M - COMPLIES

CHILDCARE

NUMBER OF CHILDREN:

0-2 YEARS - 16 PLACES
2-3 YEARS - 25 PLACES
3-6 YEARS - 24 PLACES

TOTAL - 65 PLACES

NUMBER OF TEACHERS:

0-2 YEARS - 4 TEACHERS @ 1:4 RATIO
2-3 YEARS - 5 TEACHERS @ 1:5 RATIO
3-6 YEARS - 3 TEACHERS @ 1:10 RATIO

INDOOR PLAY AREA:

0-2 YEARS - 52.5m2 @ 3.28m2 / KID
2-3 YEARS - 82.2m2 @ 3.288m2 / KID
3-6 YEARS - 79m2 @ 3.29m2 / KID

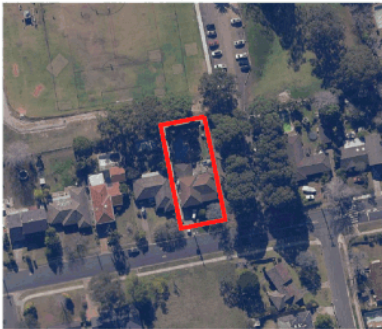
OUTDOOR PLAY AREA:

TOTAL AREA - 455m2 @ 7m2 / KID

ZONING - R2 LOW DENSITY RESIDENTIAL



FLOOR SPACE RATIO - 0.5:1 (AS PER CHILDCARE DESIGN GUIDELINE)



MAXIMUM BUILDING HEIGHT - 9M

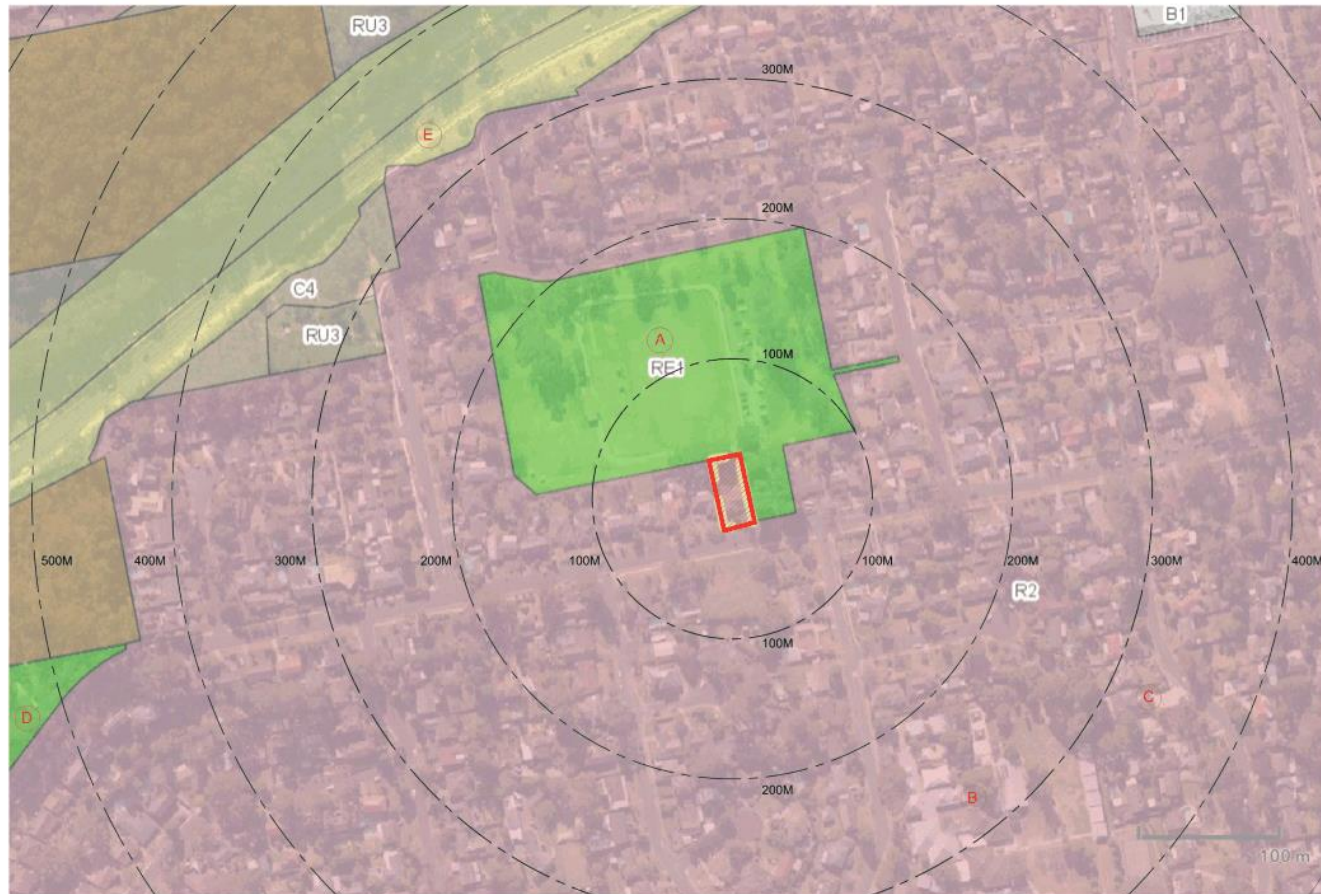


HERITAGE - N/A



[illegible]

DO NOT SCALE OFF ARCHITECTURAL DRAWINGS



LANDMARKS

A - MURRAY FARM RESERVE

B - MURRAY FARM PUBLIC SCHOOL

C - SHINE PRESCHOOL CARLINGFOORD

D - 1ST MURRAY FARM SCOUTS

E - M2 MOTORWAY

SITE CONTEXT PLAN -
N.T.S.



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DESIGNS

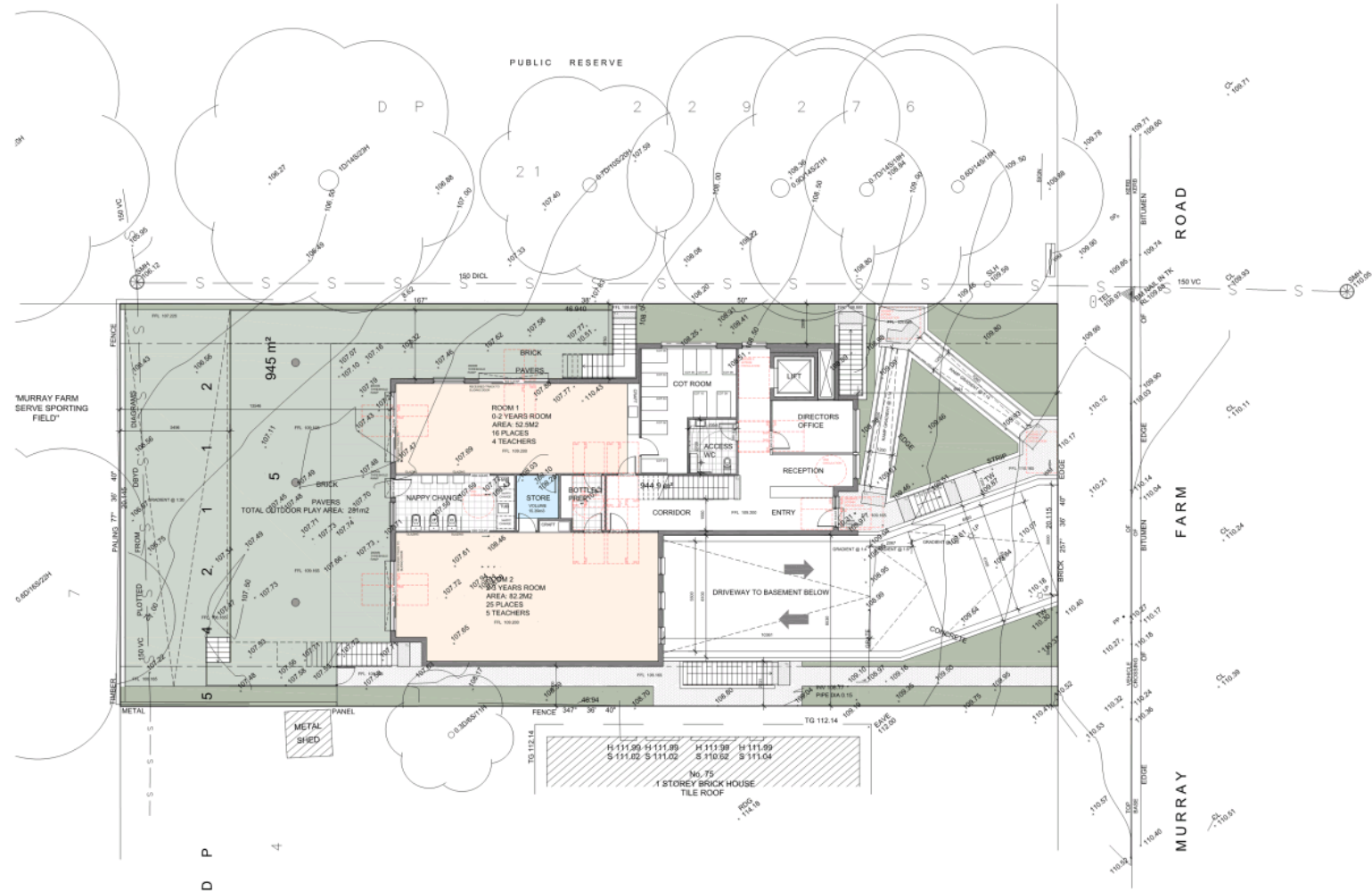
info@jansendesigns.com.au | PO Box 41, Kenthurst 2154 | m: 0423 214 436
nominated Architect: Jake Jansen NSW AIA (1157)

[illegible]

[illegible]



DO NOT SCALE OFF ARCHITECTURAL DRAWINGS

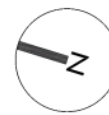


SITE PLAN -
1:100 @ A1



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 nominated Architect: Jake Jansen NSW ABN 111575

[illegible]

DRAWING TITLE:
Site Plan

ADDRESS:
73 Murray
Carlingford

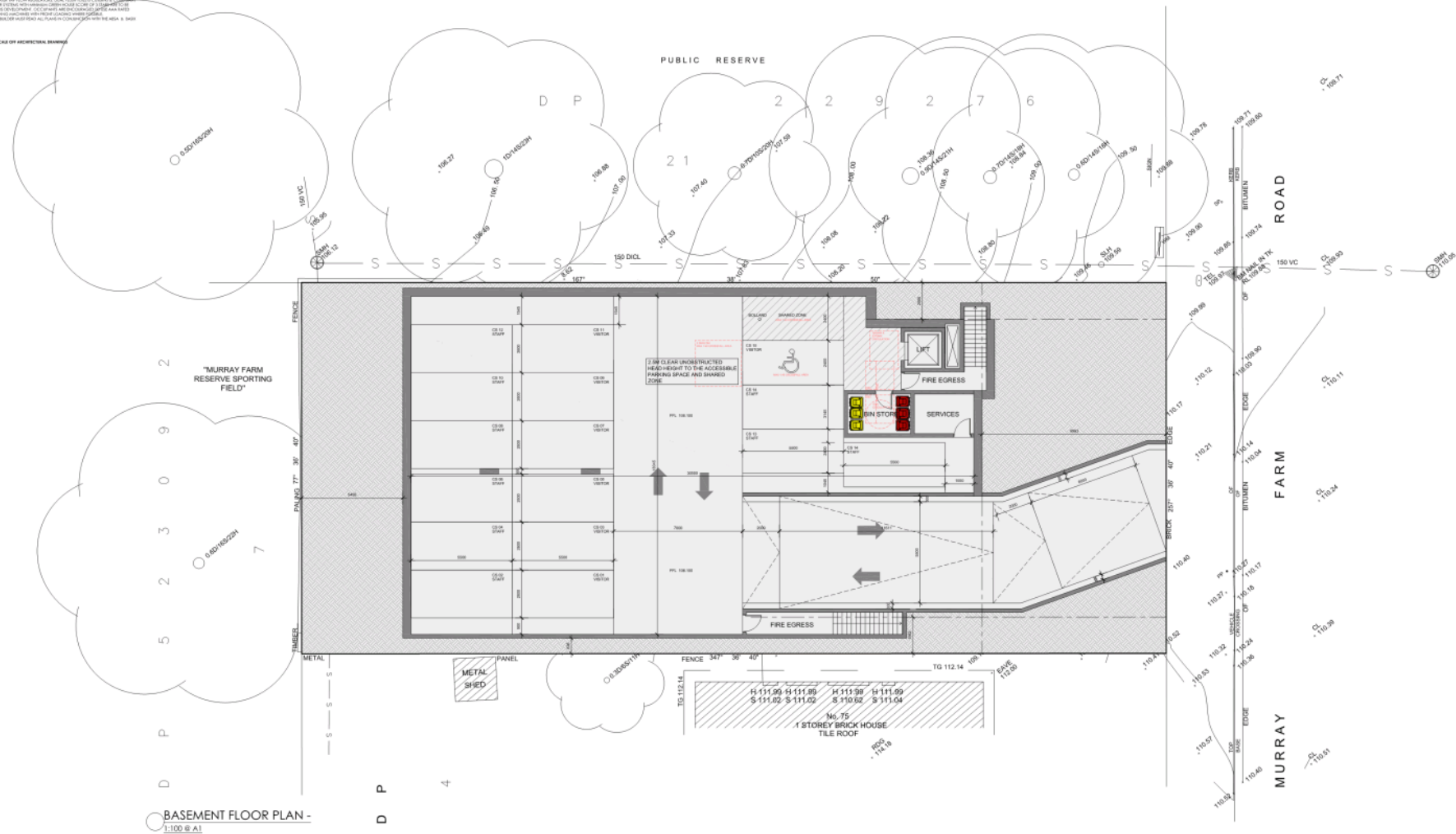
CLIENT DETAILS:
Glanville

LOCAL GOVERNMENT AREA:
Parramatta Council

Desk:	Score:	Drawing #:	Project #:
14.18.2000	1305	A300	10208

[illegible]

DO NOT SCALE OFF ARCHITECTURAL DRAWING



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nominated Architect: Jake Jansen NSW AAB 11575

[illegible]

Project Title:
Proposed Child Care
Centre

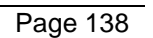
DRAWING TITLE:
Basement Floor Plan

ADDRESS:
73 Murray Farm Road
Carlingford

CLIENT DETAILS:
Glanville

LOCAL GOVERNMENT AREA:
Parramatta Council

Order: 14.10.2020 Scale: 1:100 Date: 14.10.2020



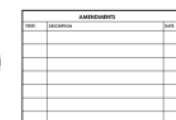


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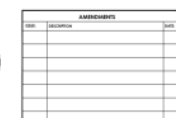


Nominated Architect: Jake Jansen NSW A&B 11575



Order: 1410 2022	Scale: 1:100	Drawing #: A000	Project #: 10208
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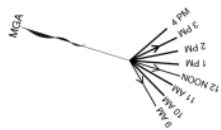
DO NOT SCALE OFF ARCHITECTURAL DRAWINGS



Issue For: CA	Issue: A		
Code: 1418/2022	Scale: C150	Drawing #: A300	Project #: 10258

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Page 143



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 nominated Architect: Jake Jansen NSW AAB 11575

[illegible]

DO NOT SCALE OFF ARCHITECTURAL DRAWINGS

[illegible]

Project Title:
Proposed Child Care
Centre

DRAWING TITLE:
Shadow Diagrams

ADDRESS:
73 Murray Farm Road,
Carlingford

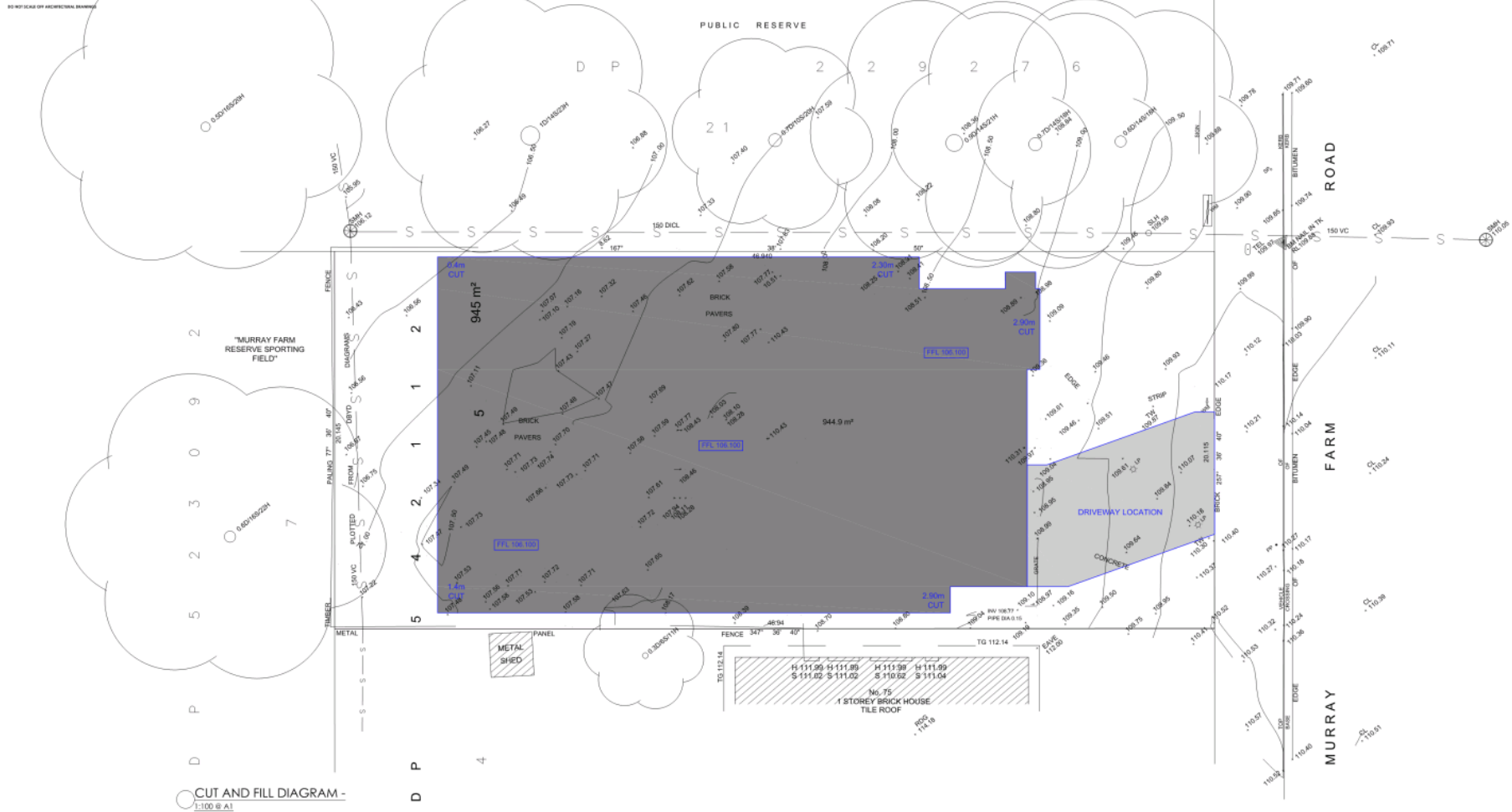
CLIENT DETAILS
Glanville

LOCAL GOVERNMENT AREA:
Parramatta Council

LOCAL GOVERNMENT AREA:
Parapetalla Council

Issue For:	Issue For:
Ch.	A.

14.10.2022 11:10:00



PROPOSED CUT

[illegible]

DRAWING TITLE:
Cut and Fill Diagram

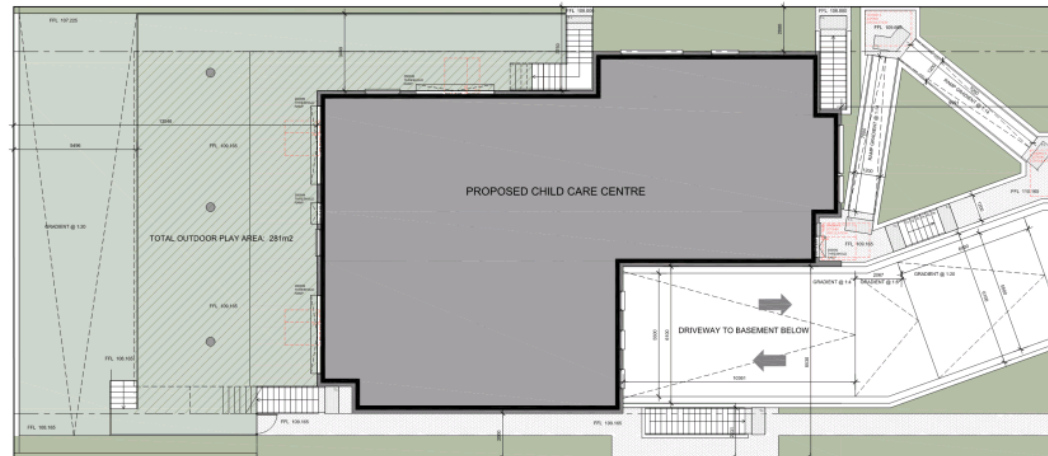
ADDRESS:
73 Murray Farm Road,
Carlingford

LOCAL GOVERNMENT AREA:
Parramatta Council

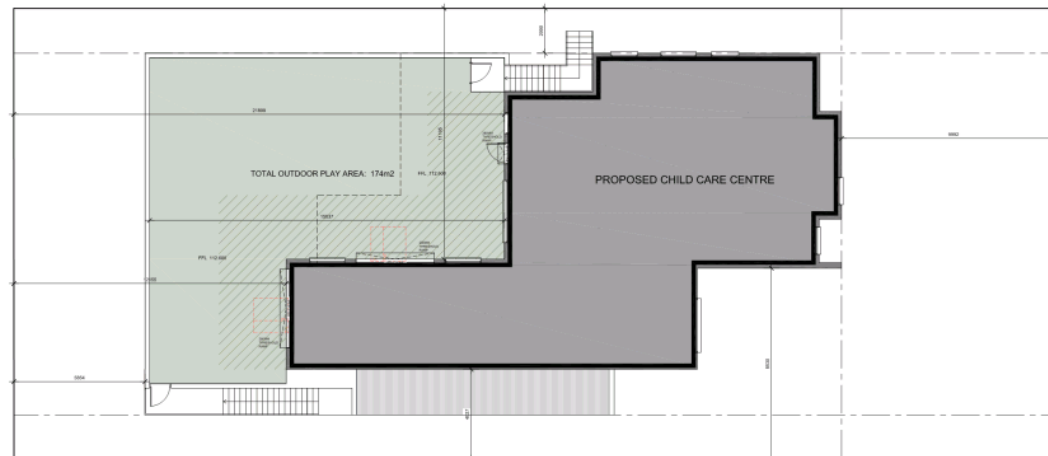
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[illegible]

DO NOT SCALE OFF ARCHITECTURAL DRAWINGS



GROUND FLOOR PLAN -
COVERED OUTDOOR AREA DIAGRAM
1:100 @ A1



**FIRST FLOOR PLAN -
COVERED OUTDOOR AREA DIAGRAM**
1:100 @ A1



JANSEN
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Nominated Architect: Jake Janssen NSW AAB 11575

 HATCHED AREA IDENTIFIES
OUTDOOR PLAY SPACE

 HATCHED AREA IDENTIFIES EXTENT OF COVERED OUTDOOR PLAY SPACE[illegible]

Project Title:
Proposed Child Care
Centre

DRAWING TITLE:
Covered C
Diagram

73 Murray Farm Road,
Carlingford

CLIENT DETAILS:
Glanville

LOCAL GOVERNMENT AREA:
Parramatta Council

Date:	Scale:	Drawing #:	Project #:
14.10.2022	1:100	A000	10208



EMERGENCY EVACUATION PLAN - GROUND FLOOR PLAN -
1:100 @ A1

[illegible]

Project Title:
Proposed Child Care
Centre

DRAWING TITLE:
Emergency Evacuation
Plan - Ground Floor Plan

ADDRESS:
73 Murray Farm Road,
Carlingford

CLIENT DETAILS:
Glanville

LOCAL GOVERNMENT AREA:
Parramatta Council

Date: 1.1.1.1	Scale: 1:100	Drawing #: 1000	Project #: 1000
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EMERGENCY EVACUATION PLAN - FIRST FLOOR PLAN -
1:100 @ A1

[illegible]

NOTE: ALL WORKING DRAWINGS CARRIED OUT IN ACCORDANCE WITH BS:800, BS:5400, BS:5950, BS:5400-6, BS:5400-7, BS:5400-8, BS:5400-9, BS:5400-10, BS:5400-11, BS:5400-12, BS:5400-13, BS:5400-14, BS:5400-15, BS:5400-16, BS:5400-17, BS:5400-18, BS:5400-19, BS:5400-20, BS:5400-21, BS:5400-22, BS:5400-23, BS:5400-24, BS:5400-25, BS:5400-26, BS:5400-27, BS:5400-28, BS:5400-29, BS:5400-30, BS:5400-31, BS:5400-32, BS:5400-33, BS:5400-34, BS:5400-35, BS:5400-36, BS:5400-37, BS:5400-38, BS:5400-39, BS:5400-40, BS:5400-41, BS:5400-42, BS:5400-43, BS:5400-44, BS:5400-45, BS:5400-46, BS:5400-47, BS:5400-48, BS:5400-49, BS:5400-50, BS:5400-51, BS:5400-52, BS:5400-53, BS:5400-54, BS:5400-55, BS:5400-56, BS:5400-57, BS:5400-58, BS:5400-59, BS:5400-60, BS:5400-61, BS:5400-62, BS:5400-63, BS:5400-64, BS:5400-65, BS:5400-66, BS:5400-67, BS:5400-68, BS:5400-69, BS:5400-70, BS:5400-71, BS:5400-72, BS:5400-73, BS:5400-74, BS:5400-75, BS:5400-76, BS:5400-77, BS:5400-78, BS:5400-79, BS:5400-80, BS:5400-81, BS:5400-82, BS:5400-83, BS:5400-84, BS:5400-85, BS:5400-86, BS:5400-87, BS:5400-88, BS:5400-89, BS:5400-90, BS:5400-91, BS:5400-92, BS:5400-93, BS:5400-94, BS:5400-95, BS:5400-96, BS:5400-97, BS:5400-98, BS:5400-99, BS:5400-100, BS:5400-101, BS:5400-102, BS:5400-103, BS:5400-104, BS:5400-105, BS:5400-106, BS:5400-107, BS:5400-108, BS:5400-109, BS:5400-110, BS:5400-111, BS:5400-112, BS:5400-113, BS:5400-114, BS:5400-115, BS:5400-116, BS:5400-117, BS:5400-118, BS:5400-119, BS:5400-120, BS:5400-121, BS:5400-122, BS:5400-123, BS:5400-124, BS:5400-125, BS:5400-126, BS:5400-127, BS:5400-128, BS:5400-129, BS:5400-130, BS:5400-131, BS:5400-132, BS:5400-133, BS:5400-134, BS:5400-135, BS:5400-136, BS:5400-137, BS:5400-138, BS:5400-139, BS:5400-140, BS:5400-141, BS:5400-142, BS:5400-143, BS:5400-144, BS:5400-145, BS:5400-146, BS:5400-147, BS:5400-148, BS:5400-149, BS:5400-150, BS:5400-151, BS:5400-152, BS:5400-153, BS:5400-154, BS:5400-155, BS:5400-156, BS:5400-157, BS:5400-158, BS:5400-159, BS:5400-160, BS:5400-161, BS:5400-162, BS:5400-163, BS:5400-164, BS:5400-165, BS:5400-166, BS:5400-167, BS:5400-168, BS:5400-169, BS:5400-170, BS:5400-171, BS:5400-172, BS:5400-173, BS:5400-174, BS:5400-175, BS:5400-176, BS:5400-177, BS:5400-178, BS:5400-179, BS:5400-180, BS:5400-181, BS:5400-182, BS:5400-183, BS:5400-184, BS:5400-185, BS:5400-186, BS:5400-187, BS:5400-188, BS:5400-189, BS:5400-190, BS:5400-191, BS:5400-192, BS:5400-193, BS:5400-194, BS:5400-195, BS:5400-196, BS:5400-197, BS:5400-198, BS:5400-199, BS:5400-200, BS:5400-201, BS:5400-202, BS:5400-203, BS:5400-204, BS:5400-205, BS:5400-206, BS:5400-207, BS:5400-208, BS:5400-209, BS:5400-210, BS:5400-211, BS:5400-212, BS:5400-213, BS:5400-214, BS:5400-215, BS:5400-216, BS:5400-217, BS:5400-218, BS:5400-219, BS:5400-220, BS:5400-221, BS:5400-222, BS:5400-223, BS:5400-224, BS:5400-225, BS:5400-226, BS:5400-227, BS:5400-228, BS:5400-229, BS:5400-230, BS:5400-231, BS:5400-232, BS:5400-233, BS:5400-234, BS:5400-235, BS:5400-236, BS:5400-237, BS:5400-238, BS:5400-239, BS:5400-240, BS:5400-241, BS:5400-242, BS:5400-243, BS:5400-244, BS:5400-245, BS:5400-246, BS:5400-247, BS:5400-248, BS:5400-249, BS:5400-250, BS:5400-251, BS:5400-252, BS:5400-253, BS:5400-254, BS:5400-255, BS:5400-256, BS:5400-257, BS:5400-258, BS:5400-259, BS:5400-260, BS:5400-261, BS:5400-262, BS:5400-263, BS:5400-264, BS:5400-265, BS:5400-266, BS:5400-267, BS:5400-268, BS:5400-269, BS:5400-270, BS:5400-271, BS:5400-272, BS:5400-273, BS:5400-274, BS:5400-275, BS:5400-276, BS:5400-277, BS:5400-278, BS:5400-279, BS:5400-280, BS:5400-281, BS:5400-282, BS:5400-283, BS:5400-284, BS:5400-285, BS:5400-286, BS:5400-287, BS:5400-288, BS:5400-289, BS:5400-290, BS:5400-291, BS:5400-292, BS:5400-293, BS:5400-294, BS:5400-295, BS:5400-296, BS:5400-297, BS:5400-298, BS:5400-299, BS:5400-300, BS:5400-301, BS:5400-302, BS:5400-303, BS:5400-304, BS:5400-305, BS:5400-306, BS:5400-307, BS:5400-308, BS:5400-309, BS:5400-310, BS:5400-311, BS:5400-312, BS:5400-313, BS:5400-314, BS:5400-315, BS:5400-316, BS:5400-317, BS:5400-318, BS:5400-319, BS:5400-320, BS:5400-321, BS:5400-322, BS:5400-323, BS:5400-324, BS:5400-325, BS:5400-326, BS:5400-327, BS:5400-328, BS:5400-329, BS:5400-330, BS:5400-331, BS:5400-332, BS:5400-333, BS:5400-334, BS:5400-335, BS:5400-336, BS:5400-337, BS:5400-338, BS:5400-339, BS:5400-340, BS:5400-341, BS:5400-342, BS:5400-343, BS:5400-344, BS:5400-345, BS:5400-346, BS:5400-347, BS:5400-348, BS:5400-349, BS:5400-350, BS:5400-351, BS:5400-352, BS:5400-353, BS:5400-354, BS:5400-355, BS:5400-356, BS:5400-357, BS:5400-358, BS:5400-359, BS:5400-360, BS:5400-361, BS:5400-362, BS:5400-363, BS:5400-364, BS:5400-365, BS:5400-366, BS:5400-367, BS:5400-368, BS:5400-369, BS:5400-370, BS:5400-371, BS:5400-372, BS:5400-373, BS:5400-374, BS:5400-375, BS:5400-376, BS:5400-377, BS:5400-378, BS:5400-379, BS:5400-380, BS:5400-381, BS:5400-382, BS:5400-38

2.5 VENTILATION

2.5.1 GENERAL REQUIREMENTS

ALL FOOD PREMISES SHALL HAVE EITHER NATURAL OR MECHANICAL VENTILATION IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA.

EQUIPMENT INSTALLED IN AREAS OF THE PREMISES, AFTER THE MECHANICAL EXHAUST VENTILATION SYSTEM HAS BEEN DESIGNED AND INSTALLED IN THAT AREA, SHALL NOT BE LOCATED SO AS TO IMPAIR THE EFFICIENCY OF THE MECHANICAL EXHAUST VENTILATION OR OF NATURAL VENTILATION.

2.5.2 MECHANICAL VENTILATION AND FILTRATION

IN ADDITION TO THE REQUIREMENTS OF AS/NZS 1668.1 AND AS 1668.2, AN EXTRACTION SYSTEM SHALL BE PROVIDED WHERE THERE IS ANY DISHWASHER AND OTHER WASHING AND SANITIZING EQUIPMENT THAT VENTS STEAM INTO THE AREA TO THE EXTENT THAT THERE IS, OR IS LIKELY TO BE, CONDENSATION ON WALLS AND CEILINGS.

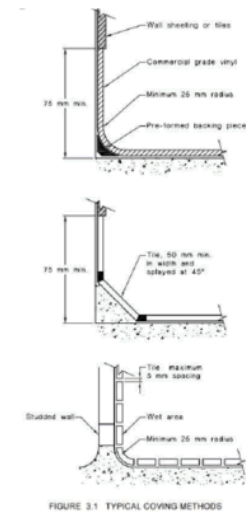
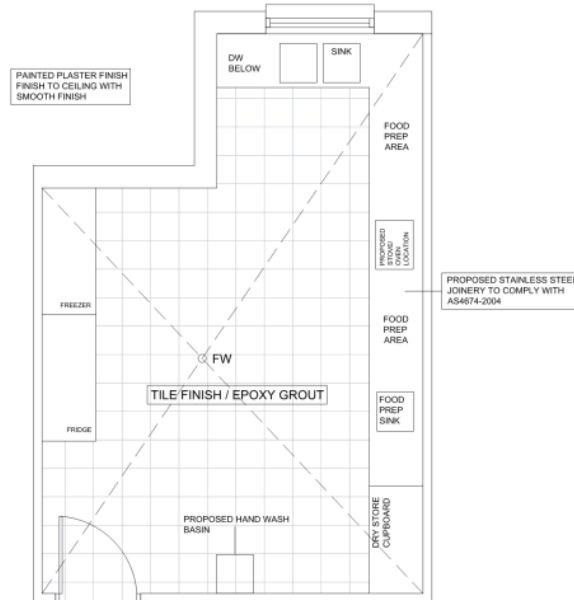
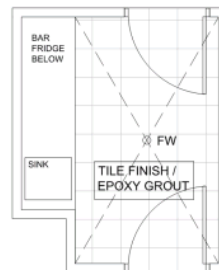


FIGURE 3.1 TYPICAL COVING METHODS

COVERING DETAILS



DETAIL PLAN - KITCHEN
1:25 @ A1



DETAIL PLAN - BOTTLE PREP
1:25 @ A1

GENERAL FOOD TO BE PROVIDED AS PER 'CARING FOR CHILDREN - BIRTH TO 5 YEARS (FOOD, NUTRITION AND LEARNING EXPERIENCES)

Table 3 – Daily food amounts for children (2 to 5 years)^a

Food Group and Serve Sizes	Minimum number of serves written in care for 0 hours	Comments
<p>Vegetables and legumes/beans</p> <p>Each of the following foods is ONE serve:</p> <ul style="list-style-type: none"> ½ cup cooked vegetables ½ cup cooked dried, canned beans, peas or lentils 1 cup salad vegetables 1 medium potato or sweet potato 1 medium tomato 	2	<ul style="list-style-type: none"> Include different types and colours. Fresh, frozen and canned varieties can be used. Choose canned varieties with no added salt.
<p>Fruit</p> <p>Each of the following foods is ONE serve:</p> <ul style="list-style-type: none"> 1 medium (150g) piece of fruit e.g. apple, banana, orange or pear 2 small apricots, kiwi fruits or plums 1 cup dried or canned fruit (no added sugar) 30g dried fruit e.g. 4 dried apricot halves 	1	<ul style="list-style-type: none"> Serve fresh fruit rather than juice.
<p>Wholegrain cereal foods and breads</p> <p>Each of the following foods is ONE serve:</p> <ul style="list-style-type: none"> 1 slice of bread 1 bread roll ½ cup wheat cereal flakes ½ cup cooked rice ½ cup cooked pasta 3 crispbread biscuits 1 crumpet 1 English muffin 1 scone 	2	<ul style="list-style-type: none"> Include a variety of grains – breads, cereals, rice, pastas, noodles, polenta, couscous, oats, quinoa and barley. Choose wholegrain or wholemeal varieties and when available varieties with added iron.

<p>Lean meat and poultry, fish, eggs, nuts, seeds and legumes</p> <p>Each of the following foods is 282g serve:</p> <ul style="list-style-type: none"> 65g cooked lean meats – beef, lamb, veal, pork, goat, kangaroo (80-100g meat) 80g cooked lean poultry or turkey (100g meat) 100g cooked fish (175g raw) 1 small can fish 2 large eggs 1 cup cooked or canned legumes/beans 170g tofu 	1	<ul style="list-style-type: none"> Serving milk at morning and afternoon tea may be an easy and reliable way to meet this requirement. Choose mostly reduced fat varieties.
<p>Milk, yoghurt, cheese and alternatives</p> <p>Each of the following foods is 282g serve:</p> <ul style="list-style-type: none"> 1 cup milk 2 slices of cheese (40g) 200g yoghurt 120g noosa cheese 1 cup soy milk with at least 100mg of added calcium per 100ml 		

Note: If a child is in care for more than eight hours extra meals and/or midmeals (i.e. breakfast or late afternoon tea) should be provided.

CHILD CARE CENTRE KITCHEN

THE PREMISES ARE TO BE CONSTRUCTED AND FITTED OUT STRICTLY IN ACCORDANCE WITH THE AUSTRALIAN/NEW ZEALAND FOOD SAFETY STANDARDS CODE 3.2.3 'FOOD PREMISES & EQUIPMENT' AND AUSTRALIAN STANDARD 4674.2004 DESIGN, CONSTRUCTION & FIT OUT OF FOOD PREMISES.

FITOUT OF FOOD PREPARATION AREA

A RIGID SMOOTH FACED IMPERVIOUS CEILING SHALL BE PROVIDED OVER THE FOOD PREPARATION, COOKING AND SERVING AREAS. THE SURFACE FINISH SHALL BE FREE OF OPEN JOINTS, CRACKS, CREVICES OR OPENINGS WITH INTERSECTION OF THE WALLS AND CEILING BEING TIGHT JOINTED, SEALED AND DUSTPROOF.

THE CEILING SHALL BE PAINTED WITH A LIGHT COLOURED WASHABLE PAINT.

ALL FLUORESCENT LIGHT FITTINGS SHALL BE FITTED WITH A SMOOTH FACED DIFFUSER. LIGHTING SHALL BE EITHER:

- * RECESSED SO THAT THE DIFFUSER IS FLUSH WITH THE CEILING OR
- * DESIGNED TO ENSURE THAT NO HORIZONTAL SURFACE EXISTS WHICH WOULD ALLOW DUST & GREASE TO ACCUMULATE.

THE FLOOR IS TO BE CONSTRUCTED OF CONCRETE OR OTHER MATERIAL IMPERVIOUS TO MOISTURE, FINISHED TO A SMOOTH TROWELLED FINISH, COVED AT THE INTERSECTIONS WITH THE WALLS AND GRADED AND DRAINED TO APPROVED SEWERAGE CONNECTIONS.

COVING IS TO BE PROVIDED BETWEEN ALL WALLS AND THE FLOOR AND BETWEEN THE FLOOR AND ALL FITTINGS. THIS CAN BE ACHIEVED BY COVING TILES, CEMENT RENDER, OR BY TURNING VINYL FLOORING UP THE WALLS. IN THIS CASE A FILLET OR BACKING PIECE IS REQUIRED TO SUPPORT THE COVE.

FLOOR TO BE CONSTRUCTED OF MATERIAL IMPERVIOUS TO WATER, NON SLIP AND GRADED AND DRAINED TO FLOOR WASTE.

THE WALLS IN THE KITCHEN ARE TO BE TILED WITH CLOSE JOINTED, GLAZED TILES OF A LIGHT COLOUR TO A HEIGHT OF 450MM ABOVE ALL SINKS, TUBS, DRAINING BOARDS, WASH HAND BASINS AND PREPARATION BENCHES.

ALL WALLS WHERE NOT TILED SHALL BE CEMENT RENDERED TO A SMOOTH SURFACE AND PAINTED WITH A LIGHT COLOURED WASHABLE PAINT.

REFRIGERATION, FROZEN FOOD CABINETS, COOKING APPLIANCES, EQUIPMENT, FITTINGS, CUPBOARDS AND CABINETS ARE TO BE SUPPORTED ON ONE OF THE FOLLOWING SYSTEMS:

* LEGS WHICH PROVIDE A MIN. 150MM CLEARANCE FROM THE FLOOR TO THE UNDERSIDE OF THE FITTING.

ALL SHELVING TO BE INSTALLED ON APPROVED METAL BRACKETS KEPT AT
LEAST 25MM CLEAR OF WALL.

FOOD PREPARATION BENCHES SHALL BE CONSTRUCTED OF STAINLESS STEEL.

THE TOP AND EXPOSED EDGES OF ALL BENCHES, COUNTERS AND SHELVING TO FINISHED IN A SMOOTH AND NON-ABSORBENT MATERIAL FREE OF JOINT.

ALL SERVICE PIPES, CONDENSATE PIPES AND ELECTRICAL CONDUITS MUST BE SEALED INTO THE WALLS, FLOORS OR PLINTHS.

A FREESTANDING WASH HAND BASIN IS TO BE PROVIDED IN AN APPROVED POSITION IN THE KITCHEN/FOOD PREPARATION AREA CONNECTED TO BOTH HOT AND COLD WATER AT A MINIMUM TEMPERATURE OF 40°C THROUGH A SINGLE OUTLET, AS REQUIRED BY CLAUSE 14(1) AND (2) OF THE AUSTRALIAN NEW ZEALAND FOOD STANDARDS CODE FOOD SAFETY STANDARD 3.2.3 PROVIDE AND MAINTAIN DISPENSABLE SOAP AND SINGLE USE TOWELS OR OTHER SUITABLE HAND DRYING FACILITIES NEAR THE WASH HAND BASIN.

ALL OPENINGS IN THE WALLS, FLOOR AND CEILING AND ALL EXTERNAL DOORS AND WINDOWS MUST BE VERMIN PROOF.

ALL WINDOWS AND DOORS TO THE EXTERNAL AIR ARE TO BE PROVIDED WITH FLY SCREENS.

A KITCHEN EXHAUST HOOD IS TO BE PROVIDED ABOVE ALL APPLIANCES OF HEATING CAPACITY GREATER THAN 8KW IN ACCORDANCE WITH AS 1668

PART 2. A TEST CERTIFICATE SHALL BE SUBMITTED TO THE PRINCIPAL CERTIFYING AUTHORITY WITH AN APPLICATION FOR AN OCCUPATION CERTIFICATE.

THE DOORS OF THE AIR-LOCK AND SANITARY COMPARTMENTS MUST BE CLOSE FITTING, AND SELF CLOSING.

A LIQUID SOAP DISPENSER AND PAPER TOWEL DISPENSER MUST BE PROVIDED ABOVE OR ADJACENT TO THE HAND BASIN.

WASHING FACILITIES MUST BE PROVIDED AND COMPLY WITH THE FOOD PREPARATION CODE

NOT LESS THAN 100 LUX OF LIGHT TO BE AVAILABLE ON ALL SURFACES WHERE FOOD IS PREPARED, OR UTENSILS ARE WASHED AND STERILIZED IN ACCORDANCE WITH AS 1690.

<u>APPLICANTS</u>			<u>DRAWING TITLE</u>										<u>CUSTOMER DETAILS</u>							
BIBL	SUBMISSION	DATE	Project Title: Proposed Child Care Centre										Kitchen & Bottle Prep Area Detail Plans				Glanville			
													<u>LOCAL GOVERNMENT AREA:</u>							
													Paramatta Council							
			<u>ADDRESS:</u>																	
			73 Murray Farm Road, Coringford										Scale: F&S		Sheet:					
			Date: 1-1-2019		Scale: 1:100		Drawing No. 1-1-2019		Project Name											

Note:

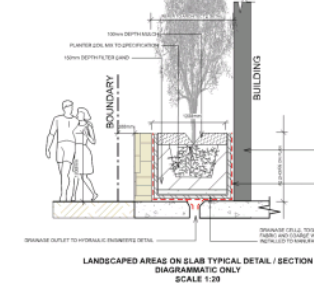
- All Landscape Works shall comply with all relevant BCA
- Australian Standards AS/NZS 4468.1:1997 & AS/NZS 4422:1998
- All works shall be constructed to best trade practices

NOTE: THE LANDSCAPE DOCUMENTS SHALL BE READ IN CONJUNCTION WITH THE FOLLOWING REPORTS:
THE NOISE IMPACT ASSESSMENT REPORT PREPARED BY WONGALA CONSULTING ENGINEERS DATED DECEMBER 2022
THE ABORICULTURAL IMPACT ASSESSMENT REPORT PREPARED BY CRAIG KENWORTHY DATED NOVEMBER 2022

PLANTING SCHEDULE

Latin Name	Common Name	Quantity	Scheduled Size	Spread	Height
<i>Cupressus anacardioides</i>	Tuckeroo	2	45lt	5000	8000
<i>Doryanthes palmeri</i>	Spear Lily	13	250mm	1500	800
<i>Elaeocarpus sumundi</i>	Smoothed leaved Quandong	4	75lt	3000	8000
<i>Lomandra 'Tanika'</i>	Dwarf Lomandra	356	Tube	500	500
<i>Lomandra longifolia</i>	Sony-headed Mat-Rush	20	Tube	1000	1000
<i>Nandina domestica 'Lemon & Lime'</i>	Sacred Bamboo 'Lemon & Lime'	34	200mm	1000	1000
<i>Philodendron 'Xanadu'</i>	Dwarf Philodendron	29	200mm	750	750
<i>Syzygium australe 'Straight and Narrow'</i>	Lilylily 'Straight and Narrow'	33	300mm	1500	6000
<i>Tristemonia laurina 'Luscious'</i>	Water Gum	4	75lt	5000	10000

LANDSCAPE DETAILS



OUTLINE LANDSCAPE SPECIFICATION

Preparation by Builder: Builder shall remove all existing concrete pathways, fences, footings, walls etc. not related to be retained and complete all necessary excavation work prior to commencement on site by Landscape Contractor (Contractor). Builder shall also install new retaining walls, kerbs, layback kerbs, crossover, pathways etc. and make good all existing kerbs, gutters etc. as necessary and to approval of Council. Builder shall ensure that a minimum 400mm of topsoil in garden areas and a minimum 150mm of topsoil in lawn areas exist. Should required depths not exist Builder shall contact Landscape Architect and ask for instructions prior to completion of excavation works. Excavate as necessary, then fill with approved site topsoil to allow for minimum 500mm soil depth in garden areas and 150mm soil depth in lawn areas and to gain required shapes & levels. Ensure all garden and lawn areas drain satisfactorily. All levels & surface drainage shall be determined by others & approved on site by Head Contractor. Note: Approved imported topsoil mix may be utilized if there is sufficient site topsoil available. State in Tender a m2 rate for additional imported topsoil and the quantities of both site topsoil and imported topsoil allowed for in Tender.

Initial Preparation: Verify all dimensions & levels on site prior to commencement. Do not scale from drawings. Locate all underground & above ground services & ensure no damage occurs to them throughout contract. Spray approved weedkilling on all proposed lawn & garden areas to manufacturer's directions. Remove existing concrete pathways, footings, walls etc. not related to be retained & weeds from site. Levels indicated on Plan are nominal only and are derived from Architectural Plans & Drawings by others. Final structural integrity of all items shall be the sole responsibility of Landscape Contractor.

Tree Protection: Trees to be retained shall be protected during site works and construction by the erection of solid barriers to the specification of Council. Storage of machinery or materials beneath canopy of trees to be retained shall not be permitted. Changes to soil level and cultivation of soil beneath canopy of trees to be retained shall not be permitted unless under direct supervision of Landscape Architect. Existing trees shall be pruned to Landscape Architects' specific instructions.

Soil Preparation: Cultivate to depth of 200mm at proposed lawn & garden areas incorporating minimum 100mm depth of organic dry breaker into existing site soil. Do not cultivate beneath existing trees to be retained. In areas where it is required gain required shapes & levels using a premium grade soil mix. In areas where excavation is required if in clay then excavate as required to allow for installation of 500mm depth of premium grade topsoil mix to garden areas and 200mm depth of premium grade topsoil mix to lawn areas. Undertake all required action to ensure that no rootballs of proposed plants sit in clay soils and that all garden areas and lawn areas drain satisfactorily. Note it is intended that whenever possible existing levels shall not be altered through garden and lawn areas. It is the Contractors responsibility to ensure that the end result of the project is that all lawn and garden areas drain sufficiently (both surface & sub-surface), are at required finished levels and have sufficient soil depths to enable lawn and plants to thrive and grow. Should alternative works to those specified be required to achieve the above result, Contractor shall inform Builder at time of Tender and request instructions.

Lawn Edging and Shaping Stones: (i) 125 x 25mm approved kerb with impregnated zinc edging shall be installed, to line as indicated on plan and placed with approved galvanneal steel nails. Top of edging shall finish flush with surrounding finished surface. Top of edging shall finish 25mm below top of edging. (ii) Contractor shall install approved bricks on edge on a minimum 100mm deep x 90mm wide concrete footing with brick face up, to line indicated on plan and placed with approved galvanneal steel nails. Bricks needing to be cut shall be done up with clean sharp cuts. Top of edging shall finish flush with surrounding finished surface. Approved sandstone stepping stones shall be positioned as indicated on plan on a 25mm tier sand bed. Approved sandstone stepping stones shall be positioned as indicated on plan on a 25mm tier sand bed.

Retaining Walls: Position, detail and heights of retaining walls shall be by others.

Planting: Purchase plants from an approved nursery. Plants to be healthy & true to type & species. Set out plants to positions indicated on plan. Following approval, plant holes shall be dug approximately twice width and to 100mm deeper than plant rootballs that they are to receive. Base and sides of hole shall be further loosened. Fertilizer, followed by 100mm depth of topsoil mix shall then be placed into base of hole and lightly consolidated. Base of hole shall then be watered. Remove plant container and install plant into hole. Rootball shall be backfilled with surrounding topsoil and topsoil formed into place. An approved shallow dish shall be formed to contain water around base of stem. Base of stem of plant shall finish flush with finished soil level. Once installed plant shall be thoroughly watered and maintained for the duration of the Contract.

Staking: All trees shall be staked using 1 x 38mm x 20mm x 2000mm long hardwood stakes per plant and with regular webbing lashing installed to Landscape Architect's on site instructions.

Mulching: Install 75mm depth of 30mm diameter hardwood mulch to all garden areas, covering mulch down around all plant stems & to finish flush with adjacent surface.

Turfing: Prepare for, level & lay cultivated Palmerston Buffs lawns to all areas nominated on plan as being lawn. Roll, water, fertilize, mow & maintain lawns as necessary until completion of maintenance period. At same time make good all existing lawn areas using same type lawns. Lawns in shade shall be over sown with an approved seed mix. Allow to return and return cultural mowings as required.

Fencing: Retain all existing fences unless advised otherwise by Builder. Install timber paling fences to heights indicated on Plan.

Paving: Areas to be paved shall be excavated or filled to allow for installation of bedding materials. Levels and falls shall be as per Plan. Surface drainage on paving shall be towards graded drains with all drains connected to stormwater system and installed by Builder.

Irrigation: Contractor shall supply and install an approved fully automatic, vented irrigation system to all garden and lawn areas, including control valve and pump. Irrigation system shall be approved by others Board.

Completion: Prior to practical completion remove from site all unwanted debris occurring from work. Daily Control of work has been undertaken in strict accordance with Council's landscape codes & guidelines.

Maintenance Period: A twelve month maintenance period shall be undertaken by owner or owner's representative as set out herein. Owner shall have care and maintenance of all work specified under this Contract and shall notify any defective work for a period of 12 weeks following Practical Completion of Landscape Works. This period shall be herein known as the Maintenance Period. Work shall also include for the care and maintenance of all existing vegetation to be retained and proposed vegetation. Site shall be attended at least weekly and as otherwise required. The following works shall be undertaken during the Maintenance Period:

(a) **Recurrent works:** Undertake recurrent works throughout the Maintenance Period. These works shall include but are not limited to watering, weeding, fertilizing, pest and disease control, returfing, staking and tying, replanting, cultivation, pruning, weeding, re-mowing, top dressing and the like.

(b) **Watering:** Regularly water all plants and lawn areas to maintain optimal growing conditions. Contractor shall adjust the water quantity utilized with regard to climatic conditions prevalent at the time.

(c) **Replacement:** Immediately replace plants which die or fail to thrive (at discretion of Landscape Architect) with plants of same species or variety and of same size and quality unless otherwise specified. Plant replacement shall be at Contractor's expense, unless replacement is required due to vandalism or theft, which shall be determined by Landscape Architect. Required replacement of plants due to vandalism or theft shall be undertaken by Contractor and shall be paid for by Client at an agreed predetermined rate.

(d) **Mulched surfaces:** Maintain mulched surfaces which die or fail to thrive (at discretion of Landscape Architect) with plants of same species or variety and of same size and quality unless otherwise specified. Plant replacement shall be at Contractor's expense, unless replacement is required due to vandalism or theft, which shall be determined by Landscape Architect. Required replacement of plants due to vandalism or theft shall be undertaken by Contractor and shall be paid for by Client at an agreed predetermined rate.

(e) **Stakes & ties:** Adjust and/or replace stakes and ties as required. Remove stakes and ties at end of Maintenance Period if directed by Landscape Architect.

(f) **Lawn Areas:** Lawn areas shall be mown at regular intervals to ensure no heading of lawn with a free-cutting mulching mower and droppings left on lawn to mulch and self-fertilize lawn areas. Primary cut after laying of lawn by others shall be determined on site taking into consideration season, watering and growth rate of lawn. Following the primary cut all lawns shall be regularly mown as required to ensure a healthy lawn and a neat appearance. Care shall always be taken to ensure that no droppings are left on surrounding roads or garden areas after mowing. Replace lawn areas that fail to thrive at discretion of Landscape Architect. All new and made good lawn areas shall be barbed off from pedestrian traffic by use of zinc pickets and brightly coloured plastic safety mesh until establishment of lawn. Barbed wire shall be removed upon establishment of lawn areas.

(g) **Weeding:** Remove by hand, or by carefully approved use of weedicide, any weed growth that may occur throughout Maintenance Period. This work shall be executed at weekly intervals so that all lawn and garden areas may be obtained in a weed-free condition.

(h) **Pruning:** Prune new and existing plants (including existing trees) as necessary to maintain dense foliage conditions. Any rogue branches or branches overhanging or obstructing pathways, roads, driveways, etc., shall be removed by approved horticultural methods.

(i) **Springing:** Springing for insect, fungal and disease attack shall be undertaken as required and in accordance with any manufacturers recommendations at intervals taking into account the season of year during which landscape works are to be implemented.

(j) **Tree Care:** Should any existing trees be damaged during construction work immediately engage an experienced arboriculturist and then undertake any remediation work recommended by arboriculturist.

Legend

ARTIFICIAL LAWN MOUNDING	PROPOSED PAVED AREA	STRUCTURAL ROOT ZONE	PROPOSED POT PLANTER MINIMUM 150mm DEPTH
PROPOSED GARDEN AREA	PROPOSED TIMBER DECK AREA	TREE PROTECTION ZONE	
PROPOSED COLOURED CONCRETE DRIVEWAY	EXISTING TREE TO BE RETAINED	PROPOSED 2.1m HIGH ACOUSTIC BARRIER FENCE (TYPE 2)	
PROPOSED PAVED AREA	EXISTING TREE TO BE REMOVED	PROPOSED 1.4m HIGH ACOUSTIC BARRIER FENCE (TYPE 1)	
NATURAL LAWN AREA		PROPOSED 1.8m HIGH ACOUSTIC BARRIER FENCE (TYPE 2)	
		PROPOSED 1.4m HIGH ACOUSTIC BARRIER FENCE (TYPE 4)	
		REINFORCEMENT LINE	

Project

CHILD CARE CENTRE

Architect

JANSSEN DESIGNS

Notes

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- Do not scale from drawings.
- If in doubt contact Landscape Architect.
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- This plan has been prepared for D.A. purposes only.
- All Building Work shall be installed to Structural Engineers detail.

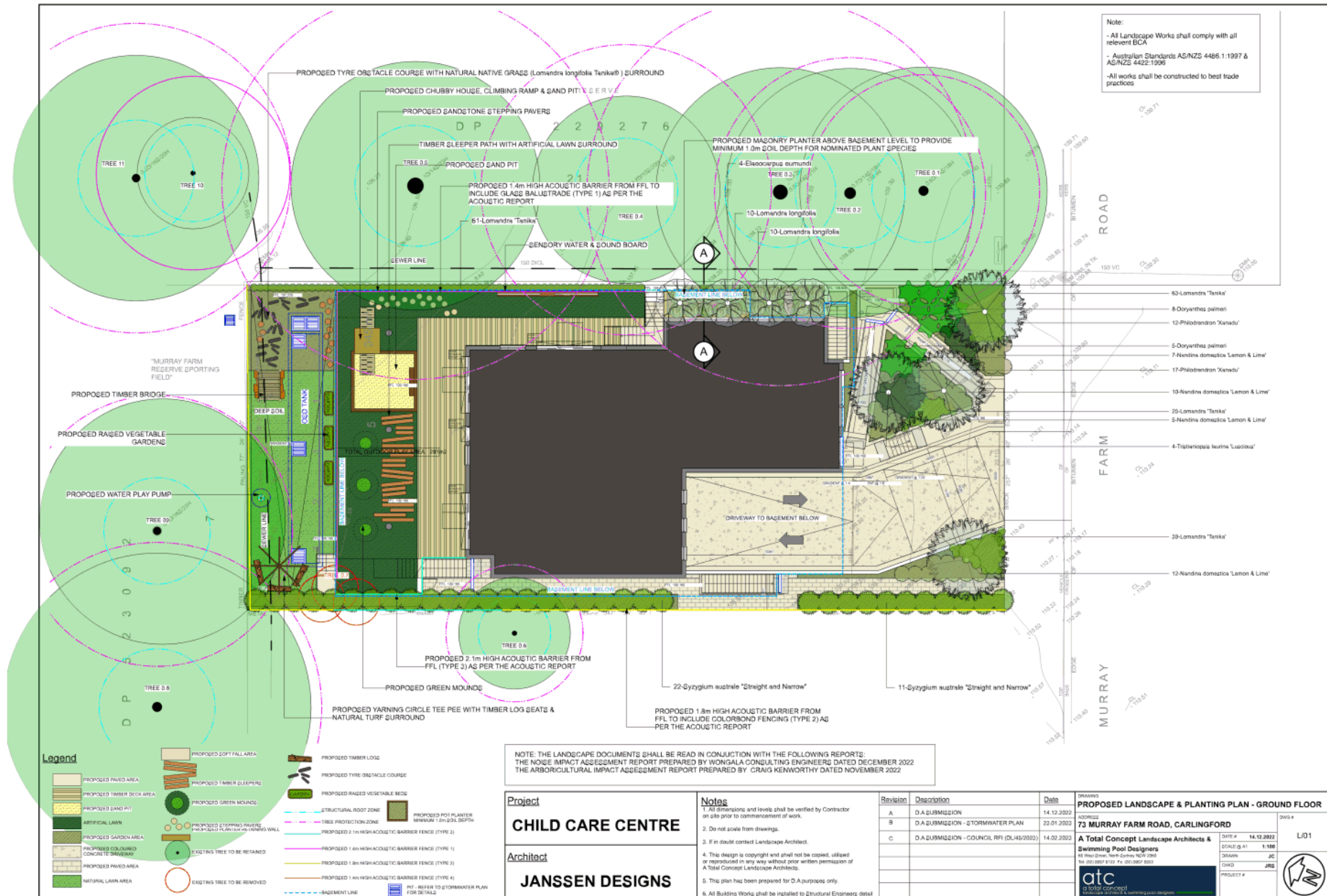
Revision	Description	Date	Drawings
A	D.A. SUBMISSION	14.12.2022	PROPOSED COVER SHEET
B	D.A. SUBMISSION - STORMWATER PLAN	23.01.2023	73 MURRAY FARM ROAD, CARLINGFORD
C	D.A. SUBMISSION - COUNCIL RPI (DL45/2022)	14.02.2023	A Total Concept Landscape Architects & Swimming Pool Designers

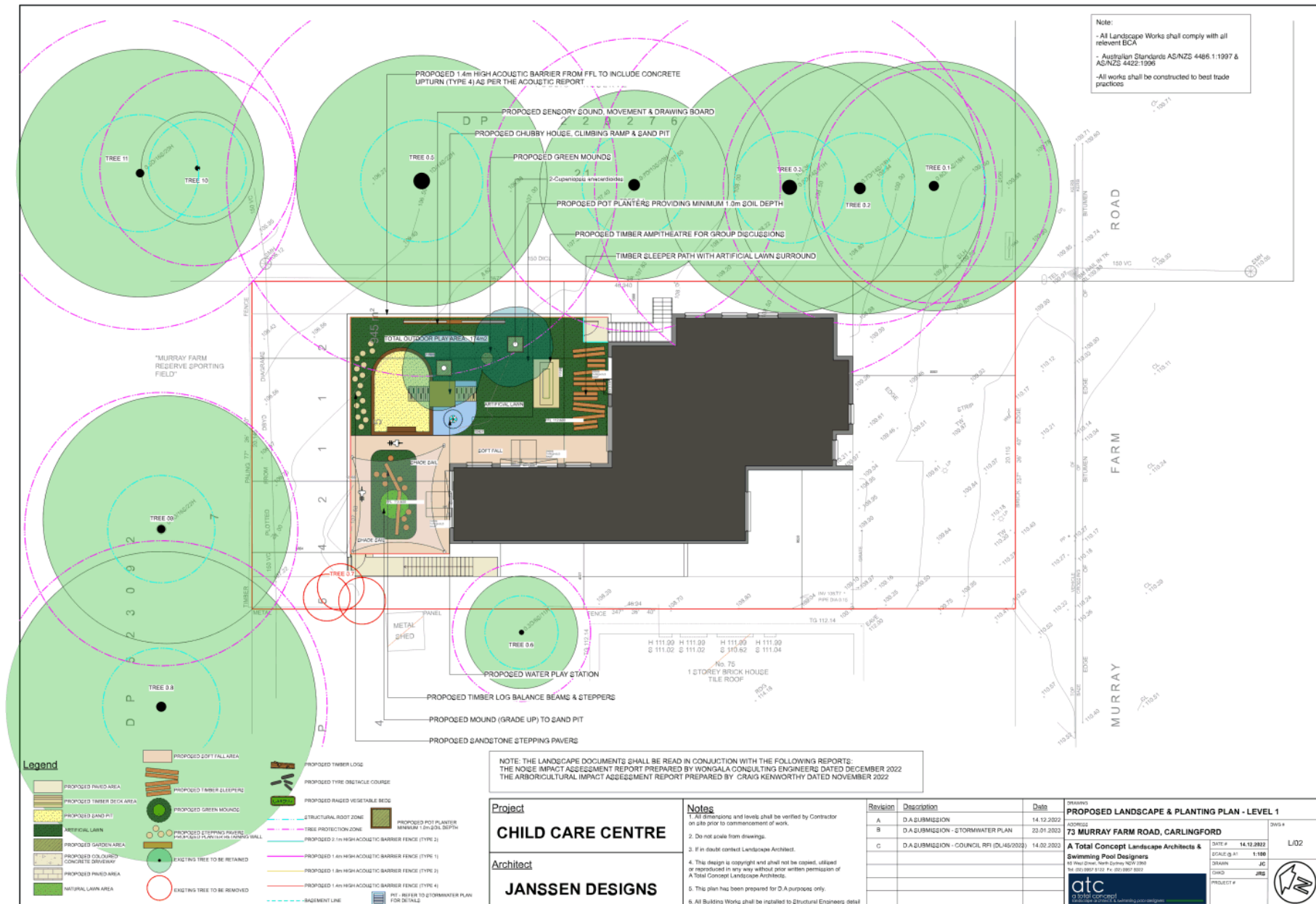
DATE: 18.11.2022
SCALE: B1 1:100
DRAWN: JC
CHECK: JRS
PROJECT: A


atc
12/10/2022 (concept)

73 MURRAY FARM ROAD, CARLINGFORD


1:100








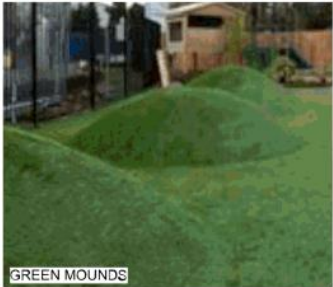
TEEPEE & BENCH SEATING




ACTIVE PLAY EQUIPMENT




FIXED TIMBER BRIDGE




GREEN MOUNDS




MOVEMENT SENSORY PANEL



WATER PUMP & WATER RILL



SHADE SAIL



ARTIFICIAL LAWN

Note:

- All Landscape Works shall comply with all relevant BCA
- Australian Standards AS/NZS 4486 1:1997 & AS/NZS 4422:1996
- All work shall be constructed to best trade practices

Project

CHILD CARE CENTRE

Architect

JANSSEN DESIGNS

Notes

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6. All Building Works shall be installed to Structural Engineers detail.

Revision	Description	Date
A	D.A SUBMISSION	14.12.2022
B	D.A SUBMISSION - STORMWATER PLAN	23.01.2023
C	D.A SUBMISSION - COUNCIL RPI (DL46/2022)	14.02.2023

CONCEPT MATERIALS BOARD

73 MURRAY FARM ROAD, CARLINGFORD

A Total Concept Landscape Architects & Swimming Pool Designers

85 West Street, North Sydney NSW 1585

tel: 002 9557 5122, fx: 002 9557 5002

atc

a total concept

landscape, swimming pool & water feature design

DATE: 18.11.2022

SCALE: 1:100

DRAWN: JC

CHECK: JRS

PROJECT #

STORMWATER MANAGEMENT PLAN

PROPOSED CHILD CARE CENTRE

No.73 MURRAY FARM ROAD, CARLINGFORD

GENERAL NOTES:

1. THESE PLANS REMAIN THE PROPERTY OF NY CIVIL ENGINEERING PTY LTD AND ARE SUBJECT TO COPYRIGHT
2. ALL DIMENSIONS IN MILLIMETERS UNLESS OTHERWISE STATED. ALL REDUCED LEVELS (SURFACE LEVELS, INVERT LEVELS) AND CHANGES ARE IN METERS UNLESS OTHERWISE STATED. DO NOT SCALE OFF THE DRAWINGS. SCALES ARE AS SHOWN. USE FIGURED DIMENSIONS.
3. THIS PLAN IS TO BE READ IN JUNCTION WITH LATEST ARCHITECTURAL, STRUCTURAL, UTILITY AND LANDSCAPE PLANS IN ADDITION TO ANY RELEVANT GEOTECHNICAL, SOIL CLASSIFICATION OR REFINEMENTAL REPORTS. ENGINEER IS TO BE NOTIFIED OF ANY DISCREPANCIES QUOTED ON THIS PLAN.
4. ALL WORKS SHALL BE CARRIED OUT TO LOCAL COUNCIL'S DEVELOPMENT CONTROL PLAN AND SPECIFICATIONS, ASINZ 3500.3 AND B.C.A.
5. ALL LEVELS SHALL RELATE TO THE ESTABLISHED B.M. AND/OR I.M. ALL EXISTING SERVICES ARE TO BE VERIFIED FOR LOCATION AND DEPTH PRIOR TO COMMENCEMENT OF ANY WORK. CONTRACTOR TO NOTIFY DESIGNER OF ANY DISCREPANCIES OF SERVICE LEVELS QUOTED ON THIS PLAN. ALL SURVEY INFORMATION, BUILDING AND FINISHED SURFACE LEVELS SHOWN IN THESE DRAWINGS ARE BASED ON LEVELS OBTAINED FROM DRAWINGS BY OTHERS.
6. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN ANY PRIOR APPROVAL REQUIRED FROM COUNCIL WITH RESPECT TO POTENTIAL IMPACT ON TREES FOR ANY WORKS SHOWN ON THIS DRAWING PRIOR TO THE COMMENCEMENT OF WORKS. NO TREES SHALL BE REMOVED WITHOUT THE WRITTEN PERMISSION OF COUNCIL.
7. THE CONTRACTOR SHALL TAKE ALL DUE CARE TO USE THE ABSOLUTE MINIMUM AREA FOR CONSTRUCTION AND THAT NO UNDUKE DAMAGE IS DONE TO THE EXISTING VEGETATION.
8. THE CONTRACTOR SHALL COMPLY WITH CONDITIONS, AND SPECIFICATION OF COUNCIL AND ALL ACTS OF THE NSW EPA.
9. THE CONTRACTOR SHALL TAKE ALL REASONABLE CARE TO PROTECT EXISTING SERVICES. DAMAGED SERVICES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
10. ALL NEW WORK IS TO MAKE A SMOOTH JUNCTION WITH EXISTING WORK.
11. SUITABLE WARNING SIGNS AND BARRICADES ARE TO BE PROVIDED IN ACCORDANCE WITH THE AUSTRALIAN STANDARDS AND AS DIRECTED BY THE RELEVANT AUTHORITY.
12. SERVICES SHOWN ARE INDICATIVE ONLY FROM AVAILABLE INFORMATION AND THE TIME OF SITE INVESTIGATION (IF ANY). THE BUILDER IS TO NOTIFY ENGINEER OF ANY DISCREPANCIES QUOTED ON THIS PLAN.
13. RESTORE ALL TRAFFIC AREAS TO PRE-EXISTING CONDITION. FOR ALL SURFACES OTHER THAN IN TRAFFIC AREAS RESTORE DISTURBED SURFACES TO PRE-EXISTING CONDITION AND COMPACT AS SPECIFIED.
14. RESTORE ALL AUTHORITY OWNED AREAS TO COUNCIL AND/OR AUTHORITY STANDARD AND SPECIFICATION.
15. THE WORK AS CONSTRUCTED WORKS SHALL BE INSPECTED BY THE ENGINEER. MINIMUM 48 HOURS NOTICE SHALL BE PROVIDED FOR ALL INSPECTION REQUESTS.
16. THE DESIGN PLANS HEREIN ARE SUBJECT TO COUNCIL APPROVAL PRIOR TO CONSTRUCTION.
17. WORK AS CONSTRUCTED DRAWINGS TO BE REQUESTED AND RECEIVED IN CAD DWG FILE TYPE AND HARD COPY 'RED LINE' MARKUP FROM CONSTRUCTOR FOR VERIFICATION AND CERTIFICATION.

ROOF STORMWATER DRAINAGE NOTES:

1. ALL DOWN PIPES TO BE MINIMUM DN60 OR 100/60MM FOR GUTTERS SLOPE 1:50 AND STEEPER AS PER AS 3500.3 - 3.7.8
2. ALL ROOF GUTTERS TO HAVE OVERFLOW PROVISION IN ACCORDANCE WITH AS 3500.3 AND SECTIONS 3.5.3, 3.7.5 AND APPENDIX G OF AS 3500.3.
3. ALL DOWNPIPES TO BE FITTED VERTICALLY TO THE SOLE OF EAVES GUTTERS, RAINHEAD AND/OR SUMP.
4. ALL DOWNPIPES TO DRAIN INTO RAINWATER TANK AND OR PIT PRIOR TO DISCHARGE. OFF-SITE UNLESS PRIOR APPROVAL IS OBTAINED FROM COUNCIL IN WRITING OR NOTED OTHERWISE ON THIS PLAN.
5. ALL EAVES GUTTERS TO BE SIZED FOR ARI 20 - AS PER AS 3500.3 - 3.5 AND APPENDIX H.
6. ROOF DRAINAGE INSTALLATION TO BE IN ACCORDANCE TO AS 3500.3 SECTION 4.

STORMWATER DRAINAGE NOTES:

- PIPE SIZE:**
1. THE MINIMUM PIPE SIZE SHALL BE:
 - 1.1 DN60 FOR ALL DOWNPIPES
 - 1.2 DN100 WHERE THE LINE ONLY RECEIVES ROOF STORMWATER RUNOFF. OR
 - 1.3 DN100 WHERE THE LINE RECEIVES RUNOFF FROM PAVED OR UNPAVED AREAS

- PIPE GRADE:**
1. THE MINIMUM PIPE GRADE SHALL BE:
 - 1.1 FOR DN100 - DN150 - 1.00%
 - 1.2 FOR DN200 - 0.80%
 - 1.3 FOR DN300 - 0.60%
 - 1.4 FOR DN400 - 0.30%

- STANDARD COVER:**
1. MINIMUM PIPE COVER FOR PVC PIPES SHALL BE AS PER AS 3500.3 TABLE 6.2.5:
 - 1.1 NOT SUBJECT TO VEHICULAR LOADING
 - 1.1.1 WITHOUT PAVEMENT SINGLE DWELLINGS - 100mm
 - 1.1.2 WITHOUT PAVEMENT OTHER THAN SINGLE DWELLINGS - 300mm
 - 1.1.3 WITH PAVEMENT (BLOCK PAVING) AND/OR UNREINFORCED CONCRETE - 100mm
 - 1.2 SUBJECT TO VEHICULAR LOADING
 - 1.2.1 ROADS (SEALED) - 600mm
 - 1.2.2 ROADS (UNSEALED) - 750mm
 - 1.2.3 OTHER THAN ROADS (WITH PAVEMENT) - 100mm
 - 1.2.4 OTHER THAN ROADS (WITHOUT PAVEMENT) - 450mm

- PIPE INSTALLATION**
1. PIPES AND FITTINGS FOR STORMWATER DRAINAGE SHALL BE AS FOLLOWS:
 - 1.1 FOR PIPE SIZES UP TO DN225 - PVC WITH SOLVENT WELDED JOINTS (IN GROUND)
 - 1.2 FOR PIPE SIZES GREATER THAN DN225 - RCP WITH RUBBER RING JOINTS
 - 1.3 FOR LARGER PIPE DEPTHS AS SPECIFIED IN AS 3500.3 - RCP WITH RUBBER RING JOINTS
 - 1.4 FOR PIPES AND FITTINGS FOR SUBSOIL DRAINAGE SHALL BE SLOTTED PVS WITH SOLVENT WELDED JOINTS MINIMUM DN150
 2. FOR GRATED DRAINS SHALL BE MINIMUM DN150 IN NON-TRAFFICABLE ZONES AND DN225 IN TRAFFICABLE ZONES.
 3. LAY AND JOINT ALL PIPES IN ACCORDANCE WITH THE MANUFACTURING RECOMMENDATIONS AND:
 - 3.1 AS 3725-1989 - LOADS ON BURIED CONCRETE PIPES
 - 3.2 AS 2566 - 1988 - BURIED FLEXIBLE PIPELINES
 - 3.3 AS 1987.2 - 1996 - PRECAST REINFORCED CONCRETE BOX CULVERTS
 - 3.4 AS 3500 - 1990 NATIONAL PLUMBING AND DRAINAGE CODE - PART 2 SANITARY PLUMBING AND SANITARY DRAINAGE - SYDNEY WATER REQUIREMENTS
 4. ALLOW TO TEST ALL PIPES AND PITS TO MANUFACTURERS REQUIREMENTS.

CONNECTIONS TO STORMWATER SYSTEMS UNDER BUILDINGS

IN ACCORDANCE WITH AS 3500.3 SECTION 9.2

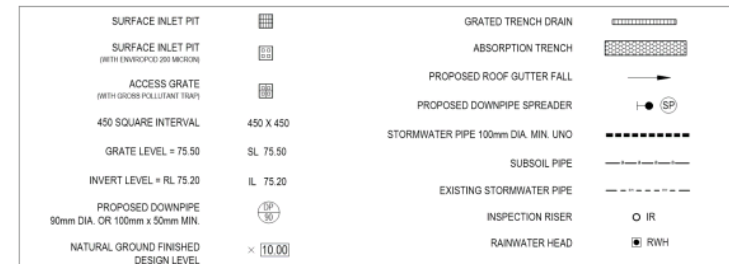
CONNECTIONS TO COUNCIL STORMWATER SYSTEMS

CONNECTION TO COUNCIL STORMWATER SYSTEM TO BE IN ACCORDANCE TO LOCAL COUNCIL DCP AND STANDARDS. NO CONNECTIONS TO BE MADE UNTIL PROPER PERMIT/APPROVALS ARE OBTAINED FROM LOCAL COUNCIL IN WRITING.

WARNING:

EXISTING SERVICES SHOWN ON THESE PLANS ARE NOT GUARANTEED COMPLETE OR CORRECT AND FURTHER INFORMATION IS REQUIRED FROM THE RELEVANT AUTHORITY AND FIELD INVESTIGATION AND ARE TO BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.

LEGEND



STORMWATER PIT/STRUCTURES NOTES:

PIT SIZES AND DEPTHS:

1. PIT SIZES WILL BE AS FOLLOWS:

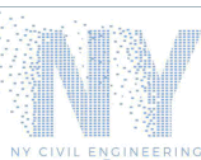
DEPTH (mm)	MIN. PIT SIZE (mm)
UP TO 450	300x300
450 - 600	450x450
600 - 900	600x600
900 - 1200	600x900
1200+	900x600 (WITH STEP IRON)

PIT DESIGNS:

1. TRENCH DRAINS: CONTINUOUS TRENCH DRAINS ARE TO BE MIN. DN50 AND MIN. 100mm DEPTH. THE BARS OF THE GRATE ARE TO BE PARALLEL TO THE DIRECTION OF SURFACE FLOW.
2. STEP IRONS: PITS BETWEEN 1.2m AND 5m ARE TO HAVE STEP IRONS IN ACCORDANCE WITH AS 1657. FOR PITS GREATER THAN 5m OTHER MEANS OF ACCESS MUST BE PROVIDED.
3. PLASTIC/PVC PITS: PVC PITS WILL ONLY BE PERMITTED IF THEY ARE MAX. 450x450 AND MAX. 450mm DEPTH AS WELL AS BEING HEAVY DUTY.
4. IN-SITU PITS: IN-SITU PITS ARE TO BE CONSTRUCTED ON A CONCRETE BED OF AT LEAST 150mm THICK. THE WALLS ARE TO BE DESIGNED TO MEET THE MINIMUM REQUIREMENTS OF CLAUSE 4.6.3 OF AS 3600.4. PITS DEEPER THAN 1.8m SHALL BE CONSTRUCTED WITH REINFORCED CONCRETE.
5. GRATES: GRATES ARE TO BE GALVANIZED STEEL GRID TYPE. GRATES ARE TO BE OF HEAVY DUTY TYPE IN AREAS WHERE THEY MAY BE SUBJECT TO VEHICLE LOADING.

INSTALLATION NOTES:

1. ALL PIPES INTO PITS TO BE CUT FLUSH WITH PIT WALL.
2. ALL PITS THAT ARE INSTALLED AT GREATER THAN 600mm DEEP TO BE MIN. 600x600 PIT.
3. GRATED COVERS ON PITS GREATER THAN 600mm TO BE HINGED.
4. BASE OF PIT TO BE SAME LEVEL OF INVERT OF OUTLET.
5. OUTLET PIPE FROM ANY PIT TO BE 20mm LOWER THAN INLET PIPES.

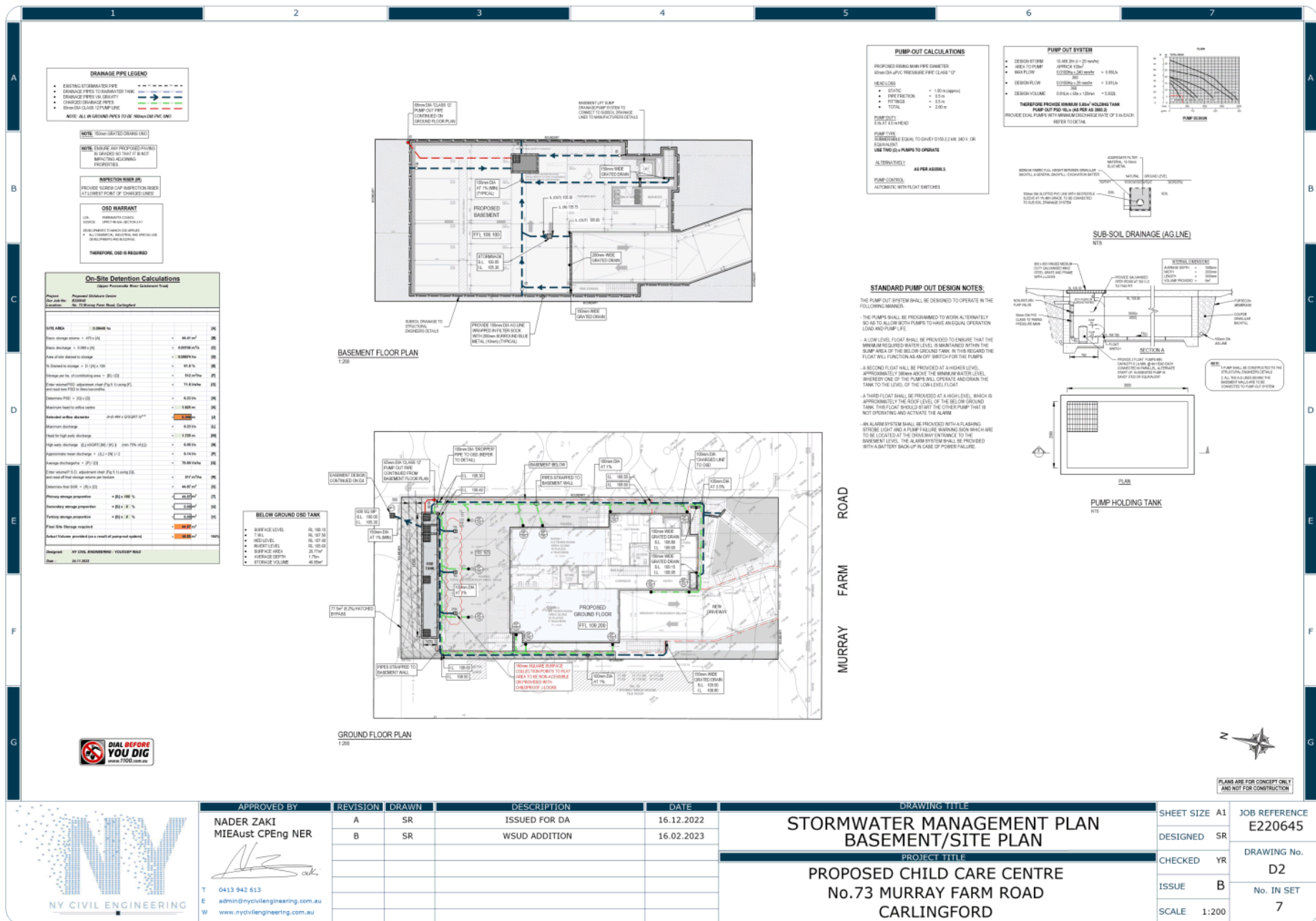


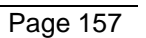
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NADER ZAKI MIEAust CPENG NER	A	SR	ISSUED FOR DA	16.12.2022
	B	SR	WSUD ADDITION	16.02.2023

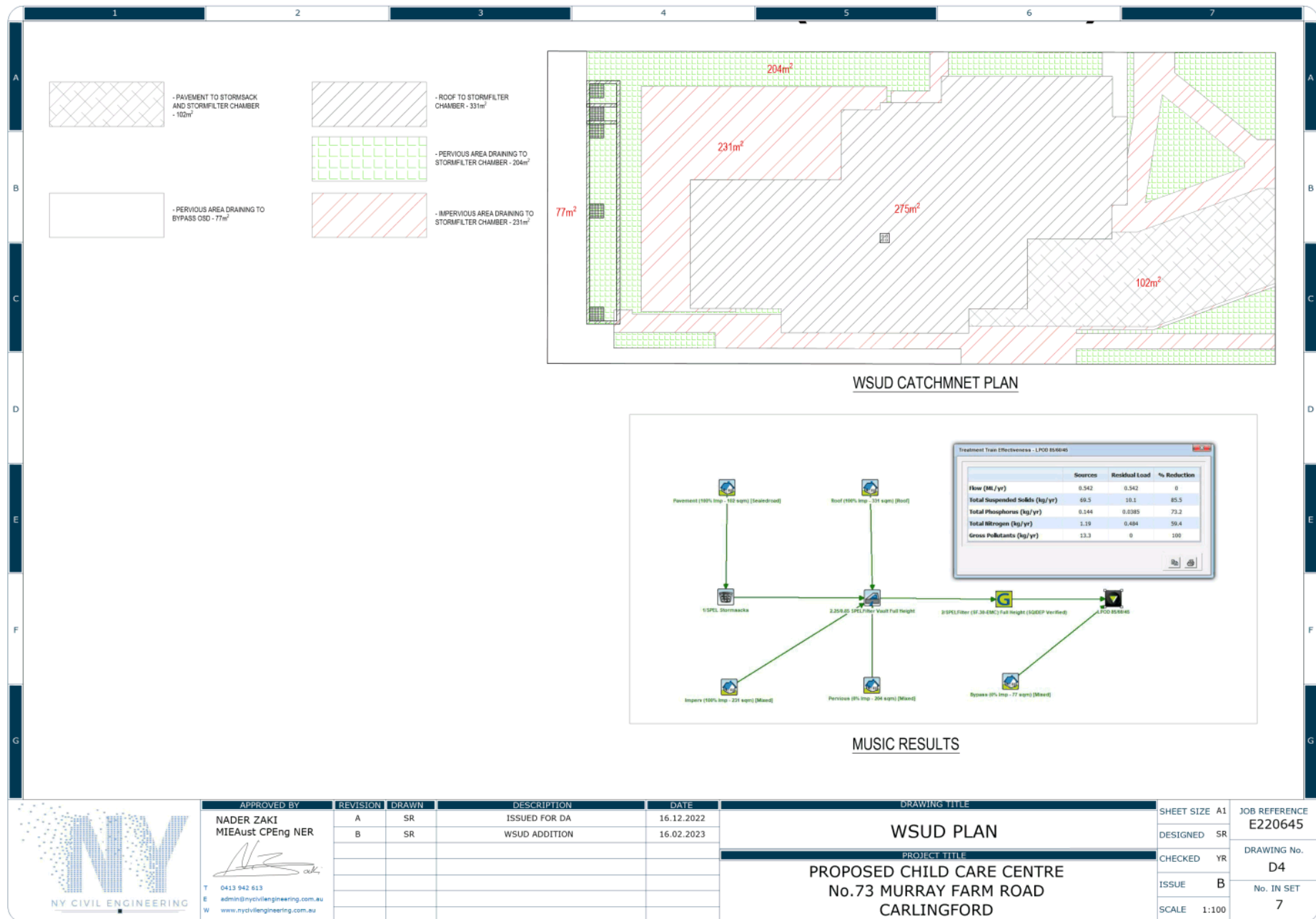
T 0413 942 613
E admin@nycivilengineering.com.au
W www.nycivilengineering.com.au

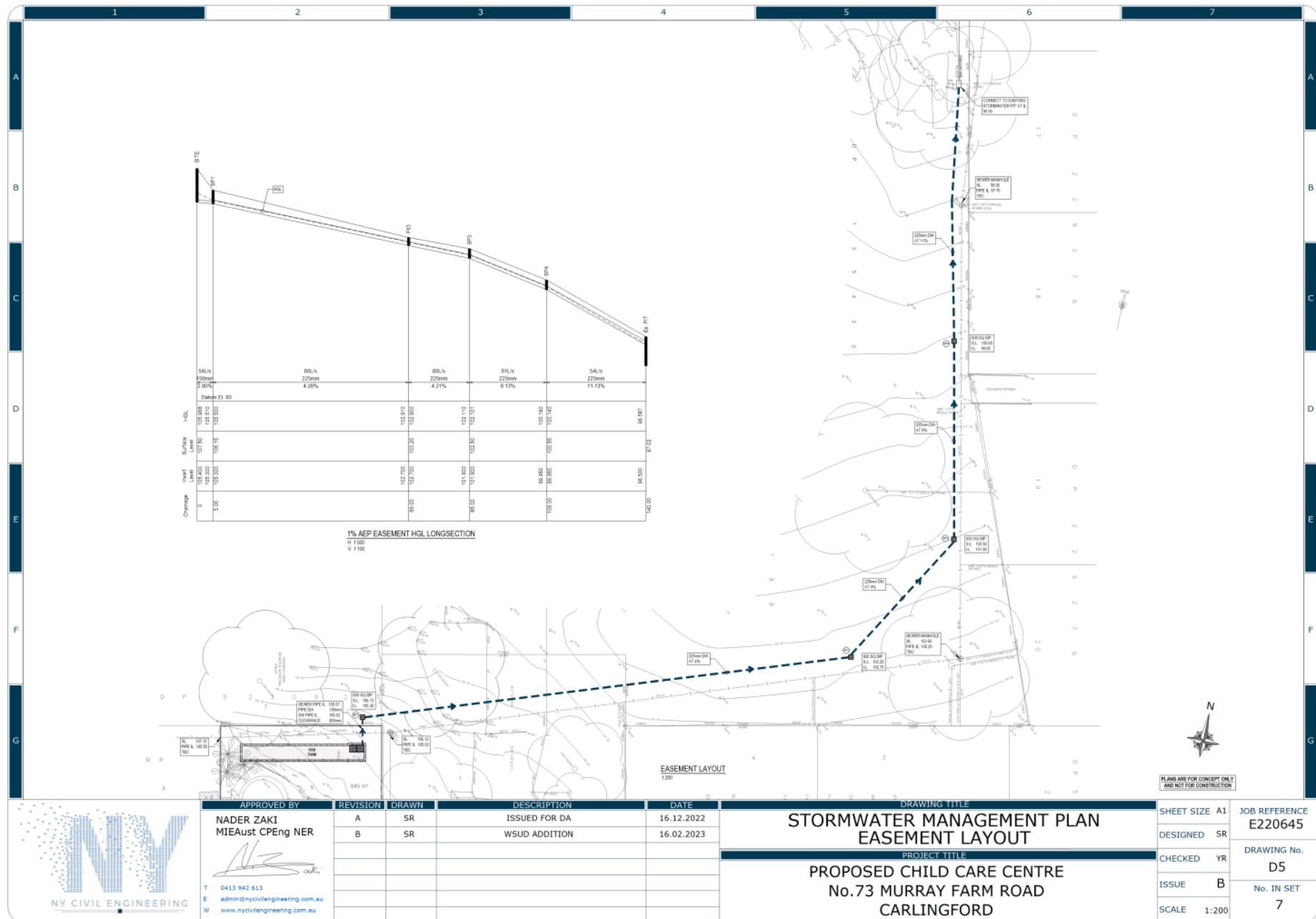
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PROPOSED CHILD CARE CENTRE No.73 MURRAY FARM ROAD CARLINGFORD

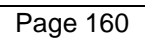
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DESIGNED	SR	E220645
CHECKED	YR	DRAWING No.
ISSUE	B	D1
SCALE	AS NOTED	No. IN SET
		7

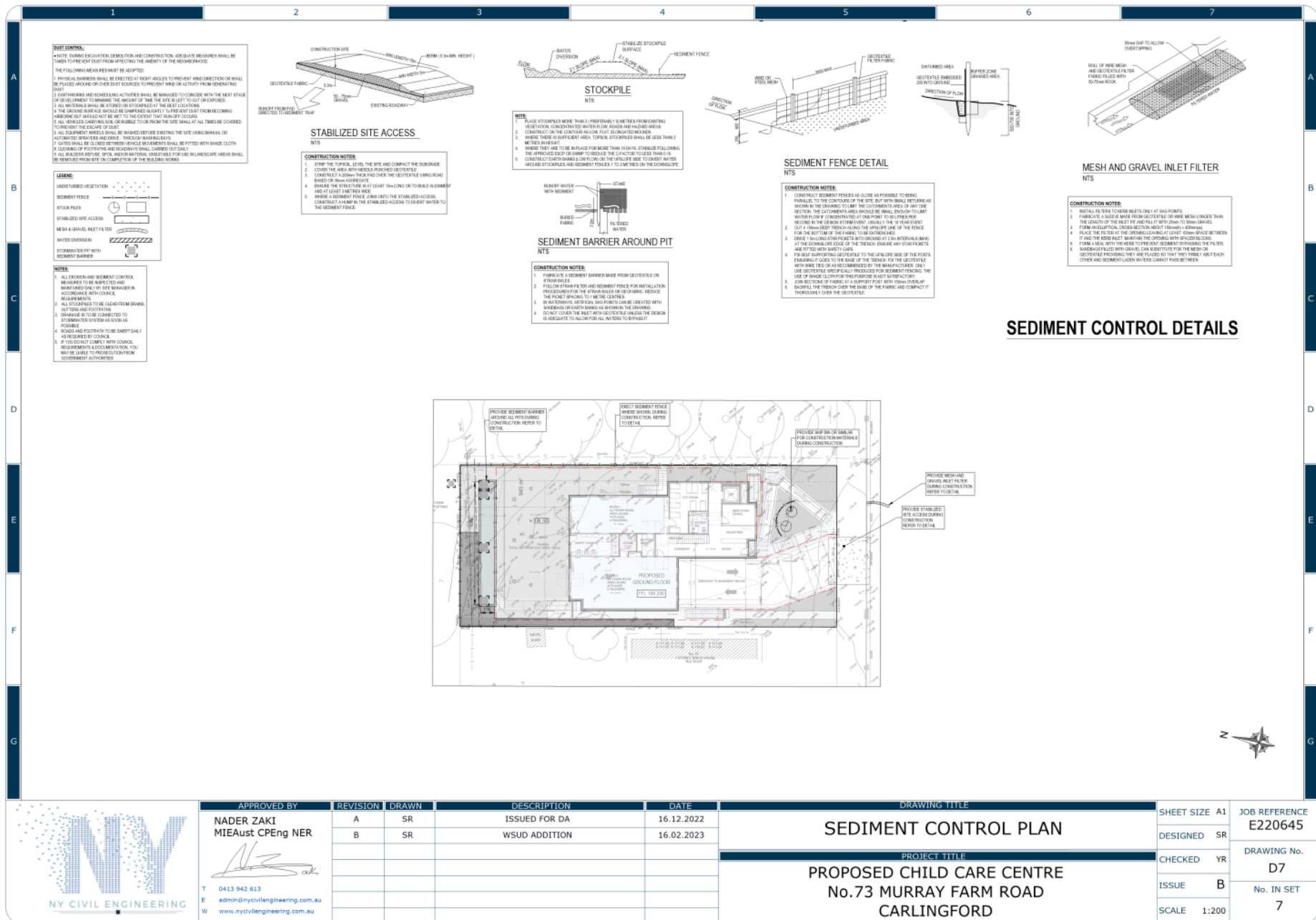


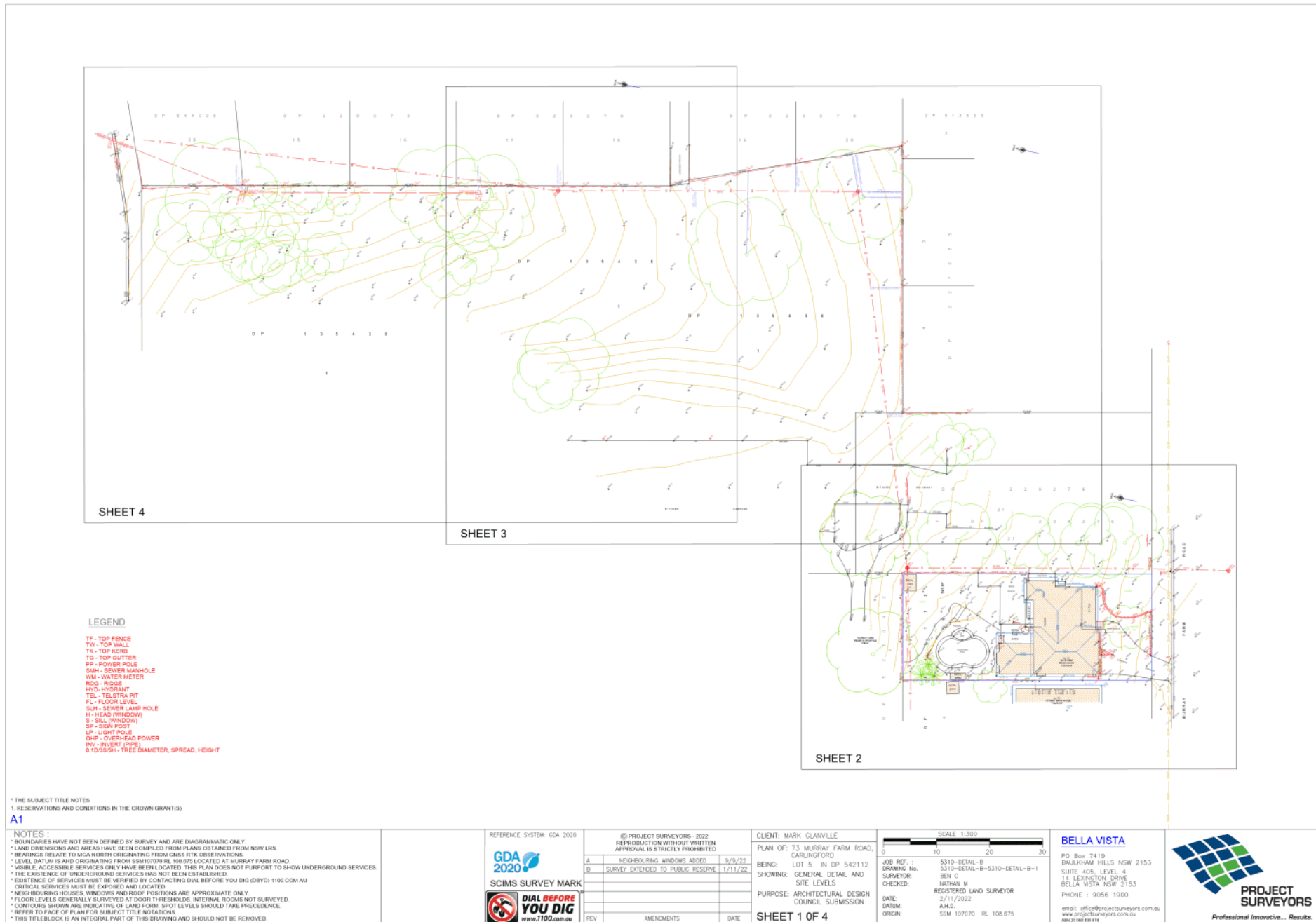


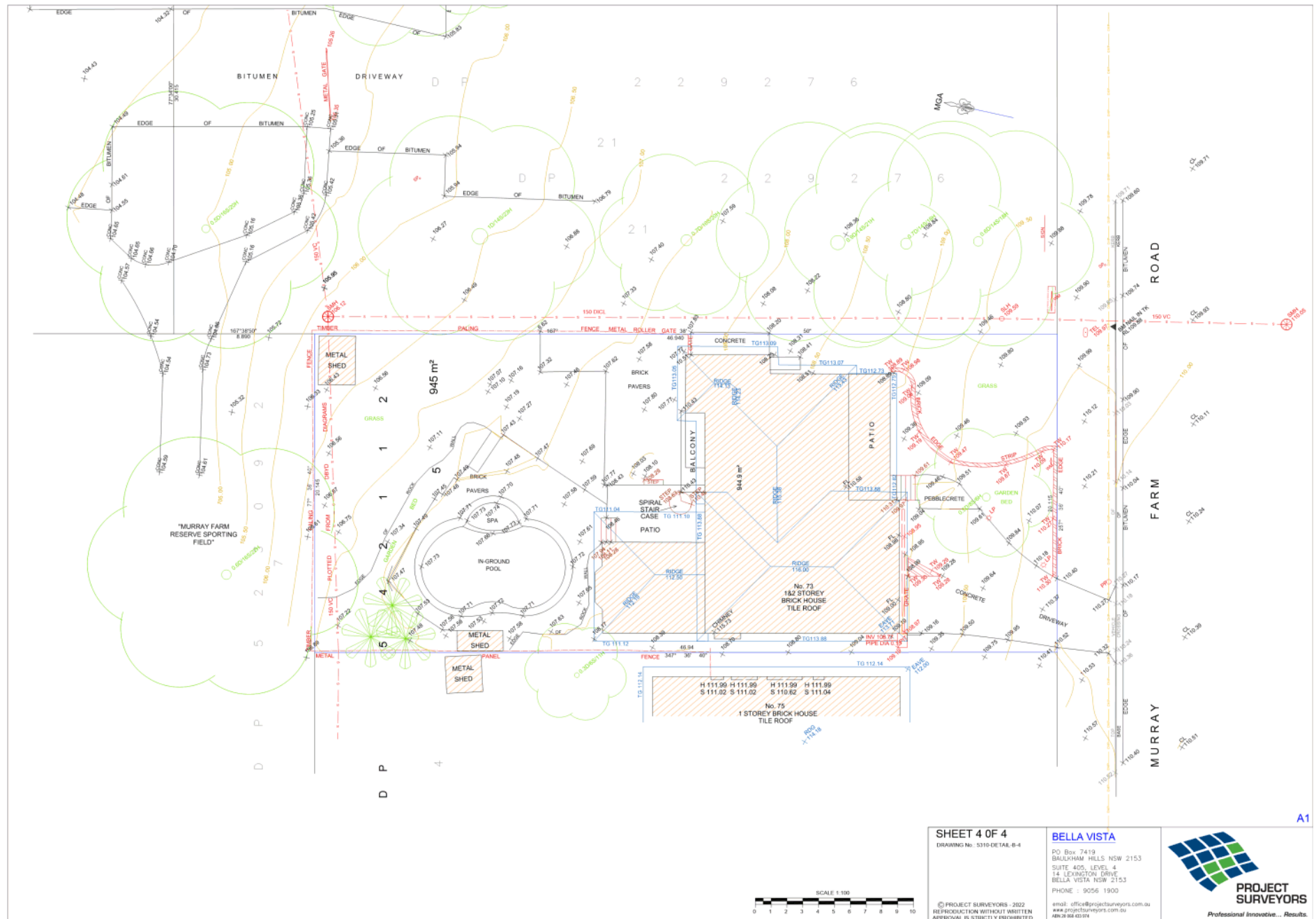


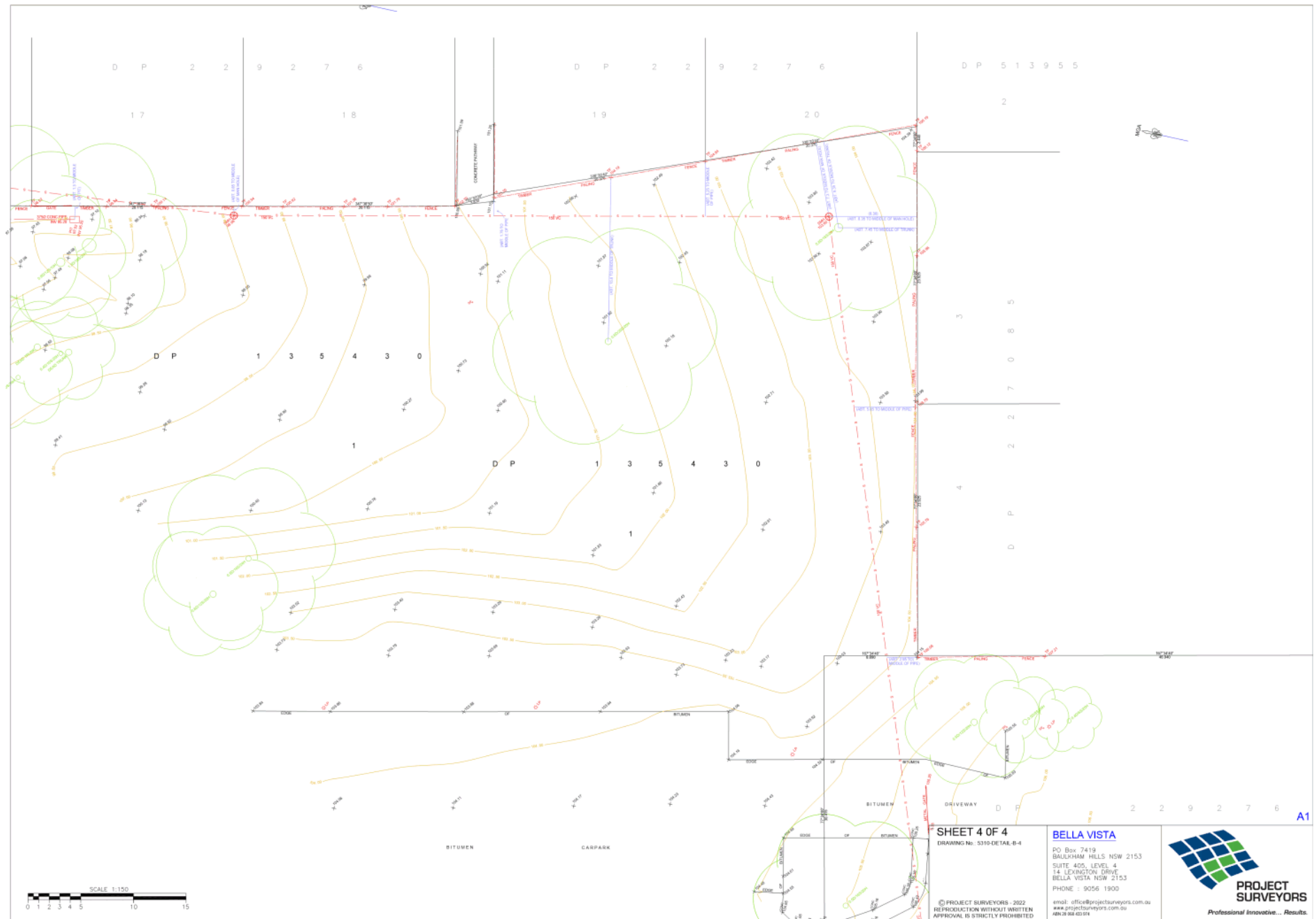


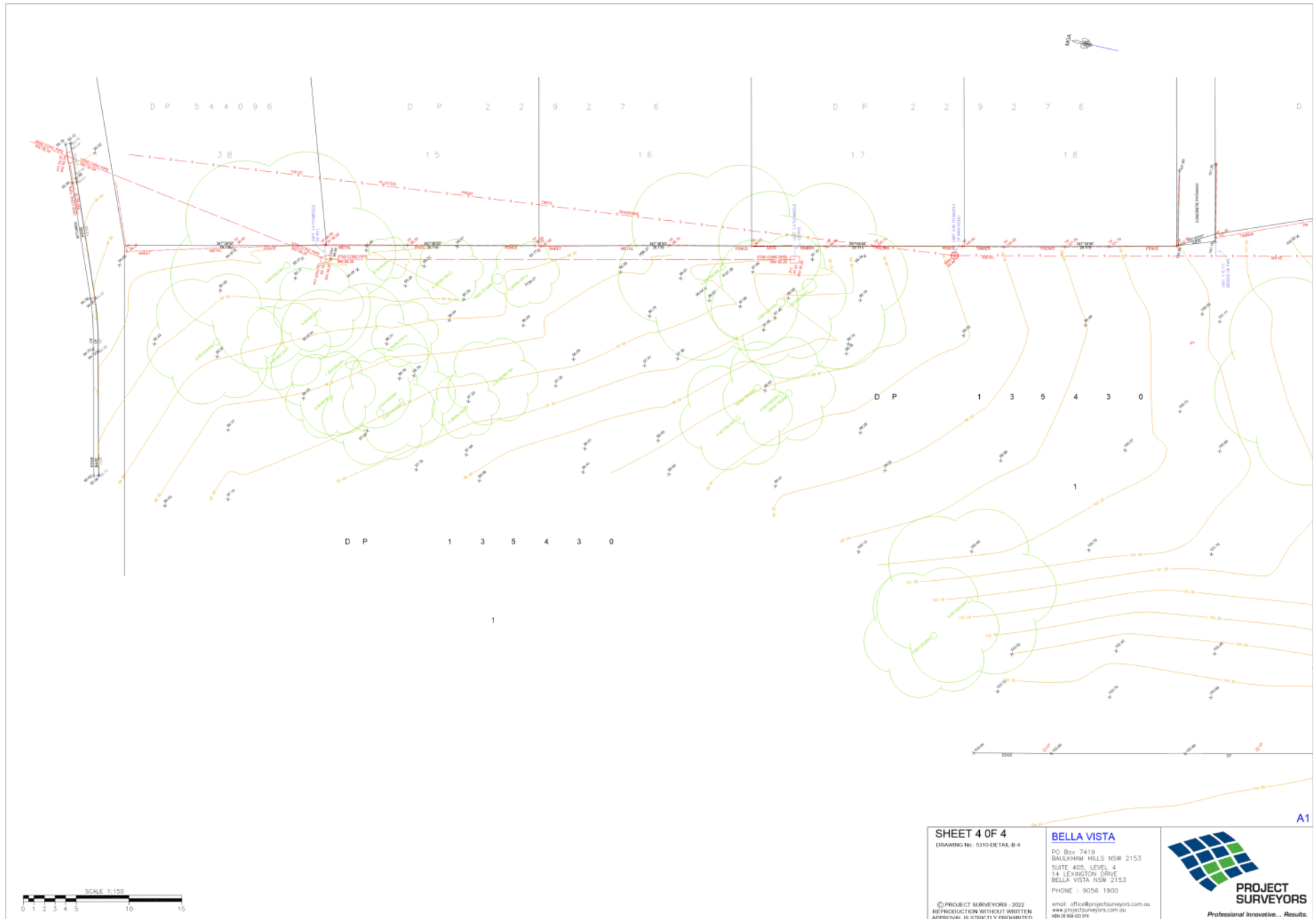












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Arboricultural Impact Assessment

Project

Proposed Child Care Centre

(Drainage Works in Reserve)

Location

73 Murray Farm Road, Carlingford, NSW

Prepared by:

Craig Kenworthy

AQF 5 Consulting Arborist – MAIH, MISA, MAA, TRAQ, MIACA



Sydney Landscape Consultants
PO Box 154, Botany NSW 2019
PI/ PL Insurance (2022 – 5M/20M)

ABN: 89106859442

This firm is not financially affiliated nor does it have a business relationship with any tree removal/pruning company

Prepared on – 07/11/22



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Abbreviations & Terms

AQF5	Australian Qualification Framework, Level 5
AS4970 -2009	Australian Standards 4970 - 2009, <i>Protection of trees on development sites</i>
DBH	Diameter at Breast Height – measured at 1.4m from ground level
Direct Impacts	Impacts such as the footprint, strip footings, services, cut/ fill, concrete slabs, trenches etc that directly impact the tree canopy above and or below ground
Indirect Impacts	Impacts where the tree/s may be subjected to deliveries, stockpiling, preparation of building products, site sheds/ toilets etc.
LGA	Local Government Authority
SRZ	Structural Root Zone
TPZ	Tree Protection Zone

Version	date	by
1	07/11/22	CK

Disclaimer

The trees referred to in this report were living entities and are therefore subject to natural processes. They will be also be subject to changes to their environment caused by human activities, and to ever changing weather conditions.

Sydney Landscape Consultants inspection for this report was ground based and hidden defects which are not readily visible may not be detected and therefore we cannot wholly guarantee the condition and safety of the trees inspected. We recommend regular inspections by minimum qualified AQF level 5 Arborist.

Plans and material referenced within this assessment have been utilised only as provided to our firm in aiding the assessment for the subject site. Our firm cannot be held liable for any superseded or amended plans or reports, that our firm were not provided with.

Our firm provides unbiased Arboricultural Reports based on industry best practice, accreditation, research, site specific facts and the condition of trees, whilst being independent in decision making relating to the retention and or removal of trees. Our assessments are grounded in ensuring the safety of human life, wellbeing of structures, property and environment in accordance with local, State and Federal Governmental policies.

This report does not constitute a report unless all page numbers are sequenced and read in conjunction as a sequenced report for the subject site, assessed.

1. Summary

This report has been compiled on behalf of the owners of 73 Murray Farm Road, Carlingford, NSW. This report is in response to a proposed New Child care centre Development located upon the site and infrastructure required upon the adjacent reserve, via stormwater discharge.

This Arborist report refers to Thirteen (13) trees being located upon Councils reserve. This report will analyse the trees' location, condition, Tree Protection Zone, Structural Root Zone, retention values and any encroachment that the proposed stormwater infrastructure may have on all trees assessed within this report.

The author (Craig Kenworthy) of this report recommends:

- Trees 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 to be retained and protected (13 trees).
- The use of this report by Council to better understand the best route to be taken, to plan for stormwater piping and installation of infrastructure within the adjacent reserve, to minimise impacts to both neighbours' trees and Councils reserves trees. The TPZs provided, will best guide the location of excavations, type of and stormwater piping to all trees assessed.
- Attendance and guidance for all excavations within the TPZs of all trees on Councils reserve.
- Tree Protection measures, monitoring and Certification all in accordance with AS4970 – 2009, Section 4 and Section 5.

2. Introduction

Sydney Landscape Consultants have been engaged to assess the trees that may be impacted by the proposed stormwater infrastructure within Councils reserve adjacent to the subject site.

3. Methodology

For the purposes of this report, a Visual Tree Assessment (VTA) method of evaluating structural defects and stability in trees (Mattheck and Breloer, 1994) was undertaken. All inspections were completed from the ground only. No level 3 diagnostic devices were used on the subject trees. Works forming part of this visual assessment include;

- Plotting all the trees assessed within the reserve and those on adjacent sites that may be impacted by stormwater infrastructure.
- Address Parramatta Councils Tree Management Policy as to a prescribed trees height.
- All trees assessed appear upon the Tree Location and Protection Plan provided within this report (A4) and separately upon an A3 scaled drawing.
- No level 3 diagnostic devices were used on the subject trees.

Tree diameter, Diameter at Breast Height (DBH) measured at 1.4m above ground level and recorded in metres, using Australian Standard, *Protection of trees on development sites – AS4970 – 2009*, Appendix A.

Any recommended work relating to pruning and or recommendation / mitigation shall be in accordance with Australian Standard, *Pruning of Amenity trees – AS4373 – 2007*.

Heights of trees taken using a Nikon Forestry 500 Clinometer and measured in Metres, whilst views were obstructed, estimation of several trees had to occur due to limited aspect of several tree heights.

1 – No stormwater plans have been provided, although our firm is of the understanding of Councils preferred option for stormwater route within reserve behind subject site.

Tree Management as per City of Parramatta Tree Management Policy, 5.4 Preservation of Trees or Vegetation - <https://www.cityofparramatta.nsw.gov.au/living/trees>

5.4.1 Introduction,

Trees to which the control applies:

1. Any tree or palm - whether indigenous, endemic, exotic or introduced species with a height equal to or exceeding 5 metres.
2. Any tree or mangrove vegetation located on public land, irrespective of size.
3. Any tree or plant, irrespective of size:
 - a. that is listed in a Register of Significant Trees; or
 - b. that is or forms part of a heritage item, or that is within a heritage conservation area; or
 - c. that is or forms part of an Aboriginal object, or that is within an Aboriginal place of heritage significance.

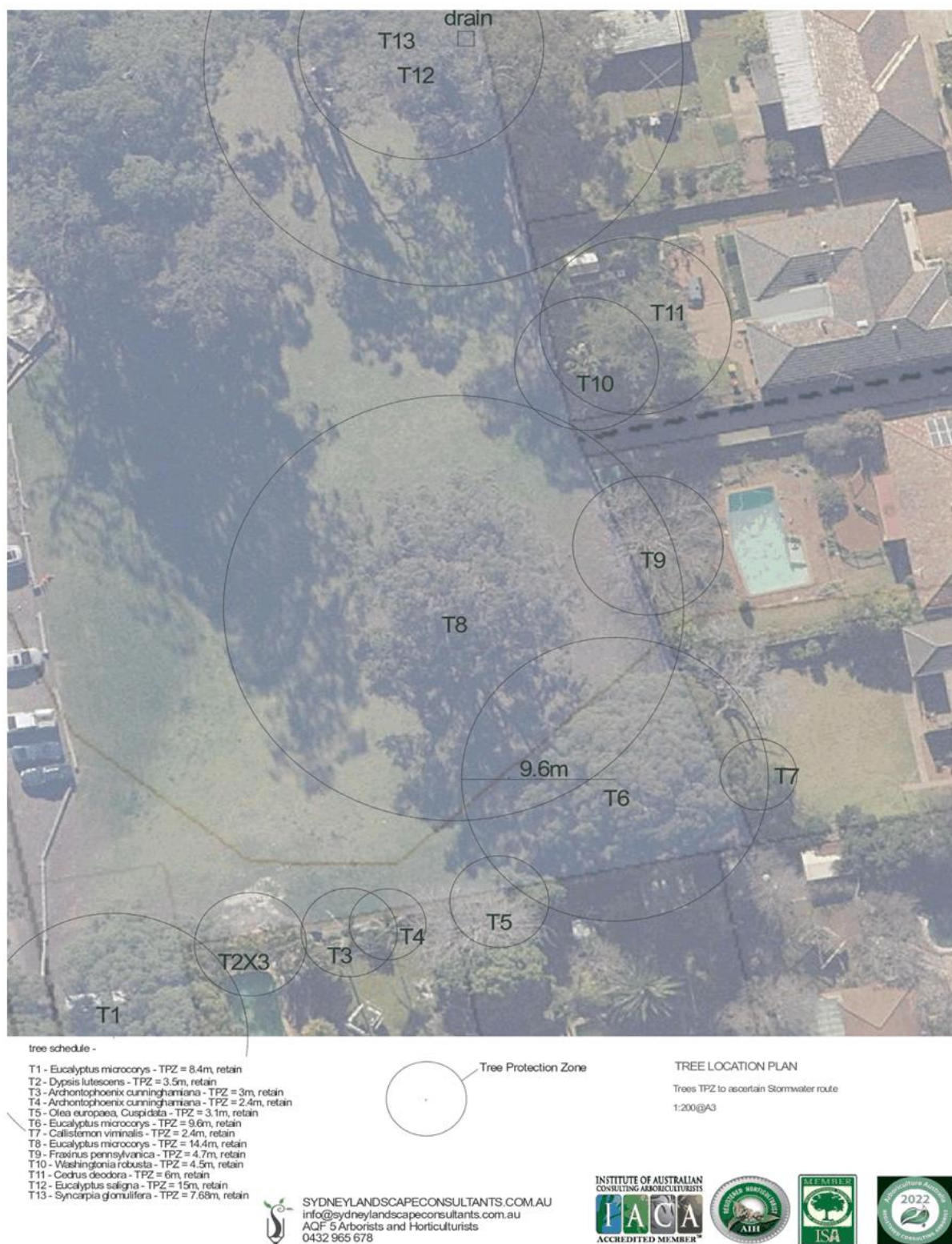
All photographs that appear within this report were taken on the day of the site visit, dated 02/11/22.

4. Site Locality



Council public reserve, adjacent to site (sixmaps.com.au)

5. Tree Location Plan



6. Findings

The site visit from the author of this report was undertaken on the 3rd November, 2022.

A large open grassed area is located north to northeast of the playing fields and this area is to be assessed for trees within the reserve and trees located within residential backyards that may be impacted by proposed stormwater piping and infrastructure.

This report will address the thirteen (13) trees' condition, significance and retention values and determine the extent of encroachments that may be imposed upon their TPZs and assess a probable direction of travel of stormwater infrastructure to minimise impacts to the least number of trees.

6.1 Vegetation assessed

The subject trees relating to this report are as follows and locations are shown upon the Tree Location and Protection Plan:

Tree 1) ***Eucalyptus microcorys*** - Tallowwood - Located within Councils Street verge fronting the Council reserve.

Tree 2) ***Dypsis lutescens*** – Golden Cane Palm - Located within rear yard of No 69 Murray Farm Rd.

Tree 3) ***Archontophoenix cunninghamiana*** – Bangalow Palm - Located within rear yard of No 69 Murray Farm Rd.

Tree 4) ***Archontophoenix cunninghamiana*** – Bangalow Palm - Located within rear yard of No 69 Murray Farm Rd.

Tree 5) ***Olea europaea subsp. europaea*** - African Olive - Located within rear yard of No 67 Murray Farm Rd.

Tree 6) ***Eucalyptus microcorys*** - Tallowwood - Located within Councils reserve.

Tree 7) ***Callistemon viminalis*** - Bottlebrush - Located within rear yard of No 4 Sylvia Ave.

Tree 8) ***Eucalyptus microcorys*** - Tallowwood - Located within Councils Reserve.

Tree 9) ***Fraxinus pennsylvanica**** – Green Ash - Located within No 6 Sylvia Ave rear yard.

Tree 10) ***Washingtonia robusta*** – Mexican Fan Palm - Located within No 8 Sylvia Ave rear yard.

Tree 11) ***Cedrus deodora*** - Himalayan cedar - Located within No 8 Sylvia Ave rear yard.

Tree 12) ***Eucalyptus saligna*** – Sydney Bluegum - Located within Councils Reserve, close to existing stormwater pit.

Tree 13) ***Syncarpia glomulifera*** - Turpentine - Located within Councils Reserve, close to existing stormwater pit.

6.2 Tree Assessment

Tree number	Species	Height (M)	Crown Spread (M) N S E W	DBH (M)	Live Crown Ratio %	Vigour/ structure	Age Class	TPZ M	SRZ M	SULE	RET VALUE	STARS	Recommendations
1	<i>Eucalyptus microcorys</i>	16m	10, 3, 8, 8	.700	90%	Fair/ fair	Mature	8.4	3.3	2a	high	high	Retain tree, protect when implementing stormwater infrastructure.
Mature tree, crown form suppressed, canopy to south from adjacent trees. Codominant trunks from 3.5m, high volume of deadwood, outer foliage canopy dieback, past pruning evidenced, secondary leader at 4m has had previous limb removed and or failed, south east.													
Tree number	Species	Height (M)	Crown Spread (M) N S E W	DBH (M)	Live Crown Ratio %	Vigour/ structure	Age Class	TPZ M	SRZ M	SULE	RET VALUE	STARS	Recommendations
2	<i>Dyopsis lutescens</i> (stand of 3x clumps)	4.5/5	2.5, 2.5, 2.5, 2.5	multistem med	100%	Good/ good	mature	*3.5	2	2d	low	low	Retain neighbours' palms.
Mature stand of palms, multistemmed and typical of species. Located 1m from fence.													
Tree number	Species	Height (M)	Crown Spread (M) N S E W	DBH (M)	Live Crown Ratio %	Vigour/ structure	Age Class	TPZ M	SRZ M	SULE	RET VALUE	STARS	Recommendations
3	<i>Archontophoeni x cunninghamiana</i>	9.5m	2.5, 2.5, 2.5, 2.5	.250	80%	Fair/good	mature	3m	1.85	2d	low	low	Retain neighbours' palm, protect when implementing stormwater infrastructure.
Mature palm, planted at 1.5m in from boundary fence.													
Tree number	Species	Height (M)	Crown Spread (M) N S E W	DBH (M)	Live Crown Ratio %	Vigour/ Structure	Age Class	TPZ M	SRZ M	SULE	RET VALUE	STARS	Recommendations
4	<i>Archontophoeni x cunninghamiana</i>	7.5m	2.5, 2.5, 2.5, 2.5	.200	80%	Fair/good	Mature	2.4	1.7	2d	low	low	Retain neighbours' palm, protect when implementing stormwater infrastructure.
Mature palm, planted at 1.5m in from boundary fence.													
Tree number	Species	Height (M)	Crown Spread (M) N S E W	DBH (M)	Live Crown Ratio %	Vigour/ structure	Age Class	TPZ M	SRZ M	SULE	RET VALUE	STARS	Recommendations
5	<i>Olea europaea subsp. europaea</i>	6.5m	3.5, 4, 4, 4	.260	80%	fair/ poor	Mature	3.1	1.89	3a	low	low	Retain neighbours' tree, protect when implementing stormwater infrastructure.
Mature tree growing close to rear fence of No 67 Murray Farm Rd. Minimum of 4x trunks forming domed canopy of tree. Overhanging reserve by 3.5m													

Tree number	Species	Height (M)	Crown Spread (M) N S E W	DBH (M)	Live Crown Ratio %	Vigour/ structure	Age Class	TPZ M	SRZ M	SULE	RET VALUE	STARS	Recommendations
6	<i>Eucalyptus microcorys</i>	15m	10, 10, 10, 10	.800	80%	fair/ fair	Mature	9.6	3.6	2a	high	high	Retain tree, protect when implementing stormwater infrastructure.
Mature symmetrical tree crown form dominant, broad domed canopy. Single trunk tree to 2.5m, high volumes of deadwood, large dead and decayed end branching, Stormwater/ sewer pit less than 2.5m(within SRZ) from trunk of tree, north east, high volume of epicormic shoots, tree appears to be in decline.													
Tree number	Species	Height (M)	Crown Spread (M) N S E W	DBH (M)	Live Crown Ratio %	Vigour/ structure	Age Class	TPZ M	SRZ M	SULE	RET VALUE	STARS	Recommendations
7	<i>Callistemon viminalis</i>	6m	3, 3, 3, 3	.212	80%	low/fair	mature	2.4	1.7	3a	low	low	Retain tree, protect when implementing stormwater infrastructure.
Small tree within No 4 Sylvia Ave and 1.8m from back fence. Foliage is 1m over into reserve.													
Tree number	Species	Height (M)	Crown Spread (M) N S E W	DBH (M)	Live Crown Ratio %	Vigour/ structure	Age Class	TPZ M	SRZ M	SULE	RET VALUE	STARS	Recommendations
8	<i>Eucalyptus microcorys</i>	16m	10, 8.5, 8, 8	1.2m	75%	Fair/fair	Over mature	14.4	3.8	2a	high	high	Retain tree, protect when implementing stormwater infrastructure, above and below ground
Large over mature tree, crown form dominant, single trunk to 2m, then 3 dominant trunks forming canopy of tree. Tree presents with high volume of deadwood, girdled roots surrounding base, high volume of epicormic shoots that have died, decay pocket at base, north face trunk. Surface roots exposed and damaged. Large amount of fallen branching.													
Tree number	Species	Height (M)	Crown Spread (M) N S E W	DBH (M)	Live Crown Ratio %	Vigour/ Structure	Age Class	TPZ M	SRZ M	SULE	RET VALUE	STARS	Recommendations
9	<i>Fraxinus pennsylvanica</i> *	9m	5, 6, 6, 6	5x.175 (avg) - .391	80%	Good/fair	Mature	4.7	2.17	2d	med	med	Retain tree, protect when implementing stormwater infrastructure, above and below ground
Mature tree growing approx. 2m from fence within No 6 Sylvia Ave, branching is overhanging into reserve by 4m. *Identification close to Genus and Species. Assumed DBH/DAB as in private yard													
Tree number	Species	Height (M)	Crown Spread (M) N S E W	DBH (M)	Live Crown Ratio %	Vigour/ structure	Age Class	TPZ M	SRZ M	SULE	RET VALUE	STARS	Recommendations
10	<i>Washingtonia robusta</i>	11m	1.5, 1.5, 1.5, 1.5	.375	80%	fair/ good	Mature	4.5	2.2	2d	med	med	Retain tree, protect when implementing stormwater infrastructure, below ground.
Mature palm in poor to fair condition. 1.7m from the boundary fence. Typical of habit, form and species.													
Tree number	Species	Height (M)	Crown Spread (M) N S E W	DBH (M)	Live Crown Ratio %	Vigour/ structure	Age Class	TPZ M	SRZ M	SULE	RET VALUE	STARS	Recommendations
11	<i>Cedrus deodora</i>	11m	4.5, 4.5, 4, 4	.500	85%	Fair/ fair	Mature	6m	2.85	2d	med	med	Retain tree
Mature tree growing close to T10 and conflicting, tree with low to medium volumes of deadwood. Assumed DBH/DAB as in private yard													

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Tree number	Species	Height (M)	Crown Spread (M) N S E W	DBH (M)	Live Crown Ratio %	Vigour/structure	Age Class	TPZ M	SRZ M	SULE	RET VALUE	STARS	Recommendations
12	<i>Eucalyptus saligna</i>	9m	6, 9, 10, 5	1.450	80%	Fair/poor	mature	15m	4	3a	med	med	Retain tree, protect when implementing stormwater infrastructure, below ground and trunk protection.
Large mature tree, crown form dominant. Tree in poor condition with large wound face at base measuring 2m x 1m wide, borer damage evident, hollow soundings with sounding hammer to wound face. Ground modifications to surround ground with drain culvert north east within SRZ, raised soil levels south and west to create a swale for surface water redirection. Concrete against fence above drain culvert. Possible fauna habit in main trunk and upper crown location.													
Tree number	Species	Height (M)	Crown Spread (M) N S E W	DBH (M)	Live Crown Ratio %	Vigour/structure	Age Class	TPZ M	SRZ M	SULE	RET VALUE	STARS	Recommendations
13	<i>Syncarpia glomulifera</i>	10m	6, 3.5, 6, 3	.640 2x cdmts	75%	Fair/poor	mature	7.68	3.2	3a	med	med	Retain tree, protect when implementing stormwater infrastructure, below ground and trunk protection.
Mature tree growing 3.5m from tree 12. Suppressed form, codominant trunks from base													

6.3 Encroachment

Encroachment refers to the likelihood of interference within the SRZ and or TPZ of each tree, and is calculated in a percentage form.

TPZ – Tree Protection Zone = DBH X 12 METRES

DBH = Diameter at Breast Height (1.4 metres)

SRZ – Structural Root Zone = $(D \times 50)^{.42} \times .64$

D = trunk diameter measured above the root buttress

Tree 1) ***Eucalyptus microcorys*** - Tallowwood - Located within Councils Street verge fronting the Council reserve. This tree has a TPZ of 8.4m and is approx. 5.5m south of the edge corner of the adjacent backyards corner fence. If stormwater piping is to be excavated and installed, it is recommended to be conducted upon the northern edge of this trees TPZ, to minimise impacts to this tree.

Tree 2) ***Dypsis lutescens* (x3)** – Golden Cane Palm - Located within rear yard of No 69 Murray Farm Rd. This palm is a collection of clumps located close to the back fence of No 69. Being a palm and in accordance with AS4970 -2009, Section 3, 3.2, the TPZ should not be less than 1m outside the crown's projection. Therefore, these palms having a crown projection of approx. 2.5m in a northerly aspect, the TPZ has been calculated at 3.5m and the stormwater piping needs to be located upon the 3.5m TPZ projection, or further away.

Tree 3) ***Archontophoenix cunninghamiana*** – Bangalow Palm - Located within rear yard of No 69 Murray Farm Rd. Being a palm and in accordance with AS4970 - 2009, Section 3, 3.2, the TPZ should not be less than 1m outside the crown's projection. Therefore, this palm having a crown projection of approx. 2.5m in a northerly aspect and located approx. 1.5m away from the back fence, the TPZ has been calculated at 3.5m and the stormwater piping needs to be located upon the 3.5m TPZ projection, or further away.

Tree 4) ***Archontophoenix cunninghamiana*** – Bangalow Palm - Located within rear yard of No 69 Murray Farm Rd. Being a palm and in accordance with AS4970 -2009, Section 3, 3.2, the TPZ should not be less than 1m outside the crown's projection. Therefore, this palm having a crown projection of approx. 2.5m in a northerly aspect and located approx. 1.5m away from the back fence as well, the TPZ has been calculated at 3.5m and the stormwater piping needs to be located upon the 3.5m TPZ projection, or further away, into the reserve.

Tree 5) ***Olea europaea subsp. europaea*** - African Olive - Located within rear yard of No 67 Murray Farm Rd. This tree having a TPZ of 3.1m, the proposed piping could be located upon the outer edges of this trees TPZ, without impact this tree.

Tree 6) ***Eucalyptus microcorys*** - Tallowwood - Located within Councils reserve. This tree has a TPZ of 9.6m and encapsulates the entire corner of this reserve and therefore any excavations will

impact this trees southern, south eastern and eastern TPZ. It may be a better option to redirect the stormwater alignment prior to this trees TPZ and divert around Tree 8 to avoid this trees TPZ all together?.

Tree 7) ***Callistemon viminalis*** - Bottlebrush - Located within rear yard of No 4 Sylvia Ave. This small tree has a TPZ of 2.4m and stormwater piping could be located outside this trees TPZ, although that would impact tree 6s TPZ. These small trees western canopy extends approx. 1m over into the reserve with no impacts from machinery envisaged.

Tree 8) ***Eucalyptus microcorys*** - Tallowwood - Located within Councils Reserve. This large tree has a TPZ of 14.4m and extends well into adjacent neighbouring sites. If stormwater piping ran down the rear back fence of the neighbours, this would constitute as a major incursion to tree 8. A better option may be to redirect the stormwater alignment prior to this trees TPZ and divert around the western edge of this trees TPZ all together?

Tree 9) ***Fraxinus pennsylvanica**** – Green Ash - Located within No 6 Sylvia Ave rear yard. This tree has a TPZ of 4.7m radially out from its trunk and its TPZ cojoins with Tree 8. If stormwater piping ran down the back fence of this trees TPZ, it would constitute as a major incursion. A better option would be to divert the stormwater piping around T6 and 8s western TPZ and avoid conflicting with Tree 9 altogether.

Tree 10) ***Washingtonia robusta*** – Mexican Fan Palm - Located within No 8 Sylvia Ave rear yard. This palm has a calculated TPZ of 4.5m out from its trunk. This palm is approx. 1.7m in from the boundary fence and therefore its TPZ extends approx. 2.8m into the reserve. Stormwater piping could extend over to this palms TPZ and not closer than 3m from the boundary fence, to minimise impacts to this palms TPZ.

Tree 11) ***Cedrus deodora*** - Himalayan cedar - Located within No 8 Sylvia Ave rear yard. This tree has a TPZ of 6m and its outer western TPZ extends into the reserve by approx. 1 – 1.5m only and therefore, no impacts would be envisaged.

Tree 12) ***Eucalyptus saligna*** – Sydney Bluegum - Located within Councils Reserve, close to existing stormwater pit. This large tree has a TPZ of 15m radially out from its trunk, although the stormwater connection is proposed very close to this tree. Proposed excavations are recommended to be conducted using air spade, or hydro vac or underground boring to ensure minimal impacts to tree 12 are encountered. All works must be performed under the guidance and supervision of the AQF 5 Project arborist and signed off as compliant as per AS4970 - 2009.

Tree 13) ***Syncarpia glomulifera*** - Turpentine - Located within Councils Reserve, close to existing stormwater pit. This tree having a TPZ of 7.68m radially out from its trunk, although the stormwater connection is proposed very close to this tree. Proposed excavations are recommended to be conducted using air spade, or hydro vac or underground boring non-destructive excavation techniques to ensure minimal impacts to tree 13 are encountered. All works must be performed

under the guidance and supervision of the AQF 5 Project arborist and signed off as compliant as per AS4970 - 2009.

* Closeness to Species as keyed.

Construction impacts to trees often include some degree of root injury, soil compaction, removal of leaf area through pruning, loss of rooting space and changes in soil moisture and microbiology. These impacts do not occur all at once. Rather, a series of changes occur to which the tree must respond and adapt. First, roots are injured and the site micro climate altered by clearing. Then further changes occur during grading and installation of improvements. Construction of adjacent structures causes another series of damages. Finally, finish grading and landscaping further encroach into root area and alter the trees microsite. Trees may respond to these impacts in a variety of ways, from slower growth and poor foliage colour to dieback and death¹.

7. Photographs of trees



Photograph 1, above looking south east to trees 1, 2, 3 and 4.

¹ Arboriculture, Fourth Edition, Integrated Management of Landscape Trees, Shrubs, and Vines/ Richard W. Harris, James R. Clark, Nelda P. Matheny/ 2004/ Prentice Hall/ Chapter 11, Preserving Existing Trees, Pg. 263
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Photograph 2, above looking east to trees 5, 6, 7 and 8.



Photograph 3, above looking south to trees 8, 9, 10 and 11.

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Photograph 4, above looking north to trees 12 and 13.

8. Mitigation / Recommendations

The author (Craig Kenworthy) of this report recommends:

- Trees 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 to be retained and protected (13 trees).
- The use of this report by Council to better understand the best route to be taken, to plan for stormwater piping and installation of infrastructure within the adjacent reserve, to minimise impacts to both neighbours' trees and Councils reserves trees. The TPZs provided, will best guide the location of excavations, type of and stormwater piping to all trees assessed. The author recommends diverting the piping prior to trees 6 and 8 and stay north to north west of both trees TPZ.
- Attendance and guidance for all excavations within the TPZs of all trees on Councils reserve and conduct non-destructive excavations such as air spade, hydro vac when close to and within the TPZ of trees 12 and 13.

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- Tree Protection measures, monitoring and Certification all in accordance with AS4970 – 2009, Section 4 and Section 5.
- Council should inspect the condition and structural integrity to tree 12, going forward.
- Tree Protection measures, monitoring and Certification all in accordance with AS4970 – 2009, Section 4 and Section 5.
- The implementation and signing off, of Hold Points and Certification table as per below 8.1 Hold Points & Certification.

8.1 Hold Points & Certification

TIMING / SITE VISITS	PROCEDURE	AUTHORITY	CERTIFICATION	SIGNATURES
Hold Point 1 – Letter of Engagement	To provide the applicant and PCA with a Letter of Engagement for Arboricultural Services	Project Arborist to provide PCA	Letter of Engagement	AQF 5 Arborist: date Project Manager:
Hold Point 2 – Before ANY works and prior to a Construction Certificate	Retain and protect trees 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12 and 13.	Project Arborist to attend to view Tree Protection Fencing, mulch and signage has been installed and to sign off if compliant.	Certificate of Compliance for Certifier	AQF 5 Arborist: date Project Manager:
Hold Point 3 – Excavations	To monitor all excavations, within TPZ of all trees.	Project Arborist to attend	Certificate of findings if Compliance has been met or not, for Certifier	AQF 5 Arborist: date Project Manager:
Hold Point 4 – Periodically (Monthly)	Monitor maintenance to protection measures. TPZ/SRZ mulched and watered.	Project Arborist	Certificate of Compliance for Certifier if compliant or not.	AQF 5 Arborist: date Project Manager:
Hold Point 5 – Prior Occupation Certificate	To view condition of TPZ and condition of protected trees before OC.	Project Arborist	Certificate of Compliance for Certifier	AQF 5 Arborist: date Project Manager:

9. Conclusion

This report has focused on the proposed stormwater infrastructure within the Council reserve, that's associated with 73 Murray Farm Road, Carlingford, NSW, for a proposed Childcare facility to be built upon the subject site.

All thirteen (13) within Councils reserve and or neighbouring sites can be retained with minimal impacts to their ongoing viability. We have assessed all the trees within the reserve that may be impacted by stormwater infrastructure and assessment of their TPZs, with a recommendation to divert stormwater piping prior to trees 6 and 8, to ensure all the neighbours' trees and these two high significant trees can be maintained and proposed works are away from these trees growing environments.

Sydney Landscape Consultants, Stormwater Infrastructure Council reserve, Arboricultural Impact Assessment, 07/11/22

10. Appendices

10.1 Tree protection zones (TPZ)

The Tree Protection Zone (TPZ) is the principal means of protecting trees on development sites. The TPZ is a combination of the root area and crown area requiring protection. This is an area that is prohibited from any construction work. TPZs have been calculated for each tree (3) within this report. The TPZ for each tree has been formulated using calculations based on the Australian Standard, *Protection of trees on development sites, AS 4970 – 2009*

10.2 Structural Root Zone (SRZ)

The SRZ is a specified distance measured from the trunk that is set aside for the protection of the tree's structural roots. This zone is paramount for protection measures as is necessary for the stability of a tree. The SRZ is a radial measurement from the trunk. Roots within the SRZ are not to be touched. The SRZ have been calculated using the Australian Standard, *Protection of trees on development sites, AS 4970 – 2009*

10.3 SULE (Safe Useful Life Expectancy)

SULE categories (after Barrell, 2001)¹

SULE Category	Description
Long	Trees that appeared to be retainable at the time of assessment for more than 40 years with an acceptable level of risk.
1a	Structurally sound trees located in positions that can accommodate for future growth
1b	Trees that could be made suitable for retention in the long term by remedial tree care.
1c	Trees of special significance that would warrant extraordinary efforts to secure their long term retention.
Medium	Trees that appeared to be retainable at the time of assessment for 15-40 years with an acceptable level of risk.
2a	Trees that may only live for 15-40 years
2b	Trees that could live for more than 40 years but may be removed for safety or nuisance reasons
2c	Trees that could live for more than 40 years but may be removed to prevent interference with more suitable individuals or to provide for new planting.
2d	Trees that could be made suitable for retention in the medium term by remedial tree care.
Short	Trees that appeared to be retainable at the time of assessment for 5-15 years with an acceptable level of risk.
3a	Trees that may only live for another 5-15 years
3b	Trees that could live for more than 15 years but may be removed for safety or nuisance reasons.
3c	Trees that could live for more than 15 years but may be removed to prevent interference with more suitable individuals or to provide for a new planting.
3d	Trees that require substantial remedial tree care and are only suitable for retention in the short term.
Remove	Trees that should be removed within the next five years.
4a	Dead, dying, suppressed or declining trees.
4b	Dangerous trees because of instability or loss of adjacent trees
4c	Dangerous trees because of structural defects
4d	Damaged trees not safe to retain.
4e	Trees that could live for more than 5 years but may be removed to prevent interference with more suitable individuals or to provide for a new planting.
4f	Trees that are damaging or may cause damage to existing structures within 5 years.
Small	Small, or young trees that can be reliably moved or replaced.
5a	Small trees less than 5m in height.
5b	Young trees less than 15 years old but over 5m in height.

¹ (Barrell, J. (2001) "SULE: Its use and status into the new millennium" in *Management of mature trees*, Proceedings of the 4th NAAA Tree Management Seminar, NAAA, Sydney.

10.4 IACA Significance of a Tree Assessment Rating System (STARS)

Criteria for Assessment of Landscape Significance

1. High Significance in landscape

- The tree is in good condition and good vigour;
- The tree has a form typical for the species;
- The tree is a remnant or is a planted locally indigenous specimen and/or is rare or uncommon in the local area or of botanical interest or of substantial age;
- The tree is listed as a Heritage Item, Threatened Species or part of an endangered ecological community or listed on Councils significant Tree Register;
- The tree is visually prominent and visible from a considerable distance when viewed from most directions within the landscape due to its size and scale and makes a positive contribution to the local amenity;
- The tree supports social and cultural sentiments or spiritual associations, reflected by the broader population or community group or has commemorative values;
- The tree's growth is unrestricted by above and below ground influences, supporting its ability to reach dimensions typical for the taxa *in situ* - tree is appropriate to the site conditions.

2. Medium Significance in landscape

- The tree is in fair-good condition and good or low vigour;
- The tree has form typical or atypical of the species;
- The tree is a planted locally indigenous or a common species with its taxa commonly planted in the local area
- The tree is visible from surrounding properties, although not visually prominent as partially obstructed by other vegetation or buildings when viewed from the street,
- The tree provides a fair contribution to the visual character and amenity of the local area,
- The tree's growth is moderately restricted by above or below ground influences, reducing its ability to reach dimensions typical for the taxa *in situ*.

3. Low Significance in landscape

- The tree is in fair-poor condition and good or low vigour;
- The tree has form atypical of the species;
- The tree is not visible or is partly visible from surrounding properties as obstructed by other vegetation or buildings,
- The tree provides a minor contribution or has a negative impact on the visual character and amenity of the local area,
- The tree is a young specimen which may or may not have reached dimension to be protected by local Tree Preservation orders or similar protection mechanisms and can easily be replaced with a suitable specimen,
- The tree's growth is severely restricted by above or below ground influences, unlikely to reach dimensions typical for the taxa *in situ* - tree is inappropriate to the site conditions,
- The tree is listed as exempt under the provisions of the local Council Tree Preservation Order or similar protection mechanisms,
- The tree has a wound or defect that has potential to become structurally unsound.

Environmental Pest / Noxious Weed Species

- The tree is an Environmental Pest Species due to its invasiveness or poisonous/ allergenic properties,
- The tree is a declared noxious weed by legislation.


Hazardous/Irreversible Decline

- The tree is structurally unsound and/or unstable and is considered potentially dangerous,
- The tree is dead, or is in irreversible decline, or has the potential to fail or collapse in full or part in the immediate to short term.

The tree is to have a minimum of three (3) criteria in a category to be classified in that group.

		Significance				
		1. High	2. Medium	3. Low		
		Significance in Landscape	Significance in Landscape	Significance in Landscape	Environmental Pest / Noxious Weed Species	Hazardous / Irreversible Decline
Estimated Life Expectancy	1. Long >40 years					
	2. Medium 15-40 Years					
	3. Short <1-15 Years					
	Dead					

Legend for Matrix Assessment



	<p>Priority for Retention (High) - These trees are considered important for retention and should be retained and protected. Design modification or re-location of building/s should be considered to accommodate the setbacks as prescribed by the Australian Standard AS4970 <i>Protection of trees on development sites</i>. Tree sensitive construction measures must be implemented e.g. pier and beam etc if works are to proceed within the Tree Protection Zone.</p>
	<p>Consider for Retention (Medium) - These trees may be retained and protected. These are considered less critical; however their retention should remain priority with removal considered only if adversely affecting the proposed building/works and all other alternatives have been considered and exhausted.</p>
	<p>Consider for Removal (Low) - These trees are not considered important for retention, nor require special works or design modification to be implemented for their retention.</p>
	<p>Priority for Removal - These trees are considered hazardous, or in irreversible decline, or weeds and should be removed irrespective of development.</p>

11. Bibliography

Arboriculture, Fourth Edition, Integrated Management of Landscape Trees, Shrubs, and Vines/ Richard W. Harris, James R. Clark, Nelda P. Matheny/ 2004/ Prentice Hall.

Australian Standard *Protection of trees on development sites*, AS 4970 - 2009/ Standards Australia/ 2009.

Australian Standard *Pruning of amenity trees*, AS 4373 – 2007/ Standards Australia/ 2007.

DICTIONARY FOR MANAGING TREES in URBAN ENVIRONMENTS/ Danny B Draper and Peter A Richards/ 2009/ CSIRO Publishing.

http://www.treetec.net.au/TPZ_SRZ_DBH_calculator.php

Tree Management as per City of Parramatta Tree Management Policy, 5.4 Preservation of Trees or Vegetation - <https://www.cityofparramatta.nsw.gov.au/living/trees>

Regards



Craig Kenworthy

Registered Horticulturist (RH) – Australian Institute of Horticulture - #121, 2022

Registered Consulting Arborist – Tier 1# 2623, Arboriculture Australia – AA - 2022

Member of International Society of Arboriculture – ISA - 2022

Accredited Member of IACA – Institute of Australian Consulting Arboriculturists – 2022, #0602018

TRAQ – Tree Risk Assessment Qualification - 2022

AQF Level 8 – Bushfire Protection

AQF Level 5 - Arboriculture

AQF Level 5 – Landscape Design

AQF Level 5 – Horticulture

AQF Level 4 – Workplace Training and Assessment

AQF Level 3 – Landscape Construction, NSW

End of document



TRAFFIC AND PARKING ASSESSMENT

Proposed Child Care Centre

73 Murray Farm Road

CARLINGFORD

DECEMBER 2022

Client: Mark Glanville

TRAFFIC AND PARKING ASSESSMENT
73 MURRAY FARM ROAD CARLINGFORD



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TRAFFIC AND PARKING ASSESSMENT
73 MURRAY FARM ROAD CARLINGFORD



1. Introduction

Wongala Consulting Engineers was engaged by Mark Glanville to carry out a traffic and parking assessment to support a development application for a proposed child care centre located at 73 Murray Farm Road, Carlingford that is to be submitted to Parramatta City Council.

The subject property at 73 Murray Farm Road, Carlingford fronts a local road (Murray Farm Road) which provides access to other neighbouring properties in the street, whilst adjoining Murray Farm Road Reserve to the north and east. This report assesses the traffic and parking implications of the proposed development at the subject property. The report will also determine whether the parking areas comply with Australian Standards. Reference shall be made to the *NSW Department of Planning and Environment Child Care Planning Guideline 2021*, the *RTA Guide to Traffic Generating Developments 2002*, and *AS2890.1:2004 Parking – Off Street Car Parking*.

2. Location and Land Use

Currently, the existing site consists of a residential dwelling. The subject property is zoned R2 Low Density Residential with singular residential dwellings and Murray Farm Road Reserve surrounding the site. Figure 1 presents an aerial of the proposed development site.



Figure 1: Aerial Photo of Subject Site (Nearmap)

3. Proposed Development

The proposed development seeks to demolish all existing structures and construct a child care centre that will cater for up to 65 children, with basement parking beneath the child care centre.

Table 1: Number of Children

Age	No. of Children
0 – 2 year olds	16
2 – 3 year olds	25
3+ year olds	24

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4. Car Parking Demands

Reference is made to *NSW Department of Planning and Environment Child Care Planning Guideline 2021, (as adopted 1 October 2021)* which provides parking rates for child care centres throughout the state of New South Wales:

Parking rates for sites that are further than 400m from a railway or Metro station within Greater Sydney are as follows:

- 1 space per 4 children

It is noteworthy that the Guideline states that there is an opportunity for reduction in car parking rates if the site is co-located or in proximity to other uses where parking is appropriately provided (for examples business centres, schools, public open space, public or commercially operated car parks).

The following table summarises the parking requirement and the provision that the development is proposing:

Table 2: Parking Rates

Requirement	Parking Rate	Number of	Spaces Required	Spaces Provided
Children	1 space per 4 children	65	16	16

Based on the proposed land use, the minimum required parking spaces for the development is 16 car spaces. The proposed development will provide 16 car spaces. It is also noteworthy that the proposed child care centre is directly adjacent to Murray Farm Reserve, which provides a possible 16 car spaces at 71 Murray Farm Road, with a further 26 parking spaces adjacent to the sporting fields. Section 5 of this report presents parking surveys that were undertaken during the expected peak period of 7am – 8am, 4pm – 5pm on a weekday, highlighting the availability of parking spaces adjacent to the proposed child care centre, that can be utilised for the proposed childcare centre. In accordance with the *NSW Department of Planning and Environment Child Care Planning Guideline 2021, (as adopted 1 October 2021)*, the proximity of parking spaces to other uses where parking is appropriately should be considered when determining the adequacy of parking spaces within a proposed childcare centre. The proposed provision of 16 car spaces within the basement of the proposed child care centre is deemed to be suitable and in line with the *NSW Department of Planning and Environment Child Care Planning Guideline 2021, (as adopted 1 October 2021)*.

5. Surrounding Parking Provision

A Council owned car park (Murray Farm Reserve) is located adjacent to the subject site. The Council car park consists of 16 car spaces free for the public to use. There is no limit on time that a vehicle can utilise the available parking spaces.

In order to understand the existing demand of the Council owned car park, surveys were undertaken during the expected peak demand on the proposed child care centre between the hours of 8am – 7am, 4pm – 5pm on Thursday 20th September 2022. A summary of the available car spaces for general use in Council's car park at 15 minute intervals are presented in Table 3 below:

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Table 3: Available Car Spaces in Council's Car Park (During Expected Peak Hour Periods)

Time	Thursday 07/07/2022
8:00am	14
8:15am	13
8:30am	9
8:45am	10
9:00am	9
4:00pm	12
4:15pm	11
4:30pm	9
4:45pm	10
5:00pm	12

The parking demand surveys reveal that there is a minimum of 9 available public parking spaces within walking distance of the site during expected peak periods of the proposed child care centre. Therefore, it is deemed that there is ample car parking adjacent to the site.

6. Servicing Facilities

A small van would be expected to infrequently attend to the site to drop off supplies needed for the operation of the childcare centre. It is anticipated that all deliveries to the centre would be assumed to be outside the peak drop off/pick up times (7:00am – 9:00am, 4:00pm – 6:00pm). A small van would be able to utilise the plentiful supply of visitor car spaces in the basement in order to make deliveries to the child care centre. The deliveries would be anticipated to be infrequent and would be managed under a plan of management that would be created for the child care centre.

Anticipated private waste collection services would be conducted on Murray Farm Road, utilising the kerb directly out the front of the site. This would match the current arrangement that is used for the existing dwelling house.

7. Surrounding Road Network

7.1 Murray Farm Road

Murray Farm Road is a local road with one lane of traffic (separated) permissible each way. The speed limit is signposted as 50km/hr with unrestricted parking permissible on both sides of the road.

8. Traffic Generation

Reference is made to *RTA Guide to Traffic Generating Developments 2002* which provides expected traffic rates that will be generated from a long-day care centre:

- 0.8 peak vehicle trips/child (7am – 9am)
- 0.7 peak vehicle trips/child (4pm – 6pm)

Based on the proposed maximum care of 65 children, the proposed development is expected to generate 52 peak vehicle trips in the morning (26 vehicles entering the premises, 26 vehicles exiting the premises) and 46 peak vehicle trips in the afternoon (23 vehicles entering the premises, 23 vehicles exiting the premises).

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Vehicles travelling from all directions are expected to utilise Murray Farm Road, from the east to enter the basement. For vehicles exiting the site, vehicles will most likely turn left out of the basement to re-enter Murray Farm Road to travel in all directions. A select few may choose to turn right onto Murray Farm Road Avenue to head west towards local streets/residential properties that are located west of the subject site.

The development may result in a minor increase in peak hour flows along Murray Farm Road, however it is deemed that the additional traffic movements will not hinder the traffic flows of Murray Farm Road with sufficient capacity currently available. The peak vehicle trips discussed above do not account for shared trips for siblings that are enrolled in Murray Farm Public School which is located 185m south of the site. These vehicles would be deemed to existing trips in the locality, travelling to the child care centre as part of their existing journeys to Murray Farm Public School, and therefore the expected peak trips are deemed to be overly conservative. The increase in traffic flow in the locality are mostly deemed to be pre-existing diverted trips with residual new trips not hindering the capacity of the local road network and therefore the traffic demands of the proposed development are deemed to have a minor impact and deemed acceptable.

9. Public Transport Opportunities

The subject site offers accessibility to public transport. The site is located within walking distance (450m) to a bus stop on Oakes Road which is serviced by Bus Route 553, providing direct access to other parts of Carlingford, Beecroft, North Rocks and West Pennant Hills. Bus connections to Beecroft Train Station provides access to the T1 Northern Rail Line allowing access to Hornsby, Pennant Hills, Epping, Strathfield and other suburbs that are serviced by a train station within Greater Sydney. Additionally, Bus Route 553 provides access to Oaks Road Bus Stop on the M2 Motorway, which provides direct access to Sydney CBD, Castle Hill, Macquarie Park, Blacktown, North Sydney, Bella Vista.

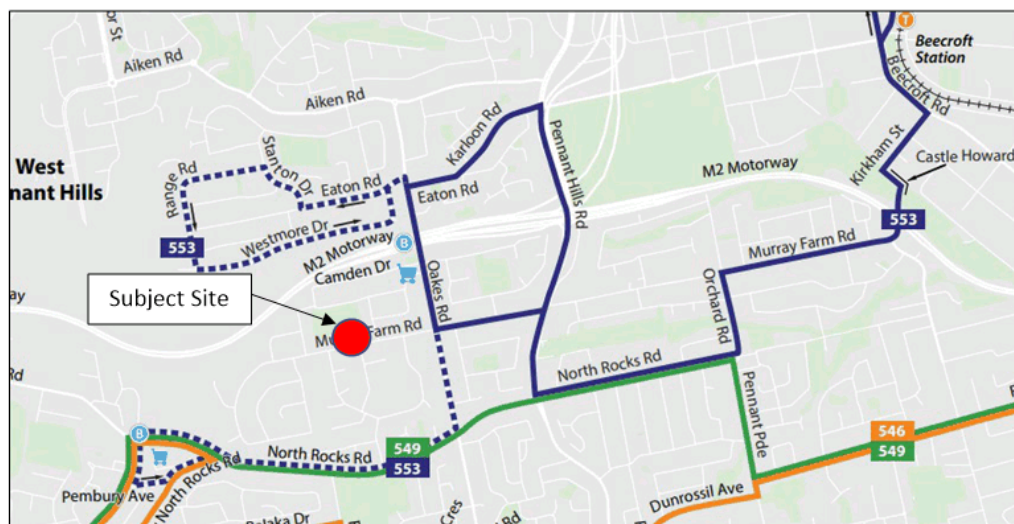


Figure 2: Local Bus Services (Busways)

It is concluded that the site is accessible to public transport services within the area

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10. Impact of Development Proposal

The proposed development will not pose an impact to the local traffic. Murray Farm Road will comfortably be able to absorb the additional 26 vehicles expected to visit the site during peak periods. It can also be deduced that residents in the surrounding streets would utilise the proposed child care centre, without needing to utilise private transportation. There are expected to be shared trips for siblings that are enrolled at the nearby Murray Farm Public School which are deemed to be existing journeys and therefore not increasing traffic in the area. The current traffic flows in the area are deemed to be free flowing with spare capacity ensuring there is no queuing of traffic. Murray Farm Road and surrounding streets will be able to comfortably take on the low increase in vehicular movements and the proposed use will not unfavourably impact the flow of traffic.

Additionally, the site is serviced by public transport services, thereby reducing the need for staff members to utilise private vehicles. There is good footpath connectivity to the site from other parts of Carlingford, thereby reducing the need for parents to drop their children off in a private vehicle and instead have the ability and option to walk to the site. There will be no impact to on-street parking on Murray Farm Road, as the proposal provides sufficient car parking spaces in the basement, with the option to utilise the parking spaces for Murray Farm Reserve as an overflow.

10. Compliance with AS2890

10.1 Access to Parking Areas

Access to the parking areas is proposed via a 5.5m wide (at the property boundary) access ramp that provides access from Murray Farm Road into the basement that houses 16 car spaces. The access ramp maintains a minimum 5.5m width throughout until reaching the basement floor. Therefore, it is deemed that the width of the proposed access ramp into the parking area complies with AS2890.1. The proposed access ramp possesses the following characteristics:

- 5% for the initial 6 metres of the ramp
- 12.5% gradient for a length of 2 metres
- 25% gradient for a length of 11.61 metres
- 12.5% gradient for a length of 2 metres

All gradients and transition length comply with AS2890.1.

10.2 Parking Spaces

As per Table 1.1 of AS2890.1, the User Class of the proposed visitor car spaces are deemed to be 3 (short term visitor parking). The minimum requirements for the 90 degree parking areas as stipulated by AS2890 are as follows:

- 90 degree parking spaces are to be a minimum 2.6m wide and 5.4m in length
- Aisle width is to be a minimum 5.8m wide
- Accessible parking spaces are to be a minimum 2.4m wide and 5.4m in length with an adjacent shared zone with identical measurements provided
- Car Spaces adjacent to walls or high vertical obstructions are to be increased in width by 300mm
- Blind aisle extension of 1m to be provided



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The parking area proposed for visitors for 73 Murray Farm Road, Carlingford possesses the following characteristics:

- Parking spaces for visitors are a minimum 2.6m wide x 5.4m in length
- An aisle width of 7m has been provided
- All car spaces allow for vehicles to enter and exit the property in a forward direction (see below for swept path analysis of a B99 vehicle utilising selected car spaces)
- Car Spaces adjacent to high vertical obstructions have been increased in width by 300mm
- An accessible car space has been provided in close proximity to the entrance of the child care centre, with minimum dimensions of 2.4m x 5.4m in length with an adjacent shared zone with identical measurements
- Blind aisle extension of 1m has been provided

As per Table 1.1 of AS2890.1, the User Class of the proposed staff car spaces are deemed to be 1A (employee parking). The minimum requirements for the 90 degree parking areas as stipulated by AS2890 are as follows:

- 90 degree parking spaces are to be a minimum 2.4m wide and 5.4m in length
- Aisle width is to be a minimum 5.8m wide
- Car Spaces adjacent to walls or high vertical obstructions are to be increased in width by 300mm
- Blind aisle extension of 1m to be provided

The parking area proposed for staff for 73 Murray Farm Road, Carlingford possesses the following characteristics:

- Parking spaces for staff are a minimum 2.4m wide x 5.4m in length
- An aisle width of 7m has been provided
- All car spaces allow for vehicles to enter and exit the property in a forward direction (see below for swept path analysis of a B99 vehicle utilising selected car spaces)
- Blind aisle extension of 1m has been provided
- Car Spaces adjacent to high vertical obstructions have been increased in width by 300mm

10.3 Swept Path Analysis

Swept path analysis has been undertaken utilising a B99 vehicle template, as set by AS2890.1, to ensure that vehicle movements in the parking areas will be acceptable. Four car spaces have been selected, ensuring that a forward in and forward out manoeuvre out of the parking areas is possible. The following swept paths have been provided, to showcase that movements into and out of car spaces in the parking areas are acceptable and to provide sufficient justification that the parking areas comply with AS2890.1:

- B99 vehicle entering and exiting Car Space 1
- B99 vehicle entering and exiting the accessible car space
- B99 vehicle entering and exiting Car Space 11
- B99 vehicle entering and exiting Car Space 13

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73 MURRAY FARM ROAD CARLINGFORD

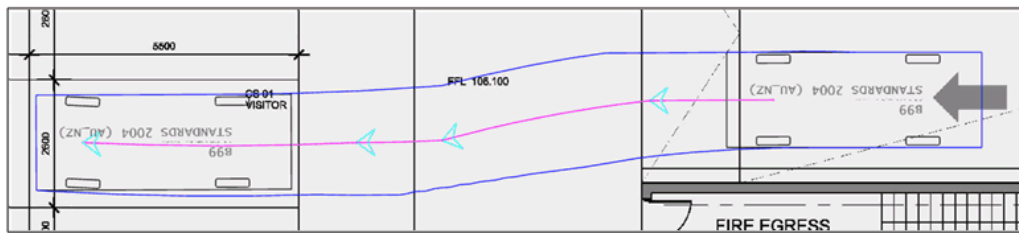


Figure 3: B99 Vehicle entry into Car Space 1

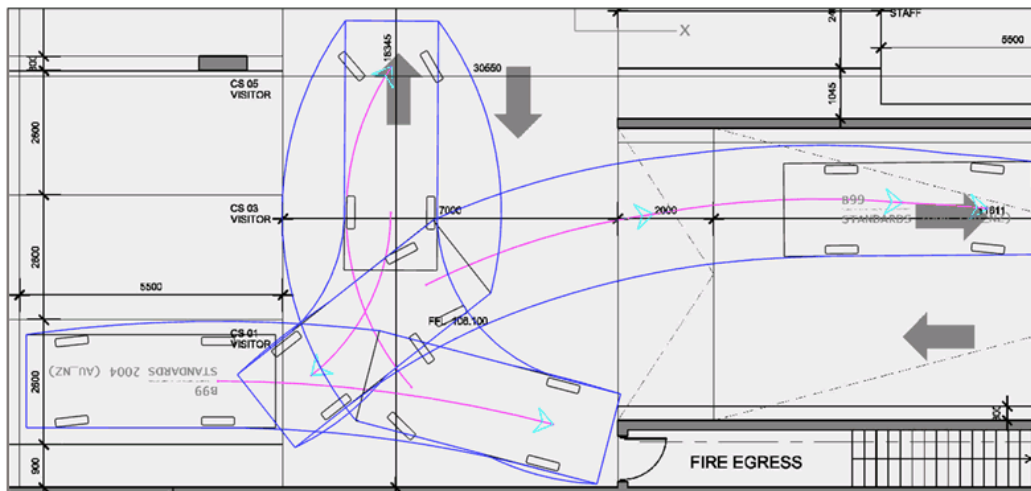


Figure 4: B99 Exit out of Car Space 1

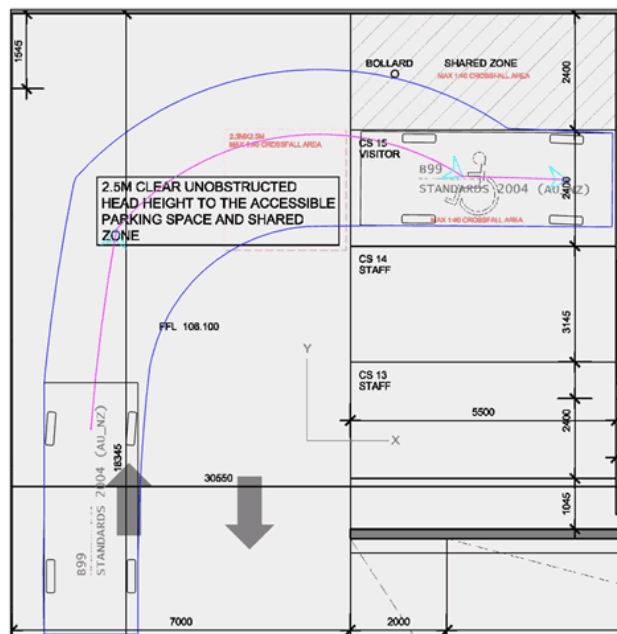


Figure 5: B99 Entry into Accessible Car Space

TRAFFIC AND PARKING ASSESSMENT
73 MURRAY FARM ROAD CARLINGFORD

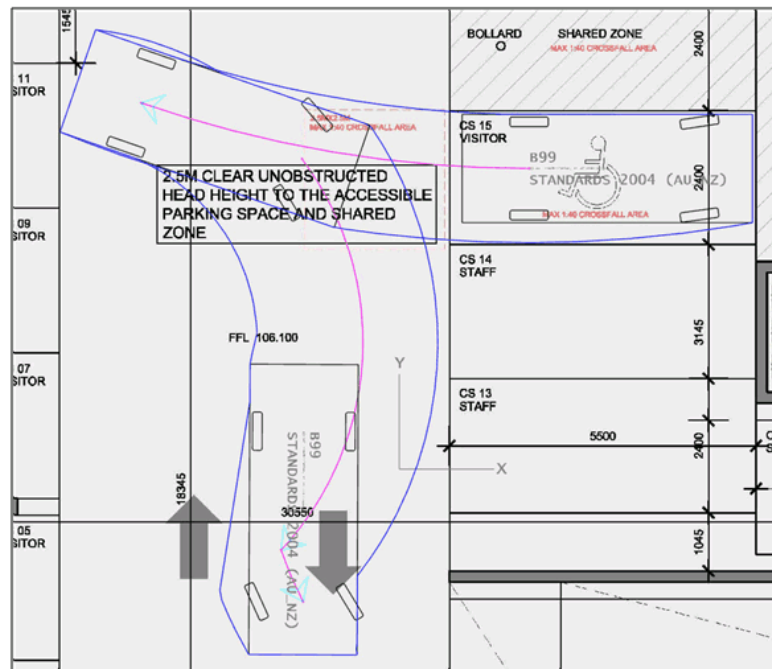


Figure 6: B99 Exit out of Accessible Car Space

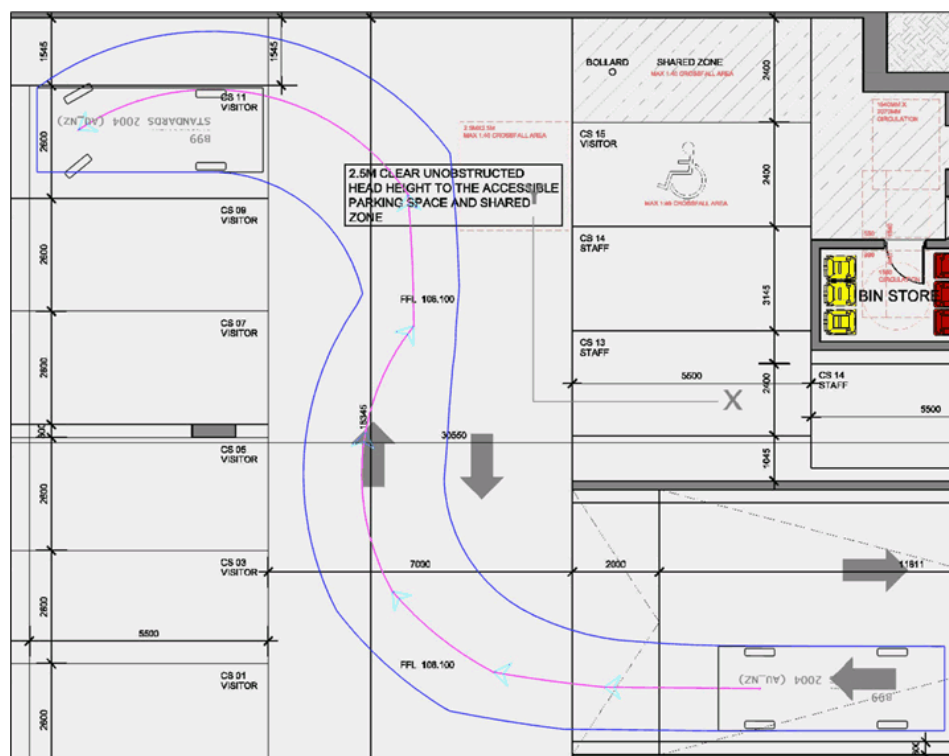


Figure 7: B99 Vehicle Entry into Car Space 11

TRAFFIC AND PARKING ASSESSMENT
73 MURRAY FARM ROAD CARLINGFORD

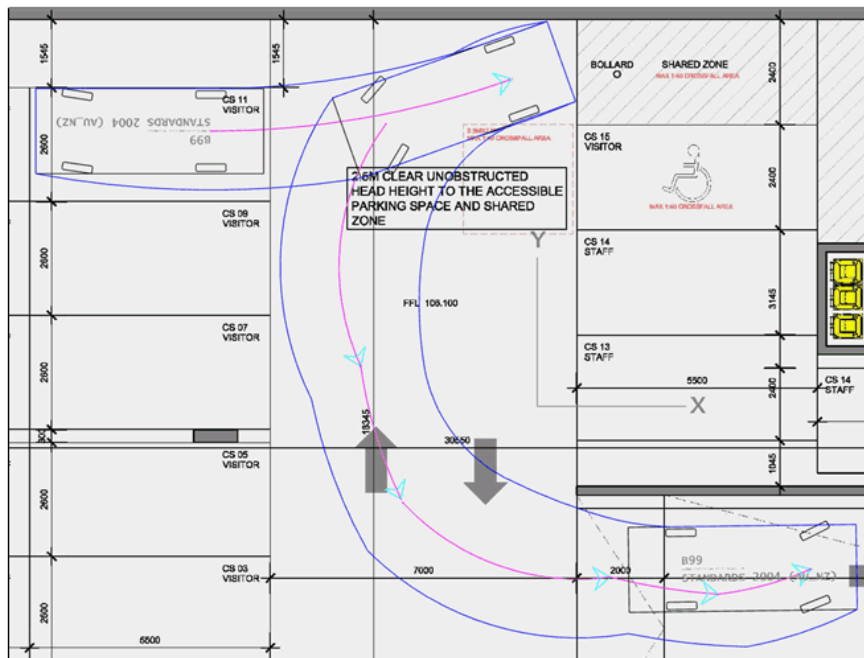


Figure 8: B99 Vehicle Exit out of Car Space 11

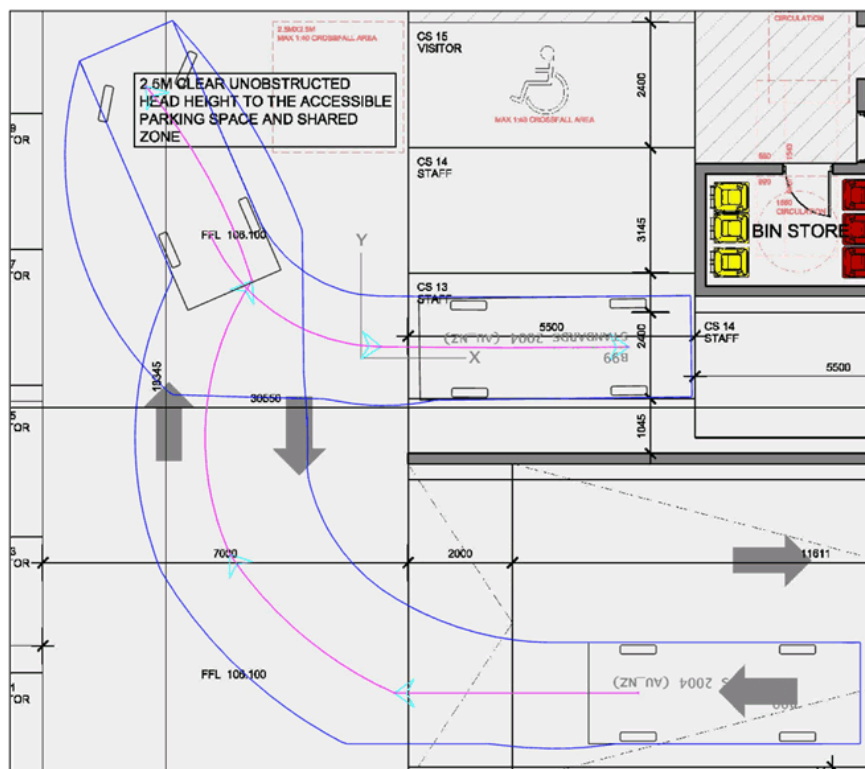


Figure 9: B99 Vehicle Entry into Car Space 13

TRAFFIC AND PARKING ASSESSMENT
73 MURRAY FARM ROAD CARLINGFORD

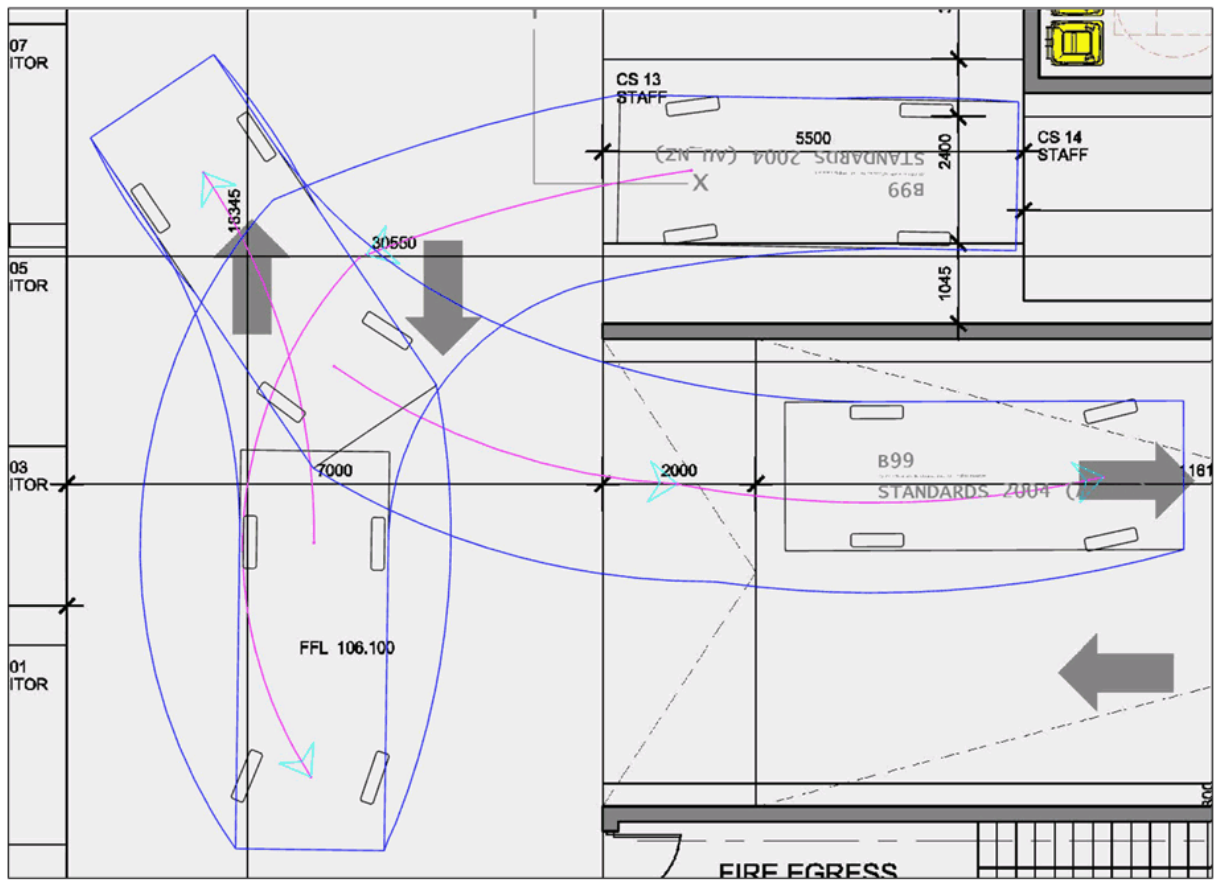


Figure 10: B99 Vehicle Exit out of Car Space 13

11. Sight Distance

Section 3.2.4 of AS2890.1 provides requirements on sight distances for vehicles. Section 3.2.4 aims to ensure that access driveways are located and constructed so that there is adequate sight distance for vehicles entering a frontage road from within a property boundary ensuring that pedestrians and vehicles already present on the frontage road are able to be clearly seen.

Figure 3.2 of AS2890.1 states the minimum sight distance for the subject site is 45m based on the speed limit of 50km/hr. Minimum sight distance on both sides will be met on Murray Farm Road, with no permanent obstructions limiting sight distances.

Referring to Figure 3.3 of AS2890.1, the minimum sight lines for pedestrian safety will be met on Murray Farm Road with no obstructions to visibility proposed in the required sight triangles.

TRAFFIC AND PARKING ASSESSMENT
73 MURRAY FARM ROAD CARLINGFORD



12. Conclusion

A traffic and parking assessment has been undertaken to support a proposed child care centre located at 73 Murray Farm Road, Carlingford. Reference has been made to *NSW Department of Planning and Environment Child Care Planning Guideline 2021*, the *RTA Guide to Traffic Generating Developments 2002* and *AS2890.1:2004 Parking – Off Street Car Parking*. The traffic and parking assessment has concluded that the proposed development will pose no impact to the local area regarding parking and traffic, with an adequate provision of parking spaces, and that all parking areas comply with Australian Standards. Therefore, the proposal can be supported by Parramatta City Council from a traffic perspective.

Plan of Management:

Childcare Centre



**Subject Site: 73 Murray Farm Rd,
Carlingford**

PREPARED ON BEHALF OF:

Wongala Consultants

Revision No.1

Date: 2 February 2023

Prepared by:



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Disclaimer

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INTRODUCTION

B&M Town Planning Services has been retained to prepare a Plan of Management for the proposed Centre Based Child Care Facility ("Child Care Centre") at 73 Murray Farm, Carlingford.

Purpose

The primarily purpose of the Plan of Management is to establish the day-to-day operations and management procedures under which the childcare centre will operate to ensure the safety of the children on the premises and that the operation maintains a high level of amenity for neighbouring properties. The Plan of Management has been informed by the advice from various consultants on the operation of the centre.

Its objectives are to:

- a) To detail the nature of the operation so as to ensure compliance with Council approvals.
- b) To minimise disturbance to neighbours.
- c) To provide a procedure to receive and resolve complaints.
- d) To maintain the internal and external appearance and cleanliness of the premises.
- e) To ensure a person is readily contactable to assist in the ongoing implementation of this Management Plan.
- f) To ensure the use of the premises will be controlled by the Management Plan, and that the Management Plan is enforceable.
- g) To ensure that the premises will be operated in strict accordance with the conditions of development consent.
- h) To make provision for this plan to be amended from time to time to facilitate an improvement operation for the children cared for in the centre and for the amenity of the neighbourhood.

THE SITE AND THE CHILD CARE CENTRE

The site of the proposed child care centre is:

Lot 5, DP 542112 at 73 Murray Farm Rd, Carlingford, 2118.

Child Care Centre Operation Details

The childcare centre will operate with the following hours of operation for 52 weeks per year:

- Monday to Friday: 7am to 6pm
- Saturday to Sunday and Public Holidays: Closed

The centre has been designed to cater to a maximum of 65 children with the following age ratio:

- 16 x 0-2 years
- 25 x 2-3 years
- 24 x 3-6 years

The following schedule details the play rooms, maximum occupancy and staff numbers:

Play Room	Age	Number of Children	Staff to Child Ratio	Staff
1	0-2 years	16	1:4	4
2	2-3 years	25	1:5	5
3	3-6 years	24	1:10	3

The educator to child ratio is in accordance with the Education and Care Services National Regulations 2011. At maximum operation, the maximum number of educators to monitor the children is 12.

The centre is designed with indoor and outdoor play areas for the children to experience, learn and enjoy. The areas have been designed to comply with the National Regulations requirements.

The following schedule details the indoor and outdoor play area are noted within the S.E.E. The child care centre provides for a total of 16 on-site car parking spaces within the basement and adjacent to the basement entry ramp with the following allocation:

- 9 x staff car parking spaces
- 7 x visitor car parking spaces

Centre Facilities

The child care centre has been designed with a clear objective to maximise accessibility between indoor and outdoor areas. Each indoor play room sits adjacent

to an outdoor play area with step-free glass sliding doors provided to allow easy transition between the indoor and outdoor areas, whether at the ground floor on the first floor. The openings are wide for ease of use and minimal conflict, but also to facilitate supervision from multiple viewpoints to minimise blind spots.

Glazing between indoor corridors and play areas is also proposed to facilitate further casual surveillance opportunities.

All required facilities to care for the children in the centre are provided and have been designed to meet relevant legislative requirements. Cot rooms, toilets, nappy change and bottle preparation facilities are positioned adjacent to or around the perimeter of the indoor classrooms for the convenience of children and educators.

The centre also provides for a kitchen, laundry, staff room and office area. All areas where access is restricted for children will be lockable.

The entry foyer has been sized to cater for multiple parents arriving for drop-off/pick-up simultaneously.

The outdoor areas have been designed to maximise learning opportunities while maintaining a safe environment. Further, the outdoor areas have been designed with shading and weather protected areas to enable children to still play outdoor during warmer days and those with mild inclement weather, so the children are not completely restricted to indoor spaces in times of such weather. All outdoor play time will require a sun hat to be worn. Sunscreen will be applied as necessary throughout the day.

Lockable storage areas will ensure the safe storage of equipment at the end of the day and during periods of non-use. The storage areas are integrated into the centre building to not obstruct supervision of the outdoor areas.

Centre Schedule and Play Policy

An indicative daily routine is detailed below. The specifics and times will be updated as required to maximise the healthiness and happiness of the children on balance with the amenity impact to the neighbourhood.

The specifics of the schedule will also differ between age groups to meet their needs.

Time	Activity
7:00am – 9:00am	Centre opens, children arrive. Breakfast is served. General indoor activities which may include parents.
9:00am – 9:30am	Morning tea is served while a reading or group game occurs.
9:30am – 11:30am	Indoor and outdoor learning activities, both free play and group experiences.
11:30am – 12:00pm	Lunch time.
12:30am – 2:30pm	Rest or quiet activity time.
2:30pm – 3:00pm	Afternoon tea time.
3:00pm – 6:00pm	Indoor and outdoor learning activities, both free play and group experiences. A late snack is provided.
6:00pm	Centre closes.

The design of the outdoor play areas has been to integrate numerous learning opportunities within a fun and safe environment.

All indoor and outdoor play times will encourage socialising amongst children or solo play as appropriate for the child's mood and the activity type.

Staff will respond to the children with warmth and patience to create a trusting environment for children to grow in.

The dignity and rights of all children, family and staff will be maintained at all times. Children will be supported to manage their own behaviour and how to effectively communicate. All conflicts will be collaboratively resolved in a professional manner.

OPERATION OF THE PREMISES

The following details the operation of the premises that must be abided by to achieve the objectives of the Plan of Management.

Site Management

It is the responsibility of the assigned supervisor to oversee the implementation of this Plan of Management as well as the conditions of development consent as granted by Council.

Staff

The staff of the child care centre will be employed based on their experience, knowledge and appropriate qualifications within the industry. All staff will be briefed upon their employment with the centre on the requirements of the operation within this Plan of Management. Staff will be available to answer questions of parents during the enrolment process, orientation and beyond.

Parents

Family involvement is encouraged to allow the fostering of trust and strong relationships with the staff caring for their children.

Families are encouraged to ask questions so they can feel comfortable and have peace of mind leaving their children in the centre.

Car and Bicycle Parking and the Basement Operation

A total of 16 car spaces are proposed on the site with 16 car spaces within the basement with 1 accessible car space provided.

A total of 9 x staff spaces and 7x visitor car spaces. All car spaces will be signposted and line-marked per their approved allocation between staff and parent spaces.

The centre will inform parents of the car parking arrangements upon their first visit and reminded through other communication avenues such as emails, newsletters and the centre's website. All parents will be instructed not to use the available car parking within the basement and not to park on the street.

Parents will also be encouraged to walk to the centre where possible.

All bicycle users will be instructed to dismount their bicycle within the basement and store their bicycle in the designated bicycle parking area.

Deliveries

All deliveries to the child care centre will be programmed to occur outside of peak parent drop-off/pick-up hours. The drivers will be instructed to use a car space within the basement for the duration of the delivery and not to park on the street.

All visitors, including delivery drivers, will be required to sign-in on entry into the premises.

Cleaning and Maintenance

The child care centre will be cleaned and maintained to a high standard at all times, internally and externally. All procedures must be in accordance with relevant legislation including the Education and Care Services National Regulations 2011.

A private contractor will be engaged to regularly undertake comprehensive cleaning of the centre.

Staff of the centre will also be responsible for day-to-day general cleaning to ensure the children are cared for in a safe, clean environment.

The centre will have a designated Workplace, Health and Safety representative who maintains a schedule of required maintenance. The maintenance will be routinely undertaken by contractors as required.

All maintenance persons will be instructed to park within the basement and arrive outside of peak hours, unless the nature of the maintenance is an emergency. All maintenance persons will be required to sign-in to the centre.

Contact information for contractors must be kept easily available in case of need for emergency maintenance.

Contractor gardeners be engaged to regularly maintain the landscaped areas in the front garden and in the children's outdoor play area.

Safety and Security

The centre is a purpose-built facility designed with a high level of security to ensure the safety of all staff and children.

All access to the premises is restricted to two entries:

- The ground level entry off Stuart Street which has a dedicated footpath leading into the entry foyer/reception area.
- The lift from the basement car parking.

Monitors at the reception area ensure that visitors are screened before access is permitted. All visitors, including the parent dropping off a child, will be signed into a register. For extra security, CCTV will be installed at the front entrance, within the car park, basement lift area and reception area.

The basement car parking area will have a dedicated pedestrian pathway to direct foot traffic safely around the vehicle manoeuvring areas. The pathway will be line marked and signage will be installed for children to hold the hand of their parent.

All parents and staff will be inducted on the parking and pedestrian pathways and access arrangements upon enrolment and employment.

Noise Reduction Measures

The centre has been designed in recognition of the residential area in which it resides in.

A Noise Impact Assessment was prepared for development application. The report included recommendations on how the centre is to operate to ensure the noise criteria are met. This includes the following:

- During loud vocal activities internally within the childcare centre, all windows and doors shall be closed
- Outdoor play is to be limited to 2hrs in the morning and 2hrs in the afternoon
- External windows are to be minimum 6.38mm glazing with acoustic seals
- Signage in the parking areas advising parents and their children to enter the building quickly/quietly and to be respectful of neighbours
- Speed limit in the basement car park to be limited to 10km/hr (i.e. signposted speed limit to be displayed in the basement in a clearly visible location)

In addition to the above, the following measures of good practice will be adopted:

- Signage will be erected at the entrance and exit of the centre to remind families, children, staff and visitors to minimise noise while outside. The signs are to be in visual and written forms to ensure eligibility for those of all ages, reading abilities and language limitations.
- Parents are not to arrive prior to 7:00am when the centre opens.
- All parents are to keep noise to a minimum when dropping off/collecting
- Visitors to the site are to ensure that they do not gather near residential properties and are to be considerate of all surrounding properties when arriving/departing
- No slamming of doors on the premises nor of private vehicles
- Vehicles are not to idle outside the premises
- All out of hours cleaning and maintenance is not to occur between 10:00pm and 7:00am.

- All staff will be given appropriate training on how to care for upset children and to take them inside.
- No music systems/speakers are to be used outside.

A complaint handling system will be implemented which records all complaints received regarding noise. A phone number shall be clearly visible at the entry point of the premises, so that any complaints can be heard and noted. All complaints are to be investigated, with a summary of the results to be provided. Any required remedial actions shall be put into place. A log of all complaints and how they were dealt with shall be easily accessible to interested parties/statutory authorities upon request

Waste Management

The child care centre includes a dedicated garbage storage room. The room is accessible from within the basement and will be locked to prevent authorised access.

Staff from the child care centre will manage internal waste using bins placed throughout the internal rooms. At the end of each day, the waste is to be transferred to the bin storage area where necessary ensuring recyclables and general waste are separated and placed in their appropriate bins.

The centre will be serviced by private waste contractors. Staff will be responsible for taking out and returning bins on collection days. Waste will be collected on an as needed basis. Staff will wheel the bins out to Murray Farm Road on the designated bin collection days. Once the bins have been collected, the bins will be wheeled back into the bin storage area.

A contractor will be engaged to collect and dispose of all sanitary items.

A document shredder will be kept on the premises in the office area to destroy all private and confidential information as necessary.

Any green waste that is created through maintenance of gardens and soft landscaping areas will be collected and removed by a contractor hired by the child care centre to undertake garden maintenance.

Fire Safety

The child care centre will comply with essential fire safety measures outlined in the Environmental Planning and Assessment Regulation 2000, including but not limited the following:

- An annual fire safety statement is to be obtained and a copy is to be displayed prominently in the child care centre entry area.
- An evacuation plan detailing the emergency egress route is to be fitted to all indoor play areas and the entry foyer.
- The centre's supervisor and staff are to be trained in relation to the operation of the evacuation plan, including casual/relief staff members.

- Each indoor play area, the staff room, office, and kitchen are to be fitted with hard wired smoke detectors.
- Fire extinguishers, fire blankets and other emergency equipment must be kept in the kitchen, foyer and indoor play rooms.

The building will be equipped with various signage such as:

- NO-SMOKING within the premises.
- DO NOT Disconnect Smoke Detectors.

A regular (Electronic Smoke and Heat Detector Back to Base) inspection contract will be entered into and maintained.

A rehearsal evacuation drill is to be conducted each month. All persons present in the centre must participate and the outcomes are to be documented and evaluated. Any improvements that can be made to the process are to be adopted. Parents are to be notified after a drill has occurred.

In the event of a fire, the fire alarm will sound. The supervisor is to instruct the staff to gather and escort children out of the centre to the designed evacuation point and contact 000. They will also be required to conduct a final check of the building to ensure all children have been escorted to the evacuation point.

It is the duty of the staff to guide and help children to the evacuation point. A register of all children present in the centre will be kept on hand to check and confirm all children have been evacuated.

Review of Plan of Management

The Management Plan is to be reviewed on an annual basis. The operator is responsible for the annual review process and amending the Management Plan as needed.

Any modification to the Plan of Management must remain consistent with the development consent. Any amended Plan of Management must be distributed to Council.

Once amended, the operator must ensure that all staff receive the updated version of the Management Plan and are informed of the changes.

MANAGING AND RESOLVING COMPLAINTS

The child care centre encourages active participation from the community in the ongoing operation of the business. A Complaint Management System will be developed to support a positive relationship between the centre and its surrounding community.

Complaints Procedure

The nominated supervisor will be available, either in person or by phone, during business hours to deal with any complaints as to the operation and management of the premises. Contact numbers will be provided to parents, made available on the website and within the foyer of the centre.

Where practicable, the complaint will be resolved at first contact.

All complaints are encouraged to be put into writing to the email address of the centre or by completing a complaint form.

The supervisor is responsible for recording all complaints, whether by neighbours or parents of children of the centre, in a Complaints Register.

In receiving a complaint, the supervisor is to adhere to the following guidelines: -

- When taking a telephone call or a personal visit, ensure that you remain polite, and the visitor or enquirer is given every reasonable assistance.
- If the comment/complaint is about a problem that is actionable immediately, appropriate action is to be taken to alleviate the problem immediately and the details are to be recorded in the Complaints Register of the action taken.
- If the problem is not actionable immediately, the complainant is to be contacted and informed of what action is proposed to resolve the issue and a time frame provided – again such action is to be recorded in the Complaints Register.
- Once all actions are completed, final details are to be recorded in the complaints Register.

Complaints about noise will be attended to immediately. The supervisor will rectify the situation immediately and take all reasonable steps to prevent future occurrences. The supervisor will follow up by contacting the individual who made the complaint about noise to verify that the problem has been resolved.

A copy of a Complaint Register form can be found under Appendix A and is to comprise the following details:

- Complaint date and time;
- Name of person/police/council officer making the complaint;
- Contact details;
- Nature of the complaint;
- Action taken (by whom and when); and,
- Outcome and/or further action required.

The Complaint Register must be updated within 24 hours of a complaint being made. All complaints will be addressed by management within 24 hours of notification.

The Complaints Register will be made available for inspection by the Police and/or

Council upon request.

Management of the centre will regularly review the Complaints Register and where appropriate amend the operating procedures to minimise any negative impacts of the centre on the surrounding community.

Appendix A Complaint FormLOCAL RESIDENTS/LANDOWNERS/PARENTS CONCERNS – RECORD

Reference No _____

DATE _____

TIME _____

RESIDENT/LAND
OWNERS NAME: _____RESIDENT/LAND
OWNERS ADDRESS: _____
_____RESIDENT/LAND
OWNERS PHONE No: _____RESIDENT/LAND
OWNERS CONCERN: _____

_____ACTION TAKEN: _____

_____ACTION COMPLETE: _____

DATE: _____

TIME: _____

BY: _____ (Staff Name)