

An Electronic meeting of the Cumberland Local Planning Panel will be held via Zoom on Wednesday, 9 September 2020.

Business as below:

Yours faithfully

Hamish McNulty
General Manager

ORDER OF BUSINESS

1. Receipt of Apologies
2. Confirmation of Minutes
3. Declarations of Interest
4. Address by invited speakers
5. Reports:
 - Development Applications
 - Planning Proposals
6. Closed Session Reports

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Item No: LPP045/20

DELEGATIONS FOR MODIFICATION APPLICATIONS

Responsible Division: General Manager
Officer: General Counsel
File Number: 2041456

SUMMARY:

The purpose of this report is to:

- (1) Inform the Panel of delegations granted by Council following its consideration of the recent direction issued under s.9.1 of the *Environmental Planning and Assessment Act 1979* in respect of the power to determine applications to modify a development consent; and
- (2) Confirm arrangements for the control and direction of Land and Environment Court appeals arising from determinations of the Panel.

REPORT:

Delegation to Determine Applications to Modify a Development Consent

On 5 September 2018, Council resolved to delegate to the General Manager the authority to determine, in the place of the Cumberland Local Planning Panel, s4.55(1), s.4.55(1A), s4.55(2) and s4.56 (2) modification applications, except where the modification involves (i) a variation to a development standard, or (ii) a substantial departure from the SEPP 65 Apartment Design Guide, or (iii) a condition of consent that was specifically imposed by the Cumberland Local Planning Panel (in addition to the draft conditions). Subsequent to Council's resolution, communications between Council's Executive Manager Development and Building and the Panel chair took place in relation to delegation for the determination of modification applications inclusive of the following table to set parameters for when staff had the ability to determine modification applications:

Legislative provision (Environmental Planning & Assessment Act)	Modification type	Proposed Determination Authority
4.55 (1)	Modifications to correct a minor error, misdescription or miscalculation	Council staff under delegation
4.55 (1A)	Modifications involving minimal environmental impact	Council staff under delegation except where the modification relates to an aspect or element of the approved development that was specifically required to be provided by the Cumberland Local Planning Panel.
4.55 (2)	Other Modifications (Generally involving more significant design changes)	Council staff under delegation, except where the modification involves: <ol style="list-style-type: none"> 1. Variation to a development standard, or 2. Substantial departure from the SEPP 65 Apartment Design Guide.
4.56	Modification to a court consent	Council staff under delegation, except where the modification involves: <ol style="list-style-type: none"> 3. Variation to a development standard, or 4. Substantial departure from the SEPP 65 Apartment Design Guide.

Council's General Counsel has undertaken an overhaul of delegations under s.378 of the *Local Government Act 1993* for all operating areas of the Council. Implementation of the new delegations, comprising some 100 operational and financial delegations and 760 statutory based delegations, will be overseen by Council's Corporate Services team in the near future.

In relation to the power to determine modification applications and arrangements outlined above, General Counsel raised concern as to levels of uncertainty caused by (i) there being no need to make a clause 4.6 submission to vary a development standard in respect of modification applications and hence there is some ambiguity as to whether a development standard is being varied and (ii) there is a level of subjectivity and uncertainty as to what comprises a substantial departure from the SEPP 65 Apartment Design Guide.

On 30 June 2020, the Minister for Planning and Public Places issued a new direction under s.9.1 of the Act in relation to powers to determine development applications and modification applications. A copy of the direction is at Attachment 1. As the Panel is likely aware, changes with respect to the power to determine development applications

as compared to the earlier s.9.1 direction issued on 23 February 2018 were minor only, with the addition of a paragraph to explain what a unique submission is in the context of contentious development whereby the receipt of 10 or more unique submissions triggers consent authority functions for the Panel. Noting Council's resolution of 20 November 2019 to rescind the *Cumberland Local Planning Panel Policy* and the *Cumberland Local Planning Panel Procedure*, and to continue to rely on the current provisions of the relevant Ministerial Directions for the operation of Local Planning Panels, no further consideration of the development application determination powers is necessary by the Council or the Panel.

The new s.9.1 direction, along with ambiguities of existing delegation arrangements and Council's overall review of delegations made it timely to revisit delegations for modification applications and to set new, certain, parameters that are consistent with the Minister's direction. Doing so will also assist reducing or eliminating prospective challenges to consents on a ground that the determining authority did not have delegation to determine the application.

In respect of applications to modify a consent, the direction prescribes that local planning panels are to determine applications under s.4.55(2) of the Act that:

- propose amendments to a condition of development consent recommended in the council assessment report but which was amended by the panel, or
- propose amendments to a condition of development consent that was not included in the council assessment report but which was added by the panel, or
- meet the criteria for development applications set out in the schedules to the direction relating to conflict of interest, contentious development or departure from development standards.

The direction further notes that council should make arrangements for the determination of all other modification applications under s.4.55(2), as well as sections 4.55(1) and 4.55(1A) of the Act, by Council staff and that arrangements should also be made for the determination of applications under s.4.56 by either the local planning panel or council staff.

At its meeting on 5 August 2020, Council considered a report on delegations for the determination of modification applications (Attachment 2) and resolved as follows:

1. Delegate power to the General Manager to determine all applications to modify a development consent under s.4.55(1) and s.4.55(1A) of the *Environmental Planning and Assessment Act 1979*.
2. Note s.4.55(2) applications which must be determined by the Cumberland Local Planning Panel pursuant to the direction issued under s.9.1 of the *Environmental Planning and Assessment Act 1979* by the Minister for Planning and Public Spaces on 30 June 2020.
3. Delegate power to the General Manager to determine all applications to modify a development consent under s.4.55(2) of the *Environmental Planning and*

Assessment Act 1979 other than those applications which must be determined by the Cumberland Local Planning Panel pursuant to the s.9.1 direction.

4. Delegate power to the General Manager to determine all applications to modify a development consent under s.4.56 of the *Environmental Planning and Assessment Act 1979* other than those applications which would be determined by the Panel if the application was treated as a s.4.55(2) application, in which case the Panel is to be the consent authority.
5. Note s.4.55(2) applications which must be determined by the Sydney Central City Planning Panel pursuant to clause 123BA of the *Environmental Planning and Assessment Regulation 2000* and the *Instruction on Functions Exercisable by Council on Behalf of Sydney District or Regional Planning Panels – Applications to Modify Development Consents* published on the NSW planning portal on 30 June 2020.

No action or decision of the Panel is required in relation to the new delegations to determine modification applications. Council staff will ensure modification applications are referred to the Panel for determination in line with the Minister's direction and the Council's resolution.

Arrangements for Court Appeals Where the Panel Was the Consent Authority

Section 8.15(4) of the Act relevantly provides that if an appeal to the Land and Environment Court is filed against a determination or decision of a local planning panel, the Council for the area concerned is to be the respondent to the appeal but is subject to the control and direction of the Panel in connection with the conduct of the appeal. The section further provides that the council is to give notice of the appeal to the Panel.

Established arrangements between Council and the Panel chair are that:

- Council will notify the Panel chair of the receipt of an appeal and afford an opportunity for any specific directions in respect of the appeal.
- Failing specific directions, Council will not provide the Panel with a copy of the Statement of Facts and Contentions prior to filing, but contentions raised within the Statement will reflect the Panel's determination of the application, including applicable grounds for refusal or conditions.
- Pending the applicant proposing amendments to the development in an effort to overcome the contentions in the proceedings, officers of the Council can provide final instructions on whether or not to enter into a conciliated agreement or consent orders.
- Subject to the above, as a general rule the Panel or its chair will not be approached for ongoing instructions, albeit the staff retain discretion to refer a matter to the Panel or its chair if they see fit.
- Council will provide the panel, via an email to the Panel chair, with a precis of the outcome of conciliation conferences and judgments.

The above arrangements have served Council well in terms of the running of appeals and consequently it is not recommended that the substance of the arrangements be altered. However, as a matter of good governance, it is proposed that the arrangements be formalised by way of a delegation from the Panel.

CONCLUSION:

The recommendation seeks to formalise delegations for the conduct of court appeals in respect of decisions of the Panel and for the Panel to note revised delegations to determine applications to modify a development consent.

CONSULTATION:

There are no consultation processes for Council associated with this report.

FINANCIAL IMPLICATIONS:

Financial implications arise in terms of payments that are made to panel members for attendance at panel meetings. The determination of delegations should primarily be based on sound town planning and probity reasons with financial implications given lesser weight.

POLICY IMPLICATIONS:

There are no policy implications for Council associated with this report.

COMMUNICATION / PUBLICATIONS:

There is no need to notify the outcome of this matter in a local newspaper or other publication.

REPORT RECOMMENDATION:

- 1) The Panel note revised delegations to determine development applications arising from the s.9.1 direction made on 30 June 2020 and Council's resolution of 5 August 2020, whereby:
 - 1.1 Council staff have delegated authority to determine all applications under s.4.55(1) and s.4.55(1A).
 - 1.2 The Local Planning Panel is the consent authority for applications under s.4.55(2) that involve any of the following:
 - (a) where the applicant or land owner are any of:
 - (i) the Council,
 - (ii) a Councillor,

- (iii) a staff member principally involved in the exercise of functions under the Environmental Planning and Assessment Act 1979,
- (iv) a member of the Commonwealth or NSW parliament,
- (v) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the person of any person referred to in (ii), (iii) or (iv),
- (vi) the parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of a person who is a spouse or defacto partner of any person referred to in (ii), (iii) or (iv);
- (vii) the spouse or defacto partner of any person referred to in (v) or (vi).

not being applications for any of the following:

- internal alterations and additions to a building that is not a heritage item;
 - advertising signage;
 - maintenance and restoration of a heritage item; or
 - minor building structures projecting from the building facade over public land.
- (b) where 10 or more unique objections were received. NB if more than one round of notification took place, the cumulative number of submissions from all rounds of notification are counted;
 - (c) a form of development that varies a provision of an environmental planning instrument that is a numerical development standard (irrespective that the variation does not require consideration under clause 4.6 of the Local Environmental Plan) by more than 10%; or
 - (d) a form of development that varies a provision of an environmental planning instrument that is a non-numerical development standard (irrespective that the variation does not require consideration under clause 4.6 of the Local Environmental Plan).

1.3 Council staff have delegated authority to determine all applications under s.4.55(2), other than those applications covered by 1.2 above.

1.4 Council staff have delegated power to determine all applications to modify a development consent under s.4.56 of the *Environmental Planning and Assessment Act 1979* other than those applications

which would be determined by the Panel if the application was treated as a s.4.55(2) application, in which case the Panel is to be the consent authority.

- 2) That pursuant to s.2.20(8) of the Environmental Planning and Assessment Act 1979 (the Act), the Cumberland Local Planning Panel delegates to the General Manager, Director Environment and Planning, Executive Manager Development and Building, Coordinator Major Development Assessment and Coordinator Fast Track Development Assessment the power to provide day to day instructions and directions in respect of the conduct of appeals before the Land and Environment Court arising from determinations of the Panel including powers to determine whether or not to enter into a conciliated agreement or consent orders, noting procedures in place that:
 - (a) the Panel chair will be notified of the receipt of an appeal and afforded an opportunity to provide any specific directions in respect of the appeal;
 - (b) Failing specific directions, Council will not provide the Panel with a copy of the Statement of Facts and Contentions prior to filing, but contentions raised within the Statement will reflect the Panel's determination of the application, including applicable grounds for refusal or conditions;
 - (c) as a general rule the Panel or its chair will not be approached for ongoing instructions, albeit the staff retain discretion to refer a matter to the Panel or its chair if they see fit; and
 - (d) The Panel chair will be provided with a precis of the outcome of conciliation conferences and judgments.

ATTACHMENTS

1. Section 9.1 direction [↓](#)
2. Report to Council of 5 August 2020 [↓](#)

DOCUMENTS
ASSOCIATED WITH
REPORT LPP045/20

Attachment 1
Section 9.1 direction

LOCAL PLANNING PANELS DIRECTION – DEVELOPMENT APPLICATIONS AND APPLICATIONS TO MODIFY DEVELOPMENT CONSENTS

I, the Minister for Planning and Public Spaces, give the following direction under section 9.1 of the *Environmental Planning and Assessment Act 1979*.



Minister for Planning and Public Spaces

Dated: 30-06-2020.

Objective

The objective of this direction is to identify the development applications and applications to modify development consents that are to be determined by local planning panels on behalf of councils.

Application

This direction applies to councils in the Greater Sydney Region, Wollongong and Central Coast. It also applies to any other council that constitutes a local planning panel under the *Environmental Planning and Assessment Act 1979* (Act).

Interpretation

A word or expression used in this direction has the same meaning as it has in the standard local environmental plan prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006* made under the Act, unless it is otherwise defined in this direction.

Direction

1. Local planning panels of councils in the areas identified in the Table below are to determine development applications for development of a kind specified in the corresponding Schedule to this direction.

Table

Council	Development
Bayside, Blue Mountains, Burwood, Camden, Campbelltown, Canada Bay, Georges River, Hawkesbury, Hornsby, Hunters Hill, Ku-ring-gai, Lane Cove, Mosman, North Sydney, Randwick, Ryde, Strathfield, Waverley, Willoughby, Wollondilly, Woollahra, and any other council that constitutes a local planning panel under the EP&A Act	Schedule 1
Blacktown, Canterbury-Bankstown, Central Coast, Cumberland, Fairfield, Inner West, Liverpool, Northern Beaches, Parramatta, Penrith, Sutherland, The Hills, Wollongong	Schedule 2
City of Sydney	Schedule 3

2. Local planning panels are to determine applications under section 4.55(2) of the Act for the modification of development consents granted by the panel that:
 - propose amendments to a condition of development consent recommended in the council assessment report but which was amended by the panel, or
 - propose amendments to a condition of development consent that was not included in the council assessment report but which was added by the panel, or
 - meet the criteria for development applications set out in the Schedules to this direction relating to conflict of interest, contentious development or departure from development standards.

Note: Councils in the areas identified in the Table to this direction are generally precluded from exercising consent authority functions by operation of section 4.8(2) of the Act. This means councils should make arrangements for the determination of all other modification applications under section 4.55(2), as well as sections 4.55(1) and (1A) of the Act, by council staff. Councils should also make arrangements for the determination of modification applications under section 4.56 of the Act by either the local planning panel or council staff.

This direction takes effect on 1 August 2020 and applies to development applications and applications to modify development consents made but not determined before 1 August 2020.

SCHEDULE 1

1. Conflict of interest

Development for which the applicant or land owner is:

- (a) the council,
- (b) a councillor,
- (c) a member of council staff who is principally involved in the exercise of council's functions under the *Environmental Planning and Assessment Act 1979*,
- (d) a member of Parliament (either the Parliament of New South Wales or Parliament of the Commonwealth), or
- (e) a relative (within the meaning of the *Local Government Act 1993*) of a person referred to in (b) to (d).

but not development for the following purposes:

- (a) internal alterations and additions to any building that is not a heritage item,
- (b) advertising signage,
- (c) maintenance and restoration of a heritage item, or
- (d) minor building structures projecting from the building facade over public land (such as awnings, verandas, bay windows, flagpoles, pipes and services, and sun shading devices).

2. Contentious development

Development that:

- (a) in the case of a council having an approved submissions policy – is the subject of the number of submissions set by that policy, or
- (b) in any other case – is the subject of 10 or more unique submissions by way of objection.

An **approved submissions policy** is a policy prepared by the council and approved by the Secretary of the Department of Planning, Industry and Environment which details the circumstances in which a local planning panel or council staff should exercise the consent authority functions of the council, based on the number and nature of submissions received about development.

A **unique submission** means a submission which is in substance unique, distinctive or unlike any other submission. It does not mean a petition or any submission that contains the same or substantially the same text. Separate unique submissions may be made in relation to the same issue. One individual, or one household, could potentially submit multiple unique submissions.

3. Departure from development standards

Development that contravenes a development standard imposed by an environmental planning instrument by more than 10% or non-numerical development standards.

Note: If the Secretary allows concurrence to be assumed by council staff for contravening development standards, the panel can delegate these applications to council staff to determine.

4. Sensitive development

- (a) Designated development.
- (b) Development to which *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* applies.
- (c) Development involving the demolition of a heritage item.
- (d) Development for the purposes of new licensed premises, that will require one of the following liquor licences:
 - (i) a club licence under the *Registered Clubs Act 1976*,
 - (ii) a hotel (general bar) licence under the *Liquor Act 2007*, or
 - (iii) an on-premises licence for public entertainment venues under the *Liquor Act 2007*.
- (e) Development for the purpose of sex services premises and restricted premises.
- (f) Development applications for which the developer has offered to enter into a planning agreement.

SCHEDULE 2

1. Conflict of interest

Development for which the applicant or land owner is:

- (a) the council,
- (b) a councillor,
- (c) a member of council staff who is principally involved in the exercise of council's functions under the *Environmental Planning and Assessment Act 1979*,
- (d) a member of Parliament (either the Parliament of New South Wales or Parliament of the Commonwealth), or
- (e) a relative (within the meaning of the *Local Government Act 1993*) of a person referred to in (b) to (d).

but not development for the following purposes which requires:

- (a) internal alterations and additions to any building that is not a heritage item,
- (b) advertising signage,
- (c) maintenance and restoration of a heritage item, or
- (d) minor building structures projecting from the building facade over public land (such as awnings, verandas, bay windows, flagpoles, pipes and services, and sun shading devices).

2. Contentious development

Development that:

- (a) in the case of a council having an approved submissions policy – is the subject of the number of submissions set by that policy, or
- (b) in any other case – is the subject of 10 or more unique submissions by way of objection.

An **approved submissions policy** is a policy prepared by the council and approved by the Secretary of the Department of Planning, Industry and Environment which details the circumstances in which a local planning panel or council staff should exercise the consent authority functions of the council, based on the number or nature of submissions received about development.

A **unique submission** means a submission which is in substance unique, distinctive or unlike any other submission. It does not mean a petition or any submission that contains the same or substantially the same text. Separate unique submissions may be made in relation to the same issue. One individual, or one household, could potentially submit multiple unique submissions.

3. Departure from development standards

Development that contravenes a development standard imposed by an environmental planning instrument by more than 10% or non-numerical development standards.

Note: If the Secretary allows concurrence to be assumed by council staff for contravening development standards, the panel can delegate these applications to council staff to determine.

4. Sensitive development

- (a) Designated development.
- (b) Development to which *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* applies and is 4 or more storeys in height.
- (c) Development involving the demolition of a heritage item.
- (d) Development for the purposes of new licensed premises, that will require one of the following liquor licences:
 - (i) a club licence under the *Registered Clubs Act 1976*,
 - (ii) a hotel (general bar) licence under the *Liquor Act 2007*, or
 - (iii) an on-premises licence for public entertainment venues under the *Liquor Act 2007*.
- (e) Development for the purpose of sex services premises and restricted premises.
- (f) Development applications for which the developer has offered to enter into a planning agreement.

SCHEDULE 3

1. Conflict of interest

Development for which the applicant or land owner is:

- (a) the council,
- (b) a councillor,
- (c) a member of council staff who is principally involved in the exercise of council's functions under the *Environmental Planning and Assessment Act 1979*,
- (d) a member of Parliament (either the Parliament of New South Wales or Parliament of the Commonwealth), or
- (e) a relative (within the meaning of the *Local Government Act 1993*) of a person referred to in (b) to (d).

but not development for the following purposes which requires:

- (a) internal alterations and additions to any building that is not a heritage item,
- (b) advertising signage,
- (c) maintenance and restoration of a heritage item,
- (d) development for the purpose of end of journey facilities, or
- (e) minor building structures projecting from the building facade over public land (such as awnings, verandas, bay windows, flagpoles, pipes and services, and sun shading devices).

2. Contentious development

Development that:

- (a) in the case of a council having an approved submissions policy – is the subject of the number of submissions set by that policy, or
- (b) in any other case – is the subject of 25 or more unique submissions by way of objection.

An **approved submissions policy** is a policy prepared by the council and approved by the Secretary of the Department of Planning, Industry and Environment which details the circumstances in which a local planning panel or council staff should exercise the consent authority functions of the council, based on the number or nature of submissions received about development.

A **unique submission** means a submission which is in substance unique, distinctive or unlike any other submission. It does not mean a petition or any submission that contains the same or substantially the same text. Separate unique submissions may be made in relation to the same issue. One individual, or one household, could potentially submit multiple unique submissions.

3. Departure from development standards

For development for the purpose of dwelling houses, dual occupancies and attached dwellings, development that contravenes a development standard imposed by an environmental planning instrument by more than 25% or non-numerical development standard.

For all other development, development that contravenes a development standard imposed by an environmental planning instrument by 10% or non-numerical development standards.

Note: If the Secretary allows concurrence to be assumed by council staff for contravening development standards, the panel can delegate these applications to council staff to determine.

4. Sensitive development

- (a) Designated development.
- (b) Development to which *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* applies and is 4 or more storeys in height.
- (c) Development involving the demolition of a heritage item.
- (d) Development for the purposes of new licensed premises, that will require one of the following liquor licences:
 - (i) a club licence under the *Registered Clubs Act 1976*,
 - (ii) a hotel (general bar) licence under the *Liquor Act 2007*, or
 - (iii) an on-premises licence for public entertainment venues under the *Liquor Act 2007*.
- (e) Development for the purpose of sex services premises and restricted premises.
- (f) Development applications for which the developer has offered to enter into a planning agreement.

DOCUMENTS
ASSOCIATED WITH
REPORT LPP045/20

Attachment 2
Report to Council of 5 August
2020

Item No: C08/20-504

DELEGATIONS TO DETERMINE APPLICATIONS TO MODIFY DEVELOPMENT CONSENTS

Responsible Division: General Manager
Officer: General Counsel
File Number: 2041456
Community Strategic Plan Goal: *Transparent and accountable leadership*

SUMMARY

On 30 June 2020, the Minister for Planning and Public Places issued a new direction under s.9.1 of the *Environmental Planning and Assessment Act 1979 (the Act)*. The direction prescribes certain applications for modifications of a development consent under s.4.55(2) of the Act which must be determined by local planning panels and notes that Council should make arrangements for whether the Panel or Council staff are to determine all other types of modification applications.

This report recommends that Council delegate power to the General Manager to determine all applications under section 4.55(1) and s.4.55(1A) of the Act, and all s.4.55(2) applications not covered by the Ministerial direction. For s.4.56 applications, it is recommended that the Minister's criteria for s.4.55(2) applications be adopted to determine who the consent authority is.

RECOMMENDATION

That pursuant to s.377 of the *Local Government Act 1993*, Council:

1. Delegate power to the General Manager to determine all applications to modify a development consent under s.4.55(1) and s.4.55(1A) of the *Environmental Planning and Assessment Act 1979*.
2. Note s.4.55(2) applications which must be determined by the Cumberland Local Planning Panel pursuant to the direction issued under s.9.1 of the *Environmental Planning and Assessment Act 1979* by the Minister for Planning and Public Spaces on 30 June 2020.
3. Delegate power to the General Manager to determine all applications to modify a development consent under s.4.55(2) of the *Environmental Planning and Assessment Act 1979* other than those applications which must be determined by the Cumberland Local Planning Panel pursuant to the s.9.1 direction.
4. Delegate power to the General Manager to determine all applications to modify a development consent under s.4.56 of the *Environmental Planning and Assessment Act 1979* other than those applications which would be determined by the Panel if the application was treated as a

s.4.55(2) application, in which case the Panel is to be the consent authority.

REPORT

Council has consent authority functions under part 4 of the Act to determine development applications (**DA**) and applications to modify development consents (**Modifications**).

Section 4.8(2) of the Act provides that Council's consent authority functions are not exercisable by the councillors, but rather are exercisable by:

- (a) the local planning panel, or
- (b) an officer or employee of the council to whom the council delegates those functions.

Section 4.8(3) enables the Minister for Planning and Public Places power to give directions to councils under s.9.1 on the types of DAs and Modifications that are to be determined on behalf of the council by a local planning panel.

The Minister gave a s.9.1 direction on 23 February 2018. For the most part, that direction was consistent with Council procedures for when a DA would be determined by the Cumberland Local Planning Panel (**the Panel**) and when it would be determined by staff. Complete uniformity in respect of DAs was achieved following a resolution at Council's meeting on 20 November 2019 that Council rescind the *Cumberland Local Planning Panel Policy* and *Cumberland Local Planning Panel Procedure*, and continue to rely on the current provisions of the relevant Ministerial Directions for the operation of Local Planning Panels, as applicable to Cumberland.

A new s.9.1 direction was issued 30 June 2020, a copy of which is at Attachment 1.

The types of DAs to be determined by the Panel remain unchanged. The only way in which the new direction differs from the old direction is the addition of a paragraph to explain what a unique submission is in the context of contentious development whereby the receipt of 10 or more unique submissions triggers consent authority functions for the Panel.

In respect of Modifications, the new direction provides as follows:

Local planning panels are to determine applications under s.4.55(2) of the Act for the modification of development consents granted by the panel that:

- *propose amendments to a condition of development consent recommended in the council assessment report but which was amended by the panel, or*
- *propose amendments to a condition of development consent that was not included in the council assessment report but which was added by the panel, or*
- *meet the criteria for development applications set out in the Schedules to the direction relating to conflict of interest, contentious development or departure from development standards.*

Note: Councils ... are generally precluded from exercising consent authority functions by operations of section 4.8(2) of the Act. This means councils should make arrangements for the determination of all other modification applications under section 4.55(2), as well as sections 4.55(1) and (1A) of the Act, by council staff. Councils should also make arrangements for the determination of modification applications under section 4.56 of the Act by either the local planning panel or council staff.

The direction differs from Council's 5 September 2018 resolution on delegations for determining Modifications whereby Council resolved to delegate to the General Manager the authority to determine all s4.55(1A) applications and all s4.55(1A), s.4.55(2) and s4.56 applications, except where the modification involves (i) a variation to a development standard, or (ii) a substantial departure from the SEPP 65 Apartment Design Guide, or (iii) a condition of consent that was specifically imposed by the Cumberland Local Planning Panel. There is a degree of subjectivity and uncertainty with Council's resolution in terms of what comprises a substantial departure. Also, the reference to development standards is somewhat confusing given that there is no need to rely on a clause 4.6 submission to vary a development standards for Modifications.

The four types of modification applications are as follows:

- s.4.55(1) To correct a minor error, misdescription or miscalculation.
- s.4.55(1A) Modifications involving minimal environmental impacts.
- s.4.55(2) All other modifications, not captured by s.4.55(1), s.4.55(1A) or s.4.56.
- s.4.56 Modifications of consents granted by the Court.

The direction and its note:

- specifies certain s.4.55(2) applications which must be determined by the Panel;
- says that Council's should make arrangements for the determination of all other s.4.55(2) applications and all s.4.55(1) and s.4.55(1A) applications by council staff (i.e. not the Panel); and
- leaves it open to Council to make arrangements for whether the Panel or council staff should determine s.4.56 applications.

Consistent with the note and in recognition of their limited town planning importance, it is recommended that Council delegate to the General Manager the power to determine all s.4.55(1) and s.4.55(1A) applications, in addition to those s.4.55(2) applications beyond those which the direction nominates the Panel as the consent authority. NB – The General Manager will not himself take on a determining role and any powers delegated to him for the determination of Modifications will be sub-delegated to appropriate town planning staff under s.378 of the *Local Government Act 1993*.

The complexity of s.4.56 applications can vary from simple to complex. Options for delegating power to determine s.4.56 applications include, without limitation, the following:

1. Delegate all power to the General Manager, meaning that no s.4.56 application may be determined by the Panel.
2. Delegate all power to the General Manager, other than for Modifications where the staff elect not to apply their delegation, in which case the Panel will be the consent authority.

3. Delegate power to the General Manager to determine Modifications other than where the Panel would be the consent authority if the application was treated as being a s.4.55(2) application (thereby incorporating the same triggers for changing Panel conditions, for conflicts of interest, for contentious development and for departure from development standards).
4. Delegate power to the Panel to determine all s.4.56 applications.

Option 4 is not recommended as in some cases the application will be relatively straightforward and the additional time and cost of needing to refer the application to the Panel is unwarranted.

Option 1 is not recommended as it is inflexible in not allowing the staff under any circumstance to refer an application to the Panel when in some cases, there may be benefit in relying on the Panel's expertise and overview.

Options 2 and 3 are both viable options. Option 2 is grants power for Council staff to determine s.4.56 Modifications but allows some discretion if they wish not to exercise their delegation and to instead rely on the Panel. For transparency and consistency of approach, option 3 sets certain parameters and on balance, is suggested as the preferred course of action.

COMMUNITY ENGAGEMENT

There are no consultation processes for Council associated with this report.

POLICY IMPLICATIONS

There are no policy implications for Council associated with this report.

RISK IMPLICATIONS

The Ministerial Direction commenced on 1 August 2020. It is important that clarity is provided on delegations in a timely manner to ensure continuity in arrangements for the determination of modification applications by the Panel or Council staff. Settling and applying clear terms for delegations will eliminate risks of third parties bringing Court proceedings challenging consents on the basis that the consent authority was not empowered to make a determination.

FINANCIAL IMPLICATIONS

Financial implications arise in terms of payments that are made to panel members for attendance at panel meetings. The determination of delegations should primarily be based on sound town planning and probity reasons with financial implications given lesser weight.

CONCLUSION

It is recommended that Council delegate power to determine Modifications in line with the new Ministerial direction and generally maximising delegations for Council staff with regard to s.4.55(1), s.4.55(1A) and s.4.55(2) applications. For s.4.56 applications, it is recommended that Council staff treat them in the same fashion as a s.4.55(2)

application in determining whether it is the Panel or Council staff that have delegation to determine the application.

ATTACHMENTS

1. August 2020 Local Planning Panels Direction

Item No: LPP046/20

DEVELOPMENT APPLICATION FOR 95-97 DAHLIA STREET, GREYSTANES

Responsible Division: Environment & Planning
Officer: Acting Executive Manager Development and Building
File Number: DA2020/0207

Application lodged	7 April 2020
Applicant	Baini Design
Owner	Mr M Khoury and Mrs N Khoury
Application No.	DA2020/0207
Description of Land	95-97 Dahlia Street Greystanes Lots 16 & 17 in DP 236780
Proposed Development	Demolition of existing structures and construction of a two storey 66 place centre-based childcare facility over basement car parking
Site Area	1,157.2m ² (562.8m ² by title for 95 Dahlia St and 594.4m ² by title for 97 Dahlia St)
Zoning	R2 – Low Density Residential
Disclosure of political donations and gifts	Nil disclosure
Heritage	The subject site does not contain a heritage item and is not located within a heritage conservation area. Whilst not considered to be within the immediate vicinity of the subject site, it is noted that there is a heritage item of local significance located approximately 130m north of the subject site, being 'Boothtown Aqueduct' (Item No. I52 of HLEP 2013). The proposed development is not expected to impact upon the heritage item.
Principal Development Standards	<u>FSR</u> Permissible: 0.5:1 Proposed: 0.39:1 <u>Height of Building</u> Permissible: 9m Proposed: 8.4m (to top of lift over run)
Issues	<ul style="list-style-type: none"> - Number of submissions - Number of children and outdoor unencumbered space - Landscaping

SUMMARY:

1. Development Application No. DA2020/0207 was received on 5 May 2020 for the demolition of existing structures and construction of a two storey 71 place centre-based childcare facility over basement car parking.
2. The application was publicly notified to occupants and owners of the adjoining properties, online on Council's website and a site notice was placed at the property for a period of 14 days between 13 May 2020 and 27 May 2020.
3. The application was renotified to occupants and owners of the adjoining properties for a second period of 14 days between 1 June 2020 to 15 June 2020 as Council received notice that notification letters were not received in an appropriate timeframe and that the notification sign erected for the first notification period was not erected adequately. In response, Council received a total of 55 submissions during both notification periods.
4. Council through its assessment identified a number of concerns with the proposal relating to flood mitigation measures, the provision of outdoor play space for children and extent of fill proposed to within the overland flow path. These matters have been appropriately addressed by the imposition of conditions of consent requiring the submission of an updated flood study report, removal of fill within the overland flow path, and the reduction in children placements from 71 to 66.
5. There are non-compliances with the proposed development having considered the provisions of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017, Child Care Planning Guideline (the Guideline) 2017, and Holroyd Development Control Plan 2013 (HDCP).
6. The proposed development seeks the following notable variations:

Control	Required	Provided	% variation
Number of children and outdoor unencumbered space (regulation 108 and part 4.9 the Guideline)	$7m^2 \times 71 = 497m^2$	Proposed development = $497.1m^2$ Assessing officer's calculation = $466.99m^2$ (excluding retaining walls and low maintenance native shrubs and ground cover area proposed as per submitted Landscape plan) $466.99m^2 / 7 = 66.7$ children Recommendation = reduce number of children from 71 to 66	6.04%
A child care centre proposed in an R2 Low Density Residential zone is limited in size	Maximum 45 Children	Proposed = 71 Children Council's recommendation is to amend the maximum number of children to 66	57.8% 46.7%

to accommodate not more than forty-five (45) children (HDCP 2013)			
Landscaping: 25% and minimum 2m dimensions (HDCP 2013)	289.3sqm	222.44sqm landscaped area provided with min. 2m dimension.	23.11%

7. The application has been referred to the Cumberland Local Planning Panel (CLPP) for determination due to the number of submissions received during the notification periods.
8. It is recommended that the application be approved as a deferred commencement consent for a maximum of 66 children (due to the available unencumbered outdoor space/play area) subject to conditions provided in the Draft Notice of Determination held at Attachment 1.

REPORT:

Subject Site and Surrounding Area

The subject site is known as 95-97 Dahlia Street Greystanes and is legally described as Lots 16 and 17 in DP 236780. The site is a corner allotment with a primary frontage to Dahlia Street of 35.41m, secondary street frontage to Alpha Road of 31.905m, a splay of 3.84m and a total site area of 1,157.2m².

The sites are currently each occupied by a detached single storey rendered dwelling house and various awnings. There is one large tree within the front setback (south-western corner) of No. 97 Dahlia Street.

Directly opposite the site to the south is Alpha Road Park. The sites directly to the east, west and north of the site are detached dwelling houses. The immediate area is characterised by low density housing, and a small group of commercial shops at the corner of Dahlia Street and Hibiscus Street. The subject site and all immediate adjoining properties are zoned R2 Low Density Residential, with the exception of Alpha Road Park and commercial shops which are zoned RE1- Public Recreation and B1- Neighbourhood Centre respectively.

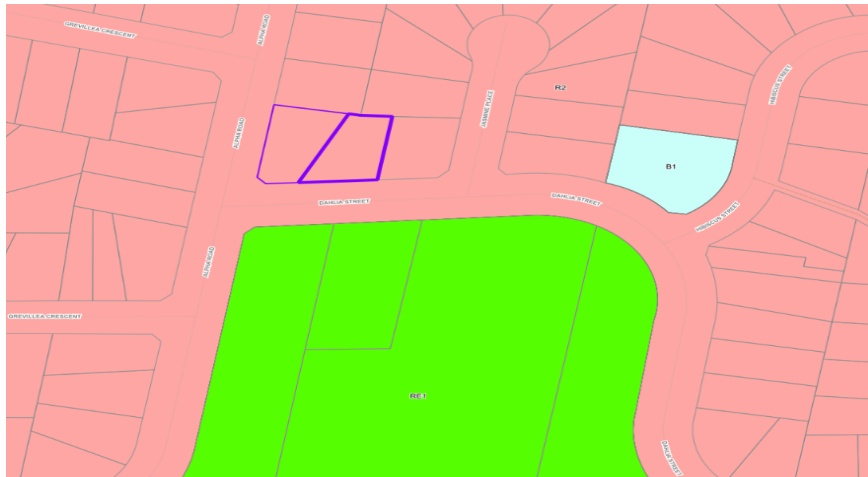


Figure 1 – Locality Plan of subject site indicated in purple outline.



Figure 2 – Aerial view of subject sites indicated by green marker/purple outline



Figure 3 – 95 Dahlia Street Greystanes



Figure 4 – 97 Dahlia Street Greystanes

Description of The Proposed Development

The proposed development, as amended, involves the demolition of existing structures and construction of a two storey 66 place centre-based childcare facility over basement car parking.

Key features of the development proposal are as follows:-

- Demolition of two single storey dwellings and all existing structures, and removal of one large tree located in the south-western corner.
- Construction of a two-storey childcare facility accommodating 66 children.
- Construction of a basement level car parking area including bin room, laundry room, two storage rooms, stairs, one lift and accommodating 25 car parking spaces allocated as follows:
 - Staff: 6 spaces
 - Visitors: 19 spaces (inclusive of 2 accessible car parking spaces)
 - 1 turning bay
- Lot consolidation of existing 2 allotments into 1 allotment.
- The facility proposes to accommodate 71 children, as follows:
 - 16 children – 0-2 yrs
 - 25 children – 2-3 yrs
 - 30 children – 3-5 yrs

Note: The number of children is subject to reduction of a maximum of 66 children to correspond with proposed unencumbered outdoor space/play area.

- The proposed centre will operate from 7.00am to 6.00pm Monday to Friday (Excluding public holidays) and will employ 12 staff.
- The ground floor level contains 3 bathrooms (including 1 accessible bathroom), multiple storage areas, an office, 2 cot rooms, bottle preparation/craft bench area, indoor and outdoor play areas and a lift/stairs.
- The first floor level contains an office, accessible bathroom, staff room, meeting room, kitchen, balcony fronting Dahlia Street and a lift/stairs.
- There is no signage proposed as part of the application.

History

Date	Action
7 April 2020	Development Application DA2020/0207 was received with Council.
5 May 2020	The development application was formally accepted by Council.
7 May 2020	The application was referred to Council's internal departments and externally to Endeavour Energy for review.
13 May 2020	The application was publicly notified to adjoining and opposite owners, a notice was placed on Council's website and a site notice was placed at the property for 14 days.
1-15 June 2020	Council received concerns that the site notification notice had been removed/not adequately displayed, and as such, the application was publicly notified for a second period to adjoining and opposite owners, including a notice on Council's website and a new site notice was placed on the site for 14 days. In response, Council received a total of 55 submissions during both notification periods.
4 August 2020	Application was deferred for a Survey Plan for 97 Dahlia Street.
5 August 2020	Survey Plan for 97 Dahlia Street was received by Council.
9 September 2020	Application referred to CLPP for determination.

Applicants Supporting Statement

The applicant has provided a Statement of Environmental Effects prepared by Think Planners Pty Ltd dated 16 July 2019 in support of the application.

Contact with Relevant Parties

Council has undertaken a site inspection of the subject sites and surrounding properties and has been in regular contact with the applicant throughout the assessment process.

Internal Referrals

Development Engineer

The development application was referred to Council's Development Engineering section for comment who has advised that the development is supportable with respect to overland flood mitigation and stormwater drainage subject to compliance with the recommended conditions of consent, which includes updated details to be provided within the submitted flood report and removal of fill within the flood affected area of the site.

Tree Management Officer

The development application was referred to Council's Tree Management Officer for comment who has advised that the development is supportable subject to the imposition of conditions requiring an amended landscape plan, and conditions relating to the removal of the existing large tree within the front south-western corner of the site (Corner of Alpha Road and Dahlia Street).

Waste Management Officer

The development application was referred to Council's Waste Management Officer for comment who has advised that the development is supportable subject to conditions requiring amended plans to be submitted with the Construction Certificate application, to demonstrate that the bin storage room can accommodate the bin tug, and that there are no obstructions (i.e. Door width, shared zones, bollards) manoeuvring the bins to Council's collection point.

Environmental Health Officer

The development application was referred to Council's Environmental Health Officer for comment who has advised that the development is supportable in regards to fit-out for food preparation area, acoustic assessment, noise attenuation measures, soil assessment, and site contamination, subject to conditions.

Children's Services

The development application was referred to Council's Children's Services section for comment who has advised that the development is supportable in regards to compliance with the provisions of Education and Care Services National Regulations and Law, subject to conditions.

External ReferralsEndeavour Energy

The development application was referred externally to Endeavour Energy who raised no objections.

Planning Comments

The provisions of any Environmental Planning Instruments (EP&A Act s4.15 (1)(a)(i))

(a) State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)

Clause 7 of SEPP 55 requires Council to be satisfied that the site is suitable or can be made suitable to accommodate the proposed development. The matters listed within Clause 7 have been considered in the assessment of the development application.

Matter for Consideration	Yes/No
Does the application involve re-development of the site or a change of land use?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
In the development going to be used for a sensitive land use (e.g.: residential, educational, recreational, childcare or hospital)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site? acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage, paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the site listed on Council's Contaminated Land database?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the site subject to EPA clean-up order or other EPA restrictions?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the site been the subject of known pollution incidents or illegal dumping?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the site adjoin any contaminated land/previously contaminated land?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
A Preliminary Site Investigation report prepared by Geotechnical Consultant Australia, dated 4 May 2020, which includes a soil assessment, was submitted with the application. The report did not reveal any potential matters of concern with regard to contamination and concludes that the site is suitable for its intended use, subject to compliance with the recommendations of the report, which are to be imposed as conditions of consent. Council's Environmental Health department has also reviewed the report and determined that the site is suitable for such a development given that the report provides that the site is suitable for the proposed use.	

(b) State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

The relevant provisions of the SEPP have been considered in the assessment of the Application.

It is noted that State Environmental Planning Policy (Educational Establishments And Child Care Facilities) 2017 commenced on 1 September 2017. The SEPP applies to any proposals for new schools or child care centres or proposed alterations and additions to existing centres. The relevant provisions of the SEPP have been considered in the assessment of the Application.

A comprehensive assessment and compliance table is attached to this report in Appendix A, which indicates that there are non-compliances with the SEPP 2017 with regard to the number of children proposed and outdoor unencumbered space as stated below:

Control	Required	Provided
Number of children and outdoor unencumbered space (regulation 108 SEPP 2017 and part 4.9 the Guideline)	7m ² x 71 = 497m ²	The application indicates that an unencumbered area of 497.1m ² is provided, however, this calculation does not exclude the proposed retaining walls or low maintenance native shrubs and groundcover area nominated on the submitted Landscape plan. The assessment officer's calculation of the unencumbered outdoor space equates to 466.99m ² . This will accommodate only 66 children. This report recommends a condition to be imposed on any consent granted for a reduction in the number of children to 66. The applicant has been advised regarding the condition to reduce the number of children.

(a) Statement Environmental Planning Policy No 19 - Bushland in Urban Areas

The subject site does not directly adjoin land zoned or reserved for public open space. However, the subject site is located adjacent to a Council Reserve known as Alpha Road Park. The proposal does result in any adverse impacts to land at Alpha Road Park.

(b) State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

Council's Tree Management officer has recommended the removal of one (1) large tree located within the front south-western corner of the site. Council's Tree Management Officer has reviewed the proposal and raised no objections subject to the imposition of conditions including the removal of 1 large tree. In addition, the proposal does not exceed the biodiversity offsets scheme threshold. Therefore, the proposed vegetation removal is considered acceptable.

Regional Environmental Plans (Deemed State Environmental Planning Policies)

(c) Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment

The subject site is identified as being located within the area affected by the Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment. The proposed development raises no issues as no impact on the catchment is envisaged.

Local Environmental Plans**(a) Holroyd Local Environmental Plan (LEP) 2013**

The proposed development is defined as a 'centre based child care facility' under the provisions of Holroyd Local Environmental Plan (LEP) 2013. Centre based child care facilities are a permissible land use with consent under the R2 – Low Density Residential zoning applying to the land under Holroyd LEP 2013.

A comprehensive assessment and compliance table is attached to this report in Appendix B which demonstrates the development proposal's compliance with the relevant planning controls that are applicable to the site under the Holroyd LEP 2013.

The provisions of any draft Environmental Planning Instruments (EP & A Act Section 4.15(1)(a)(ii))**(b) Draft Cumberland Local Environmental Plan 2020 (Draft CLEP)**

The Draft Cumberland Local Environmental Plan 2020 (Draft CLEP) has been prepared by Cumberland City Council to provide a single planning framework for the future planning of Cumberland City. The changes proposed seek to harmonise and repeal the three existing LEPs currently applicable to the Cumberland local government area, those being:

- Holroyd Local Environmental Plan 2013,
- Parramatta Local Environmental Plan 2011, and
- Auburn Local Environmental Plan 2010.

The current planning controls for the subject site, as contained within the Holroyd Local Environmental Plan 2013 are not proposed to change under the Draft CLEP.

The provisions of any Development Control Plans (Environmental Planning & Assessment Act Section 4.15(1)(a)(iii))**(c) Holroyd Development Control Plan (HDCP) 2013**

The Holroyd DCP 2013 provides guidance for the design and operation of development within Holroyd to achieve the aims and objectives of Holroyd LEP 2013.

The proposed development is generally compliant with the relevant provisions, subject to the imposition of conditions. Parts A, B & I of HDCP 2013 apply to the proposal. A comprehensive assessment and compliance table is attached to this report at Appendix C which demonstrates the development proposal's compliance with the relevant planning controls that are applicable to the site.

The assessment provided in Appendix C indicates that there are some minor non-compliances with the HDCP 2013 with regard to landscaped area, cut and fill and

the maximum number of children for a childcare facility within R2 – Low Density Residential zoned land, which are discussed in the following section:

No.	Clause	Comment	Yes	No	N/A
PART B – RESIDENTIAL CONTROLS					
1	GENERAL RESIDENTIAL CONTROLS				
1.5	Landscaped Area Min. 25% = 289.3m ²	<p>Area of 19.22% (222.44m²) is provided with min. 2m dimension.</p> <p>Landscaped area with dimension of less than 2m equates to 64.51m².</p> <p>Total landscaped area provided on site is 286.95m², or 24.8%.</p> <p>This represents a minor non-compliance of 2.35m², or 0.2%.</p> <p>Variation to the required landscaped area and minimum dimensions is deemed acceptable as the proposed acoustic barrier is located off the western side boundary reducing the required 2m dimensions for landscaping and contains retaining walls, and various decked areas.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1.9	Cut and Fill Cut and fill shall not create a detrimental impact on the overland flow of the site. Fill, up to 300mm, is permitted within 900mm of side or rear boundaries. Fill, 600mm or greater is to be contained within the building envelope. Cut is permitted to a maximum of 1 metre. Cut is to be limited to 450mm where it is within 900mm of the rear or side boundaries.	<p>Currently approx.1.15m of fill and approx. 1.17m of cut is proposed to accommodate the building envelope and play spaces of the child care centre.</p> <p>Approximately 2.2m excavation is required for the basement car park.</p> <p>The proposed cut and fill does not result in adverse privacy impacts on neighbouring properties or an excessive bulky built form, and as such considered acceptable.</p> <p>Council's Development Engineer has reviewed the proposal and advised that no fill is to be proposed within the overland flow path of the site which is located near the north-eastern corner of the site.</p> <p>The proposed cut and fill will be made acceptable subject to the imposition of</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
		conditions requiring no fill within the overland flow path area.			
PART I – CHILDCARE CENTRES					
1	SIZE, DENSITY AND LOCATION				
	Any proposed Child Care Centres in R2 zones should be limited in size to accommodate not more than forty-five (45) children.	<p>The subject site is zoned R2 – Low Density Residential under HLEP 2013. The development application proposes 71 children.</p> <p>It is recommended that the number of children be reduced to 66 to comply with outdoor space requirements as per clause 108 of the Education and Care Services National Regulations.</p> <p>The provision of 66 children is deemed acceptable as the child care centre is provided over 2 allotments, and is of an appropriate bulk and scale which is sympathetic to the surrounding residential area.</p> <p>In addition, the child care centre provides adequate indoor and outdoor play space for 66 children, and has been designed to mitigate adverse impacts on neighbouring properties with respect to noise and traffic via the provision of acoustic walls and compliant on-site car parking spaces provided within the basement level.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4 (EP&A Act s4.15(1)(a)(iia))

There is no draft planning agreement associated with the subject Development Application.

The provisions of the Regulations (EP&A Act s4.15 (1)(a)(iv))

The proposed development raises no concerns as to the relevant matters arising from the Environmental Planning and Assessment Regulations 2000 (EP&A Reg).

The Likely Environmental, Social or Economic Impacts (EP&A Act s4.15 (1)(b))

It is considered that the proposed development will have no significant adverse environmental, social or economic impacts in the locality.

The suitability of the site for the development (EP&A Act s4.15 (1)(c))

The subject site and locality is not known to be affected by constraints likely to have a significant adverse impact on the proposed development. Accordingly, it is considered that the development is suitable in the context of the site and surrounding locality.

Submissions made in accordance with the Act or Regulation (EP&A Act s4.15 (1)(d))

Advertised (Council Website) ☒ Mail ☒ Sign ☒ Not Required ☐

In accordance with Council's Notification requirements contained within Holroyd DCP 2013, the proposal was publicly notified for a period of 14 days between 13 May 2020 and 27 May 2020.

The application was renotified to occupants and owners of the adjoining properties for a second period of 14 days between 1 June 2020 to 15 June 2020 as Council received notice that notification letters were not received in an appropriate timeframe and that the notification sign erected for the first notification period was not erected adequately. In response, Council received a total of 55 submissions during both notification periods, with nil submission disclosing a political donation or gift.

The issues raised in the public submissions are summarised and commented on as follows.

Figure 5 – Submissions summary table

	Concern	Comment
1	<p>The proposed child care is not suitable for the street and area, and there is no demand for the proposal having regard to the demographic of the immediate population does not predominantly comprise of young families or pre-school aged children.</p> <p>There is already an oversupply of child care centres in the Greystanes areas. Approval of the proposal will hinder the success of established child care centres within the locality.</p>	<p>The site permits the construction of the child care centre, and the proposed development generally satisfies the requirements contained within Holroyd DCP 2013, the criteria under the <i>Child Care Planning Guideline</i> and relevant regulations stipulated under the Educational Establishments and Child Care Facilities SEPP 2017, with respect to site selection and location.</p> <p>The existing demography of the area is not a matter of consideration under the <i>Child Care Planning Guideline</i> and relevant regulations stipulated under the Educational Establishments and Child Care Facilities SEPP 2017.</p> <p>In relation to the child care centre quality, it is the operator's responsibility to satisfy the relevant child care provider requirements and comply with the regulations to maintain its licence and business operation.</p>
2	The location of the child care centre on a corner	The driveway location of the child care centre is greater than 6m away from the tangent point of

	Concern	Comment
	allotment is not suitable having regard to vehicular and pedestrian safety.	<p>Alpha Road and Dahlia Street, to achieve suitable sightlines at the corner of the site and T-intersection.</p> <p>Separate vehicular driveways are provided to the basement car park, with a 1.2m wide median between the vehicular accesses to enable parents and pedestrians to safely stop when crossing the vehicular entry and exit, and provide adequate sightlines for motorists entering and exiting the basement car park.</p>
3	The design of the child care centre is not in keeping with the area. The proposal is three levels including the basement level.	<p>The proposed development may not appear similar to existing dwelling houses within the street, as it is designed as a childcare centre. However, the design of the child care centre is not considered out of character with the immediate area. It is noted that the R2 zoned area is undergoing a transition and older housing stock is in the process of being replaced by contemporary-style development.</p> <p>The maximum building height permitted at the subject site is 9m. The proposed development provides a maximum building height of 8.4m, and is two storeys in height, over basement car parking.</p>
4	The proposed child care centre is for 71 children placements and exceeds the maximum 45 children placements prescribed in HDCP 2013.	<p>The subject site is zoned R2 – Low Density Residential under HLEP 2013. The development application proposes 71 children.</p> <p>It is recommended that the number of children be reduced to 66 to comply with outdoor space requirements as per clause 108 of the Education and Care Services National Regulations.</p> <p>The provision of 66 children is deemed acceptable as the child care centre is provided over 2 allotments, and is of an appropriate bulk and scale which is sympathetic to the surrounding residential area.</p> <p>In addition, the child care centre provides adequate indoor and outdoor play space for 66 children, and has been designed to mitigate adverse impacts on neighbouring properties with respect to noise and traffic via the provision of acoustic walls and compliant on-site car parking spaces provided within the basement level.</p>

	Concern	Comment
5	<p>The submitted Parking & Traffic Impact Statement is dated May 2019 and carried out traffic counts on 19 March 2019, which is a Tuesday. During this time, several shops at the corner of Hibiscus Street and Dahlia Street were vacant. Currently the Cedary Bakehouse has brought increased traffic to both Dahlia Street and Hibiscus Street which has not been accounted for.</p>	<p>The submitted Parking & Traffic Impact Statement has been carried out based on surveys during peak times AM and PM between 7.00am-9.00am and 4.00pm-6.00pm on Tuesday 19 March 2019. Council noted that the additional traffic to be generated by the proposal and findings from the Parking and Traffic Impact Statement. The proposed development is a low trip generator and can be accommodated in the locality without affecting performance of on Dahlia Street, or on the existing road network with respect to delays or queues of nearby intersection/s and complies with Council's parking requirements.</p> <p>The entry/exit driveway is at an obvious location that will not be missed by parents and caregivers. The parents and caregivers will be regular visitors to the centre knowing in advance the location of car parking. An Operational management plan (OMP) shall be enforced by way of conditions to encourage the use of the basement parking facility. All pickup and drop-off are expected to take place within the basement and it is not considered to create any adverse impact on the public space.</p> <p>It is further noted that Cedary Bakehouse operates 7.00am-3.00pm, Tuesday to Sunday (inclusive). In this regard, Cedary Bakehouse does not operate during the peak PM pick up times of the child care centre. In addition, the child care centre does not operate on weekends.</p>
6	<p>Basement parking is provided. However, it is envisaged that on-street parking will occur which will impact on both the local parking and limited street parking.</p> <p>Six (6) staff parking spaces are not sufficient for 12 teachers. Tandem parking spaces will not be used by staff.</p> <p>Parents parking adjacent to the centre at parking</p>	<p>Under HDCP 2013, the required parking rate for child care centres is 1 space per 4 children and 1 space per 2 staff, which equates to total of 23 spaces (6 staff and 17 visitor spaces) required for the reduced 66 children placement. This rate has been provided on site, which takes into account staff and visitor parking demands. The proposal provides 6 staff and 19 visitor parking spaces which equates to 2 additional visitor parking spaces within the basement, which assists with providing additional parking on-site.</p> <p>It is noted that Council's rate of 1 car space per 4 children is consistent with the NSW State Government document - <i>Child Care Planning Guideline</i>, in which the rate of 1 space per 4</p>

	Concern	Comment
	<p>spaces at Alpha Road Park also raises safety concerns with parents crossing the road with young children. The Alpha Road Park parking spaces have been used for parking calculations for the child care centre.</p> <p>There is a lack of crossings for parents and children in the area.</p>	<p>children encompasses the whole centre including all staff.</p> <p>A condition is to be imposed to ensure that ratio of staff and visitor parking is allocated accordingly, which is at least 25 spaces for on-site parking spaces (surplus of 2 spaces) based on 66 children.</p> <p>The Alpha Road Park parking spaces have not been included to achieve compliant car parking for the child care centre in accordance with HDCP 2013 and the Child Care Planning Guideline.</p> <p>An Operational management plan (OMP) shall be enforced by way of conditions to encourage the use of the basement parking facility. All pickup and drop-off are expected to take place within the basement, and the volume of street parking is anticipated to be low, and during times where the basement parking is full, noting that basement parking enables parents to walk children directly into the child care centre to avoid the need to cross the road.</p>
7	The existing bus stops on the Alpha Road frontage of the site, and opposite the site at Alpha Road Park shall not be obstructed at any times, including during construction.	The two existing bus stops shall not be obstructed at any times by any vehicles including demolition/construction and waste vehicles.
8	Concerns are raised relating to difficulties of vehicles entering and exiting the basement if cars are parked too close to the vehicular access point.	In the event of unauthorised parking occurring on driveways, this can be reported to Council's compliance section for action. The provision of separate driveways for entry and exit allow all vehicles to enter and leave in a forward direction and provide adequate sight distance.
9	One of the dwellings at the corner of Jasmine Place and Dahlia Street has been rezoned/used as a commercial premise being a plumbing business. If the subject site is approved, the residential properties along the northern side of Dahlia Street, from Alpha Road to Hibiscus Street shops will	<p>Residential properties along the northern side of Dahlia Street, from Alpha Road to Hibiscus Street shops are all zoned R2 – Low Density Residential pursuant to HLEP 2013.</p> <p>Centre based child care facilities are a permissible land use with consent under the R2 – Low Density Residential zoning applying to the land under HLEP 2013.</p>

	Concern	Comment
	be commercial premises with the exception of one dwelling house.	
10	The proposal will result in traffic congestion in the residential area at the T-intersection of the site, and increase vehicles accessing Gipps Road from both Alpha Road and Macquarie Road, which will worsen the traffic impact on the surrounding road network.	Council's Development Engineer has reviewed the traffic and parking impacts of the proposal to be acceptable based on 71 children. It is noted that the children placement will be reduced to a maximum of 66 children which would reduce the number of trips to and from the centre. The proposed use of the site for the purposes of a child care centre is identified as a low trip generator which can be accommodated in the locality without affecting the performance of Dahlia Street, result in delays or queues of nearby intersections, and complies with Council's parking requirements.
11	Dahlia Street is sometimes restricted to one-way traffic due to parked vehicles visiting the corner shops. The proposal will further restrict access within Dahlia Street.	Given the operation of the child care centre will be wholly contained in the subject site, it is not anticipated that the proposal would directly result in greater loss of on-street parking as conditions are imposed to encourage the use of the basement car parking facility by parents and caregivers.
12	<p>The proposed child care centre will be a noise nuisance to surrounding properties. Concerns are raised regarding how noise from traffic flows during peak times will be controlled.</p> <p>Concerns are also raised to the noise impacts associated with demolition and construction of the child care centre.</p>	<p>Design of acoustic fencing location, height and thickness, and the submitted Noise Impact Assessment report and Noise Management Plan have been reviewed by Council's Environmental Health officer and are considered satisfactory to comply with the relevant noise control provisions. The Noise Impact Assessment demonstrates that the proposed centre can be accommodated on the site without noise nuisance to adjoining and surrounding properties, as the noise generated from both indoor and outdoor play activities can comply with the relevant environmental noise guidelines with the imposition of a Noise Management Plan submitted with the application and the installation of relevant noise mitigation measures such as acoustic fencing. The acoustic consultant recommendation is captured within the Noise Management Plan.</p> <p>In addition, conditions are imposed requiring all demolition, excavation and construction works carried out on the premises to be carried out in accordance with the Noise Management Plan to mitigate adverse noise impacts on surrounding properties.</p>

	Concern	Comment
13	<p>There will be an increased in waste on the street from the child care centre and increased activity in the area.</p> <p>Odour impacts associated with waste generated by the child care centre and the additional waste truck trips required.</p>	<p>The waste storage room is located within the basement level of the centre. Waste will be collected by licenced contractors on a weekly basis, and only be presented on the Dahlia Street frontage, west of the basement vehicular access, on collection day. Regular bin cleaning by the operator following bin collection is also recommended within the submitted Waste Management Plan.</p> <p>Conditions are imposed requiring the implementation of requirements of the Waste Management Plan during demolition, construction and the on-going operations of the child care centre to ensure residential amenity is maintained to surrounding properties with respect to odour and waste management.</p>
14	<p>Having a child care centre at the subject site will reduce property values significantly as it does not fit in the nature and landscape of the street and area.</p>	<p>There is no evidence which suggests that the proposal will reduce property values. This is not a matter for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979.</p> <p>The proposed development with its commercial nature is a permissible land use within the R2 – Low Density Residential zone.</p>
15	<p>There is a sewerage pipe across 75 Alpha Road and 95 Dahlia Street. There will be a risk of contamination with the basement construction for the child care centre.</p>	<p>A Preliminary Site Investigation report prepared by Geotechnical Consultant Australia, dated 4 May 2020, which includes a soil assessment, was submitted with the application. The report did not reveal any potential matters of concern with regard to contamination and concludes that the site is suitable for its intended use, subject to compliance with the recommendations of the report, which are to be imposed as conditions of consent. Council's Environmental Health department has also reviewed the report and determined that the site is suitable for such a development given that the report provides that the site is suitable for the proposed use.</p>
16	<p>Impact of truck movements during construction.</p>	<p>Conditions are imposed requiring the submission of a Construction Management Plan (CMP) prior to the issue of a Construction Certificate. The CMP shall demonstrate how construction and delivery vehicles will access the site during demolition, excavation and the construction phase of the development, including the route map of truck/construction vehicles to the site. Locations of any construction zones along the site</p>

	Concern	Comment
		frontage and alternate pedestrian paths are also to be detailed to minimise impacts of on adjoining properties during the demolition and construction phase of the development.
17	The proposal will adversely overshadow neighbouring properties.	<p>The subject site has a north-south orientation and does not result in adverse overshadowing of 75 Alpha Road and 4 Jasmine Place.</p> <p>The proposal overshadows Dahlia Street from 9am-Noon, mid-winter. Overshadowing of 95 Dahlia Street occurs from Noon-3pm, mid-winter.</p> <p>In accordance with Clause 6, Section 1.8 Sunlight Access within Part B of HDCP 2013, <i>the shadow effect from a proposed development on existing adjacent dwellings must be such that a minimum of 3 hours of direct sunlight between 9.00am and 4.00pm at the winter solstice (22 June) is to be provided to at least one main living area and at least 50% of the required private open space areas.</i></p> <p>At least one main living area and at least 50% of the private open space area of 95 Dahlia Street will receive a minimum of 3 hours direct sunlight between 9am-Noon, mid-winter, which complies with the solar access requirements contained within HDCP 2013.</p>
18	Loss of privacy from the first floor of the child care centre.	<p>Conditions are imposed requiring the two first floor windows along the northern/rear elevation to be amended to a minimum sill height of 1.5m measured from the first floor level, to ensure privacy is maintained between properties. It is also noted that the first floor is setback a minimum of 8.51m from the rear boundary.</p> <p>Only a first floor bathroom window is proposed along the eastern elevation, which would be fixed with obscured glazing and as such does not pose privacy concerns.</p>

	Concern	Comment
19	<p>Child care centres are classified as a 'sensitive use development' and it is stated that sensitive use developments are not permitted in flood prone land affected by the 100 year flood. The Child Care Planning Guideline outlines that when selecting a site, ensure that the site is environmentally safe, including risks such as flooding.</p> <p>There is no evacuation plan submitted and evacuation during a large storm/flood event has not been addressed.</p>	<p>The site is identified as a flood affected site and includes 1% AEP overland flow. The development application was reviewed by Council's Development Engineer who raised concerns with the proposal, including flooding issues, however it is advised that these issues can be addressed through the imposition of conditions of consent, including deferred commencement conditions requiring updated details to be included within the submitted flood study report, and the provision of boundary fencing in accordance with Council drawing SD8025.</p> <p>The application has been accompanied by an Evacuation Plan prepared by Benbow Environmental, dated 18 July 2019. The evacuation plan details procedures for staff in the event of an evacuation/emergency and assembly points. Notwithstanding the submitted evacuation plan, Council's Development Engineer has imposed conditions also requiring the submission of a Flood Evacuation Plan, which shall incorporate requirements in line with the updated Flood Study Report.</p> <p>In this regard, it is considered that the property is environmentally safe for the proposed child care centre, subject to conditions.</p>
20	<p>DA2019/303 for a child care centre at the subject site was lodged to Council and rejected for a Detailed Site Investigation, Survey and Flood Report. These matters have not been addressed as part of the subject DA.</p> <p>The subject DA has the same costs of works as DA2019/303. What happens if developers run out of funds to complete construction?</p>	<p>The subject application (DA2020/0207) has been accompanied with a revised Preliminary Site Investigation dated 4 May 2020, detailed survey plan for both properties, and Flood Study Report, in response to the rejection letter issued for DA2019/303, to enable lodgement of the subject application.</p> <p>The development as proposed under DA2019/303 remains as a two storey child care centre over basement parking, consistent with the current proposal as sought under the subject DA2020/0207. As such, the approximate costs of works outlined by both applications are consistent.</p> <p>In accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979, a development consent lapses 5 years from the date which it operates, and as such it is</p>

	Concern	Comment
		considered that there is adequate timing for any consent to be activated in a manner from start to completion.
21	Construction of the proposal will result in damage to foundations due the minimal setbacks of the basement to neighbouring property boundaries.	Conditions are imposed requiring a dilapidation report to be prepared for any adjoining or nearby properties that may be subject to potential damage as a result of any works being undertaken on the development site. The dilapidation report provides a record of the state of neighbouring properties prior to any works commencing and is designed to assist all parties should damage occur as a result of development works.

The public interest (EP&A Act s4.15(1)(e))

The public interest is served by permitting the orderly and economic development of land, in a manner that is sensitive to the surrounding environment and has regard to the reasonable amenity expectations of surrounding land users.

In view of the foregoing analysis it is considered that the development, if carried out subject to the conditions set out in the Draft Notice of Determination, would not result in adverse impacts in the locality, contrary to the public interest.

Section 7.12 Contribution Towards Provision or Improvement of Amenities or Services

This part of the Act relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The subject DA was lodged after 15 January 2020. Therefore, the Cumberland Local Infrastructure Contribution Plan 2020 applies to the proposal.

Cumberland Local Infrastructure Contribution Plan 2020 states that a 1% contribution applies for development with a cost of works of \$200,000 or more, under section 7.12. The development application has a cost of works valued at \$2,619,502.00, therefore a contribution of \$26,195.00 is payable.

It is recommended that conditions be imposed on any consent requiring the payment of these contributions prior to the issue of any Construction Certificate for the development.

Disclosure of Political Donations and Gifts

The applicant and notification process did not result in any disclosure of Political Donations and Gifts.

CONCLUSION:

The Application has been assessed in accordance with the relevant requirements of the Environmental Planning and Assessment Act 1979, State Environmental Planning

Policy No. 55 – Remediation of Land, State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017, Education and Care Services National Regulations, Draft Cumberland Local Environmental Plan 2020, Holroyd Local Environmental Plan 2013 and the Holroyd Development Control Plan 2013, and is considered to be satisfactory for approval via a deferred commencement consent, subject to a reduction in the number of children to 66 (to comply with the outdoor unencumbered space) and the recommended draft conditions.

REPORT RECOMMENDATION:

1. **That Development Application No. DA2020/0207 for demolition of existing structures and construction of a two storey 66 place centre-based childcare facility over basement car parking be approved as a deferred commencement consent subject to attached conditions, provided at Attachment 1.**
2. **Persons whom have lodged a submission in respect to the application be notified of the determination of the application.**

ATTACHMENTS

1. Draft Notice of Determination [↓](#)
2. Architectural Plans [↓](#)
3. Landscape Plans [↓](#)
4. Flood Study Report [↓](#)
5. Noise Impact Assessment [↓](#)
6. Noise Management Plan [↓](#)
7. Parking & Traffic Impact Assessment [↓](#)
8. Appendix A - SEPP (Edu & Child Care) 2017 [↓](#)
9. Appendix B - Holroyd Local Environmental Plan 2013 [↓](#)
10. Appendix C - Holroyd Development Control Plan 2013 [↓](#)
11. Appendix D - Child Care Planning Guideline 2017 [↓](#)
12. Submissions Received [↓](#)

DOCUMENTS
ASSOCIATED WITH
REPORT LPP046/20

Attachment 1
Draft Notice of Determination



DEVELOPMENT APPLICATION NOTICE OF DETERMINATION

Under the *Environmental Planning and Assessment Act, 1979*
(Section 4.18(1))

Development Application No: DA2020/0207

Applicant: Bains Design
PO Box 2402
NORTH PARRAMATTA NSW 2124

Property Description: 95-97 Dahlia Street, Greystanes
Lots 16 & 17, DP236780

Development: Demolition of existing structures and construction of a two storey 66 place centre-based childcare facility over basement car parking

Determination

Pursuant to Sections 4.16(3) of the Act, Council advises that the development application has been determined by:

- **Granting of "Deferred Commencement" Consent** subject to the conditions attached on the following page(s)

Determination Date: 9 September 2020

Date from which Consent Operates: To be advised upon satisfactory completion of Schedule "A"

Date Consent Lapses: To be advised upon satisfactory completion of Schedule "A"

By: Cumberland Local Planning Panel

Right of Appeal

Sections 8.7 and 8.10 of The Act confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court within 6 months of the date of this notice.

NOTE: This consent is generally valid for a period of 5 years effective from the date of this notice, unless specified otherwise by Section 4.53 of the Act, or by conditions.

Michael Lawani
COORDINATOR MAJOR DEVELOPMENT ASSESSMENT

Date: 9 September 2020

In accordance with Section 4.59 of the *Environmental Planning and Assessment Act, 1979*, any person may question the validity of this consent in legal proceedings commenced in the Land and Environment Court within 3 months of the date of publication of the notice.

CONDITIONS OF CONSENT

Deferred Commencement Conditions

1. **DADCA01 - Deferred Commencement Approval**

This is a 'Deferred Commencement Consent' under Section 4.16(3) of the Environmental Planning and Assessment Act 1979. This consent does not become operative until the applicant has satisfied Council of the requirements listed in Schedule 'A' of this consent, and Council has advised in writing that those matters have been satisfactorily addressed. In accordance with s.4.53(6) of the Act, if the applicant fails to satisfy Council as to the matter/s specified in Schedule A within 5 years from the date of this consent, this consent lapses.

(Reason: Statutory requirement)

Schedule 'A'

2. **DADCZ01 - Flood Study Report**

The submitted flood Study Report shall be updated to include the following:

- The extent of inundation and the flood levels shall be plotted/overlayed on the site plan/stormwater plan for pre development and post development scenario. The extent of inundation is to be based on the associated overland flood level and ground levels.
- If a model is prepared as a part of supporting document, the model shall be calibrated against the information provided by council in flood information letter dated 05/02/2019.

(Reason: To ensure minimal flood affectation, impact, and protection from the flood)

3. **DADCZ02 - Amended Plans**

Amended plans (stormwater, architectural and landscape plans etc) shall incorporate the measures and recommendations of the Flood Study Report.

(Reason: To ensure minimal flood affectation, impact and protection from the flood)

General Conditions

4. **DAGCA01- General**

This consent shall lapse five years after the date from which it operates unless building, engineering or construction work has physically commenced.

(Reason: Advisory)

5. **DAGCA02 - Approved Plans and Supporting Documents**

The development must be carried out in accordance with the following endorsed plans and documents, except as otherwise provided by the conditions of this consent.

Reference/Dwg No	Title/Description	Prepared By	Date/s
Drawing Nos. 01, 02, 03, 04, 05, 06, 07, 08 & 13; all Revision B	Architectural Plans - As amended to satisfy Schedule A conditions	Baini Design	15/03/2019
Sheet Nos. LA-00, LA-01 & LA-02, all Issue C	Landscape Plan - As amended to satisfy Schedule A conditions	Studio IZ	15/07/2019
Report No. R02229-FIA, Revision A	Flood Impact Assessment - As amended to satisfy Schedule A conditions	C&M Consulting Engineers Pty Ltd	March 2020

Drawing Nos. 000, 101, 102, 103, 104, 105, all Issue A	Engineering Plans - As amended to satisfy Schedule A conditions	Australian Consulting Engineers	11/07/2019
Report No. 191057_EvacuationPlan_Rev1	Evacuation Plan	Benbow Environmental	18/07/2019
Report No. E2061-1	Preliminary Site Investigation	Geotechnical Consultants Australia	4/05/2020
Report No. 191056_WMP_Rev2	Waste Management Plan	Benbow Environmental	22/07/2019
	Plan of Management	Think Planners Pty Ltd	14/07/2019
Report No. 190127R1, Revision 0	Noise Impact Assessment	Rodney Stevens Acoustics	15/04/2019
Report No. 190127NMP1, Revision 0	Noise Management Plan	Rodney Stevens Acoustics	15/04/2019
	Correspondence from Endeavour Energy	Endeavour Energy	20/05/2020

(Reason: To confirm and clarify the details of the approval)

6. **DAGCA04 - Child Care Centre**

This approval is given for the use of the land for the purposes of a Child Care Centre with a maximum of 66 children (0-5 years). A separate approval and/or license will be required from the Department of Education and Communities (DEC) prior to commencement of operations. Compliance with the Education and Care Services National Regulations is required at all times.

(Reason: Clarify approved use)

7. **DAGCA05 - Construction within Boundary**

All approved construction including but not limited to footings, walls and guttering shall be constructed wholly within the boundaries of the site.

(Reason: To ensure compliance with approved plans)

8. **DAGCA07 - Separate Approvals**

Separate Development Approval shall be obtained for the installation of signage in association with the proposed use.

(Reason: To control the future development of the site)

9. **DAGCA08 - Obtaining a Construction Certificate for Building Work**

This Development Consent does not constitute approval to carry out construction work. Construction work may only commence upon the issue of a Construction Certificate, appointment of a Principal Certifier, and lodgement of Notice of Commencement.

If demolition is associated with the erection of or extension to an existing building, then demolition must not commence prior to the issue of a Construction Certificate.

(Reason: Information)

10. **DAGCB01- Australia Post Guidelines**

Letter boxes are to be provided for each occupancy within the development in accordance with the relevant Australia Post Guidelines.

(Reason: To ensure compliance with mail delivery regulations)

11. **DAGCB02 - Food Premises - Design, Construction and Fitout of Food Premises**

The design, construction, and fitout of the food premises must comply with Standard 3.2.3 of

the Australian and New Zealand Food Standards Code under the Food Act 2003 and AS 4674 - 2004 Design, Construction and Fitout of Food Premises.

Note: Copies of AS 4674-2004 may be obtained from the Standards Australia Customer Service by visiting the website www.standards.com.au. Copies of the Food Standards Code (Australia) may be obtained by visiting the website www.foodstandards.gov.au.

(Reason: To ensure the food premises fitout complies with relevant food safety legislation and standards)

12. DAGCB03 - Lighting

Any lighting on the site shall be designed so as not to cause a nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with AS 4282-1997 Control of the obtrusive effects of outdoor lighting.

(Reason: Protect amenity of surrounding area)

13. DAGCB06 - Telecommunications/ TV Antennae

No more than one telecommunications/TV antenna is to be installed to each dwelling/building.

(Reason: To prevent the proliferation of telecommunications/TV antennae)

14. DAGCB07 - Tree Preservation

All street trees and trees on private property that are protected under Cumberland City Council's controls, shall be retained except where Council's prior written consent has been obtained.

(Reason: Tree preservation)

15. DAGCD06 - Mechanical Ventilation

The premises must be suitably ventilated in accordance with the National Construction Code 2019 and AS1668.1 and 2 - 2012. The Use of Ventilation and Air-Conditioning in Buildings - Mechanical Ventilation in Buildings.

(Reason: To ensure compliance with ventilation standards)

16. DAGCD07 - Waste Management

Requirements of the approved Waste Management Plan shall be complied with during site preparation and throughout demolition and construction phases of the development.

(Reason: Compliance with approval)

Conditions which must be satisfied prior to the commencement of demolition of any building or structure

17. DAPDB01 - Construction Certificate - Prior to the Commencement of any Demolition Works

Where demolition is associated with the erection of a new structure, or an altered portion of or an extension to an existing building, the demolition of any part of a building is "commencement of building work" pursuant of section 6.6 of the Act. In such circumstance all conditions of this consent must be satisfied prior to any demolition work. This includes, but is not limited to, the issue of a Construction Certificate, appointment of a PCA and Notice of Commencement under the Act.

Note: This only applies to demolition work associated with an altered portion or an extension to an existing building and does not apply to demolition works prior to a new development/build, as demolition may occur prior to a Construction Certificate being issued.

(Reason: Statutory Requirement)

18. DAPDB02 - Demolition - General

Demolition - General

- a) That two (2) working days (i.e. Monday to Friday exclusive of public holidays) prior to the commencement of any demolition work, notice in writing is to be given to the Council. Such written notice is to include:
 - The date when demolition will commence,
 - Details of the name, address and business hours contact telephone number of the demolisher, contractor or developer.
 - The licence number of the demolisher, and relevant WorkCover licenses, (see minimum licensing requirements in (d) below, and
 - Copies of the demolisher's current public liability/risk insurance policy indicating a minimum cover of \$10,000,000.00.
- b) Demolition of buildings and structures must comply with all current and relevant Australian Standards.
- c) Demolition works are restricted as follows:
 - Monday to Saturday inclusive - 7:00am - 5:00pm
 - Sundays and Public Holidays - No work
- d) At least two (2) working days (i.e. Monday to Friday exclusive of public holidays), the developer or demolition contractor must notify adjoining residents prior to demolition commencing advising the following:
 - The date when demolition will commence;
 - Details of the name, address and business hours contact telephone number of the demolisher, contractor or developer;
 - The telephone number of WorkCover's Hotline 13 10 50.

Demolition Involving the Removal of Asbestos

General Information

Homes built or renovated prior to 1987 are likely to contain asbestos. Asbestos is most commonly found within eaves, internal and external wall cladding, ceilings and walls (particularly within wet areas such as bathrooms and laundries), and fences. Unless properly handled, asbestos disturbed or removed during renovations can cause the development of asbestos related diseases, such as asbestosis, lung cancer and mesothelioma.

To ensure work does not cause undue risk please see the following site for further information:
www.asbestosawareness.com.au

Asbestos to be removed by licensed asbestos removalist

All works removing asbestos containing materials must be carried out by a suitably licensed asbestos removalist duly licensed with Workcover NSW, holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal License which ever applies AND a current WorkCover Demolition License where works involve demolition.

NOTE:

- Removal of asbestos by a person who does not hold a Class A or Class B asbestos removal license is permitted if the asbestos being removed is 10m² or less of non-friable asbestos (approximately the size of a small bathroom).
- Friable asbestos materials must only be removed by a person who holds a current Class A asbestos license.
- To find a licensed asbestos removalist please see www.workcover.nsw.gov.au

Compliance with applicable Legislation, Policies and Codes of Practice

Asbestos removal works are to be undertaken in accordance with the following:

- NSW Work Health and Safety Act and Regulation 2011;
- Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace [NOHSC:2018(2005)]

- NSW Government WorkCover Code of Practice - How to Safely Remove Asbestos;
- NSW Government WorkCover Code of Practice - How to Manage and Control Asbestos in the Workplace; and

Clearance certificate

Following completion of asbestos removal works undertaken by a licensed asbestos removalist re-occupation of a workplace must not occur until an independent and suitably licensed asbestos removalist undertakes a clearance inspection and issues a clearance certificate.

Notification of asbestos removal works

At least two (2) working days (i.e. Monday to Friday exclusive of public holidays), the developer or demolition contractor must notify adjoining residents prior to the commencement of asbestos removal works. Notification is to include, at a minimum:

- The date and time when asbestos removal works will commence;
- The name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
- The full name and license number of the asbestos removalist/s; and
- The telephone number of WorkCover's Hotline 13 10 50

Warning signs must be placed so they inform all people nearby that asbestos removal work is taking place in the area. Signs should be placed at all of the main entry points to the asbestos removal work area where asbestos is present. These signs should be weatherproof, constructed of light-weight material and adequately secured so they remain in prominent locations. The signs should be in accordance with AS 1319-1994 Safety signs for the occupational environment for size, illumination, location and maintenance.

Barricades

Appropriate barricades must be installed as appropriate to prevent public access and prevent the escape of asbestos fibres. Barricades must be installed prior to the commencement of asbestos removal works and remain in place until works are completed.

(Reason: To ensure compliance with the relevant legislation and to ensure public and work safety)

19. **DAPDB03 - Demolition - Asbestos**

Asbestos to be removed by a licensed asbestos removalist

All demolition works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover NSW Friable Class A Asbestos Removal Licence or where applicable a Non-friable Class B (bonded) Asbestos Removal Licence. Removal must be carried out in accordance with the "Code of Practice on how to safely remove asbestos" published by WorkCover NSW (catalogue no.WC03561).

No asbestos products are to be re-used on site.

No asbestos laden skips or bins are to be left in any public place without the approval of Council.

Note:

- Removal of asbestos by a person who does not hold a Class A or Class B asbestos removal licence is permitted if the asbestos being removed is 10 m² or less of non-friable asbestos (approximately the size of a small bathroom).
- Friable asbestos materials must only be removed by a person who holds a current Class A asbestos license.
- To find a licensed asbestos removalist please see www.workcover.nsw.gov.au

Compliance with applicable Legislation, Policies and Codes of Practice

Asbestos removal works are to be undertaken in accordance with the following:

- NSW Work Health and Safety Act and Regulation 2011;
- Safe Work Australia Code of Practice for the Management and Control of Asbestos in the Workplace [NOHSC:2018(2005)]

- NSW Government WorkCover Code of Practice - How to Safely Remove Asbestos;
- NSW Government WorkCover Code of Practice - How to Manage and Control Asbestos in the Workplace.

(Reason: To ensure compliance with the relevant legislation and to ensure public and work safety)

20. DAPDB04 - Asbestos Clearance Certificate

Following completion of asbestos removal works undertaken by a licensed asbestos removalist re-occupation of a workplace must not occur until an independent and suitably licensed asbestos removalist undertakes a clearance inspection and issues a clearance certificate.

(Reason: To ensure compliance with the relevant legislation and to ensure public and work safety)

21. DAPDB05 - Notification of Asbestos Removal Works

At least five (5) working days (i.e. Monday to Friday exclusive of public holidays), the developer or demolition contractor must notify adjoining residents prior to the commencement of asbestos removal works. Notification is to include, at a minimum:

- The date and time when asbestos removal works will commence;
- The name, address and business hours contact telephone number of the demolisher, contractor and/or developer;
- The full name and license number of the asbestos removalist/s; and
- The telephone number of WorkCover's Hotline 13 10 50.

Standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm are to be erected in prominent visible positions on the site during asbestos removal works.

(Reason: To ensure compliance with the relevant legislation and to ensure public and work safety)

22. DAPDB06 - Barricades for Asbestos Removal

Appropriate barricades must be installed as appropriate to prevent public access and prevent the escape of asbestos fibres. Barricades must be installed prior to the commencement of asbestos removal works and remain in place until works are completed.

(Reason: To ensure compliance with the relevant legislation and to ensure public and work safety)

23. DAPDB07 - Site Safety Fencing - Demolition Only

The site must be fenced to a minimum height of 1.8m in accordance with SafeWork NSW guidelines to prevent public access throughout demolition. The fencing must be erected before the commencement of any demolition work and maintained.

(Reason: Public safety)

24. DAPDB08 - Demolition Inspections

Council (not a private certifier) must inspect the site prior to and after demolition works. Payment of the demolition inspection fee in accordance with Council's current fees and charges policy must be made to arrange the inspections.

After completion of demolition works, the applicant must notify Council within 7 days to assess the site and ensure compliance with AS2601-2001 - Demolition of Structures.

(Reason: To ensure compliance with the relevant legislation and to ensure public and work safety)

25. DAPDB09 - Tree Preservation

All street trees and trees on private property that are protected under Cumberland City Council's

controls, shall be retained and protected in accordance with AS 4970 - 2009 'Protection of Trees on Development Sites' during demolition and construction works except where Council's prior written consent has been obtained.

(Reason: Tree Preservation and Protection)

26. DAPDB10 - Demolition, Excavation, Construction Noise and Vibration Management Plan

A site specific Noise Management Plan shall be developed and submitted to Council prior to the commencement of any demolition, excavation and construction works on site.

The Plan must be prepared by a suitably qualified person who possesses the qualifications to be eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants.

The Plan must include but not be limited to the following:-

- (a) Identification of any noise sensitive receivers near to the site;
- (b) A prediction as to the level of noise impact, including the proposed number of any high noise intrusive appliances, likely to affect the nearest noise sensitive receivers. A statement should also be submitted outlining whether or not predicted noise levels will comply with the noise criteria stated in the NSW EPA Interim Construction Noise Guideline (2009). Where resultant site noise levels are likely to be in exceedance of this noise criteria then a suitable proposal must be given as to the duration and frequency of respite periods that will be afforded to the occupiers of neighbouring property;
- (c) A representative background noise measurement (LA90, 15 minute) should be assessed in the vicinity of any potentially affected receiver locations and measured in accordance with AS 1055:1.2.1997;
- (d) Confirmation of the level of community consultation that has/is and will be undertaken with Building Managers/ occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during the demolition and excavation phases;
- (e) Confirmation of noise monitoring methodology that is to be undertaken during the main stages of work at neighbouring noise sensitive properties in order to keep complaints to a minimum;
- (f) The type of action will be undertaken following receipt of a complaint concerning offensive noise including provision of a site contact;
- (g) Details of any noise mitigation measures that have been outlined by an acoustic consultant or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring noise sensitive property to a minimum.

(Reason: Environmental and residential protection)

27. DAPDB11 - Hazardous Materials Survey Required

Prior to the commencement of any demolition works on site, a Hazardous Materials Survey Report must be prepared by a suitably qualified person (such as a certified Occupational Hygienist) and submitted to the satisfaction of the certifier, with a copy provided to Council. The report must identify and record the type, location and extent of any hazardous materials on the site and make recommendations as to the safe management and/or removal to ensure the site is safe for demolition, construction and future use/occupation.

(Reason: To ensure controls are in place for hazardous materials)

28. DAPDB12 - Sediment and Erosion Control measures

Prior to the commencement of works, the following measures are to be implemented on the site to assist with sedimentation control during the construction phase of the project:-

- (a) A dish shaped diversion drain or similar structure will be constructed above the proposed building works to divert run-off to a stable discharge area such as dense ground cover. This diversion drain is to be lined with turf or otherwise stabilised.
- (b) A sediment-trapping fence using a geotechnical fabric specifically designed for such purpose and installed to manufacturer's specifications is to be placed in suitable

- locations below the construction area to reduce impacts on waterways.
- (c) Vegetation and/or existing building structures will be cleared from the construction site only, other areas to remain undisturbed.
 - (d) Restricting vehicle access to one designated point and having these driveways adequately covered at all times with blue metal or the like.
 - (e) A vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, shall be installed prior to commencement of any site works or activities, to prevent mud and dirt leaving the site and being deposited on the street.
 - (f) Building operations such as brick cutting, washing tools or brushes and mixing mortar are not permitted on public roadways or footways or in any other locations, which could lead to the discharge of materials into the stormwater drainage system or waterways.
 - (g) Stockpiles of topsoil, sand, aggregate, soil or other material shall not be located on any drainage line or easement, natural watercourse, footpath or roadway. Stockpiles shall be protected with adequate sediment controls.
 - (h) The installation of gutters, downpipes, and the connection of downpipes to the stormwater disposal system prior to the fixing of the roof cladding.

Such measures are to be maintained at all times to the satisfaction of Council and the Principal Certifier. Failure to do so may result in the issue of penalty notices.

(Reason: To minimise/prevent impacts on waterways by minimising soil erosion and sediment leaving the site)

Conditions which must be satisfied prior to the issue of a Construction Certificate

29. DACCA01 - Amendments to Approved Plans

Amended plans/documents shall be submitted to the Accredited Certifier prior to the issue of a Construction Certificate addressing the following matters:

- a) The two first floor meeting room windows along the northern elevation shall be amended to a minimum sill height of 1.5m measured from the finished floor level.
- b) The bin tug shall be securely located within the bin storage room with no obstructions manoeuvring bins to Council's collection point (e.g. door width, shared zones, bollards etc).
- c) A 2.1m high acoustic fence with 45° awning extending to 1m, as measured from the finished floor level of the outdoor play area, shall be constructed entirely within the subject property.
- d) All boundary fence on top of retaining wall with the fence height exceeding 2.4m as measured from the lower adjacent ground level, shall be constructed of transparent Perspex/lattice type of materials in its place.

(Reason: To ensure privacy is maintained between properties)

30. DADCZ03 - Vehicular access and manoeuvring

- a) The gradient of the driveway for the first 6m from the property boundary towards the basement car park shall be designed to limit within the 5% gradient. Further, the ramp shall be designed to comply with the gradient in accordance with AS2890.1-2004, with the resultant levels and gradients clearly shown on the drawings (Plan and Long-sectional profile).
- b) To improve the manoeuvrability and widen the width of the driveway ramp towards the downstream end of the ramp, the north-eastern corner of the storeroom adjacent to the ramp shall be chamfered to allow widened wing of the ramp.
- c) The parking aisle width shall be increased to 6.2m or as per class 3A for short-term high

turnover user class in accordance with AS2890.1-2004.

- d) The visitors' car parking spaces shall not be less than 2.6m wide as required for high turnover and short-term parking. All car parking space shall be dimensioned, numbered, and clearly shown on the architectural and basement plans.

(Reason: Access and safety)

31. **DACCA02 - Application for a Construction Certificate**

Construction work must not commence until a Construction Certificate has been obtained from Council or an Accredited Certifier.

(Reason: Statutory requirement)

32. **DACCA03 - Disabled Access & Facilities**

Access and facilities for people with disabilities must be provided in accordance with the relevant requirements of the National Construction Code (for all new building work) and in addition, with the relevant requirements of the 'Disability (Access to Premises - Building) Standards 2010'. Details of the proposed access, facilities and car parking for people with disabilities are to be included in the plans/specifications for the construction certificate.

(Reason: To ensure compliance with the requirements of the National Construction Code)

33. **DACCA04 - Works within Boundary**

No portion of the works are to encroach beyond the boundaries of the subject property. Alternatively, documentary evidence that the owner of the adjoining property has no objection to the required works or access, is to be submitted to the Principal Certifier prior to the issue of a Construction Certificate.

(Reason: To ensure protection of adjoining properties)

34. **DACCB01 - Damage Deposit for Council Infrastructure**

A Damage Deposit (calculated in accordance with Council's adopted Fees and Charges) shall be paid to Council prior to the issue of the Construction Certificate. This Damage Deposit can be refunded upon the completion of all works with the issue of an Occupation Certificate. A written request shall be submitted to Council to release the bond.

Council may use part or all of the deposit to carry out rectification work for any damage caused by the development to Council's infrastructure.

(Reason: To protect Council infrastructure)

35. **DACCB02 - Payment of Bonds, Fees and Long Service Levy**

The Principal Certifier is to ensure and obtain written proof prior to the issue of a Construction Certificate that all bonds, fees and contributions as required by this consent have been paid to the applicable authority. This includes payment of a long service levy as required under part 5 of the Building and Construction Industry Long Service Payments Act 1986.

(Reason: To ensure that the applicable bonds, fees and levies are paid)

36. **DACCB04 - Section 7.12 Contribution**

Prior to the issue of a Construction Certificate, a monetary contribution imposed under Section 7.12 of the Environmental Planning and Assessment Act 1979 and Cumberland Local Infrastructure Plan, is to be paid to Council. The amount of the contribution will be determined at the time of payment in accordance with the relevant Contributions Plan in force at that time. A copy of the Cumberland Local Infrastructure Plan can be viewed on Council's website at www.cumberland.nsw.gov.au or inspected at Council's Service Centre located at 16 Memorial Avenue, Merrylands between the hours of 8am and 4.30pm Monday to Friday.

(Reason: To retain a level of service for the existing population and to provide the same level of service to the population resulting from new developments)

37. DACCB05 - Fees to be paid to Council prior to issue of the Construction Certificate

Demolition Inspections	Applicable fee
Damage Deposit	\$2,995.00
Sect. 7.12 Contributions	\$26,195.00 + CPI
Cash bond to cover the registration of a Positive Covenant and Restriction as to User over the Onsite Stormwater Detention System. (This bond is refundable upon the submission of proof of registration of the Restriction on Use and Positive Covenant with the Land and Property Information NSW.)	\$6,290.00
Bond for removal of redundant vehicular crossing	\$1,500.00
Bond for footpath construction/reconstruction	\$3,000.00
Bond for kerb and gutter construction/reconstruction	\$3,000.00
Landscaping Inspection fee where Council is the Principal Certifying Authority	\$352.00
Traffic Management Plan	\$211.50

Please note that other fees and charges may be applicable to the proposal, and the total fees calculated at the time of payment may exceed the figures detailed above. Further, fees to be paid to Council will be determined at the time of payment in accordance with Council's current adopted Fees and Charges Policy and therefore may exceed the fee amount quoted above.

(Reason: Statutory requirement and information)

38. DACCB06 - Photographic Record of Council Property - Damage Deposit

The applicant shall submit to Council prior to demolition commencing and/or issue of any Construction certificate, for the purposes of the damage deposit bond lodged to cover making good any damage caused to the property of Council, a full photographic record of the condition of Council's property (i.e., road pavement, kerb and guttering, footway, stormwater drainage, etc.) adjacent to the subject site.

The purpose of the photographic record is to establish any pre-existing damage to Council's property to ensure that you are not liable for any re-instatement works associated with that damage. However, if in the opinion of Council, the existing damage has worsened or any new damage occurred during the course of construction, Council may require either part or full re-instatement.

Failure to provide a full photographic record described above, is likely to render the applicant liable to rectify all damages unless satisfactory proof can be provided that the damage was pre-existing.

(Reason: Maintain public assets)

39. DACCC01 - Footpath Design Levels

Detailed footpath levels shall be obtained from Council before finalisation of the footpath and driveway design for Construction Certificate Application by lodging an "Application for Property Boundary Line Levels". Any required adjustments shall be included in the plans and the interface across the street boundaries shall be designed to incorporate smoothly the designated levels.

When lodging the "Application for Property Boundary Line Levels", fees are payable in accordance with Council's adopted fees and charges, which will go towards administration

costs.

Unless an alternative specific design is submitted and approved by Council, the footpath levels adjoining the site shall generally be as follows:

- (a) The internal driveway levels shall be designed to meet Council's footpath verge levels such that a maximum cross fall of 2.5% is achieved where the formal footpath meets the driveway.
- (b) The level of the boundary line as it crosses the driveway shall incorporate a cross fall equivalent to the general longitudinal grade of the street. Any required adjustments shall be included in the plans and submitted for approval (under Section 138 of the Roads Act) prior to the release of the Construction Certificate.

Note: Care should be taken in steep landforms to ensure scraping of vehicles is avoided.

(Reason: Public infrastructure)

40. DACCC02 - Protection of Public Places

The adjoining or adjacent public area is not to be obstructed by any materials, vehicles, refuse skips and the like, under any circumstances unless approved in writing by Council.

If the work involved in the demolition or construction of a building is likely to disrupt or obstruct pedestrian or vehicular traffic in a public place, or building involves the closure of a public place, a barrier, fence or hoarding shall be erected prior to the commencement of any work subject to approval of a Traffic Management Plan.

(Reason: Safety)

41. DACCC03 - Submission of Plans for Works within the Road Reserve

The submission to Council of three (3) copies and an electronic copy of Civil Engineering drawings for the design of all works within the road reserve required adjacent and outside 95-97 Dahlia Street, Greystanes including long sections and cross sections, details of proposed structures, ancillaries (e.g. footpaths, signage etc.) and specifications.

The drawings must be approved by Council in writing and all fees and charges paid prior to the issue of the Construction Certificate.

Such design shall be:

- (a) Prepared and submitted in electronic format, undertaken by a consulting Civil Engineer,
- (b) Approved in writing by Council under Section 138 of the Roads Act., prior to the issue of the Construction Certificate, and
- (c) All Civil Engineering works outside 95-97 Dahlia Street, Greystanes or within the road reserve and road is to be fully supervised by Council. A maintenance period of six (6) months or as specified by Council shall apply to the work after it has been completed and approved. In that period the Applicant shall be liable for any part of the work which fails to perform in the manner outlined in Council's specifications, or as would reasonably be expected under the design conditions, and
- (d) Upon completion of the works, the Applicant is to provide to Council two (2) copies of "work as executed plans". The plans are to show relevant dimensions and finished levels and are to be certified by a registered surveyor. Also the Applicant is to provide to Council, in an approved format, details of all public infrastructure created as part of the works, including certification from the Design Engineer.

Note: Driveway construction will require a separate approval vehicular crossing and road works.

(Reason: To ensure compliance of engineering works/Council assets are constructed to acceptable standards for engineering works)

42. DACCC04 - Vehicular Crossings, Redundant Vehicular Crossings and other Works

Concrete vehicular crossing(s) shall be installed across the footpath at the entrance(s) and/or exit(s) to the site in accordance with Council requirements. All disused or redundant vehicle crossings and laybacks shall be removed and reinstated with concrete kerb and gutter or to the existing edging profile as specified by Council and the footpath area is to be restored to the satisfaction of Council's Engineer.

A separate Council approval is required and in this regard the applicant must lodge an application (available from Council's Customer Services Centre or from Council's website), and pay the appropriate fees and charges prior to the issue of the Construction Certificate.

This application will also be required where new pavement, repair or reinstatement of footpath or other ancillary works such as kerb and gutter and stormwater pit construction is proposed and/or required.

(Reason: To ensure appropriate access to the site can be achieved)

43. DACCC05 - Hoardings

A separate Hoarding approval for the erection of a Class A (fence type) or Class B (overhead type) hoarding along the street frontage(s) must be obtained from Council. The relevant application form shall be submitted to Council with a footpath occupancy fee based on the area of footpath to be occupied according to Council's Schedule of Fees and Charges, and the application shall be approved before the commencement of work.

(Reason: Safety & information)

44. DACCC06 - Separate Approval for Works in the Public Road (External Works) - Section 138 Roads Act

In accordance with Section 138 of the Roads Act 1993 and prior to the issue of any Construction Certificate, the applicant must submit a Road and Footpath Opening Permit application with detailed plans. Written approval must be obtained from the appropriate road authority (usually Council for local and regional roads and both Council and Roads & Maritime Services (RMS) for arterial roads), for any works in the road reserve.

Where the work involves closure of a carriageway on a State or Regional Road, or may impact on traffic flows on a State or Regional Road, or is within close proximity of a Traffic Facility (e.g. Traffic Lights) then a Road Occupancy License (ROL) must be obtained from the Planned Incidents Unit of the Traffic Management Centre of the RMS. The application should be lodged at least 10 days prior to the planned commencement date.

(Reason: Protection of Public Assets and information)

45. DACCE02 - Construction Management Plan

Prior to the issue of any Construction Certificate, a Construction Management Plan shall be submitted to the Accredited Certifier providing details of the following:

- a) Actions and works proposed to ensure safe access to and from the site, including how the road and footpath area will be protected from building activities, plant and materials delivery, or static loads from cranes, concrete pumps and the like.
- b) The proposed method of loading and unloading excavation machines, building materials, formwork, and the erection of any part of the structure within the site.
- c) The proposed areas within the site to be used for a builder's site office and amenities, the storage of excavated material, construction materials and waste containers during the construction period.
- d) How it is proposed to ensure that soil/excavated material is not transported on wheels or tracks of vehicles or plant and deposited on surrounding roadways.
- e) The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve - the proposed method of support is to be designed by a Chartered Civil Engineer.
- f) A Soil and Water Management Plan detailing all sedimentation controls.

(Reason: To ensure pedestrian safety, traffic management, amenity and protection of public

infrastructure and the environment)

46. DACCE03 - Construction Traffic Management Plan (CTMP)

Prior to the issue of any Construction Certificate, the applicant shall submit and have approved by Principal Certifying Authority, a detailed construction Traffic Management Plan (TMP). The plan shall demonstrate how construction and delivery vehicles will access the development site during the demolition, excavation and construction phase of the development. The plan shall be certified by a suitably qualified and experienced traffic consultant and all traffic associated with the subject development shall comply with the terms of the approved Construction Traffic Management Plan.

The following matters (at a minimum) must be addressed in the TMP:

- a) A detailed description and route map of the proposed truck/construction vehicle access routes.
- b) The locations of any proposed Construction Works Zones along the site frontage.
- c) Provide a construction schedule.
- d) Tradesperson parking (parking shall be provided on-site where possible).
- e) Provide relevant Traffic Control Plans (must be certified by a suitably qualified RMS ticket holder).
- f) Provide relevant Pedestrian Management Plans.
- g) A site plan which indicates site entrances and exits, turning areas within the site for construction and spoil removal vehicles allowing a forward ingress and egress for all construction vehicles on the site (superimposed truck swept path diagrams). Site entrances and exits shall be controlled by a certified traffic controller.

(Reason: Traffic management, pedestrian safety and amenity during construction phase)

47. DACCF01 - Canopy Tree/s

To ensure the preservation of the landscape character of the area, the landscape plan submitted with the Construction Certificate application shall incorporate a canopy tree/s, to achieve a minimum 10m height at maturity and located at the front on the site. The tree is to be supplied from a minimum 100 litre container and be maintained by the applicant until the tree is properly established.

(Reason: Preservation of the landscape character of the area)

48. DACCG05 - Off Street Car Parking - General

Twenty-five (25) off-street car parking spaces suitably marked in accordance with the approved plans (unless elsewhere specified) shall be provided. Each space shall have minimum dimensions in accordance with the relevant Australian Standard.

Details are to be submitted to the Principal Certifier prior to the issue of a Construction Certificate showing compliance with this condition.

(Reason: Parking and access)

49. DACCG07 - Maintaining Sight Lines

All new walls adjacent to vehicular crossings must be lowered to a height of 600mm above the internal driveway level for a distance of 2.0m within the site or splayed 2.0m wide by 2.5m deep to provide satisfactory sight lines. Details are to be submitted to the Accredited Certifier prior to the issue of a Construction Certificate showing compliance with this condition.

(Reason: Safety)

50. DACCG08 - Ramp Width Requirements (multi-unit development)

The internal driveway must be a minimum 5.50m wide (clear width) for the first 6 metres inside the property to allow entering & exiting vehicles to pass within the site. Should the driveway narrow after this point, it is to be designed with a minimum 1.5m x 1.5m splay to allow the passing to work. The building plans shall indicate compliance with this requirement prior to the issue of a Construction Certificate.

(Reason: Safety and traffic management)

51. DACCG11 - Stop Signs

Appropriate sign(s) shall be provided and maintained within the site at the point(s) of vehicular egress to signal all vehicles to stop before proceeding onto any public way.

(Reason: Adequate access and egress)

52. DACCJ01 - Detailed Stormwater Drainage System Design

Prior to the issue of the Construction Certificate a detailed stormwater drainage plan for the safe disposal of stormwater from the site, prepared in accordance with Council's "On-Site Stormwater Detention Policy", the "Stormwater and On Site Detention Drawing Submission Checklist" and the "Upper Parramatta River Catchment Trust's On-site Stormwater Detention Handbook" shall be submitted and approved by the Accredited Certifier.

Should any changes be required to the approved stormwater drainage plan, the amended design shall achieve equivalent performance standards in accordance with Council's "On-Site Stormwater Detention Policy".

The stormwater plan shall be in accordance with the OSD Plan Number 2020-0207 and address the following:

- a) In order to prevent the street stormwater spilling from the gutter into the basement the section of the driveway from the gutter shall rise up to the front boundary with a crest across driveway along the boundary such that the crest remains higher than the top of the kerb by approx. 100mm.
- b) The surface collection pit at the north-eastern corner shall be relocated away from the overland flow path.
- c) The layout of the inflow pipeline that direct the flow from pit 3 and pit 4 into the HED control pit, and runs through inside the OSD underground shall be relocated outside and adjacent to the OSD tank
- d) The roof gutter and downpipe system shall be design to convey the 5-minute duration 1% AEP storm event into the OSD system with no gutter overflows.
- e) Areas of the site that will by-pass the detention system/s shall be clearly delineated on the drawing, and the OSD Design Summary Calculations shall correspond.
- f) Galvanised step irons staggered at 300mm centres shall also be proposed at each access point to the underground storage tank/s.
- g) All access points to the belowground tank shall be a minimum of 900mm x 900mm grated lid.
- h) A confined space danger sign shall be provided at all access points to the underground OSD storage tank in accordance with the Upper Parramatta River Catchment Trust OSD handbook
- i) The access covers over the belowground OSD tank shall be grated, hinged with child proof safety lock.
- j) Emergency overflow escape route must prevent the overflow spilling into the basement via driveway ramp. The provision must be clearly shown on the plan.
- k) Amendments in red as shown on the Council's approved plans.

Please note that where the proposed design extends beyond the property boundary, separate

approval under Section 138 of the Roads Act 1993, must be obtained from Council prior to the commencement of works.

The amended plan shall be submitted to the Principal Certifying Authority (PCA) for approval together with the application for the construction certificate.

(Reason: Stormwater management)

53. DACCJ05- Grated Drain at the base of the driveway ramp

A grated trench drain shall be provided across the width of the driveway at the base of the driveway ramp to the basement car park. Unless otherwise designed by a Qualified Civil Engineer, the dimensions of the trench grate shall not be less than 200mm wide by 150mm deep at the shallow end, and have a minimum slope of 2%. This trench drain shall be connected to an approved drainage system. The grated drain calculation shall be in accordance with AS/NZS3500.

The above information must be indicated on all relevant drawings to be submitted with the Construction Certificate.

(Reason: Environmental protection)

54. DACCJ06 - Silt Arrestors and Gross Pollutant Traps

Silt and gross pollutant traps shall be fitted in all stormwater pits, designed in accordance with Council's Engineering Specifications and Holroyd Development Control Plan 2013 and to the satisfaction of Council or an Accredited Certifier. Details are to be submitted with the design prior to the issue of the Construction Certificate.

(Reason: Environmental protection)

55. DACCK01 - Dilapidation Report

A Dilapidation report should be prepared for any adjoining or nearby property that may be subject to potential damage as a result of any works being undertaken on the site as part of this approved development. This is designed to assist all parties should damage occur which is not preventable. The dilapidation reports must be completed and submitted to the owner/s of the affected property/ies, Council and the Principal certifier prior to undertaking any works that may cause damage. All costs shall be borne by the applicant/person acting on the consent.

The Dilapidation Report is to be prepared by a suitably qualified practising engineer.

Please note:

- a) Any damage that may be caused is a civil matter. This consent does not allow or authorise any party to cause damage, trespass, or any other unlawful act and Council will not be held responsible for any damage that may be caused to adjoining buildings as a consequence of the development being carried out.
- b) Council will not become directly involved in disputes between the builder, owner, developer, its contractors and the owners of neighbouring buildings.

(Reason: To ensure there is an adequate record of the state of neighbouring properties prior to works commencing on site)

56. DACCK05 - Salinity

This site has been identified as having a potential salinity hazard. To prevent moisture/salinity from entering the built structure, appropriate construction measures are to be incorporated for all dwellings/buildings. Details of the proposed methods of construction shall be included in the engineering plans submitted to the Accredited Certifier prior to the issue of a Construction Certificate.

(Reason: Ensure appropriate construction methods are used)

57. DACCK06 - Retaining Walls

Retaining walls greater than 1.0m above the finished ground level or other approved methods necessary to prevent the movement of excavated or filled ground, together with associated stormwater drainage measures, shall be designed by an appropriately qualified person. Details are to be included with any Construction Certificate application.

(Reason: To ensure safety and the proper design of retaining structures)

58. DACCK07 - Structural Engineer's Details

Structural engineer's details (in duplicate) prepared and certified by a practising qualified structural engineer of all reinforced concrete and structural members shall be submitted to the Accredited Certifier.

(Reason: To ensure safety and the proper design of structural elements of the building)

59. DACCL03 - Adjustment to Telecommunications

The arrangements and costs associated with any adjustment/relocation of telecommunications infrastructure shall be borne in full by the applicant/developer. Details are to be submitted with the application for a Construction Certificate.

(Reason: Ensure the applicant is responsible for costs associated with adjustments to Telecommunications infrastructure)

60. DACCL05- Compliance with Acoustic Report

Prior to the issue of a Construction Certificate, the construction drawings and construction methodology must be assessed and certified by a suitably qualified acoustic consultant to be in accordance with any requirements and recommendations of the approved acoustic report prepared by Rodney Stevens Acoustics dated 15 April 2019 reference 190127R1.

Note: Suitably qualified Acoustic Consultant means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society, Institution of Engineers Australia or the Association of Australian Acoustic Consultants at the grade of member.

(Reason: To ensure appropriate noise attenuation measures are used)

61. DACCL06- Waste Storage Area

A designated waste and recyclable storage room must be provided on the premises in accordance with the following requirements:

- a) The area must be fully enclosed, suitably sized to contain all waste and recyclable material generated by the premises, adequately ventilated and constructed with a concrete floor and concrete or cement rendered walls;
- b) The floor must be graded and drain to sewer in accordance with Sydney Water requirements;
- c) A hot and cold hose cock shall be provided within the room.

A detailed plan showing the design and location of the waste storage room must be submitted to the Principal Certifier prior to the issue of the Construction Certificate.

(Reason: To protect the environment and ensure waste is adequately contained)

62. DACCZ01 - Bond for removal of redundant vehicular crossing

The applicant shall lodge with Council a \$1,500.00 cash bond or bank guarantee to cover the removal of redundant vehicular crossings and laybacks along the full road frontage and replacement with kerb and gutter. This bond will be held for 'Six (6) months after the completion of works' or issue of a 'Final Occupation Certificate' (whichever occurs last) to remedy and defects that may arise within this time.

(Reason: To ensure compliance with the requirements)

63. DACCZ02 - Bond for footpath construction/reconstruction

The applicant shall lodge with Council a \$3,000.00 cash bond or bank guarantee for the satisfactory completion of the construction and/or reconstruction of the concrete footpath paving adjacent to the site. This bond will be held for 'Six (6) months after the completion of works' or issue of a 'Final Occupation Certificate' (whichever occurs last) to remedy and defects that may arise within this time.

(Reason: To ensure compliance with the requirements)

64. DACCZ03 - Bond for kerb and gutter construction/reconstruction

The applicant shall lodge with Council a \$3,000.00 cash bond or bank guarantee for the satisfactory completion of the construction and/or reconstruction of the concrete kerb and guttering adjacent to the site. This bond will be held for 'Six (6) months after the completion of works' or issue of a 'Final Occupation Certificate' (whichever occurs last) to remedy and defects that may arise within this time.

(Reason: To ensure compliance with the requirements)

65. DACCZ04 - Bond for registration of positive covenant and restriction

The applicant shall lodge with Council a \$6,290.00 cash bond to cover the registration of a Positive Covenant and Restriction as to User over the On-site Detention system. This bond is refundable upon the submission of proof of registration of the Restriction on Use and Positive Covenant with the land Property Information NSW.

(Reason: To ensure compliance with the requirements)

66. DACCZ05 - Habitable floor level to be 500mm above the 1% AEP flood level

The habitable floor level shall be at least 500mm above the associated 1%AEP flood level at the respective locations of the proposed buildings. However the habitable floor level shall not be lower than the RL44.7050mAH

(Reason: To ensure protection of properties from flood)

67. DACCZ06 - Structure to withstand impact of overland flow and floating debris

All the structures, walls, columns etc. within the flood affected area, up to the 500mm above 1% AEP flood level shall be designed to withstand effect of the overland flow and impact of the floating debris.

(Reason: To ensure protection of properties from the overland flood)

68. DACCZ07 - Flood Management Measures

The development site has been identified as a flood affected site in the 1%AEP storm event, which was considered as part of the development consent. In this regard design and construction details shall be submitted to the certifying authority prior to the issue of a construction certificate and the following shall also be addressed: -

- a) Demonstrate compliance with recommendation and requirements as outlined in the Flood Impact Assessment Report prepared by C&M Consulting Engineers Consultant Pty Ltd, reference number R02229-FIA revision "A" and dated March 2020 - as amended to satisfy Schedule A conditions, and all the relevant development controls under Section 8.6, specifically Table 8, of Part "A" of Holroyd DCP2013 shall be complied with,
- b) All new works up to the flood planning level shall be constructed of flood compatible materials,
- c) All the electrical equipment, power supply, wiring, power outlets shall be located above the flood planning level.
- d) All boundary fencing within the flood-affected area shall be installed in accordance with Council standard detail SD8025.

(Reason: To ensure appropriate flood management measures are in place and the protection

from the flood)

69. DACCZ08 - Overland flow path

The existing 1%AEP overland flow path shall not be adversely impacted. Any modification to the existing overland flow path and extent shall ensure that the flow characteristics within the overland flowpath such as the channel flow capacity, velocity and the depth of flow and their extent are not adversely impacted.

(Reason: To maintain existing overland flowpath)

70. DACCZ09 - Overland flow path

The existing overland flow path shall not be adversely impacted. Any modification to the existing overland flow path and extent shall ensure that the flow characteristics within the overland flowpath such as the channel flow capacity, velocity and the depth of flow are not adversely impacted.

The area around the North-eastern corner of the site, identified in the council flood information letter as overland flow path must not be obstructed. In this regard, the following shall be complied with

- a) No solid wall or structure shall be built within the area that will be inundated by the 1%AEP overland flow, and cause obstruction of the overland flow.
- b) Redirection of overland flow, or alteration /modification of the area or the site inundated by the 1%AEP overland flow are prohibited that cause change in the flood characteristics
- c) The area affected by 1%AEP overland flood shall not be landfilled or reshaped that cause redirection of the overland flood. The landfill within the flood-affected area is strictly prohibited.

(Reason: To maintain existing overland flowpath)

71. DACCZ10 - Boundary fencing flood affected areas

The portion of the boundary fence that remains within the overland flood affected area shall have clear opening at the bottom to allow unobstructed free flow of floodwater through the fence and constructed of the pool type in accordance with council's standard drawing SD8025.

(Reason: To ensure adjoining property owner's consent to fencing)

Conditions which must be satisfied prior to the commencement of any development work

72. DAPCA01 - Appointment of Principal Certifier

No work shall commence in connection with this Development Consent until:

- a) A construction certificate for the building work has been obtained from a Certifier.
- b) the person having the benefit of the development consent has:
 - (i) appointed a principal certifier for the building work, and
 - (ii) given at least 2 days' notice to the Council, and the principal certifier if not the Council, of the person's intention to commence the erection of the building, and
- c) The principal certifier has, no later than 2 days before the building work commences:
 - (i) notified the Council of his or her appointment, and
 - (ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
- d) The person carrying out the building work has notified the principal certifier that the person will carry out the building work as an owner-builder, if that is the case
- e) The person having the benefit of the development consent, if not carrying out the work as an owner-builder, has:
 - (i) appointed a principal contractor for the building work who must be the

- holder of a contractor licence if any residential building work is involved, and
- (ii) notified the principal certifier of such appointment, and
- (iii) unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and

(Reason: Statutory requirements)

73. DAPCA03 - Site Safety Fencing

Erect site fencing to a minimum height of 1.8m, to exclude public access to the site throughout the construction works. The fencing must be erected before the commencement of any work and maintained.

(Reasons: Statutory requirement and health and safety)

74. DAPCA04 - Principal Certifier Sign

Prior to commencement of any work, signage must be erected in a prominent position on the work site identifying:

- a) The Principal Certifier by showing their name, address and telephone number;
- b) The Principal Contractor (if any) by showing the Principal Contractor's name, address and telephone number (outside of work hours) for that person.
- c) The sign must state that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the work is being carried out, and must be removed when the work has been completed.

(Reason: Statutory requirement)

75. DAPCA05 - Sydney Water Tap in Approvals

The approved plans must be submitted through the Sydney Water 'Tap in' portal to determine whether the development application will affect Sydney Water's sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. Sydney Water 'Tap in' customers will receive an approval receipt. For further details please refer to Sydney Water's web site at www.sydneywater.com.au/tapin or call 1300 082 746.

The Principal Certifier must ensure that the plans have been approved through the Sydney Water 'Tap in' process and an approval receipt is issued prior to the commencement of works.

(Reason: Statutory requirement)

76. DAPCA06 - Toilet Amenities for People Working at the Site

Suitable toilet amenities are to be provided at the work site at all times. If a temporary toilet is proposed, it must:-

- a) Have a hinged door capable of being fastened from both inside and outside,
- b) Be constructed of weatherproof material,
- c) Have a rigid and impervious floor; and
- d) Have a receptacle for, and supply of, deodorising fluid.

(Reason: To ensure suitable toilet amenities are provided for workers)

77. DAPCA07 - Notice of Requirements from Sydney Water

Following application to Sydney Water, they will assess the development and if required will issue a "Notice of Requirements" letter detailing all requirements that must be met. The Notice of Requirements letter must be submitted to the Principal Certifier before the commencement of works.

(Reason: To comply with statutory requirements)

78. DAPCB02 - Arborist Report

The applicant must engage a suitably qualified and experienced arborist (Australian Qualification Framework Level 5 or above) to assess the impact of the proposed works to ensure the longevity of the trees to be retained. The report must be written in accordance with 'Cumberland City Councils' Arborist Report Submission Requirements'.

(Reason: Qualified assessment of impact of proposed works on trees to be retained)

79. DAPCB04 - Removal of Trees

The following trees are approved for removal:

Species	Location
Eucalyptus Tree	Front of Property

To ensure the protection of tree/s to be retained on site all removals are to be undertaken by a suitably qualified arborist practicing industry current arboricultural best practice methods.

Trunk protection to applicable trees must be in place prior to the commencement of any works.

(Reason: To clarify which trees are permitted to be removed)

80. DAPCB05 - Trunk Protection

To limit the potential for damage to trees to be retained, trunk protection measures must be installed in accordance with section 4.5.2 of AS 4970 - 2009 'Protection of Trees on Development Sites' for the following tree/s prior to the commencement of demolition, excavation or building works:

Species	Location
Melaleuca Tree	75 Alpha Road

Trunk protection shall comprise the placement of 2000mm lengths of 100mm x 50mm hardwood battens organized vertically at 150mm centres around the trunk and secured in place by metal strap bindings or ten gauge fencing wire fixed at 300mm centres. Prior to placing battens a soft protective padding must be installed to the ends of the timbers to prevent damage to the bark and conductive tissue. Under no circumstances are the battens to be secured to the tree by a method that involves the trunk being penetrated by a nail, screw, rod or the like. Trunk protection must remain in place for the duration of the works.

(Reason: Tree trunk protection)

81. DAPCZ01 - Protection of footpath paving, kerb and gutter

Protection must be provided for Council footpath paving, kerbing and guttering. Wooden mats must also be provided at all entrances where the site fronts paved footpaths.

(Reason: To ensure protection of public asset)

82. DAPCZ02 - Surveying Boundaries

All footings and walls proposed within 1 metre of a boundary must be set out by a registered surveyor, a boundary survey and report shall be prepared indicating the true boundaries and position of the external walls that are adjacent to the boundaries of the development site. The survey/report shall be submitted to the principal certifying authority.

(Reason: To ensure accurate boundary offsets)

83. DAPCZ03 - Works within Council reserve

All works within the Council reserve shall be completed within three (3) weeks of the date of commencement. Council's Development Engineer shall be advised prior to the commencement of works.

(Reason: To preserve Council's assets and amenity)

84. DAPCZ04 - Worker's Compensation

Submission to Council of a Certificate of Currency of the contractor's Workers' Compensation Policy prior to the commencement of works.

(Reason: Safety)

85. DAPCZ05 - Public Liability

All construction works shall be in accordance with the WorkCover safety requirements. Submission of insurance documentation demonstrating a minimum Public Liability cover of \$20,000,000 is to be submitted prior to commencement of works. Cumberland Council shall be named on the Certificate of Currency as an interested party.

(Reason: Safety)

Conditions which must be satisfied during any development work

86. DADWA01 - Construction Hours

No construction or any other related activities including the delivery of materials to the site shall be carried out on the site outside the hours of 7.00 am to 6.00 pm Mondays to Fridays and 8.00 am to 4.00 pm Saturdays. No work is to occur on Sundays and public holidays.

Note: Demolition work is not permitted on weekends or public holidays- refer to specific demolition conditions for approved hours.

Where the development involves the use of jackhammers/ rock breakers and the like or other heavy machinery, such equipment may only be used between the hours of 7.00 am - 6.00 pm Monday to Friday.

(Reason: To minimise impacts on neighbouring properties)

87. DADWA02 - Dust Control

Minor Works

Where a dust nuisance is likely to occur, suitable screens and/or barricades shall be erected during the demolition, excavation and building works. If necessary, water sprays shall be used on the site to reduce the emission of dust. Screening shall consist of minimum 2 metres height of shade cloth or similar material secured to a chain wire fence of the like and shall be modified as directed by the Cumberland City Council should it fail to adequately control any dust nuisance.

Major Works

The following measures must be implemented (in part or in total) as directed by Cumberland City Council to control the emission of dust:

- a) Dust screens must be erected around the perimeter of the site and be kept in good repair for the duration of the work.
- b) All dusty surfaces must be wet down and any dust created must be suppressed by means of a fine water spray. Water used for dust suppression must not be contaminated or allowed to enter the stormwater system.
- c) All stockpiles of materials that are likely to generate dust must be kept damp or covered.
- d) All stockpiles of soil or other materials shall be placed away from drainage lines, gutters or stormwater pits or inlets.
- e) All stockpiles of soil or other materials likely to generate dust or odours shall be covered.
- f) All stockpiles of contaminated soil shall be stored in a secure area and be covered if remaining more than 24 hours or as directed by the Cumberland City Council.

(Reason: To prevent the movement of dust outside the boundaries of the site)

88. **DADWA03 - Site Management**

All possible and practical steps shall be taken to prevent nuisance to the occupants of the surrounding neighbourhood from windblown dust, debris, noise and the like during the demolition, excavation and building works.

(Reason: Health and amenity)

89. **DADWA04 - Acid Sulphate Soils**

Any excavation works carried out on site should be closely monitored to ensure no signs of Potential Acid Sulfate Soil (PASS) or Actual Acid Sulfate Soil (AASS) are observed. Indicators may include grey to greenish blue clays, unusual gold-yellow mottling or 'rotten egg' odours. If any of these indicators are observed, excavation of the site is to be stopped immediately, the Principal Certifier is to be notified and a suitably qualified environmental scientist should be contracted to further assess the site.

(Reason: Environmental protection)

90. **DADWA05 - Construction Management Plan**

All development activities and traffic movements must be carried out in accordance with the approved Construction Management Plan.

All controls in the Plan must be maintained at all times. A copy of the Plan must be kept on site at all times and made available to the certifier on request.

(Reason: Compliance with condition of consent)

91. **DADWA06 - Stamped Plans**

Stamped plans, specifications, documentation and the consent shall be available on site at all times during construction.

(Reason: To ensure compliance with approved plans)

92. **DADWA07 - General Site Requirements during Demolition and Construction**

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- a) All demolition is to be carried out in accordance with Australian Standards AS 2601-2001.
- b) Demolition must be carried out by a registered demolition contractor.
- c) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out with close boarded, hardwood timber footpath protection pads. The pad shall cover the entire width of the footpath opening for the full width of the fence.
- d) No blasting is to be carried out at any time during construction of the building.
- e) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- f) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- g) Any demolition and excess construction materials are to be recycled wherever practicable.
- h) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- i) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in the approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- j) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.

- k) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- l) Details as to the method and location of disposal of demolition materials (weight dockets, receipts etc.) should be kept on site as evidence of approved methods of disposal and recycling.
- m) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- n) Public footways and roadways adjacent to the site must be fully maintained and cleared of obstructions during construction unless prior separate approval from Council is obtained including payment of relevant fees.
- o) Building operations such as brick cutting, washing tools or paint brushes, and mixing mortar shall not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- p) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.

(Reason: To ensure minimal disruption to the local area and to ensure demolition, building and any other site works are undertaken in accordance with relevant legislation and policy.)

93. DADWA09 - Power Connection - Major Development

All power connection to the development shall be installed underground for all major development (excluding dwellings, secondary dwellings and dual occupancy developments).

(Reason: To avoid visual clutter)

94. DADWA11 - Communication Cabling

All communication cabling shall be installed underground as per the relevant authority's requirements.

(Reason: Environmental Amenity)

95. DADWA12 - Compliance with the Demolition, Excavation and Construction Noise and Vibration Management Plan

All demolition, excavation and construction works carried out on the premises which form part of this consent must be carried out in accordance with the Demolition, Excavation and Construction Noise and Vibration Management Plan submitted to and approved by Council as part of this consent.

(Reason: To protect residential amenity)

96. DADWA13 - Compliance with Hazardous Materials Survey Report

All of the recommendations for management and/or removal of hazardous materials on the site, as outlined in the Hazardous Materials Survey Report prepared prior to commencement of demolition works, must be complied with.

Prior to the Occupation Certificate being issued, a clearance certificate must be submitted to the Principal Certifier from a suitably qualified person (such as a certified Occupational Hygienist) confirming that all hazardous materials identified have been contained, managed or removed in accordance with the recommendations given in the approved Hazardous Materials Survey Report, and that the site is safe for future occupation in accordance with the approved use.

(Reason: To ensure controls are in place for hazardous materials)

97. DADWA14 - Classification of Waste

Prior to the exportation of waste (including fill or soil) from the site, the waste materials must be classified, transported, and disposed of in accordance with the Protection of the Environment

Operations Act 1997 and NSW EPA requirements.

(Reason: To ensure controls are in place for waste management)

98. DADWA15- Importation of Fill

All fill imported onto the site shall be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be compatible with the existing soil characteristic for site drainage purposes.

All fill imported onto the site must be validated by either one or both of the following methods:

- a) Imported fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or
- b) Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA (1995) Sampling Design Guidelines.

(Reason: To ensure controls are in place for contamination management)

99. DADWA17 - Notification of New Contamination Evidence

- (a) Any new information which comes to light during site preparation, remediation, demolition or construction works which has the potential to alter previous conclusions about site suitability and contamination must be notified to the Principal Certifier and Cumberland City Council.
- (b) Council may require a NSW accredited site auditor to be engaged to review the contamination assessment and remediation/validation process (where applicable). If appropriate, Council may also require a new Remedial Action Plan (RAP) to be prepared and implemented to ensure the site can be made suitable for the approved use in light of the new information.
- (c) Where a NSW accredited Site Auditor is engaged in compliance with part (b) above, an occupation certificate **must not be** issued until a Section A Site Audit Statement has been submitted to Cumberland City Council by the Auditor confirming the site is now suitable for the proposed use.

(Reason: To ensure controls are in place for contamination management)

100. DADWA19 - Excavation Pump-out

Water that has accumulated in any excavation is not to be pumped into any stormwater disposal system unless the approval of Cumberland City Council is obtained prior. The analytical results of any discharge must comply with relevant EPA and ANZECC standards for water quality and be made available to Council upon request. Any water to be discharged to Council's stormwater system shall not contain a concentration of suspended sediment exceeding 50mg/L, shall have a pH of between 6.5-8.0 and shall comply with the ANZECC Guidelines for Fresh and Marine Water Quality and the NSW Department of Housing, Managing Urban Stormwater - Soils and Construction 2004.

Water testing shall be carried out by a suitably qualified environmental scientist. Water that does not comply with the above standards shall not be discharged to the stormwater system, and shall be disposed of using alternative approved means.

Results of water testing (if required) shall be provided to Council or in the Validation Report for remediation projects as required by the conditions of this consent. Documentation for the off-site disposal of water shall be included in the Validation Report.

Note: Other options for the disposal of excavation pump-out water include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

(Reason: Environmental amenity)

101. DADWA20 - Road and Footpath Opening Permit

Pursuant to Section 138 of the Roads Act, should any work on the verge, footpath, public road reserve or public reserve (open space) be required, approval will need to be obtained from Council. In this regard the Applicant is to contact Council's Customer Services Centre to apply for a Road and Footpath Opening Permit, for works in relation to the excavation of the verge (e.g. for the purpose of installation of services such as private stormwater, private gas line, private sewer, private water pipe, etc.). This Permit is to be obtained prior to any works on the verge, footpath, public road reserve or public reserve being undertaken.

Road and Footpath Opening Permits do not include driveways, laybacks and major stormwater drainage construction, which are covered separately by the 'Application for Vehicular Crossing and Road Works' or the 'Application for Street Drainage Works Approval'.

(Reason: Maintain public asset)

102. DADWB01 - Arborist Inspections

Prior to the commencement of works the applicant must engage a suitably qualified and experienced arborist (Australian Qualification Framework Level 5 or above) to assess the impact of the proposed works and ensure tree protection conditions of this consent, and recommendations of the endorsed arborist report are complied with throughout the duration of the development. This requires the arborist supervising works/attending the site during critical stages of excavation and construction works within the vicinity of tree/s to be retained and is to record the following information:

- a) methods of excavation or construction used to carry out the works;
- b) any damage sustained by the tree/s as a result of the works;
- c) any subsequent remedial works required to be carried out by the consulting arborist as a result of the damage; and
- d) any future or on-going remedial work required to be carried out to ensure the long term retention of the tree/s

(Reason: Qualified assessment of impact of works on trees to be retained)

103. DADWB02 - Tree Protection

To minimise impacts on trees to be retained, no permanent fill or storage of building materials, excavated fill or topsoil during the site works shall take place within their drip lines/root zone area.

(Reason: Tree preservation)

104. DADWB06 - Tree Preservation - Driveway or Paving Works within the Tree Protection Zone (TPZ)

For approved driveway and or paving works within the Tree Protection Zone, as defined in section 3 of AS 4970 - 2009 'Protection of Trees on Development Sites' of trees to be retained, the driveway/paving must be constructed to ensure that the existing moisture infiltration and gaseous exchange to the tree root system are maintained. In this regard, details demonstrating that this can be achieved for the following tree/s must be provided by an AQF Level 5 Project Arborist to the satisfaction of the Accredited Certifier:

Species	Location
Melaleuca Tree	75 Alpha Road

(Reason: Tree preservation)

105. DADWB07 - Tree Preservation - Excavation Within the Structural Root Zone (SRZ)

To minimise disturbance to retained trees, no excavation shall take place within the Structural Root Zone, as defined in section 3.3.5 of AS 4970 - 2009 'Protection of Trees on Development Sites', of trees to be retained. Any approved excavation within this SRZ area may of tree to be retained, as per this consent, are to be undertaken only by hand under the supervision of an AQF Level 5 Project Arborist.

Species	Location	TPZ	SRZ
Melaleuca Tree	75 Alpha Road	4 metres	2 metres

In the event that major structural of feeder roots (>50mm in diameter) are encountered during excavation works, the consulting arborist is to recommend and or implement appropriate measures to ensure the long term retention of the tree. If these measures involve structural alterations to the building or work, a practicing structural engineer must certify that the proposal complies with the National Construction Code and/or Australian Standards. (Note: Council's Tree Management Officer may be contacted for advice regarding appropriate tree protection measures).

(Reason: Tree preservation)

106. DADWC01 - Obstruction of Road or Footpath

The use of the road or footpath for the storage of any building materials, waste materials, temporary toilets, waste bins or any other matter is not permitted unless approved by Council.

(Reason: Protection of infrastructure, safety & information)

107. DADWC02 - Compliance with the National Construction Code

All building work must be carried out in accordance with the provisions of the National Construction Code (NCC).

(Reason: Prescribed statutory control)

108. DADWC04 - Survey Report - Minor Development (up to two stories)

In order to ensure compliance with approved plans, a Survey Certificate to Australian Height Datum shall be prepared by a Registered Surveyor as follows:-

- a) At the completion of the first structural floor level indicating the level of that floor and the relationship of the building to the boundaries.
- b) At the completed height of the building, prior to the placement of concrete in form work, or the laying of roofing materials.
- c) At completion, the relationship of the building and any penetrations thereto, to the boundaries.

Progress certificates in response to points (a) through to (c) shall be provided to the Council or the Accredited Certifier at the time of carrying out relevant progress inspections. Under no circumstances will work be allowed to proceed should such survey information be unavailable or reveal discrepancies between the approved plans and the proposed works.

(Reason: To ensure compliance with approved plans)

109. DADWC05 - Salinity

The building and external walls are not to proceed past ground floor formwork/reinforcing level until such time as the Accredited Certifier has confirmed that all required construction measures addressing salinity (as required by this consent and accompanying Construction Certificate) have been carried out.

(Reason: To ensure required construction measures addressing salinity are carried out)

110. DADWC06- Air Conditioning Units - Location

Air conditioning units are to be located to the ground level of rear yards or within basement garages and not within the side setbacks or frontages of the property. Air conditioning units are not to be visible from the street or public place and are not to obscure windows/window frames or architectural features of the building.

(Reason: To ensure that air conditioning units associated with the development are appropriately located and do not detract from the appearance of the buildings)

111. DADWC01 - Driveway within the nature strip

The vehicle crossing and the driveway between the street and front boundary shall be constructed of plain concrete with no colour or stencilling.

(Reason: To maintain uniformity of driveway)

112. DADWZ02 - Access to premise and parking provisions

The access to the premise and parking provision shall comply with the following requirements

- a) Access to the premise
 - i. An application for the vehicle crossing approval must be made to council prior to commencement of the work.
 - ii. Any works requiring levels within the road reserve will require the submission of Council's Vehicular Crossing application form.
 - iii. The vehicle crossing and the driveway between the street and front boundary shall be constructed of plain concrete with no colour or stencilling.
 - iv. Heavy-duty vehicular crossing of 3m wide each for separate entry and exit, and separated by 1.2m apart by grassed nature strip, shall be constructed in front of the access to basement car park. These works shall be carried out by a licensed construction contractor at the applicant's expense and shall be in accordance with Council's issued drawings and level sheets.
- b) Parking space
 - i. All parking spaces shall be signposted and line marked in accordance with the endorsed signs and line marking plans and Australian Standards (i.e. AS2890.1 2004, AS2890.1 2002, and 2890.6 2009).
 - ii. The entry / exit driveways shall be indicated with appropriate signage and line marking to avoid traffic conflict at the driveway.
 - iii. Wheel stops shall be provided at appropriate parking locations in accordance with AS2890.1-2004.

(Reason: Provision of access and parking management)

Conditions which must be satisfied prior to the issue of any Occupation Certificate relating to the use of the building or part

113. DAOCA01 - Occupation Certificate (section 6.9 of the Act)

A person must not commence occupation or use (or change of use where an existing building) of the whole or any part of a new building (within the meaning of section 6.10 of the Act) unless an Occupation Certificate has been issued in relation to the building or part.

The Principal Certifier is required to be satisfied, amongst other things, that:

- a) All required inspections (including each applicable mandatory critical stage inspection) have been carried out; and
- b) Any preconditions to the issue of the certificate required by a development consent have been met.

Note: A new building includes an altered portion of, or an extension to, an existing building.

(Reason: Statutory requirement)

114. DAOCA02 - Final Clearance

A final clearance is to be obtained from the relevant energy service provider if clearance has

not previously been obtained.

(Reason: To ensure power is available for the site)

115. DAOCA03 - S73 Compliance Certificate

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained prior to the issue of the Occupation Certificate. Application must be made through Sydney Water or an authorised Water Servicing Coordinator (WSC). An assessment will be made to determine the availability of water and sewer services, which may require extension, adjustment or connection to Sydney Water mains. Please refer to Sydney Water's website at www.sydneywater.com.au or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

(Reason: To meet Sydney Water's requirements to adequately service the new subdivision with water, wastewater and stormwater facilities).

116. DAOCA04 - Engineers Certificate

A Structural Engineer's certificate from the supervising structural engineer responsible for the design shall be submitted to the Accredited Certifier. This certificate shall state that all foundation works/reinforced concrete/structural members have been carried out/erected in accordance with the Engineer's requirements and the relevant standards/codes.

(Reason: Structural certification)

117. DAOCA05 - Height

The maximum height of the proposed development shall be A.H.D. RL 52.300m. A survey report is to be provided to the Principal Certifier prior to the issue of any occupation certificate confirming that the building does not exceed this height.

(Reason: To ensure that the structure as built does not exceed the LEP height of buildings development standard)

118. DAOCA07 - Notification of Food Business

Prior to the issue of any Occupation Certificate, the food business must notify Council of their food business details in accordance with the Food Act 2003 and The Australia New Zealand Food Standards Code - 3.2.2 - Food Safety Practices and General Requirements, Clause 4. Registration forms are available on Council's website www.cumberland.nsw.gov.au.

(Reason: Registration and notification to relevant authorities)

119. DAOCA08 - Certification of Engineering Works

Prior to occupation, the following documents must be submitted to the Accredited Certifier.

- a) A Certificate from a Chartered Professional Engineer with Institution of Engineers, Australia Corporate Membership and registered on the National Engineers Register (NER) under the appropriate professional category, and
- b) "Work - As - Executed" drawings of the engineering works prepared by a Registered Surveyor or equivalent.

The abovementioned Certificate is to certify that:

- i. the stormwater drainage system, and/or
- ii. the car parking arrangement and area including circulating ramps, and/or
- iii. any related footpath works, and/or
- iv. the basement mechanical pump and well system, and/or
- v. the proposed driveway and layback, and/or
- vi. other civil works have been constructed in accordance with the Council approved plans and details and satisfies the design intent and complies with the appropriate SAA Codes relevant Standards and Council's Policies and Specifications.

Where Council is not the Principal Certifier, copies of the above documents are to be provided to Council prior to the issue of any Occupation Certificate.

(Reason: Asset management)

120. DAOCA09 - Boundary Fencing Flood Affected Areas

The development site has been identified as a flood affected site in the 1% Annual Exceedance Probability (AEP) storm event. In this regard, all boundary fencing within the flood affected area(s) as identified in the flood report shall be constructed in accordance with Council's standard detail SD8025. The pool type fencing shall be provided at the base of the boundary fence to the extent of the post-developed 1% AEP flood. The fencing shall be constructed in consultation with adjoining affected property owner(s) at full cost to the developer. In this regard, photographic evidence of the construction of the fence in accordance with this requirement shall be provided to Council for approval prior to the issue of any Occupation Certificate.

(Reason: Safety and security)

121. DAOCA11 - Civil Works on the Footway

The following works are to be carried out at the applicant's expense and to Council's satisfaction prior to the issue of any occupation certificate:

- a) Reconstruct sections of cracked or defective kerb and gutter along the full frontage of the site, and/or
- b) Reconstruct existing public drainage pit/pipe system, and/or
- c) Construct a new vehicular crossing, and/or
- d) Remove any redundant vehicular crossings and replace with kerb and gutter to match the adjoining.

Where the Applicant nominates Council to undertake the civil and stormwater works, they must contact Council in order to obtain an estimated cost for construction and contract to undertake the works.

(Reason: To preserve Council's assets and amenity)

122. DAOCA12- Construction of Concrete Footpath

A concrete footpath of width 1.2 metres shall be constructed across the full length adjacent to the Dahlia Street and Alpha Road frontage of the property. These works shall be carried out by a licensed construction contractor at the applicant's expense, and shall be in accordance with Council's standard drawing SD8100 and issued level sheets. All footpath areas within the road reserves that are not concrete shall be turfed with 'ST85 Buffalo' or 'Sir Walter'.

The above works must be constructed prior to the release of any Occupation Certificate.

Note: The above works will require the submission of the relevant application for the works to be undertaken.

(Reason: To preserve Council's assets and amenity)

123. DAOCA13 - Construction of Concrete Kerb and Gutter

Standard 150mm high concrete kerb with gutter shall be constructed to replace the damaged sections adjacent to the concrete footpath of width 1.2m metres shall be constructed across the full length adjacent to the Dahlia Street and Alpha Road frontage the property. These works shall be carried out by a licensed construction contractor at the applicant's expense, and shall be in accordance with Council's standard drawing SD8100 and issued level sheets.

The above works must be programmed and constructed prior to the issuing of any Occupation Certificate.

Note: The above works will require the submission of the relevant application for the works to be undertaken.

(Reason: To preserve Council's assets and amenity)

124. DAOCB04 - Acoustic Verification Report

Prior to the issue of the Occupation Certificate, a suitably qualified acoustic consultant* must prepare an acoustic verification report to the satisfaction of the Principal Certifier that confirms the following:

- a) All recommendations contained in the DA acoustic report prepared by Rodney Stevens Acoustics dated 15 April 2019 reference 190127R1 have been implemented, and
- b) The project specific noise criteria established in the DA acoustic report and any other noise and vibration criteria specified in this consent are being complied with.

*Note: Suitably qualified Acoustic Consultant means a consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustics Society, Institution of Engineers Australia or the Association of Australian Acoustic Consultants at the grade of member.

(Reason: To protect residential amenity)

125. DAOCD01 - Fire Safety Certificate

A final Fire Safety Certificate shall be obtained in accordance with Part 9, Division 4 of the Environmental Planning and Assessment Regulation 2000, prior to the issue of the Occupation Certificate for the building.

A copy of the Fire Safety Certificate and fire safety schedule shall be:

- 1) Forwarded to Cumberland Council;
- 2) Forwarded to the Commissioner of the New South Wales Fire Brigade; and
- 3) Prominently displayed in the building.

(Reason: Fire safety)

126. DAOCF01 - Landscape

Prior to the issue of an Occupation Certificate all approved landscaping/tree planting works required on the subject site are to be completed to a professional standard in accordance with the endorsed landscape plan/s. At the completion of the landscape works, a final on-site inspection of the works and comparison with the relevant endorsed documents is required by the designer of the approved Landscape Plan or another suitably qualified person (not the person who carried out the landscape works).

Following the inspection and prior to the issue of an Occupation Certificate, certification of completion of all landscape/tree planting works in accordance with the relevant conditions of this Consent and the approved Landscape Plan/s must be provided to the Principal Certifier.

Any works that vary from the approved plan/s must be documented or shown on a Works-As-Executed Landscape Plan and attached to the certificate. A copy of the Landscape Certification is to be provided for Council's verification with the Occupation Certificate.

(Reason: Landscape certification)

127. DAOCF03 - Arborist's Report - Follow up

As part of the on-going assessment of the tree/s to be retained, the consulting arborist engaged by the applicant is to assess their health and any associated impacts from the proposed approved development. Findings are to be compiled and provided in a detailed report to the satisfaction of the Principal Certifier at the completion of construction and prior to issue of the Occupation Certificate. This report must document:

- a) methods of excavation or construction used to carry out the works;
- b) any damage sustained by the tree/s as a result of the works;
- c) any subsequent remedial works required to be carried out by the consulting arborist as a result of the damage and
- d) any future or on-going remedial work required to be carried out to ensure the long-term retention of the tree/s.

(Reason: Ensure survival of trees to be retained)

128. DAOCG01 - Certification of the Constructed Stormwater Drainage System

The constructed stormwater drainage system shall be certified by a Chartered Professional Civil Engineer with Institution of Engineers, Australia Corporate Membership and registered on the National Engineers Register (NER), in accordance with Council's Engineering Specifications of Holroyd Development Control Plan 2013, prior to issue of the Final Occupation Certificate.

(Reason: Adequate stormwater management)

129. DAOCH02 - Covenant & Restriction as to User for Stormwater Controlled Systems

Prior to occupation and the issuing of an Occupation Certificate, the Applicant shall register a Positive Covenant and a Restriction as to User, under section 88E and or section 88B of the Conveyancing Act as appropriate in favour of Council ensuring the ongoing retention, maintenance and operation of the on-site stormwater detention system (OSD) constructed within the subject property.

(Reason: To ensure owner's obligation and covenants are in place for the ongoing maintenance of the systems)

130. DAOCH03 - OSD Identification Plate

Prior to the issue of a Final Occupation Certificate, the applicant shall install an identification plate near or on the control structure of the On-site Stormwater Detention (OSD) system. This is to advise the registered proprietor of their responsibility to maintain the OSD facility and not to tamper with it in any manner without the written consent of Council.

The wording and plate shall be in accordance with Council's standard requirements.

(Reason: To ensure that the OSD system is installed and identified in accordance with this approval)

131. DAOCH09 - Certificate of Compliance

A certificate of compliance for the construction of vehicular crossings, footpath paving, kerb and guttering and roadworks shall be obtained from Council and be submitted to the Principal Certifier.

(Reason: Protection of public asset)

132. DAOCZ01 - Emergency Flood Evacuation Plan

Emergency Flood evacuation plan shall be prepared for evacuation to a safe refuge noting that the street around will be inundates with the flood and access road will be cut off during the PMF flood event.

(Reason: Ensure protection of person from flood)

133. DAOCZ02 - Construction/Reconstruction kerb ramps

The construction or reconstruction of the kerb ramps and associated works at the corner of Dahlia Street and Alpha Road frontage. These works shall be carried out by a licensed construction contractor at the applicant's expense and shall be in accordance with Council's standard drawing SD 8101 and issued level sheets.

(Reason: To preserve Council's assets and amenity)

134. DAOCZ03 - Works-As-Executed Stormwater Plans & Certificates

Works-As-Executed stormwater plans shall be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate, certifying that the stormwater drainage system has been constructed and completed in accordance with the approved stormwater plans. The person issuing the Occupation Certificate shall ensure that the following documentation is completed and submitted

- a. The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate with the variations marked in red ink.
- b. The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
- c. The "As-built" On-Site Detention (OSD) storage volumes are to be presented in a tabular form using the pyramid volume and prismatic volume calculation method.
- d. OSD WAE Survey certification form and WAE dimensions form (Form B10 and attachment B of UPRCT Handbook).
- e. Certificate of Hydraulic Compliance (Form B11) from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook). The person issuing Hydraulic certificate shall ensure that all the works have been completed and comply with the approved plans.
- f. Approved verses installed Drainage Design (OSD) Calculation Sheet certified by a qualified practicing Hydraulic Engineer.
- g. Structural Engineer's Certificate for the OSD tank structure, basement pump out tank structure, certifying structural stability of the structure.

The above is to be submitted to the Principal Certifying Authority prior to the issue of an occupation certificate and another set of the documents shall be submitted to Council.

(Reason: To ensure works comply with approved plans and adequate information are available for Council to update the record.)

135. DAOCZ04 - On-Site Detention (OSD) area warning signs

The applicant shall provide a standard OSD area warning sign within the aboveground basin area in accordance with Clause 7.1 (i) of the Council's OSD policy.

(Reason: To provide warning that the stormwater may rise and cause ponding)

136. DAOCZ05 - Maintenance Schedule for On-Site Detention (OSD) stormwater System

A maintenance schedule for the stormwater and On-site Stormwater Detention including a sketch plan of the components forming the sites stormwater drainage and On-Site-Detention system shall be submitted. The maintenance schedule shall be prepared by a qualified hydraulic engineer and shall be in accordance with the Upper Parramatta River Catchment Trust requirements.

(Reason: To aware and guide the owners for the required maintenance of the system)

137. DAOCZ06 - Child Care Kitchen

Certification must be provided from a suitably qualified person that all work in connection with the occupation or use of the premises for the preparation, display and storage of food has been carried out in accordance with the terms of this development consent.

(Reason: Food fitout compliance)

138. DAOCZ07 - Operational Management Plan

An Operational Management Plan (OMP) shall be prepared and submitted to and approved by Council's Executive Manager Development & Building prior to the issue of an Occupation Certificate and reviewed on a regular basis. The plan shall detail how the Childcare Centre will be managed to minimise impact on neighbouring properties (particularly on-street parking). The OMP should include but not limited to the below:

- a) Drop off / pick up time is staged and occurs within the basement car park area,
- b) Encourage staff and parents to use public transport,
- c) Advice parents to not park outside neighbouring properties and respect residents' amenity,
- d) Regular monitoring of off-street and on-street parking,
- e) The Noise Management plan prepared by Rodney Stevens Acoustics Pty Ltd, Reference 190127NMP1, Revision 0, dated 15 April 2019, and
- f) Any other conditions of this consent relevant to operational management of the centre.

(Reason: To protect amenity of adjoining properties)

139. DAOCZ08 - Lot Consolidation

Lots 16 and Lot 17 in DP236780 are to be consolidated into one allotment on title prior to the issuing of an Occupation Certificate.

(Reason: Compliance)

Conditions which must be satisfied during the ongoing use of the development

140. DAOUA06 - Trading Outside the Building

At no time may any signs, sound amplification equipment and the like or goods for sale or display be placed on the public road, public footpath, service land, parking area and driveways, public or private pedestrian walkways, outside the shop or in the immediate vicinity without prior consent of Council.

(Reason: Safety and amenity)

141. DAOUA09 - Business/Trade Commercial Waste Collection

Prior to occupation of the premises the operator shall enter into a commercial contract for the collection of trade waste and recyclables generated at the premises. A copy of all contracts and receipts shall be kept on the premises and made available to Council Officers on request.

(Reason: To ensure suitable arrangements are in place for the collection of business/trade commercial waste and recyclables)

142. DAOUA14 - Hours of Business Operation

The hours of operation are restricted to between:

- a) 7.00am and 6.00pm, Monday to Friday.

No use of the premises is permitted on Saturday, Sunday or Public Holidays.

All deliveries shall occur only during the approved hours of operation. Any use of the childcare centre outside those hours for meetings, training, early drop-offs, late pick-ups, cleaning, maintenance etc will require a modification to the Development Consent for the approved hours of use.

(Reason: Ensure business operates between approved hours)

143. DAOUA19- Lighting Nuisance

The use of floodlighting or the like, to advertise or attract attention or for the convenience of patrons must be controlled so as not to cause any distraction or disturbance to nearby or adjacent residents, pedestrians or motorists. The use of flashing lights is strictly prohibited.

(Reason: Environmental amenity)

144. DAOUA20 - Loading

All loading and unloading operations shall be carried out wholly within the confines of the site, at all times. All delivery vehicles shall enter and leave the site in a forward direction.

(Reason: Adequate servicing)

145. DAOUA26 - Plan of Management

Compliance with Operational Management Plan (OMP) throughout the life of this consent. The OMP shall be reviewed on regular basis to ensure all road safety conditions are adequately addressed. Any changes to the OMP are to be submitted to and approved by Council's Executive Manager Development & Building.

(Reason: To protect residential amenity)

146. DAOUB01 - Annual Fire Safety Statement

Pursuant to Part 9, Division 5 of the Environmental Planning and Assessment Regulation the owner of the building shall furnish Council with an Annual Fire Safety Statement from a competent person to certify the essential fire safety measures in the building. The Annual Fire Safety Statement shall be issued within 12 months of the issue of the fire safety certificate, and then on an annual basis.

A copy of the Annual Fire Safety Statement shall also be:

- a) Forwarded to the Commissioner of the New South Wales Fire Brigade; and
- b) Prominently displayed in the building

(Reason: Fire safety)

147. DAOUC02 - Control of Litter

The occupant or person in control of the premises must take all practicable steps to ensure that the area of public footpath or public area adjacent to the premises is maintained in a clean and tidy condition. Where a litter problem arises and the offending material is found to usually include wrappers, containers and remains of goods or items, which might reasonably be assumed, were purchased at the subject premises, the shopkeeper must comply with any direction of Council with regard to the regular sweeping, collection and disposal of rubbish.

(Reason: Environmental health)

148. DAOUC04 - Air Emissions

The use of the premises shall not give rise to air pollution or and an odour nuisance as defined by the Protection of the Environment Operations Act 1997 and waste gases shall not be hazardous or harmful to human health or the environment.

(Reason: To protect human health and the environment)

149. DAOUC14 - General Noise Emission Criteria

- a) Noise from the development must not exceed a project amenity/intrusiveness noise level or maximum noise level in accordance with relevant requirements of the NSW EPA Noise Policy for Industry 2017 (NPfI).
- b) Background noise monitoring must be carried out in accordance with the long-term methodology in Fact Sheet B of the NPfI.
- c) An LAeq,15 minute (noise level) emitted from the development must not exceed the LA90, 15 minute (background noise level) by more than 3dB when assessed inside any habitable room of any affected residence or noise sensitive commercial premises at any time.
Further:
 - i. The noise level and the background noise level shall both be measured with all external doors and windows of the affected residence closed.
 - ii. Background noise measurements must not include noise from the development but may include noise from necessary ventilation at the affected premise.

Corrections in Fact Sheet C of the NPfI are applicable to relevant noise from the development measured in accordance with this condition, however duration corrections are excluded from commercial noise.

(Reason: To protect residential amenity)

150. DAOUC15 - Noise - Residential buildings

The air conditioner/s, mechanical ventilation systems and/or rainwater tank pumps must comply with the requirements of Protection of the Environment Operations (Noise Control) Regulation 2017 and shall not:

Emit noise that is audible within a habitable room in any other residential property (regardless

of whether any door or window to that room is open):

- i. Before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or
- ii. Before 7.00am and after 10.00pm on any other day; and

Emit a sound pressure level when measured at the boundary of any other residential property, at a time other than those specified in (i) and (ii) above, which exceeds the background (LA90, 15minutes) by more than 5dB(A). The source noise level must be measured as a LAeq 15 minute.

(Reason: To protect residential amenity)

151. DAOUC19- Waste Management Plan

The storage, handling and disposal of waste and recyclable materials generated on the premises must be carried out in accordance with the approved Waste Management Plan.

(Reason: To protect the environment)

152. DAOUD02- Landscape Maintenance - General

All open space areas are to be regularly maintained in a neat and tidy state. In this regard, lawn areas are to be kept mown and gardens weeded and mulched with any dead plants replaced. Property owners must maintain their trees in a safe growing condition.

(Reason: Safety and landscape amenity)

153. DAOUE03 - Parking

At least 19 no-tandem visitor car parking spaces numbered and line marked in accordance with the endorsed plan, are to be made available at all times for vehicles associated with the occupation/use of the premises/building.

(Reason: Access to required car parking spaces)

154. DAOUE04 - Vehicle Access

All vehicles are to enter and exit the site in a forward direction.

(Reason: Traffic and pedestrian safety)

155. DAOUZ01 - Acoustic Compliance

Within three months of the premises being occupied by the childcare centre, an acoustic report by a suitably qualified person, is to be submitted to the consent authority demonstrating that the noise emitted from the premises complies with the criteria contained in the acoustic report prepared by Noise Impact Assessment prepared by Rodney Stevens Acoustics, Reference R190127R1, Revision 0, dated 15 April 2019. Where the criteria are not met the acoustic report is to include recommendation of noise control measures that are to be implemented to ensure compliance with the criteria. The report is to include post validation results.

(Reason: Compliance)

156. DAOUZ02 - Hygiene and Food Storage

Sufficient provisions must be made for the installation of adequate double bowl wash sinks (or single bowl with dishwasher), food preparation sinks and hand wash basins within all food handling areas including bottle preparation areas. Staff food must be stored in a separate area for food intended for the children. Sufficient space must be available to store any required dry goods for the premises.

(Reason: Hygiene)

157. DAOUZ03 - General

- a. The number of children cared for in the new centre shall not exceed 66 aged up to 5 years.
- b. The first floor shall only be associated with administrative/office, staff area, kitchen or

storage functions.

- c. No retail sales or advertising of retail sales is to be undertaken from the subject site at any time.
- d. Identification number/s is/are to be clearly displayed at the front of the premises.
- e. All privacy measures shall be maintained in their approved condition for the life of the development and shall not be modified or removed without written consent from Council.

(Reason: Compliance with development consent)

Advisory Notes

158. **DAANN01 - Dial Before You Dig**

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please, contact Dial Before You Dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.



159. **DAANN03 - Dividing Fences**

The erection of dividing fences under this consent does not affect the provisions of the Dividing Fences Act 1991. Under this Act, all relevant parties must agree prior to the erection of any approved dividing fence/s under this consent.

Council has no regulatory authority in this area and does not adjudicate civil disputes relating to the provision of or payment for the erection of dividing fences.

If there is a neighbour dispute about the boundary fence, the Community Justice Centre (CJC) can provide mediation. See the CJC website for more information - cjc.justice.nsw.gov.au

160. **DAANN05 - Lapsing of Consent**

In accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979 (as amended), this Development Consent lapses 5 years after the date from which it operates unless building, engineering or construction work has physically commenced. A Construction Certificate must be obtained and the works commenced in accordance with the approved plans and specifications within 5 years from the date this Development Consent operates.

161. **DAANN07 - Owner Builders**

Under the Home Building Act 1989, any property owner who intends undertaking construction work to a dwelling or dual occupancy over the value of \$10,000 (inclusive of GST) must obtain an owner-builder permit from the NSW Fair Trading. See www.fairtrading.nsw.gov.au.

162. **DAANN08 - Process for Modification**

The plans and/or conditions of this Consent are binding and may only be modified upon written request to Council under Section 4.55 of the Environmental Planning and Assessment Act, 1979 (as amended). The modification application shall be accompanied by the appropriate fee, application form and required information. You are not to commence any action, works, contractual negotiations, or the like, on the requested modification until Council issues an

amended consent.

163. DAANN09 - Review of Determination

In accordance with the provisions of Section 8.2 of the Environmental Planning and Assessment Act 1979, you can request Council to review this determination (this does not apply to designated or Crown development). You must lodge the review application within a period of 12 months from the date shown on this determination. It should be noted that a review application is unable to be reviewed/determined after 12 months from the date of determination. Therefore, the submission of the review application must allow sufficient time for Council to complete the review within the prescribed timeframe including the statutory requirement for public notification. A fee as per Council's current Pricing Policy, Fees and Charges, is payable for such a review.

164. DAANN10 - Right of Appeal

Section 8.7 and 8.10 of the Environmental Planning and Assessment Act 1979, gives the applicant the right of appeal to the Land and Environment Court within 12 months after the date the decision appealed against is notified or registered on the NSW planning portal, or as otherwise prescribed.

165. DAANN12 - Skips on Council Footpath

The applicant must apply to Council's Customer Services Centre and pay the respective minimum ten (10) day application fees and deposit, should a mini-skip type or larger builder's waste container be required to be left on Council's footpath, nature strip or roadway for the removal of any builder's waste etc. These fees must be paid prior to the container's placement. In the event of the container being removed within the ten day period, and the Council being notified, a pro-rata refund will be made. If the container is to remain at the site for longer than ten days, a further fee must be paid before the ten day period expires. No consultation is necessary if placing the container within the property to which this application is related. However, caution should be exercised in placing the bin to ensure no damage occurs to Council property.

166. DAANN13 - Work Health and Safety

For information regarding, codes of practice and guidelines regarding demolition and construction work, visit the SafeWork NSW website at safework.nsw.gov.au/your-industry/construction, or phone 13 10 50.

167. DAANN16 - Compliance with Disability Discrimination Act

This approval does not necessarily protect or guarantee against a possible claim of discrimination (intentional or unintentional) under the Disability Discrimination Act 1992, and the applicant/owner is advised to investigate their liability under this Act. Please note that from 1 May 2011 under the Disability (Access to Premises - Buildings) Standards 2010, if access is provided to the extent covered by this Standard, then such access cannot be viewed as unlawful under the Disability Discrimination Act 1992.

(Reason: To inform of relevant access requirements for persons with a disability)

168. DAANN17 - Critical Stage Inspections - General

Critical stage inspections must be called for by the Principal Contractor or Owner Builder as required by the Principal Certifier and any Service Agreement, the Environmental Planning and Assessment Act 1979 (Act) and the Regulations.

Work must not proceed beyond each critical stage until the Principal Certifier is satisfied that work is proceeding in accordance with this consent, the Construction Certificate(s) and the Act. 'Critical Stage Inspections' means the inspections prescribed by the Regulations for the purposes of section 6.5 of the Act or as required by the Principal Certifier and any Service Agreement.

Note 1: The Principal Certifier may require additional inspections beyond mandatory critical stage inspections in order to be satisfied that work is proceeding in accordance with this consent.

Note 2: The Principal Certifier may, in addition to inspections, require the submission of Compliance Certificates, survey reports or evidence of suitability in accordance with Part A2.2 of the NCC in relation to any matter relevant to the development.

(Reason: Statutory requirement)

169. DAANN20 - Critical Stage Inspections for Building Work (Classes 5, 6, 7, 8 or 9)

Where applicable inspections of the development site may be required to be undertaken at the following stages:

- a) Prior to covering any stormwater drainage connections; and
- b) After the building work has been completed and prior to any occupation certificate being issued in relation to the building;
- c) Final.

If the person having the benefit of the development consent appoints Council as the Principal Certifier, Council will give written advice as to what critical stage inspections apply.

Prior to issuing an occupation certificate or subdivision certificate the Principal Certifier must be satisfied that the work has been inspected on the above occasions.

Except as provided by subclause (c), the inspections may be carried out by the Principal Certifier or, if the Principal Certifier agrees, by another certifier.

The final inspection detailed at subclause (c) may only be carried out by the Principal Certifier.

For each inspection the principal contractor (or owner-builder) must notify the Principal Certifier at least forty eight (48) hours in advance that the site is ready to be inspected prior to the commencement of work on the next stage.

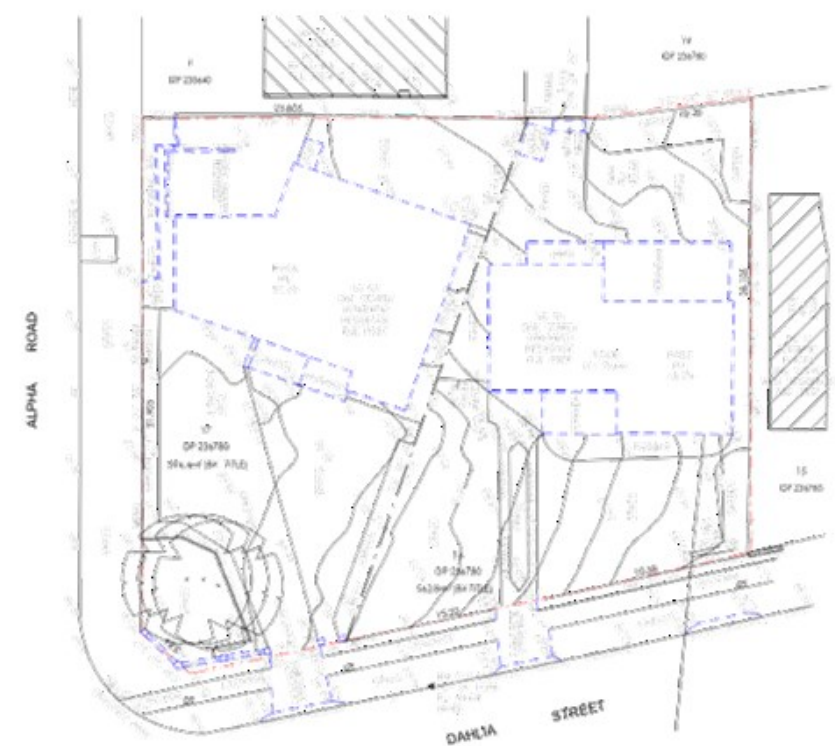
(Reason: Statutory Requirements)

DOCUMENTS
ASSOCIATED WITH
REPORT LPP046/20

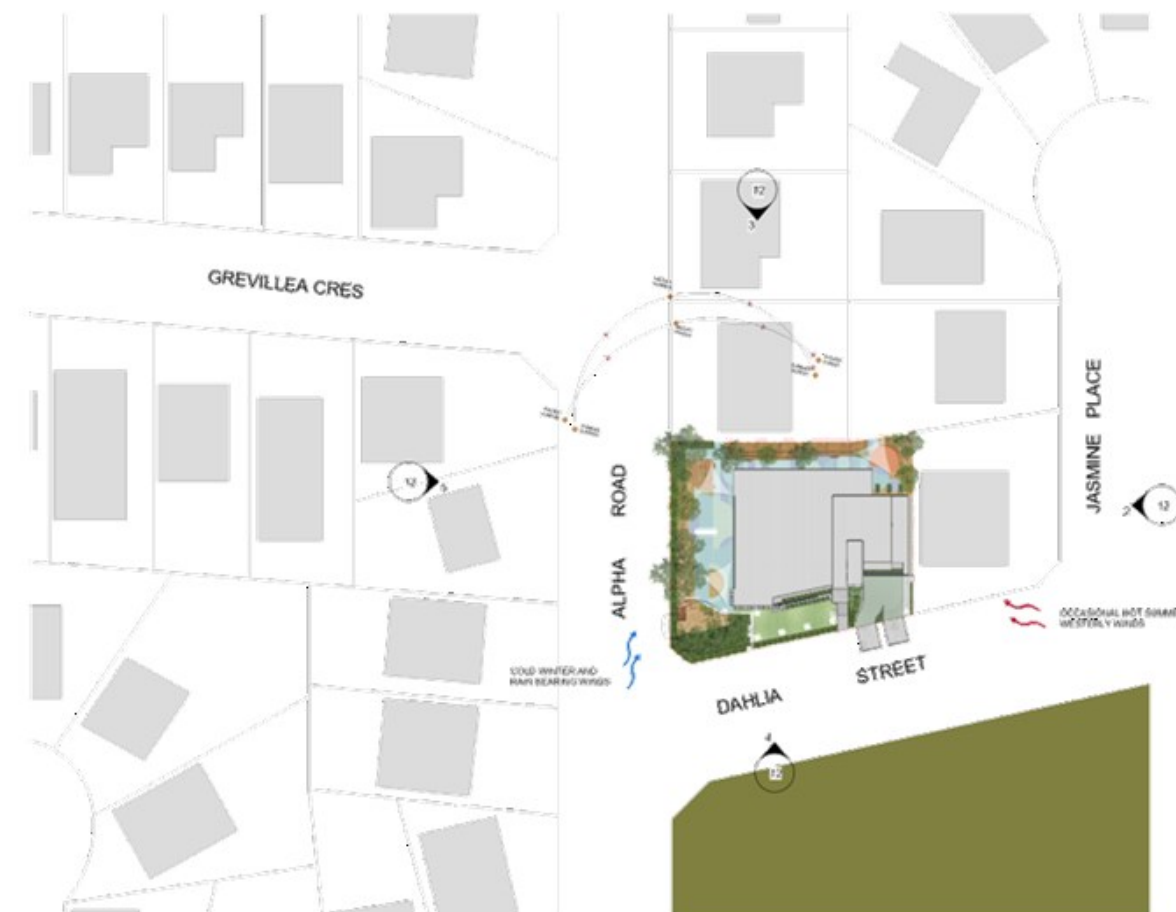
Attachment 2
Architectural Plans



1 SITE PLAN
1:200



2 DEMOLITION PLAN
1:200



3 SITE ANALYSIS
1:500

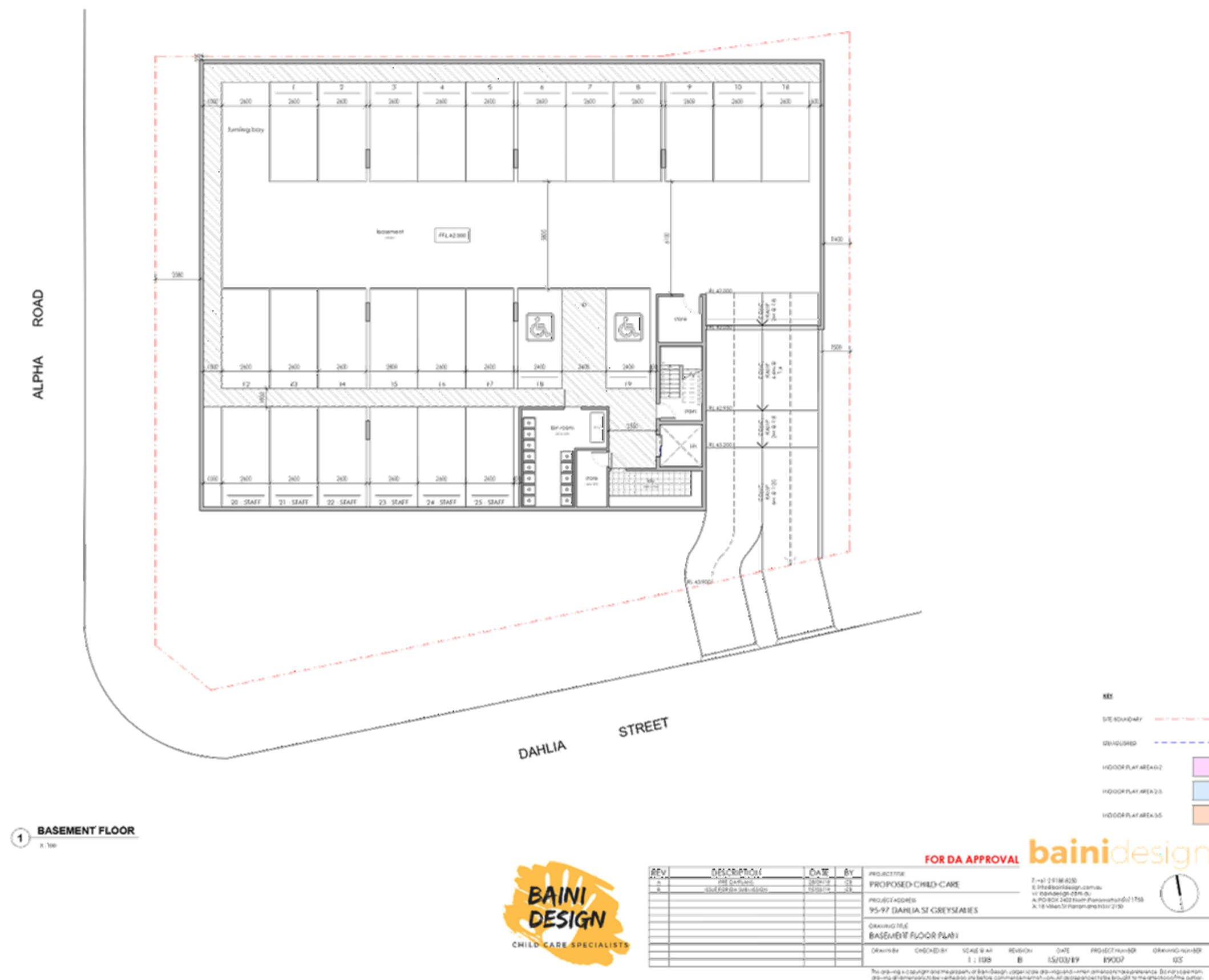


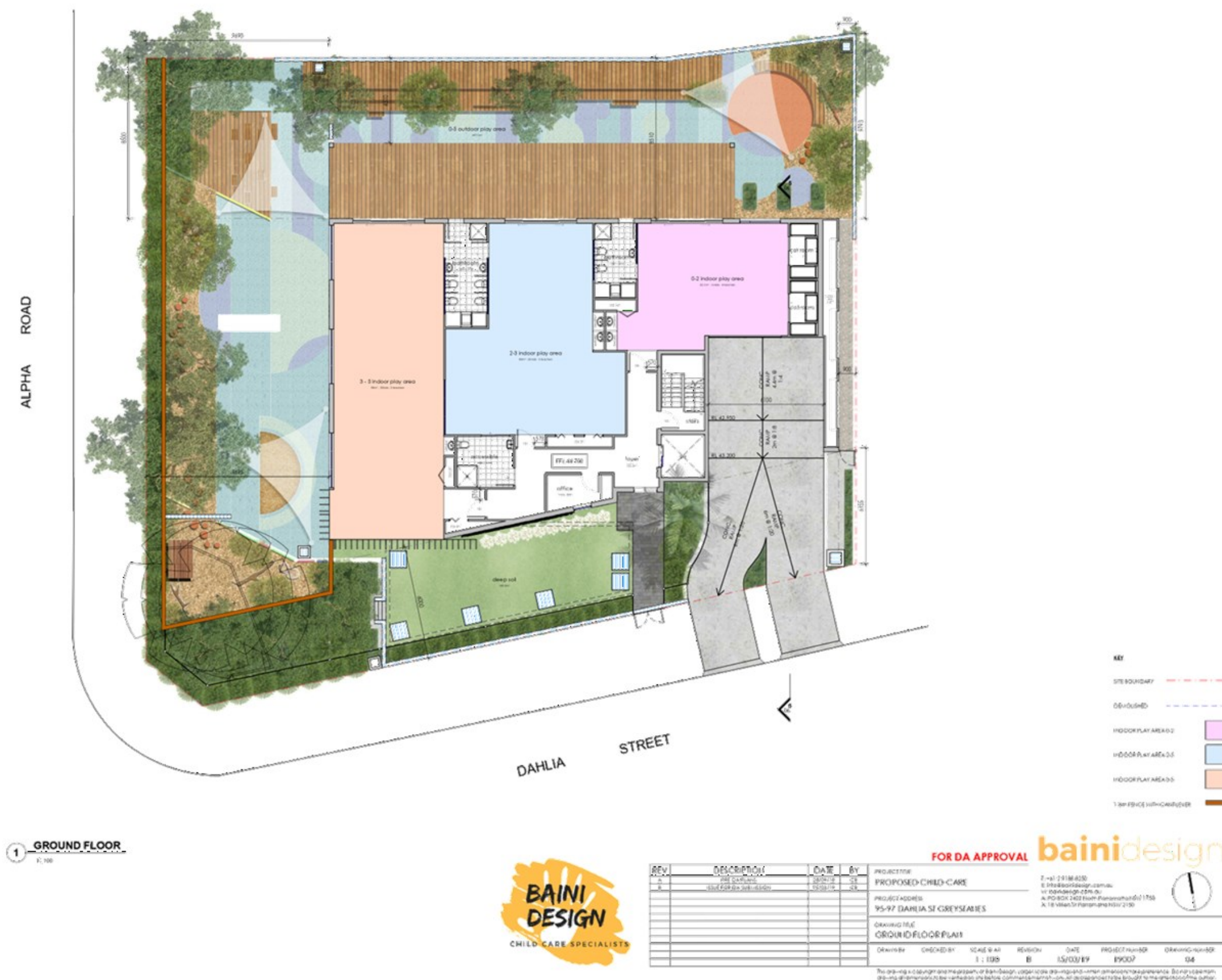
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				DRAWING TITLE: SITE PLAN, SITE ANALYSIS, DEMOLITION PLAN
				Drawn by: CHECKED BY: SCALE: 9: A1 REVISION: DATE: PROJECT NUMBER: DRAWING NUMBER:
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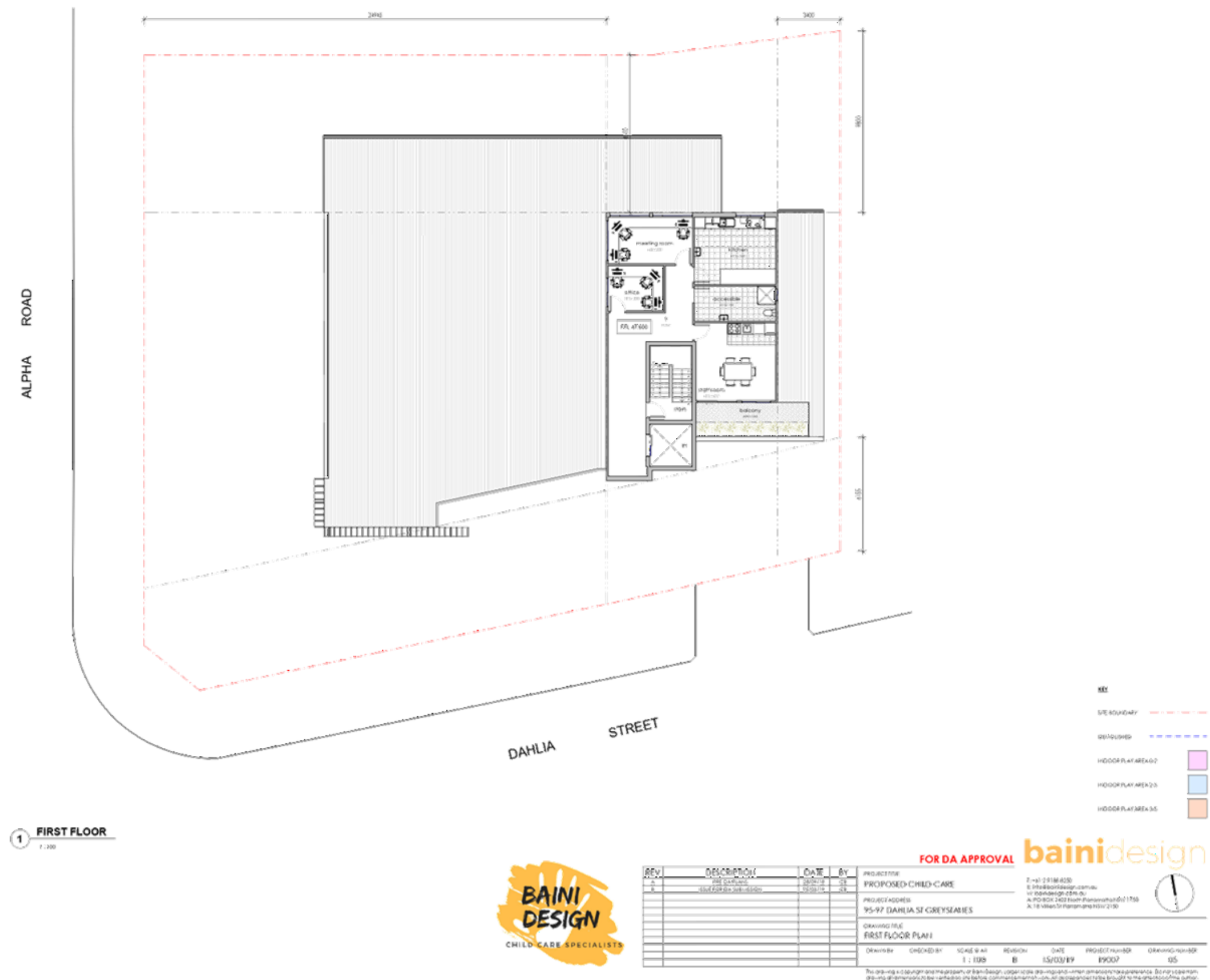
FOR DA APPROVAL **baini design**

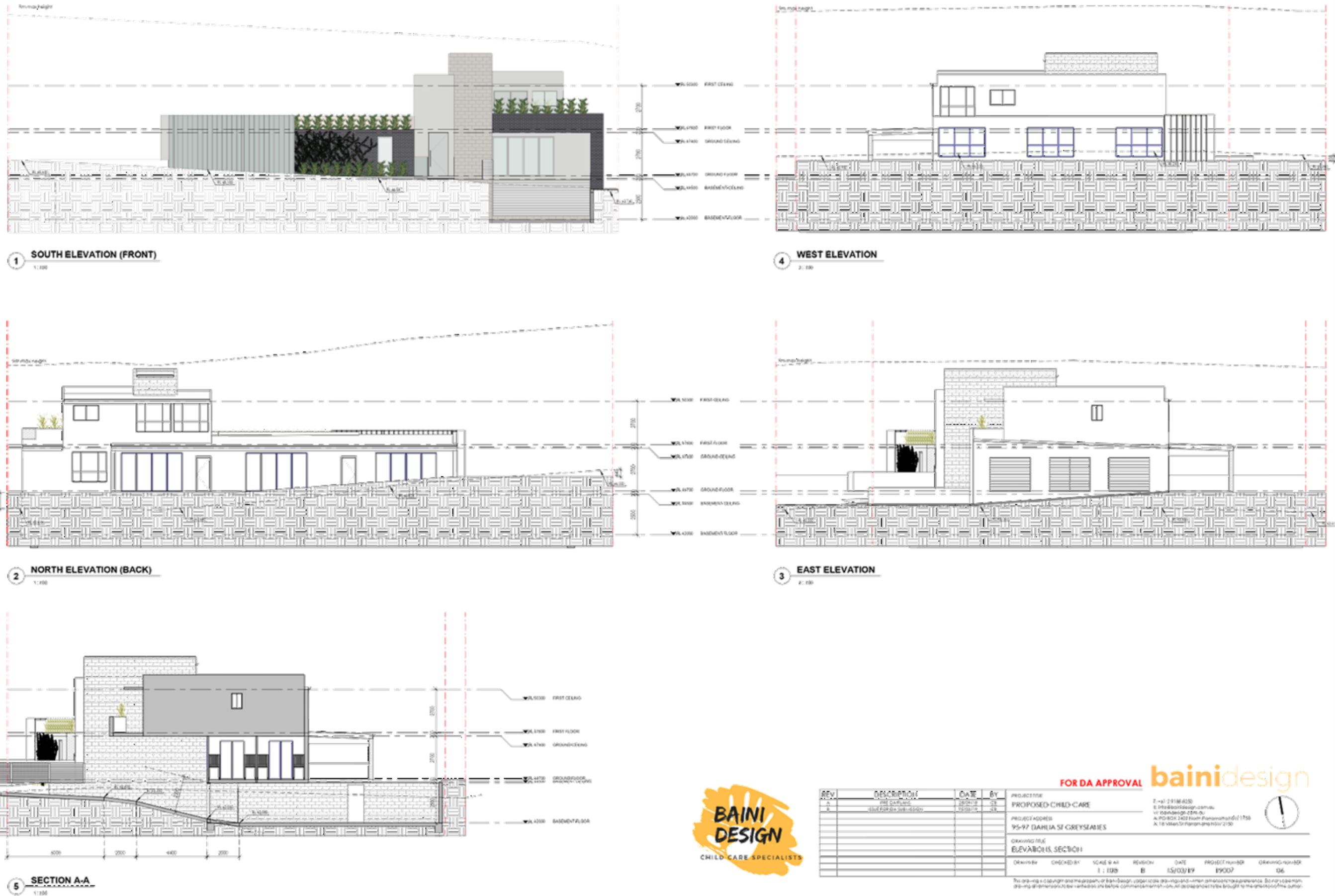
T: +61 2 9186 6250
E: info@baini-design.com.au
W: baini-design.com.au
A: PO BOX 2402 North Parramatta NSW 2150
A: 18 Villiers St Parramatta NSW 2150

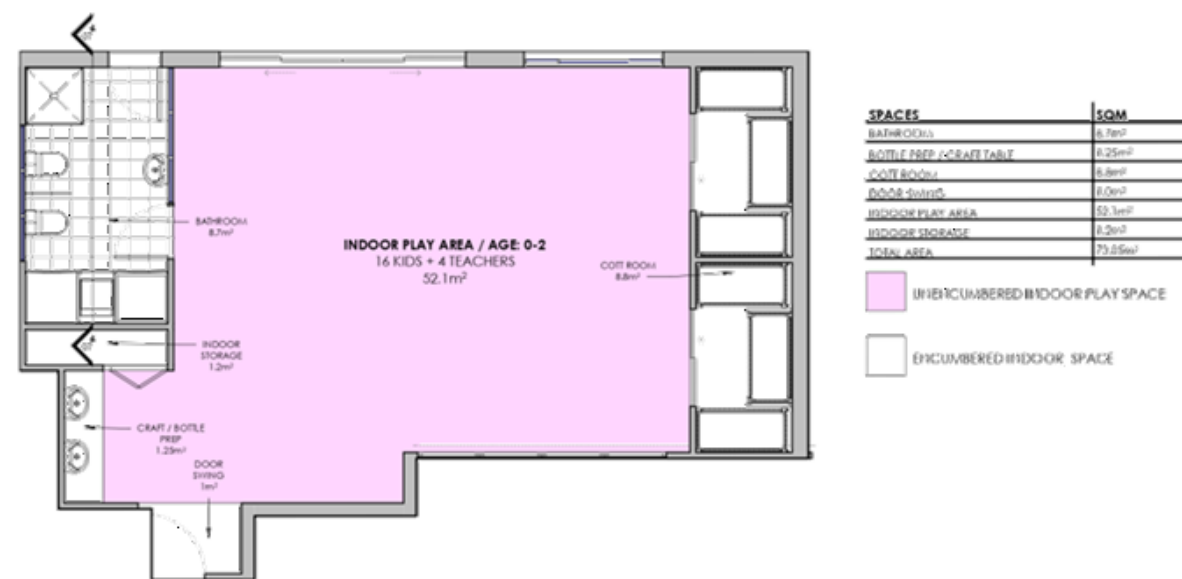
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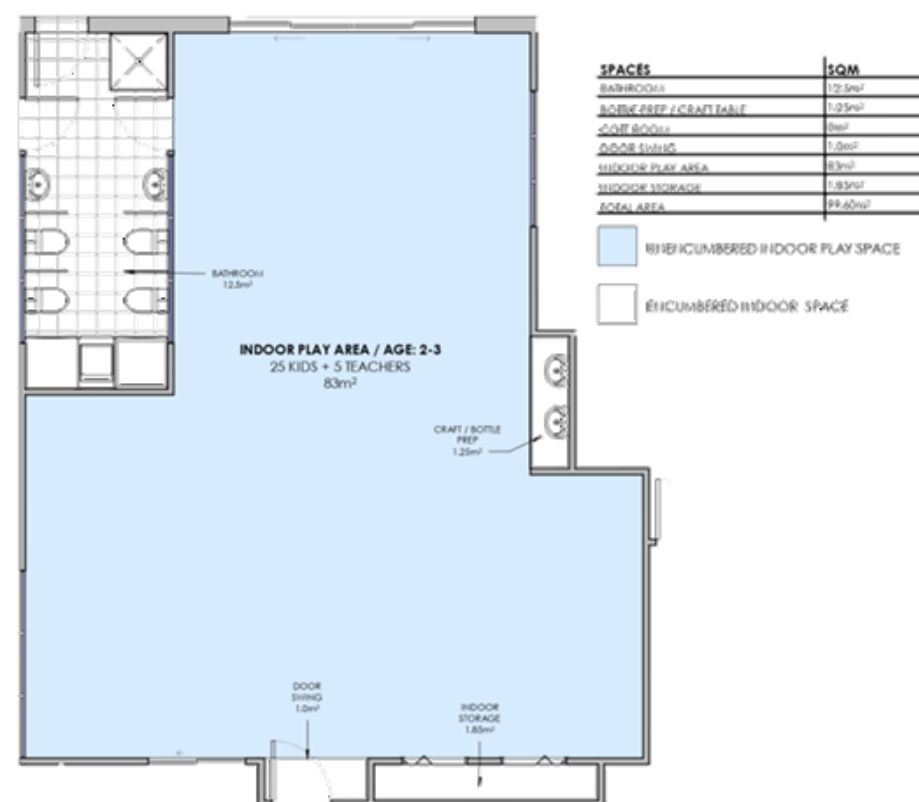








1 0-2 YR OLD INDOOR PLAY DIAGRAM
1:50



2 2-3 YR OLD INDOOR PLAY DIAGRAM
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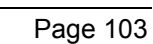


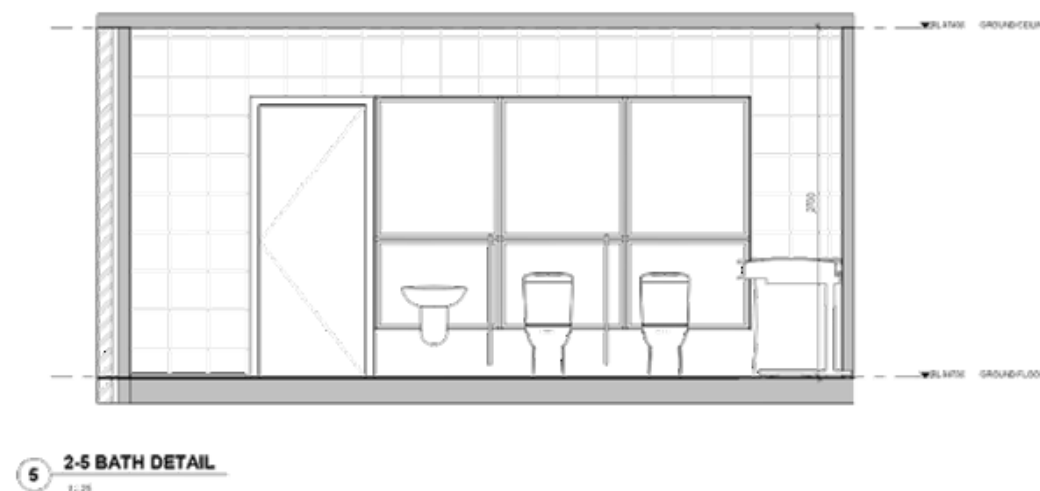
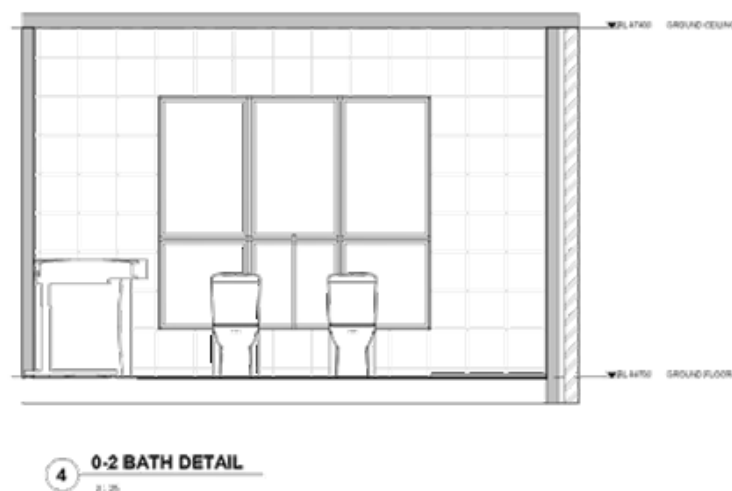
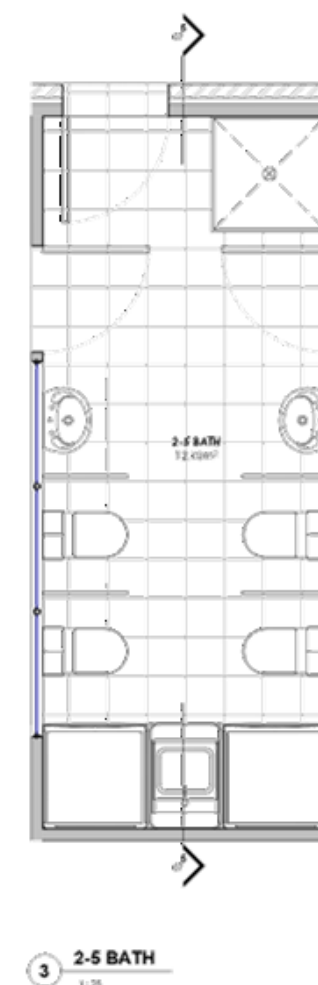
3 3-5 YR OLD INDOOR PLAY DIAGRAM
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FOR DA APPROVAL				baini design			
REV	DESCRIPTION	DATE	BY	PROJECT TITLE	T: +44 1418 4050 E: info@bainidesign.com.au W: bainidesign.com.au A: PO BOX 1402 North Fremantle WA 6156 A: 18 Villiers St Fremantle WA 6155		
A	PRO DESIGN	20/01/19	CS	PROPOSED CHILD CARE			
B	CHILD CARE SPECIALISTS	15/03/19	CS	PROJECT ADDRESS			
				95-97 DAHLIA ST GREYSABEE			
				DRAWING TITLE			
				INDOOR PLAY AREA CALC DIAGRAM			
				DRAWN BY	CHECKED BY	SCALE	DATE
						1:50	15/03/19
						REVISION	PROJECT NUMBER
						B	P9002
							DRAWING NUMBER
							21

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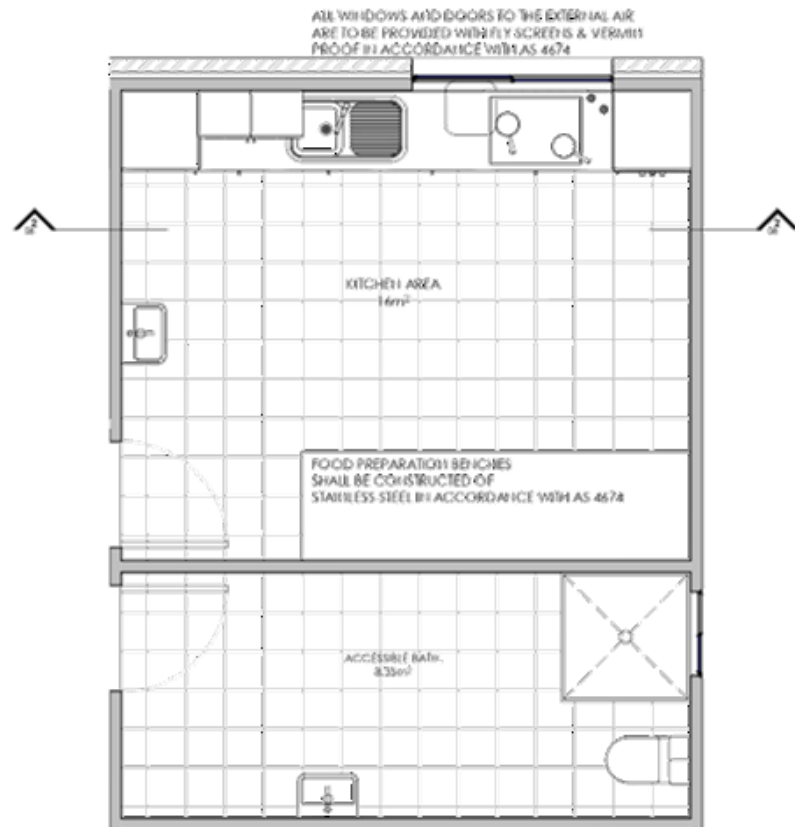




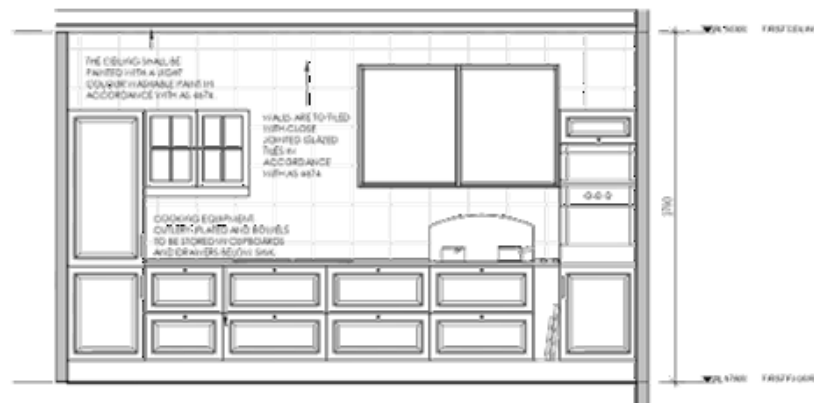
**BAINI
DESIGN**
CHILD CARE SPECIALIST

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B	FOR DA APPROVAL	2014-12-15	CE					CE

PROJECT TITLE: PROPOSED CHILD CARE
 PROJECT ADDRESS: 95-97 PARLA STREET SEASIDE
 DRAWING TITLE: BATHROOM DETAILS
 DRAWING NUMBER: 15007
 DATE: 2014-12-15
 BY: CE



1 KITCHEN DETAILS
1:25



2 KITCHEN DETAIL
1:25

Table 3 - Daily food amounts for children (2 to 5 years)

Food Group and Serve Size	Minimum number of serves which is to be served for 2 hours	Comments
Vegetables and legumes/beans Each of the following foods is 100g serve: 10 cup cooked vegetables 10 cup cooked dried, canned beans, peas or lentils 1 cup salad vegetables 1 medium potato or sweet potato 1 medium tomato	2	• Include different types and colours • Fresh, frozen and canned vegetables can be used • Choose canned vegetables with no added salt
Fruit Each of the following foods is 100g serve: 1 medium (150g) piece of fruit e.g. apple, banana, orange or pear 2 small apricots, free fruits or plums 1 cup dried or canned fruit (no added sugar) 30g dried fruit e.g. 4 dried apricots (halved)	1	• Serve fresh but other than juice
Wholegrain cereal foods and breads Each of the following foods is 100g serve: 1 slice of bread 1/2 cup whole cereal flakes 1/2 cup cooked rice 1/2 cup cooked pasta 1 cupmeal 1 English muffin 1 scone	2	• Include a variety of cereals, breads, pasta, noodles, polenta, couscous, oats, quinoa and barley • Choose wholegrain or wholemeal varieties and when available, varieties with added iron

Lean meat and poultry, fish, eggs, tofu, seeds and legumes Each of the following foods is 100g serve: 80g cooked lean meat - beef, lamb, veal, pork, goat, kangaroo (50-100g meat) 80g cooked lean poultry or turkey (100g meat) 100g cooked fish (115g meat) 1 small can fish 2 large eggs 1 cup cooked or canned legumes/beans 170g tofu Milk, yoghurt, cheese and alternatives Each of the following foods is 100g serve: 1 cup milk 2 slices of cheese (40g) 200g yoghurt 120g soft cheese 1 cup soy milk with at least 100mg of added calcium per 100ml	1	• Try to eat meat where possible • Serving milk at morning and afternoon tea may be an easy and reliable way to meet this requirement • Choose mostly reduced fat varieties
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Note: If a child is more than eight hours without a meal or snack, a late afternoon meal should be provided.

Table 4 - Sample daily food amounts for children

Food	Serve size	Amount per day for 2 hours	Amount per day for 2 hours	Amount per day for 2 hours
Vegetables and legumes/beans	100g	2	2	2
Fruit	100g	1	1	1
Grain (cereal) foods	100g	2	2	2
Lean meat, poultry, fish, eggs, tofu, seeds and legumes	100g	1	1	1
Milk, yoghurt, cheese or alternatives	100g	1	1	1
Yoghurt/cheese or alternatives	100g	1	1	1

Table 5 - Sample daily food amounts for children

Food	Serve size	Amount per day for 2 hours	Amount per day for 2 hours	Amount per day for 2 hours
Vegetables and legumes/beans	100g	2	2	2
Fruit	100g	1	1	1
Grain (cereal) foods	100g	2	2	2
Lean meat, poultry, fish, eggs, tofu, seeds and legumes	100g	1	1	1
Milk, yoghurt, cheese or alternatives	100g	1	1	1
Yoghurt/cheese or alternatives	100g	1	1	1

Note: If a child is more than eight hours without a meal or snack, a late afternoon meal 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.

Types of food, preparation and servings should be in accordance with Caring for Children Birth to 5 years Food, Nutrition and Learning Experiences prepared by the NSW Ministry of Health.

Floor of Food Preparation Area

A rigid smooth faced impervious ceiling shall be provided over the food preparation, cooling and serving areas. The surface finish shall be free of open joints, cracks, crevices or openings with the 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, covered 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 fitting. This can be achieved by coving tiles, cement render, or by taping 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 constructed of cement rendered bricks, blocks or concrete finished to a smooth, steel trowelled surface, covered to the floor, and where not tiled, painted with a light coloured glass paint. Unrendered brick or block work is not permitted.

The walls of the kitchen are to be tiled with close jointed, glazed tiles of a light colour to a height of 2 metres.

The walls of 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, cooling appliances, equipment, fitting, cupboards, and cabinets are to be supported on one of the following systems:
Wheels or casters which allow the fully loaded fitting to be easily moved
Legs which provide a min. 150mm clearance from the floor to the underside of the fitting.

All shelving being installed on approved metal brackets and kept at least 25mm clear off wall.

Food preparation benches shall be constructed of stainless steel.

The top and exposed edges of all benches, counters and shelving shall be finished in a smooth and non absorbent material free of joints.

All service pipes, condensate pipes and electrical conduits must be sealed into the walls, floors or plinths.

All service pipes, condensate pipes and electrical conduits which are not capable of being concealed within the walls shall be mounted on brackets so as to provide at least 25mm clearance between the pipe and adjacent (wall) vertical surface and 100mm between the pipe and adjacent (floor) horizontal surface.

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, floors and ceiling and all external doors and windows must be vermin proof.

All windows and doors to 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 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.

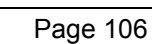
Washing facilities must be provided and comply with the Food Premises Code.

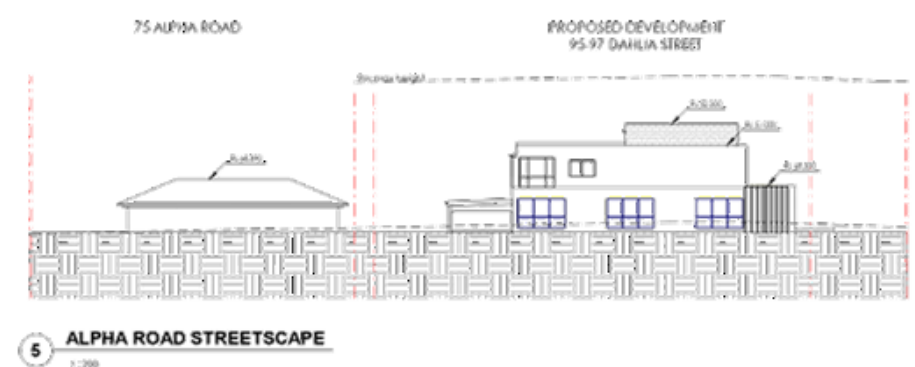
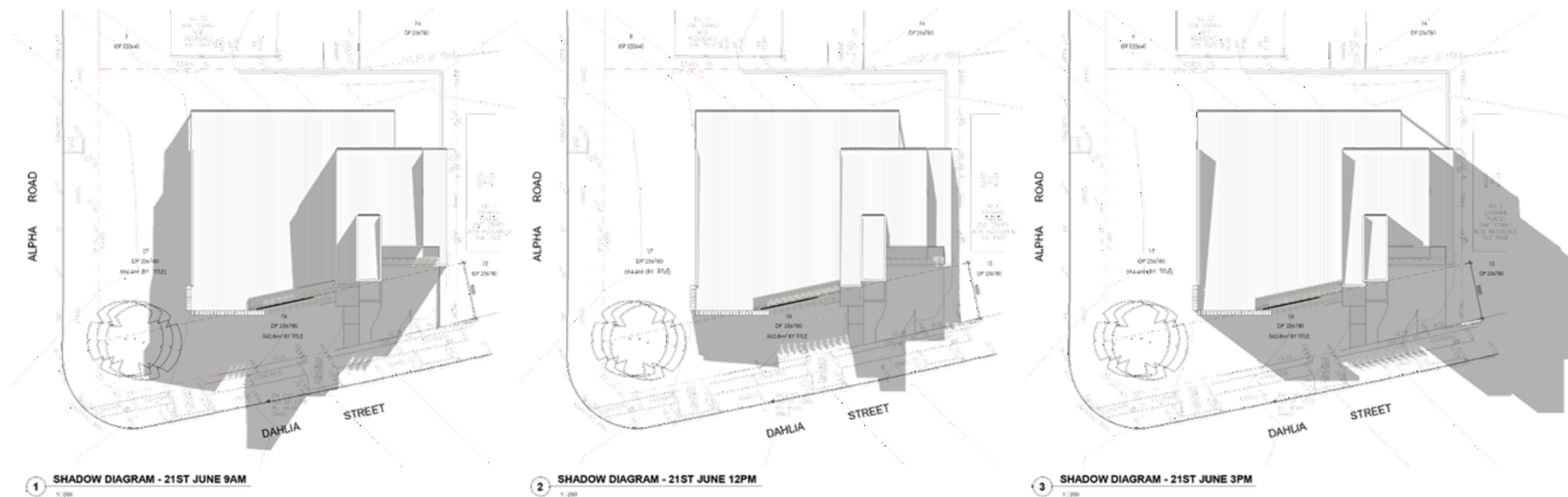
Not less than 300 lux of light will be available on all surfaces where food is prepared, or utensils are washed and sterilised in accordance with SA 1689.



REV	DESCRIPTION	DATE	BY	PROJECT TITLE	PROJECT ADDRESS	PROJECT TITLE	DATE	PROJECT NUMBER	REVISION	DATE	PROJECT NUMBER	REVISION
A	PROPOSED CHILD CARE	15/03/19	CB	95-97 DARLIE ST GREYSBURIE	KITCHEN DETAILS	15/03/19	19007	08				
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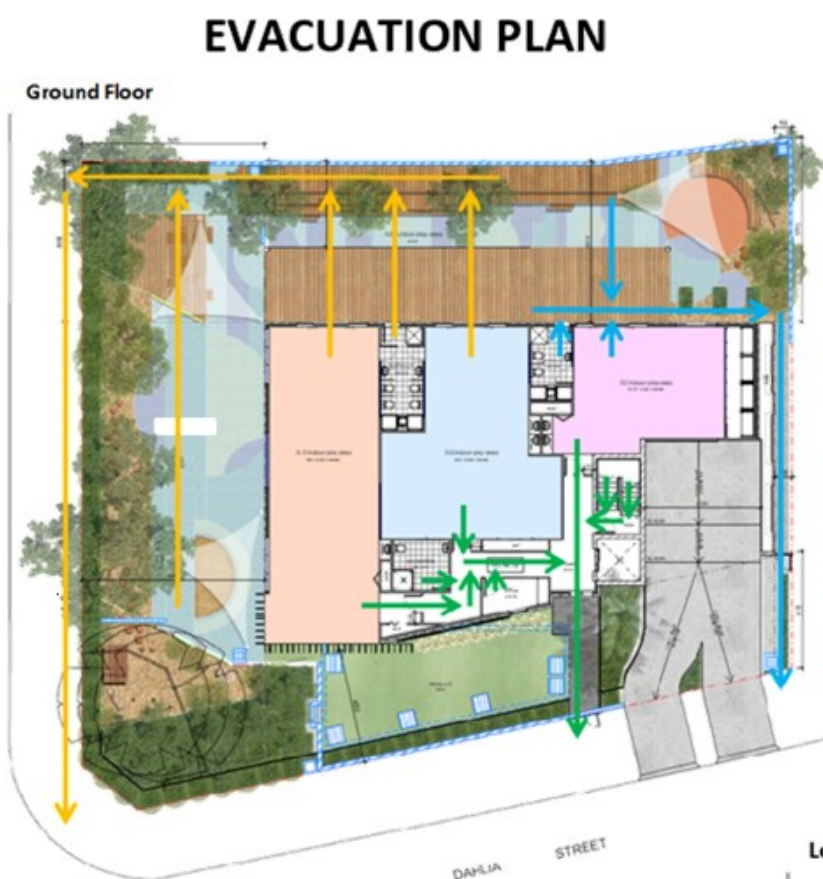
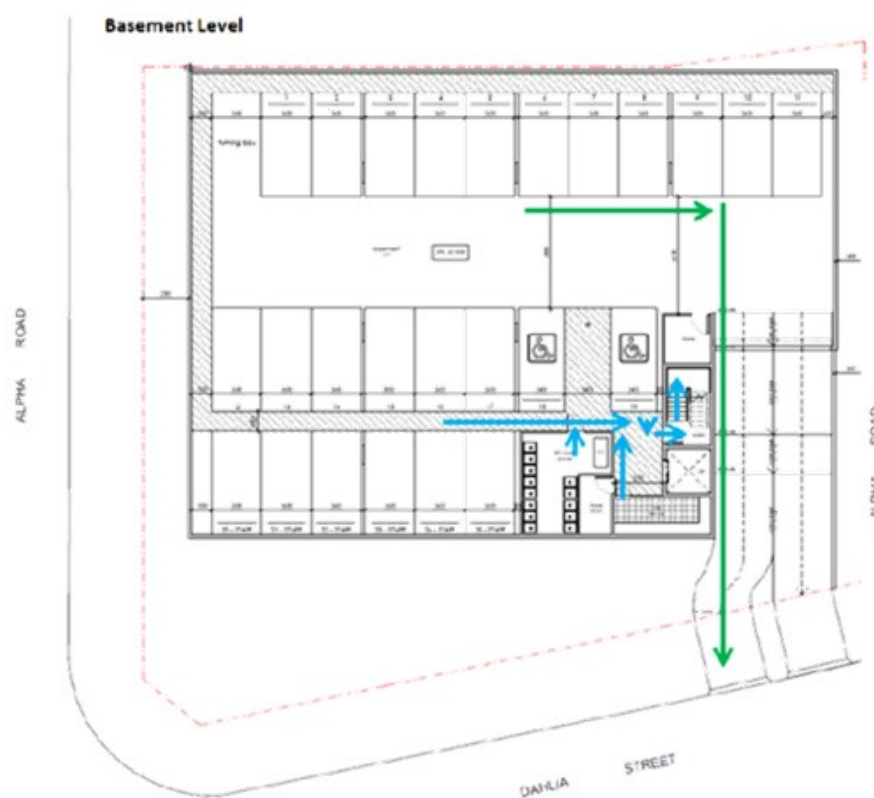
REV	DESCRIPTION	DATE	BY	PROJECT NAME	PROJECT ADDRESS	PROJECT NUMBER	DATE	PROJECT NUMBER	DATE
A	PROPOSED CHILD CARE	15/03/19	CS	PROPOSED CHILD CARE	95-97 DAHLIA ST GREYSBATES	19007	15/03/19	19007	02
B	STREETScape & SHADOW DIAGRAMS	15/03/19	CS	STREETScape & SHADOW DIAGRAMS	95-97 DAHLIA ST GREYSBATES	19007	15/03/19	19007	02

FOR DA APPROVAL baini design

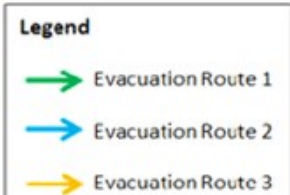
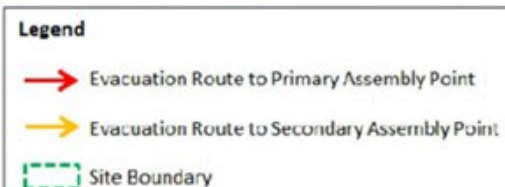
Tel: 0191 455 4550
Email: info@baini-design.com
Web: www.baini-design.com
A: PO BOX 1402 South Shields NE15 1TB
A: 18 Villiers Street, Gateshead NE11 2JQ



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Emergency Assembly Points



EMERGENCY CONTACT	PHONE NUMBER
Emergencies: Police, Ambulance, Fire	000 – Landline 112 – Mobiles
Local Police	Emergency 000 Police Assistance Line 131 444
Local Ambulance	000 – Landline 112 – Mobiles
Local fire station	000 – Landline 112 – Mobiles
State Emergency Services	132 500
Hospital – Fairfield Hospital	02 9616 8111
Cumberland Council	02 8757 9000
Local water supplier – Sydney Water	132 092
Local gas supplier	To be confirmed
Local electricity supplier	To be confirmed

Lockdown Assembly Point



DOCUMENTS
ASSOCIATED WITH
REPORT LPP046/20

Attachment 3
Landscape Plans



- 1 Feature palm tree at front entry
- 2 Artificial turf with drainage layer over underground OSD tank
- 3 Proposed retaining wall and access steps refer to stormwater engineer's drawing
- 4 Existing trees to be retained to AS 4970-2007
- 5 Low maintenance native shrubs and groundcovers
- 6 Natural play under existing trees with mulched areas, native shrubs, cubby house, tree logs.
- 7 Natural play with canopy tree planting, mulch, and tree logs.
- 8 Maintenance access with natural river pebbles
- 9 Raised vegetable garden
- 10 Overhead shade structure
- 11 300mm high timber seating
- 12 1.8m high acoustic barrier with cantilever over retaining wall with blackboard / play boards fixed to fence
- 13 1 in 21 ramp with landing to comply with AS 1428.1-2009, and AS4586-2004



- 14 Coloured perspex balustrade to Comply with BCA requirement. Max. gap between balustrade panels do not exceed 125mm



- 15 Softfall embankment with climbing grips, slides, and climbing nets.



- 16 Potential continuation of softfall art to building wall.



- 17 Timber tiered seating for outdoor teaching / gathering



- 18 Timber seating platforms with raised timber planter for feature trees.

- Legend**
- line of roof above
 - line of basement below
 - +EX 15.45 existing spot level
 - +RL 16.50 proposed spot level
 - +TW 16.50 top of wall level
 - T5 existing tree to be retained
 - T6 proposed trees
 - D1 proposed drains
 - G1 garden bed
 - M1 mulched area
 - S1 sandpit
 - SF1 soft fall
 - TD1 timber decking
 - AT1 proposed artificial turf with drainage below
 - RW1 proposed retaining wall refer to engineer's detail
 - CD1 proposed concrete driveway / footpath refer to architect's drawing
 - FP1 proposed footpath to front entry
 - PG1 proposed pits and grate drain refer to stormwater engineer's drawings
 - FR1 proposed fence refer to architect's drawings
 - 1.8m high acoustic barrier with cantilever as per noise management plan

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Figured dimensions shall be taken in preference to scaling.
The contractor shall check all dimensions on site before commencing work.

Issue	Comments	Date
A	Preliminary issue for review	10.07.2019
B	Issued for DA	12.07.2019
C	Issued for DA	15.07.2019

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95-97 Dahlia Street, Greystanes

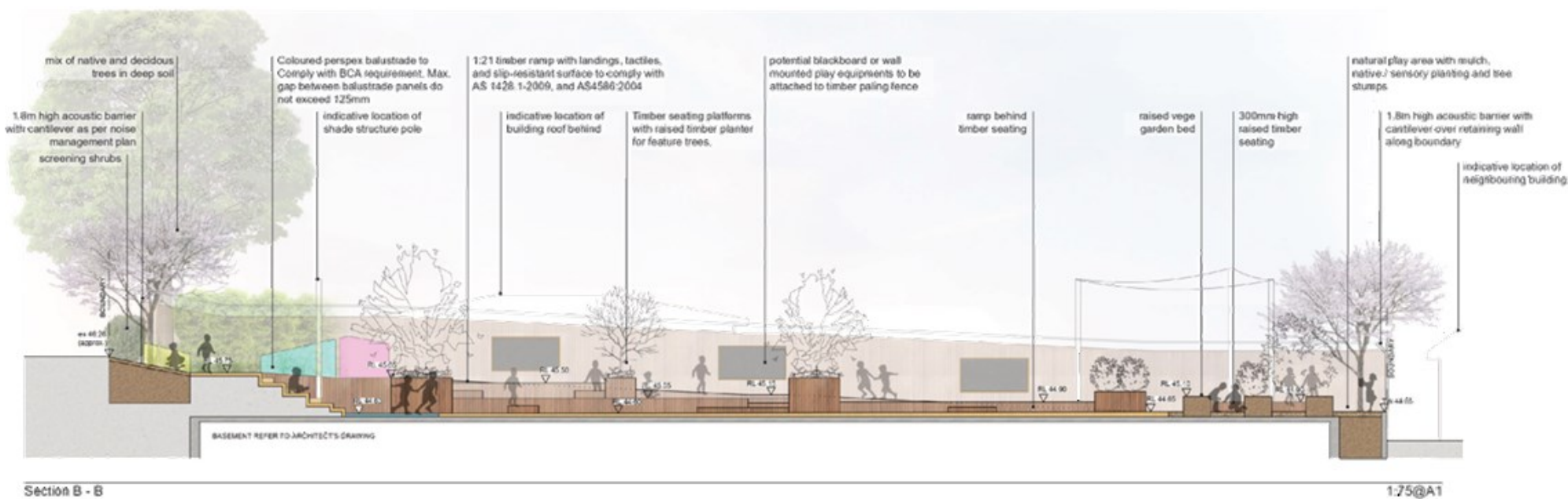
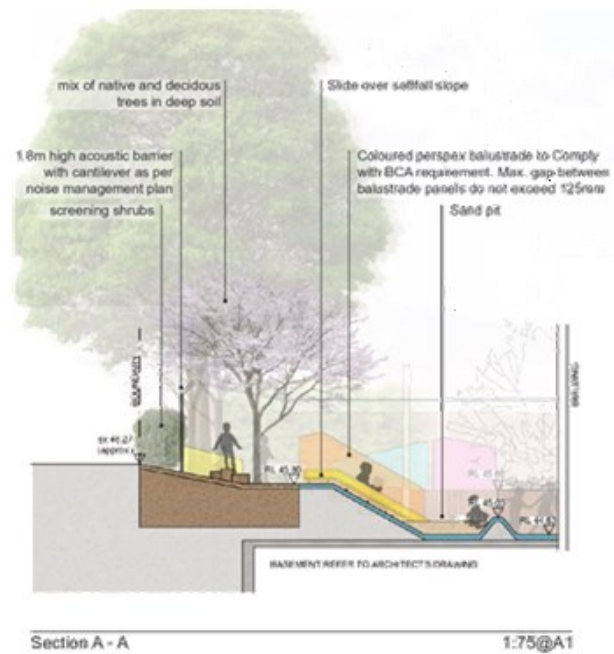
ARCHITECT: Bami Design

DRAWN: HC
CHECKED: KG
DATE CREATED: July 2019
JOB NUMBER: LA190211

FOR DEVELOPMENT APPLICATION ONLY

LANDSCAPE PLAN
LA-01

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DOCUMENTS
ASSOCIATED WITH
REPORT LPP046/20

Attachment 4
Flood Study Report



FLOOD IMPACT ASSESSMENT

FOR

95-97 DAHLIA STREET, GREYSTANES

CHILDCARE CENTRE

REPORT NO. R02229-FIA

REVISION A

MARCH 2020

C&M Consulting Engineers Pty Ltd

Suite 26, 11-13 Brookhollow Avenue, Baulkham Hills, NSW, 2153
P (02) 9680 3100 F (02) 9634 6989

95-97 DAHLIA STREET, GREYSTANES
FLOOD IMPACT ASSESSMENT**PROJECT DETAILS**

Property Address: 95-97 Dahlia Street, Greystanes

Development Proposal: Childcare Centre

REPORT CERTIFICATION

Report prepared by:

**ANTHONY MANCONE**
Civil Engineer – Director
BE(Civil)Hons., MIEAust, CPEng, NER(Civil),
NER (Building Services), APEC Eng, IntPE(Aust)**DISCLAIMER**

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DOCUMENT CONTROL

REVISION	ISSUE DATE	ISSUED TO	ISSUED FOR
A	27 March 2020	Baini Architects	Information
		Cumberland Council	DA Approval

95-97 DAHLIA STREET, GREYSTANES
FLOOD IMPACT ASSESSMENT



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APPENDIX A ARCHITECTURAL DRAWINGS

APPENDIX B COUNCIL FLOOD LEVEL INFORMATION

1. INTRODUCTION

1.1 Background

This Flood Impact Assessment has been prepared in accordance with Cumberland Council's (Holroyd) Development Control Plan to support the Development Application for the proposed childcare centre at 95-97 Dahlia Street, Greystanes.

The following information and documents were utilised in this assessment:

- Architectural Drawings for the Development Application submission prepared by Baini Design.
- Cumberland City Council (Holroyd) Development Control Plan (2013).
- Cumberland City Council Flood Level Information dated 19 February 2019.
- "Australian Rainfall and Runoff – A Guide to Flood Estimation", Institute of Engineers, Australia (1987).
- "Australian Rainfall and Runoff – A Guide to Flood Estimation", Commonwealth of Australia (Geoscience Australia) (2019).
- NSW Floodplain Management Manual.

1.2 The Site

The site is located at 95-97 Dahlia Street, Greystanes (refer to Figure 1) on the north east corner of Dahlia Street and Alpha Road. The site is within a typical urban residential area. The land generally falls from west to east. It is proposed to construct a childcare centre on the site.



Figure 1 - Aerial Photo of the Site
(Source: NSW Six Maps)

95-97 DAHLIA STREET, GREYSTANES
FLOOD IMPACT ASSESSMENT

1.3 Key Issues

The key issues to be addressed in this report include:

- **Flooding** – New structures have the potential to alter existing flow paths and result in changes to flood extent, depth and velocity both upstream and downstream of the subject site. This can have the potential to cause damage and erosion to neighbouring properties.

In addition to ensuring that upstream and downstream flow conditions are maintained, a freeboard requirement above flood levels may be required to ensure that areas are protected from potential flood events.

2. RELEVANT GUIDELINES

Flooding

Guidelines: Cumberland City Council (Holroyd) Development Control Plan (2013) (Part A, Section 8 – Flood Prone Land).

The primary objective of Council's DCP is to allow the development of flood prone land whilst reducing the impacts of flooding and flood liability on individual / occupiers and to reduce the private and public losses that can result from floods.

3. FLOOD IMPACT ASSESSMENT

3.1 Description of Flooding

The site is within the Prospect Creek floodplain and is partly affected by overland flow during a 1% AEP storm event. The flooding generally occurs along the north boundary at the eastern end of the site.

Flood level information provided by Cumberland City Council indicates that the 1% AEP flood level at this site varies between RL43.5m AHD and RL43.8m AHD.

3.2 Assessment of Council Requirements

Cumberland Council splits the floodplains within the local government area into three flood risk precincts based on varying levels of potential flood risk. The three precincts are described in Table 3.

Table 3 - Cumberland City Council Flood Risk Precincts

Risk Precinct	Description
High	<ul style="list-style-type: none"> Defined as the area of land below the 100 year flood that is either subject to a high hydraulic hazard or where there are significant evacuation difficulties. The high flood risk precinct is where high flood damages, potential risk to life or evacuation problems would be anticipated or development would significantly and adversely affect flood behaviour.
Medium	<ul style="list-style-type: none"> Defined as land below the 100 year flood that is not in a High Flood Risk Precinct. This is land that is not subject to a high hydraulic hazard or where there are no significant evacuation difficulties. The medium flood risk precinct is where there would still be a significant risk of flood damage, but these damages can be minimised by the application of appropriate development controls.
Low	<ul style="list-style-type: none"> Defined as all other land within the floodplain (i.e. within the extent of the probable maximum flood but not identified within either the High Flood Risk or the Medium Flood Risk precincts). The low flood risk precinct is where risk of damages is lower for most land uses.

The land use category for the proposed development falls under Sensitive Uses & Facilities.

The site has been classified as being mostly within a Low Flood Risk Precinct. The north east corner of the site is affected by a 1% AEP overland flood event however with the design of the proposed development the flood affected area is generally an inaccessible area of the site. Therefore, this flood impact assessment has been based on the site being within a Low Flood Risk Precinct.

The planning considerations applying to the site are addressed on the following pages under Table 4.

95-97 DAHLIA STREET, GREYSTANES
FLOOD IMPACT ASSESSMENT



Table 4 - Planning Considerations

Planning Consideration	Compliance	Comments
Floor Level		
The level of habitable floor areas to be equal or greater than the PMF flood level.	YES	<p>The proposed ground floor level is at RL44.70m AHD which is +900mm above the highest 1% AEP flood level at the site of RL43.80m AHD.</p> <p>Whilst the PMF level is unavailable at this site, given that the flooding is from overland flow, it is improbable that the PMF level would be more than 900mm higher than the 1% AEP flood level.</p> <p>Therefore, the ground floor has sufficient freeboard.</p>
Building Components & Method		
All structures to have flood compatible building components at and below the PMF flood level.	YES	The construction method will utilise flood compatible materials such as concrete, steel, block or brick work.
Structural Soundness		
Applicant to demonstrate that the structure can withstand the forces of floodwater, debris and buoyancy up to and including a PMF.	YES	The design of the structure shall be certified by a structural engineer registered on the National Engineers Register for Structural Engineering (NER-Structural) during the Construction Certificate phase of the project.
Flood Effects		
The flood impact of the development to be considered to ensure that the development will not increase flood effects elsewhere, having regard to: (i) loss of flood storage; (ii) changes in flood levels and velocities caused by alterations to the flood conveyance; and (iii) the cumulative impact of multiple potential developments in the floodplain. An engineer's report may be required.	YES	<p>The proposed structure is clear of the flood affected area of the site at ground level. The outdoor play area is suspended over the flood affected area.</p> <p>The flood affected area below the suspended structure will be fenced off using pool-type fencing. This will allow flood water to pass unimpeded.</p> <p>The proposed development will have a negligible impact on loss of flood storage, change in flood level and velocity and cumulative impact effects.</p>

95-97 DAHLIA STREET, GREYSTANES
FLOOD IMPACT ASSESSMENT



Planning Consideration	Compliance	Comments
Car Parking and Driveway Access		
Basement car park entrances shall have 500mm freeboard to the 1% AEP flood level (where practical) but not less than 150mm.	YES	The basement entry is off Dahlia Street which isn't flood affected until the intersection with Jasmine Place (downslope of the site). The estimated 1% AEP flood level at the intersection is RL42.7m AHD. The driveway crest level is RL43.6m AHD which is +900mm above the nearest 1% AEP flood level.
Evacuation		
Reliable egress to an area on or off site that is above the PMF level.	YES	The ground floor level is above the PMF level and therefore provides a suitable safe place during flood events.
The development is to be consistent with any relevant flood evacuation strategy or similar plan.	N/A	There is no relevant flood evacuation strategy for this area.
Management and Design		
No storage of materials below the design floor level which may cause pollution or be potentially hazardous during any flood.	N/A	The flood affected part of the site is generally within an inaccessible area of the proposed development.

4. SITE EMERGENCY RESPONSE FLOOD PLAN

A Site Emergency Response Flood Plan (SERFP) details the flood inundation mitigation measures and proposed relocation of people to safe locations. The staff employed at childcare centre will be trained in typical emergency situations such as fires and other threats. In addition to the general emergency training, the management of a flood event can be incorporated into the responsibility of staff members.

It is recommended that the SERFP includes:

- The training and action required for the management of a flood event including the deployment of flood mitigation measures and evacuation to non-flood affected areas of the site.
- Similarly, to fire wardens, the appointment of flood wardens responsible for managing the flood event.
- Locations of appropriate flood warning signage.

MARCH 2020

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PAGE 5

95-97 DAHLIA STREET, GREYSTANES
FLOOD IMPACT ASSESSMENT

5. FLOOD EVACUATION

During large storm events there is the potential for flooding to occur at and within the vicinity of the site. Therefore, evacuation from the site during a flood event should be considered. Evacuation would need to occur well before flood waters reach their peak as the local area can be inundated during large floods.

During floods, many roads within the area will be cut by floodwaters. Travelling through floodwaters on foot, or in a vehicle can be very dangerous as the water may be polluted, obstructions can be hidden under the floodwaters, or you could be swept away.

It is recommended that occupants stay within the building as much as practical as this is the safest option (the ground floor level of the childcare centre is higher than the PMF level and therefore provides a safe refuge from all flood events).

If the building needs to be evacuated, do so only under the guidance of the SES, Police or other Emergency Service personnel.

DURING A FLOOD EVENT, IT IS SAFER TO STAY WITHIN THE BUILDING.

6. RECOMMENDATIONS

This flood impact assessment concludes that the proposed development does not have an adverse impact on the existing flooding at the site or surrounding area.

The key strategies to be adopted for this development include the following:

1. A suspended structure over the flood affected area of the site as shown on the architectural drawings by Baini Design.
2. The flood affected area below the suspended structure to be fenced off using pool-type fencing. This will allow flood water to pass unimpeded.
3. The structure shall be constructed from flood compatible materials such as concrete, steel, brick and blockwork.
4. The structure shall be designed to withstand the forces of floodwater, debris and buoyancy up to and including a PMF.
5. The design of the structure shall be certified by a structural engineer registered on the National Engineers Register for Structural Engineering (NER-Structural) during the Construction Certificate phase of the project.
6. Preparation of a Site Emergency Response Flood Plan
7. The staff employed at the Child Care Centre shall be trained in flood management and response.
8. Appropriate flood warning signage shall be installed to warn people of potential flooding at the site.

By implementation of the above recommendations, the proposed development will comply with Cumberland City Council's flood related development controls.

95-97 DAHLIA STREET, GREYSTANES
FLOOD IMPACT ASSESSMENT

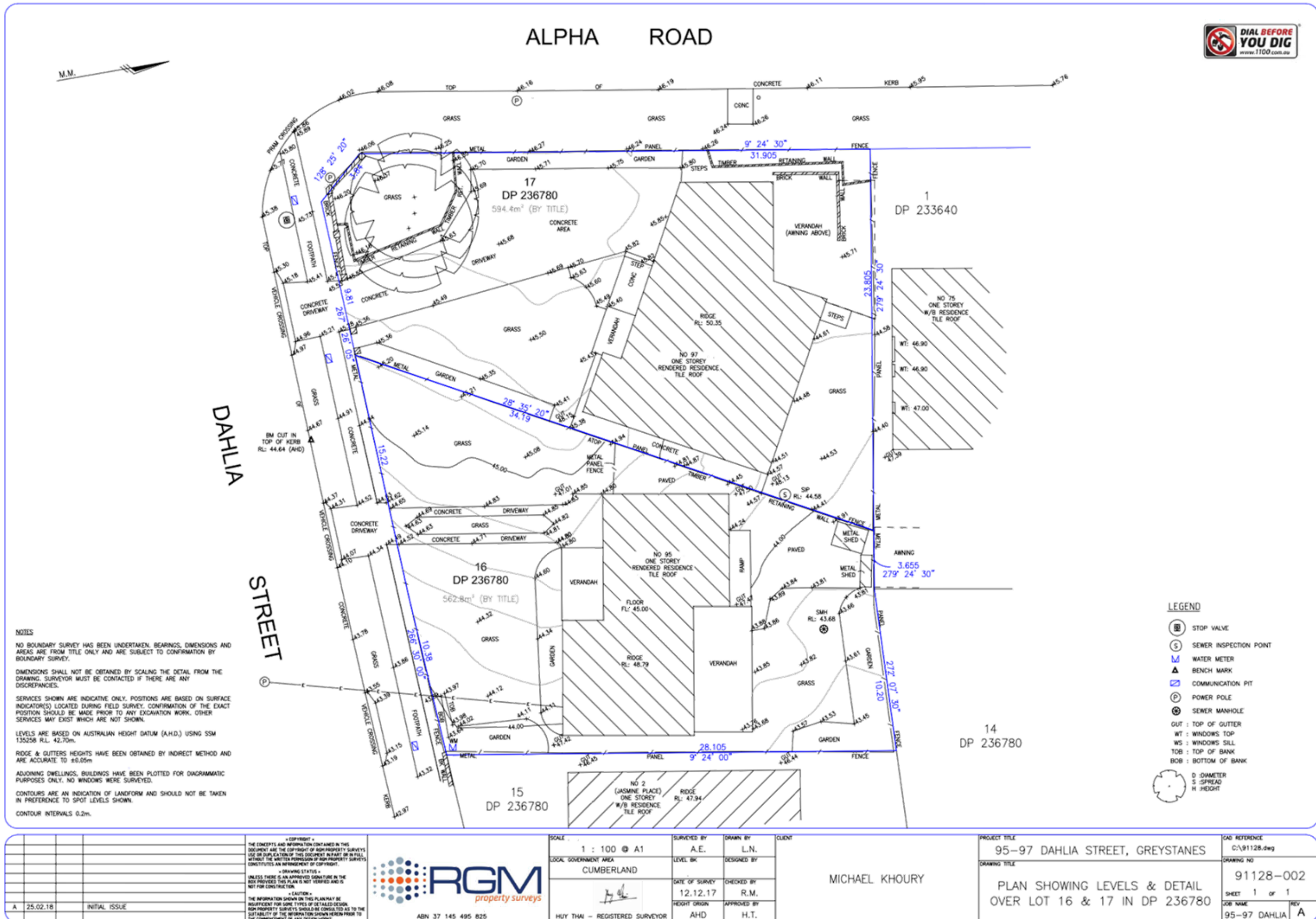


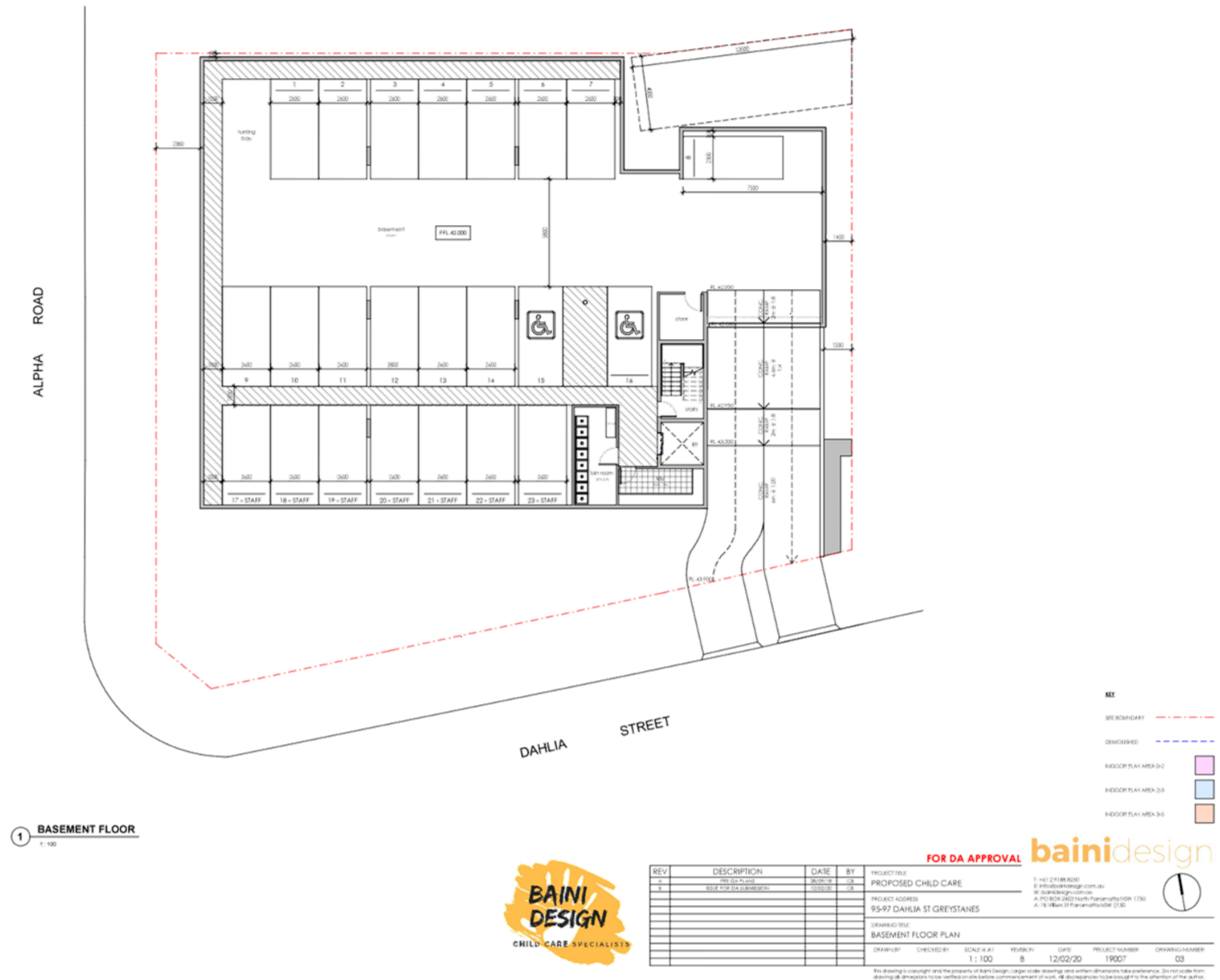
7. REFERENCES

- Architectural Drawings for the Development Application submission prepared by Baini Design.
- Cumberland City Council (Holroyd) Development Control Plan (2013).
- Cumberland City Council Flood Level Information dated 19 February 2019.
- "Australian Rainfall and Runoff – A Guide to Flood Estimation", Institute of Engineers, Australia (1987).
- "Australian Rainfall and Runoff – A Guide to Flood Estimation", Commonwealth of Australia (Geoscience Australia) (2019).
- NSW Floodplain Management Manual.

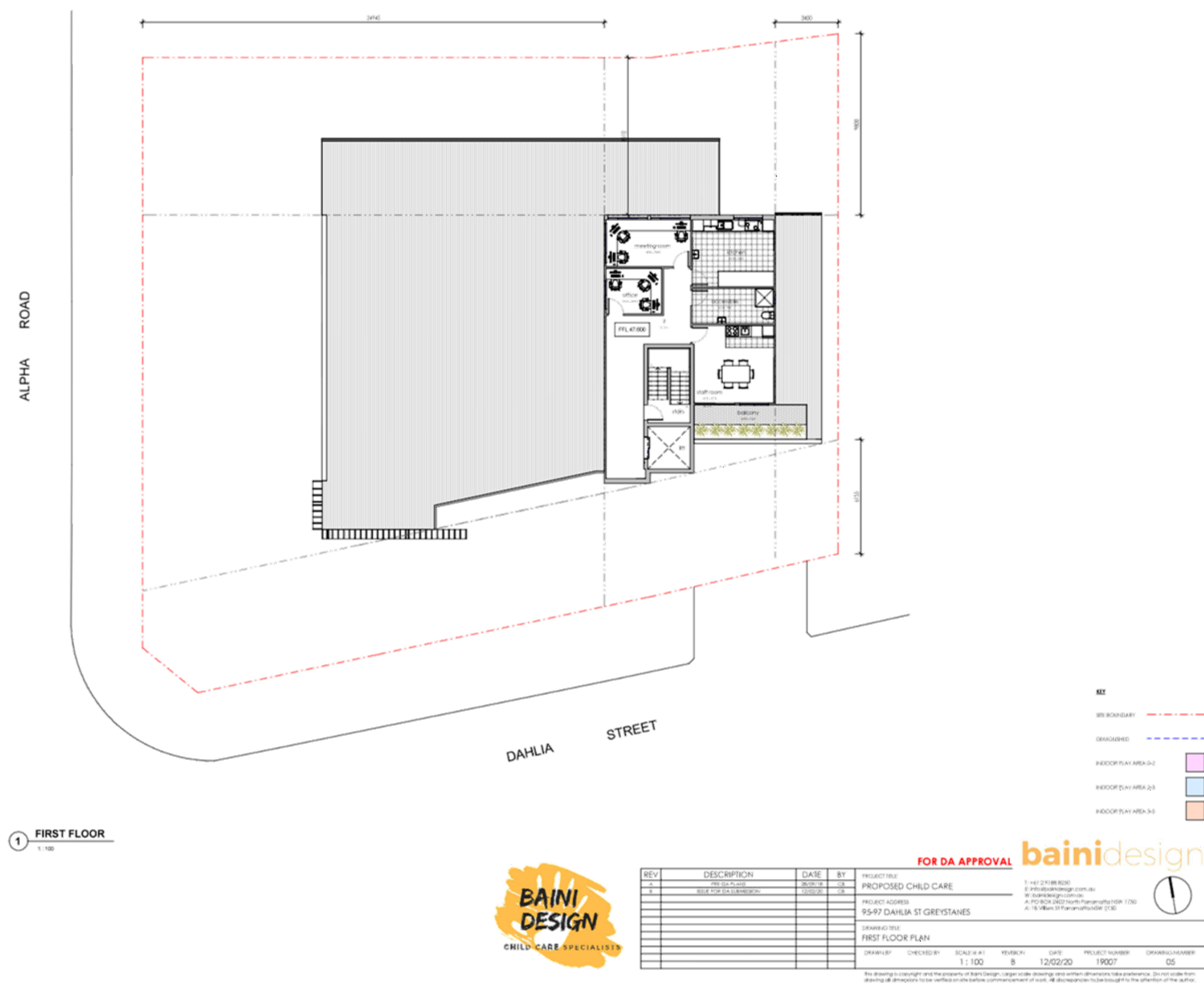
APPENDIX A

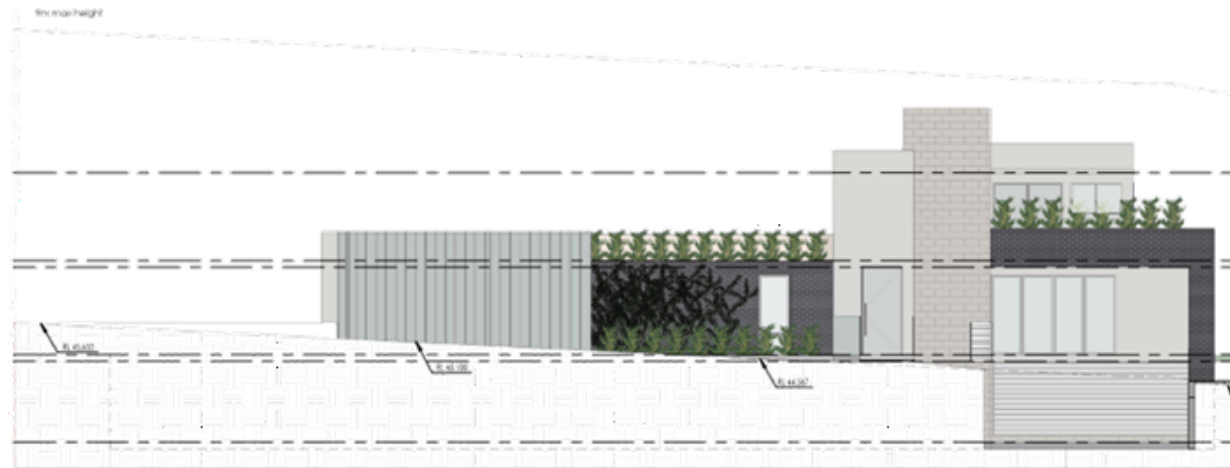
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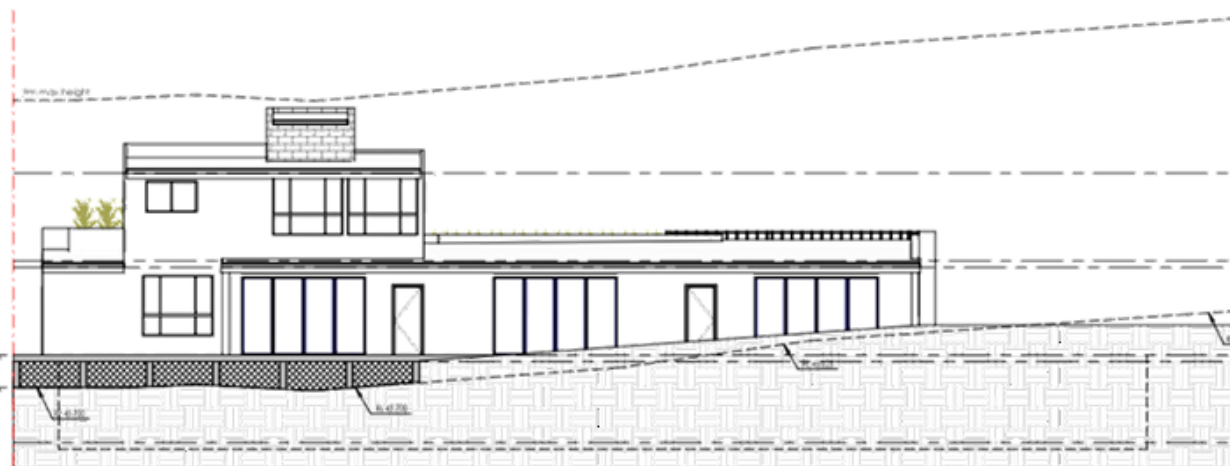




1 SOUTH ELEVATION (FRONT)
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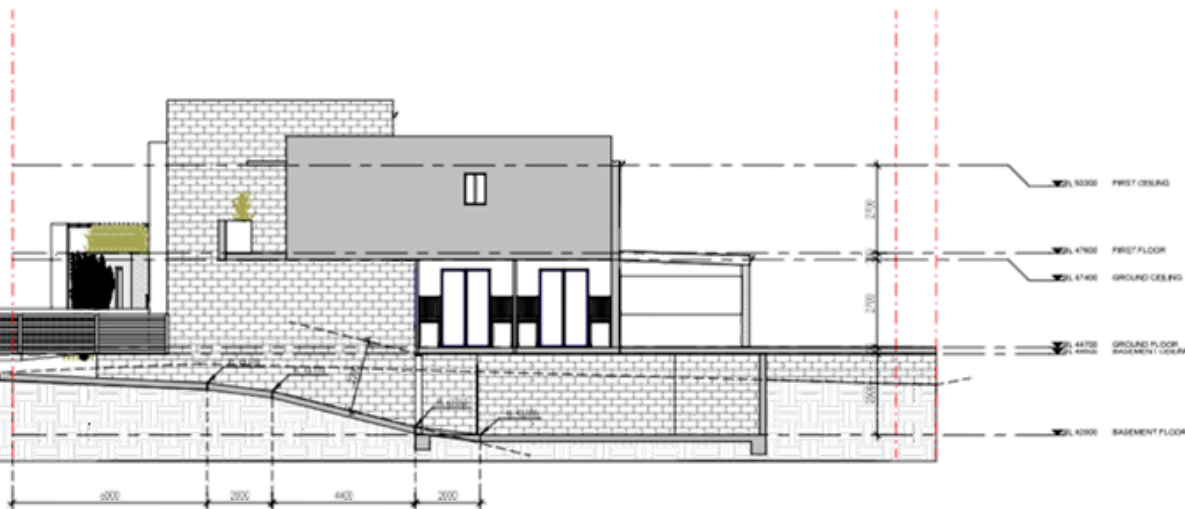
4 WEST ELEVATION
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2 NORTH ELEVATION (BACK)
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3 EAST ELEVATION
1:100



5 SECTION A-A
1:100



FOR DA APPROVAL				baini design			
REV	DESCRIPTION	DATE	BY	PROJECT TITLE	PROJECT ADDRESS	PROJECT NUMBER	DRAWING NUMBER
1	PRO DA PLANS	26/07/18	CB	PROPOSED CHILD CARE	95-97 DAHLIA ST GREYSTANES	19007	06
2	ISSUE FOR DA SUBMISSION	12/02/20	CB				
				DRAWING TITLE: ELEVATIONS, SECTION			
				DRAWN BY: CHECKED BY: SCALE: 1:100 REVISION: 8 DATE: 12/02/20			

This drawing is copyright and the property of Baini Design. Larger scale drawings and written dimensions take precedence. Do not scale from drawing. All dimensions to be verified on site before commencement of work. All discrepancies to be brought to the attention of the author.

APPENDIX B

COUNCIL FLOOD LEVEL INFORMATION



5 February 2019

Our Reference SC7-08
Contact Rolyn Sario
Telephone 8757 9536

Baini Design
PO Box 2402
NORTH PARRAMATTA NSW 1750

Dear Sir/Madam

**FLOOD LEVELS AT NO 95 DAHLIA STREET, GREYSTANES
BEING LOT 16 DP 236780**

Council refers to your request dated 1 February 2019 requesting flood information at the above property.

The above property is shown to be affected by the 1% Annual Exceedance Probability (AEP) flood, according to the information available to Council from the "Draft Prospect Creek Overland Flood Study" prepared by Lyall & Associates Pty Ltd in March 2015.

The 1% AEP flood level refers to a flood which has a 1% chance of being equalled or exceeded in any one year and this site has been assessed as a medium flood risk. It should be noted that a flood could occur that is more severe than the 1% AEP flood at any time.

The maximum 1% AEP flood level relevant to the subject property has been determined (see the attached plan) to Australian Height Datum (AHD) as follows:

- | | | |
|-------------------|---|-----------|
| 1. At location A | - | 44.5 mAHD |
| 2. At location B | - | 44.0 mAHD |
| 3. At location C | - | 43.5 mAHD |
| 4. At location D- | - | 43.0 mAHD |

The subject property has been identified as Flood Control lot. Under the SEPP (Exempt & Complying Development) 2008 Regulation 3.36C, a Complying Development Certificate must not be issued for, "any part of a flood control lot unless that part of the lot has been certified, for the purposes of the issue of the relevant complying development certificate, by the council or a professional engineer who specialises in hydraulic engineering as not being any of the following:

- a) a flood storage area,
- b) a floodway area,
- c) a flow path,
- d) a high hazard area,
- e) a high risk area."

16 Memorial Avenue, PO Box 42, Merrylands NSW 2160
T 02 8757 9000 F 02 9840 9734 E council@cumberland.nsw.gov.au W cumberland.nsw.gov.au
ABN 22 798 563 329

Welcome Belong Succeed

Council has determined that part of the flood control lies in one of the five items above – item *b* therefore; a CDC cannot be issued on this site. The identified flood items are represented by the darker area within the 1% AEP flood extent on the attached map. If the development is proposed within any part of this zone (dark blue area), a pre and post flood study must accompany the Development Application. Alternatively, if the development is proposed within the uncoloured and/or light blue areas (flood fringe zone), a CDC may be considered for this site. However, the surface flows must not be impeded (blocked) and the redevelopment shall allow the free movement of the flood around any proposed structure(s).

In all cases, flood level on adjacent properties shall not be increased. Supporting documentation is to accompany the development.

**FLOOD LEVELS AT NO 97 DAHLIA STREET, GREYSTANES
BEING LOT 17 DP 236780**

Council refers to your request dated 1 February 2019, requesting flood information at the above property.

According to the information available to Council from the "Prospect Creek Overland Flood Study" prepared by Lyall and Associates Pty Ltd in March 2015, the above property is not affected by the 1% Annual Exceedance Probability (AEP) flood. However, it is located within the floor level control area, in which the floor levels of the new buildings are required to be set with sufficient freeboard above the adjacent flood level.

The 1% AEP flood level refers to a flood which has a 1% chance of being equalled or exceeded in any one year. It should be noted that a flood could occur that is more severe than the 1% AEP flood at any time.

The maximum 1% AEP flood level relevant to the subject property has been determined (see the attached plan) to Australian Height Datum (AHD) as follows:

5. At location A	-	44.5 mAHD
6. At location B	-	44.0 mAHD
7. At location C	-	43.5 mAHD
8. At location D	-	43.0 mAHD

Minimum habitable floor levels shall be 0.5m above the flood level at the upstream side of the structure. Minimum non-habitable floor levels (garages, laundry, sheds, etc.) shall be 0.15m above the flood level at the upstream side of the structure. Interpolation between flood levels is allowed.

The relationship between these levels and the ground surface may be determined by a survey of the property undertaken by a Registered Surveyor.

It should be noted that where the development or redevelopment of the property is proposed, reference should be made to the relevant Development Control Plan with regard to flooding and drainage issues. Please include a copy of this letter and map with any Development Application that you may lodge with Council for the subject site.

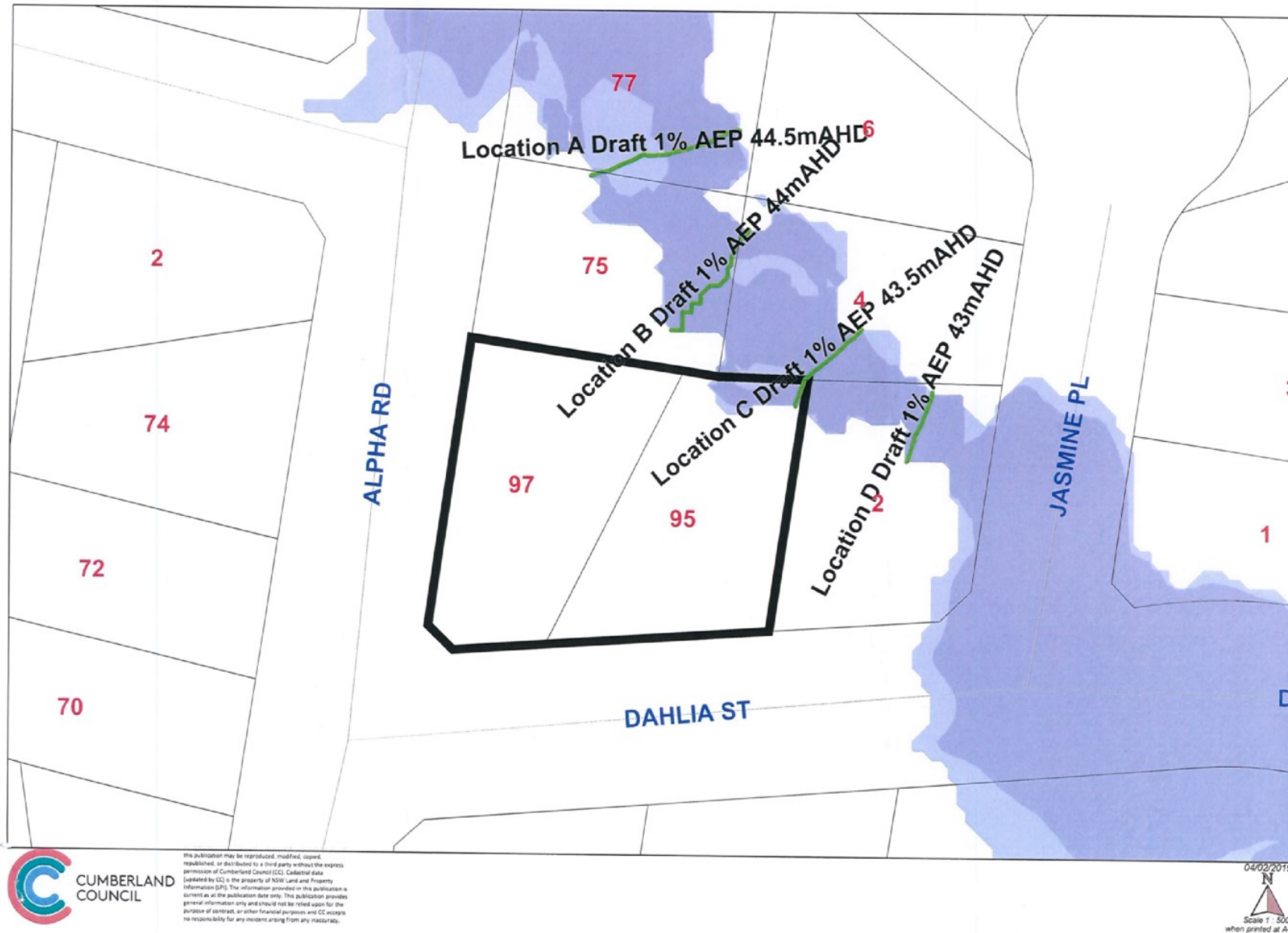
Flood levels are not static due to changing circumstances (e.g. revision of the flood model) and accordingly the above flood level is only valid for six months from the above date.

If you have any further enquiries regarding this matter please contact Council's Senior Stormwater Engineer, Mr Mark Evens on 8757 9538 or Council's Drainage Engineer, Mr Rolyn Sario on 02 8757 9536.

Yours sincerely,



SIVA SIVAKUMAR
MANAGER - ENGINEERING & TRAFFIC



DOCUMENTS
ASSOCIATED WITH
REPORT LPP046/20

Attachment 5
Noise Impact Assessment



REPORT 190127R1

Revision 0

Noise Impact Assessment
Proposed Child Care Centre
95-97 Dahlia Street, Greystanes NSW 2145

PREPARED FOR:
Michael Khoury
C/o – Bains Design
1B Villiers Street
PARRAMATTA NSW 2150

15 April 2019

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Noise Impact Assessment

Proposed Child Care Centre

95-97 Dahlia Street, Greystanes NSW 2145

PREPARED BY:

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DOCUMENT CONTROL

Reference	Status	Date	Prepared	Checked	Authorised
190127R1	Revision 0	15 April 2019	Thomas Carney	Desmond Raymond	Rodney Stevens

Rodney Stevens Acoustics
Report Number 190127R1
Revision 0

Noise Impact Assessment Proposed Child Care Centre
95-97 Dahlia Street, Greystanes NSW 2145
Michael Khoury
Page 2



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1 INTRODUCTION

Rodney Stevens Acoustics Pty Ltd (here forth referred to as RSA) has been engaged by Bains Design on behalf of Michael Khoury to prepare a noise impact assessment report for the proposed child care centre to be located at 95-97 Dahlia Street, Greystanes NSW 2145.

This report details the results of a noise survey and assesses the likely impact of noise (principally from traffic noise) incident upon the proposed child care centre as well as noise from the proposed child care centre upon nearby residential premises.

Specific acoustic terminology is used in this report. An explanation of common acoustic terms is provided in Appendix A.

2 PROPOSED DEVELOPMENT

2.1 Development Site

The proposed child care centre is to be located at 95-97 Dahlia Street, Greystanes NSW. The development site is bounded by residential dwellings to the north, east and west with Alpha Road Park to the south.

The development site and its surrounding environment are mainly influenced by traffic noise from Dahlia and surrounding streets. Figure 2-1 shows an aerial image of the site area and the surrounding environment.

Figure 2-1 Site Location

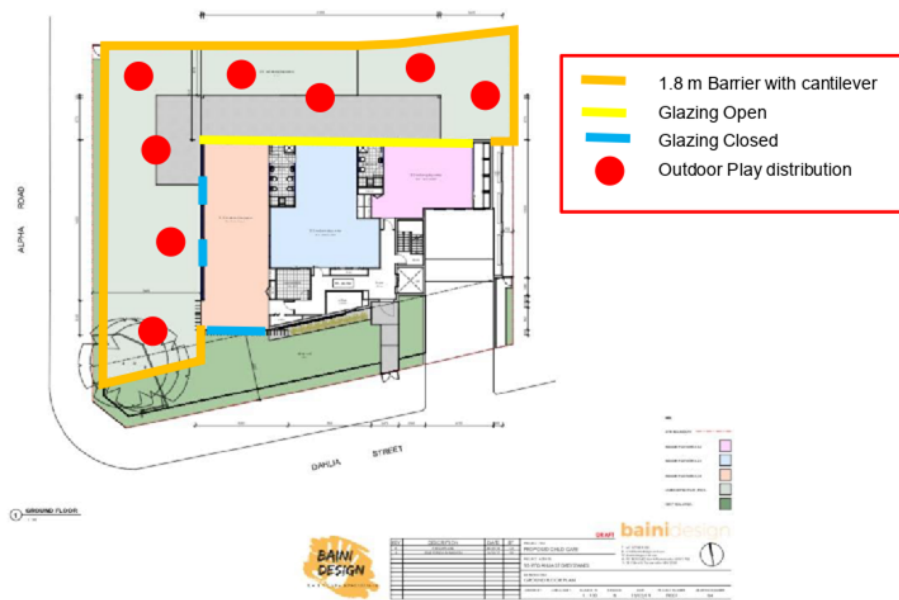


Image Courtesy of Near Map © 2019.



The following figure presents the proposed child care centre layout:

Figure 2-2 Proposed Child Care Centre Layout



2.2 The Development

The proposal is to demolish the existing dwellings and construct a double storey childcare centre. The building will have 1 outdoor play area as well as a basement carpark.

2.3 Hours of Operation

The following hours of operation are proposed:

- Monday to Friday 7:00 am until 6:00 pm

2.4 Enrolment Numbers

The proposed child care centre plans to cater for up to 71 children between the ages of 0 and 5 years of age. The number of children and their age groups are as follows:

- 0-2 years old: 16 Children
- 2-3 years old: 25 Children
- 3-5 years old: 30 Children

2.5 Outdoor Play Activities

In RSA's experience with child care centres, potential noise issues occur primarily when children are engaged in outdoor play activities, in terms of intrusive environmental noise to the play areas and play area noise to nearby sensitive receivers.



3 BASELINE NOISE SURVEY

3.1 Unattended Noise Monitoring

In order to characterise the existing acoustical environment of the area unattended noise monitoring was conducted between the dates of Thursday 4th April and Thursday 11th April 2019 at the logging locations shown in Figure 2-1

Two noise loggers were set up at the project site. One noise logger was located at the front of the site and the second logger was located at the rear of the site.

The first logger which was located on the southern facade and monitored the road traffic noise from Dahlia Street, while the second logger which was located at the rear of the site, this logger provides the baseline background noise environs of the surrounding residential areas adjacent to the project site.

Logger location was selected with consideration to other noise sources which may influence readings, security issues for noise monitoring equipment and gaining permission for access from residents and landowners.

Instrumentation for the survey comprised of 2 RION NL-42 environmental noise loggers (serial numbers 184112 and 546393) fitted with microphone windshields. Calibration of the logger was checked prior to and following measurements. Drift in calibration did not exceed ± 0.5 dB(A). All equipment carried appropriate and current NATA (or manufacturer) calibration certificates. Measured data has been filtered to remove data measured during adverse weather conditions upon consultation with historical weather reports provided by the Bureau of Meteorology (BOM).

The logger determines L_{A1} , L_{A10} , L_{A90} and L_{Aeq} levels of the ambient noise. L_{A1} , L_{A10} , L_{A90} are the levels exceeded for 1%, 10% and 90% of the sample time respectively (see Glossary for definitions in Appendix A). Detailed results at the monitoring location are presented in graphical format in Appendix B. The graphs show measured values of L_{A1} , L_{A10} , L_{A90} and L_{Aeq} for each 15-minute monitoring period

3.2 Data Processing

3.2.1 Noise Emission (*Noise Policy for Industry*)

In order to assess noise emission from the proposed child care centre, the data obtained from the noise logger has been processed in accordance with the procedures contained in the NSW Environmental Protection Authority's (EPA) *Noise Policy for Industry* (NPfI, 2017) to establish representative noise levels that can be expected in the residential vicinity of the site. The monitored baseline noise levels are detailed in Table 3-1.

Table 3-1 Measured Baseline Noise Levels Corresponding to Defined NPfI Periods

Location	Measurement Descriptor	Measured Noise Level – dB(A) re 20 μ Pa		
		Daytime 7 am – 6 pm	Evening 6 pm – 10 pm	Night-time 10 pm – 7 am
Logger on northern boundary (rear of site)	L_{Aeq}	50	52	43
	RBL (Background)	35	37	32

L_{Aeq} Equivalent continuous (energy average) A-weighted sound pressure level. It is defined as the steady sound level that contains the same amount of acoustic energy as the corresponding time-varying sound.

L_{A90} Noise level present for 90% of time (background level). The average minimum background sound level (in the absence of the source under consideration).



3.2.2 Noise Intrusion (Road Noise Policy)

To assess noise intrusion into the outdoor play areas and internal areas of the child care centre, the data obtained from the logger location has been processed to establish representative ambient noise levels from Dahlia Street.

The time periods used for this assessment are as defined in the EPA's *Road Noise Policy* (RNP, 2011). Results are presented below in Table 3-2.

Table 3-2 Ambient Noise Levels Corresponding to Defined RNP Periods

Location	Period	External Noise Levels dB(A)
Southern Facade	Day Time 7:00 am - 10:00 pm	L _{Aeq} (1hour) 56 dB
Southern Facade	24 Hour	L _{Aeq} (24hour) 53 dB

4 NOISE GUIDELINES AND CRITERIA

4.1 Cumberland Council DCP 2013 Criteria

Cumberland Council has specific acoustic requirements for child care centers in the DCP 2013, Part I, Section 3 Visual and Acoustic Privacy. The relevant excerpts are as follow:

C1 An acoustic assessment must be completed by a suitably qualified person and is to address, but not limited to the following

Identification of sensitive noise receivers to be potentially impacted.

- *Analysis of the existing acoustic environment at the receiver locations. Measurement techniques and assessment period should be fully justified and in accordance with relevant Australian Standards and NSW DECC Industrial Noise Policy.*

- *Identification of all noise that is likely to emanate from the child care centre and the subsequent prediction of resulted noise at the identified sensitive receiver locations from the operations of the premises. Where appropriate, the prediction procedures should be justified and include an evaluation of prevailing atmospheric conditions that may promote noise propagation.*

- *Details of any acoustic control measures that will be incorporated into the proposal;*

- *The prevention of a sense of enclosure; and*

- *The background noise testing component of the assessment is to be carried out over a minimum of five (5) days if the proposed child care centre is located near a railway line, major road or other source which can potentially create noise above normal background level.*

C2. A Noise Management Plan shall accompany the development application. This should, as a minimum, provide details of child to staff ratios, noise control measures of children while in outdoor play areas and seasonal play times.

C3. Consideration is to be given to the following design mechanisms in respect to noise abatement for properties in the surrounding area:

a) The appropriate design and siting of the child care centre;

b) The appropriate layout and arrangement of outdoor space and activities;



c) The appropriate location of outdoor play areas away from main living area or bedroom windows of any surrounding dwellings in predominantly residential areas, and away from external noise sources;

d) The use of acoustic barriers and design, such as screen fencing or planting as noise buffers for external noise sources or transmission of noise from the child care centre to surrounding properties; and

e) The appropriate location of mechanical plants such as exhaust fans and air conditioning units to ensure noise generation does not impact on surrounding properties.

C4. Noise abatement measures are to be undertaken to ensure that inside noise levels do not exceed 40dB(A) (Leq 24). Assessments should take background noise levels into account.

C5. Where the site is likely to be affected by heavy traffic or rail noise, the child care centre should be designed to locate playrooms, sleep rooms and playgrounds away from the noise source and reduce the impact of noise by barriers such as solid fencing and window glazing. Sites on main or arterial roads should be avoided.

C6. A landscape buffer with suitable screening plants and a minimum width of 1 metre shall be provided along the side and rear boundaries of the development to help minimise overlooking.

C7. Due to the potential generation of noise, if the proposed child care centre is to incorporate basement level car parking, details of mechanical ventilation are to be included in the application.

4.2 Operational Noise from Child Care Centre

Responsibility for the control of noise emissions in New South Wales is vested in Local Government and the EPA. The EPA oversees the Noise Policy for Industry (NPfI) October 2017 which provides a framework and process for deriving project trigger noise level. The NPfI project noise levels for industrial noise sources have two (2) components:

- Controlling the intrusive noise impacts for residents and other sensitive receivers in the short term; and
- Maintaining noise level amenity for particular land uses for residents and sensitive receivers in other land uses.

4.2.1 Intrusiveness Noise Levels

For assessing intrusiveness, the background noise generally needs to be measured. The intrusiveness noise level essentially means that the equivalent continuous noise level (LAeq) of the source should not be more than 5 dB(A) above the measured Rated Background Level (RBL), over any 15 minute period.

4.2.2 Amenity Noise Levels

The amenity noise level is based on land use and associated activities (and their sensitivity to noise emission). The cumulative effect of noise from industrial sources needs to be considered in assessing the impact. The noise levels relate only to other industrial-type noise sources and do not include road, rail or community noise. The existing noise level from industry is measured.

If it approaches the project trigger noise level value, then noise levels from new industrial-type noise sources, (including air-conditioning mechanical plant) need to be designed so that the cumulative effect does not produce total noise levels that would significantly exceed the project trigger noise level.



4.2.3 Area Classification

The NPfI characterises the “Suburban” noise environment as an area with an acoustical environment that:

- has local traffic with characteristically intermittent traffic flows or with some limited commerce or industry.
- This area often has the following characteristic: - evening ambient noise levels defined by the natural environment and human activity

The area surrounding the proposed development falls under the “Suburban” area classification.

4.2.4 Project Specific Trigger Noise Levels

Having defined the area type, the processed results of the attended noise monitoring have been used to determine project specific project trigger noise level. The intrusive and amenity project trigger noise level for nearby residential premises are presented in Table 4-1. These project trigger noise levels are nominated for the purpose of assessing potential noise impacts from the proposed development.

In this case, the ambient noise environment is not controlled by industrial noise sources and therefore the project amenity noise level are assigned as per Table 2.2 of the NPfI (Recommended Amenity Noise Levels). For each assessment period, the lower (i.e. the more stringent) of the amenity or intrusive project trigger noise level are adopted. These are shown in bold text in Table 4-1.

Table 4-1 Operational Project Trigger Noise Levels

Receiver	Time of Day	ANL ¹ L _{Aeq} (15min)	Measured		Project Trigger Noise Levels	
			RBL ² L _{A90} (15min)	Existing L _{Aeq} (Period)	Intrusive L _{Aeq} (15min)	Amenity L _{Aeq} (15min)
Residential	Day	55	35	50	40	55
	Evening	45	37	52	42	45
	Night	40	32	43	37	40

Note 1: ANL = “Amenity Noise Level” for residences in Suburban Areas.

Note 2: RBL = “Rating Background Level”.

4.2.5 Noise Emissions from Children Play Activities

A guideline for the assessment of noise from child care centres has been prepared by the Association of Australian Acoustical Consultants (AAAC) as a result of a NSW Australian Acoustical Society (AAS) Technical Meeting held in September 2007 on Child Care Noise. The document, *AAAC Technical Guideline Child Care Centre Noise Assessment*, provides criteria for the assessment of noise intrusion into and noise emissions from Child Care Centres and also provides recommendations for treatment to minimise acoustical impacts upon neighbouring premises.

Since the time in which children are involved in outdoor play can be limited, the potential impact associated with these noise emissions reduces. The AAAC considers a total limit of 2 hours outdoor play per day (typically 1 hour in the morning and 1 hour in the afternoon) reasonable to apply a criterion of L_{Aeq}(15minute) noise level emitted from the outdoor play area not exceed the background noise level by more than 10 dB at the assessment location. A “background + 10 dB(A)” criterion has also been applied in other local government areas within the Sydney metropolitan area. However, if the proposed outdoor play time is more than 2 hours per day, the L_{Aeq}(15minute) noise level emitted from the outdoor play area not exceed the background noise level by more than 5 dB at the assessment location.



We have assumed that the proposed child care center will operate more than 2 hours of outdoor play time per day, therefore, the noise criterion for noise emissions from outdoor activities to all surrounding residential receivers is (daytime L_{A90} 35 dB(A) + 5 dB(A) $L_{Aeq(15minute)}$ **40 dB(A)**). This is based on a measured background noise level of $L_{A90(15minute)}$ 35 dB(A).

4.2.6 Road Noise Intrusion to Outdoor Playground

Noise levels within outdoor play areas are not covered by the Cumberland Council's DCP 2013. For the assessment of road traffic noise impact on the outdoor play areas, the NSW EPA's *Road Noise Policy* (RNP) has been used to determine the appropriate noise level. In accordance with the RNP, the noise criterion for outdoor play areas is as follow:

- Outdoor play areas – $L_{Aeq,(1hour)}$ 55 dB(A) (external).

4.2.7 Noise Intrusion to Indoor Areas

Cumberland Council's DCP 2013 requires the internal area noise levels to not exceed the $L_{Aeq,(24hour)}$ 40 dB(A) (internal).

5 NOISE IMPACT ASSESSMENT

5.1 Road Traffic Noise Intrusion into Centre

5.1.1 Outdoor Play Area

Based on the measured road traffic noise level of $L_{Aeq,(1hour)}$ 50 dB(A) from Dahlia Street to the logger located in the rear of the development site, the predicted traffic noise impacts at the outdoor play areas are presented in Table 5-1 below.

The following assumptions have been made in the noise modelling of the road traffic noise impacts on the outdoor play areas:

- A 1.8 meters high solid barriers are in place along the boundaries (Refer to Figure 2-2);
- The height of children between the ages of 0 and 3 years have an average height of 0.5 meters, children 3 and 5 have an average height of 0.7 metre;
- The outdoor play areas are located to the north of the site and it is shielded by the child care building;
- Road traffic noise impacts have been modelled from the centre line of the road to approximately the middle of the outdoor play areas.

Table 5-1 Predicted Road Traffic Noise Intrusion Levels

Area	Predicted L_{Aeq} Road Traffic Noise Level – dB(A)	Noise Criterion L_{Aeq} – dB(A)	Compliance (Yes / No)
Outdoor Play Area – Ground	50	55	Yes

Existing road traffic noise levels in the outdoor play areas are predicted to comply with the $L_{Aeq,(1hour)}$ 55 dB(A) (external) criterion stipulated in Section 4.2.6. Based on this assessment no additional no control measures will be required.



5.1.2 Indoor Areas

The typical outdoor to indoor noise reductions provided by most standard glazed facades (i.e. without special acoustical treatment) is generally accepted as being 10 dB(A) through an open window and in the order of 20 dB(A) with windows closed.

The facade road traffic noise at the proposed child care centre building is calculated to be $L_{Aeq(24\text{hour})}$ 56 dB(A) on the southern facade. Taking into account the distance, shielding and glazing performance, the resultant indoor noise levels for opened and closed windows at the northern facade, corresponding to the typical noise reductions are as follow:

Table 5-2 Traffic Noise To Indoor Areas

Area	Predicted L_{Aeq} Road Traffic Noise Level – dB(A)		Noise Criterion L_{Aeq} – dB(A)	Compliance (Open / Closed)
	Windows Open	Windows Closed		
0-2 Years	40	30	40	Open
2-3 Years	40	30	40	Open
3-5 Years	43	33	40	Closed (western and southern façades)
Cot	40	30	35	Closed

We note that the doors leading to the outdoor play areas (north) can be open.

The predicted internal noise levels are likely to exceed the 40 dB(A) criteria as required by Cumberland Council with windows opened, for the 3-5 year old internal play area and cot room. Therefore, all glazing on the southern and western facades of the 3-5 internal play area and the cot room must remain closed in order to comply with the criteria.

5.2 Mechanical Plant Noise Assessment

Mechanical ventilation may be installed at the proposed childcare centre, the operation of such mechanical plant must be in accordance with the relevant regulations such as the Building Code of Australia (BCA Vol.1, Part 4.5 *Ventilation of rooms*) and AS1668.2-2002 *The use of ventilation and air conditioning in buildings* will be required.

A specific mechanical plant selection has not been supplied at this stage. It is anticipated that the building will be serviced by typical mechanical ventilation/air conditioning equipment.

It is likely that the criteria set out in Table 4-1 may be met through the use of conventional noise control methods (e.g. selection of equipment on the basis of quiet operation and, where necessary, providing enclosures, localised barriers, silencers and lined ductwork).

An appropriately qualified acoustic consultant should review the mechanical plant associated with the development at the detailed design stage when final plant selections have been made.

5.3 Operational Noise Emissions to Nearby Residences

5.3.1 Outdoor Play Activities Noise Impact

Potential noise management issues occur primarily when children are engaged in outdoor play activities. Noise generated by the children in the outdoor play area will occur at limited times throughout the day, with numbers of children playing and periods of play managed by the Centre staff.



The Association of Australian Acoustical Consultants (AAAC) provides a technical guideline for Child Care Centre Noise Assessment. Within this guideline it stipulates the following assumed sound power levels (L_w) for various age groups of children:

- 10 Children aged 0 to 2 years: 77 to 80 dB(A)
- 10 Children aged 2 to 3 years: 83 to 87 dB(A)
- 10 Children aged 3 to 5 years: 84 to 90 dB(A)

Spectra for energy-average noise levels (L_{Aeq}) have been measured by RSA of children at play at a similar facility, given below in

Table 5-3. The measured spectra have been scaled based upon the overall sound power levels offered by the AAAC and the amount of children expected to be in the outdoor play area at any given time.

Table 5-3 Outdoor Free Play Activities Noise Spectrum Measured in a Typical Child Care Centre

Noise Descriptor	Noise Level (dB) at Octave Band Centre Frequency (Hz)							
	63	125	250	500	1 k	2 k	4 k	8 k
Leq	61	58	53	54	57	56	48	41
								Overall dB(A)
								61

Calculations have been made based on the spectra above assuming all the children will be playing outside at the one time. The levels were scaled to reflect the overall power levels presented by the AAAC to determine the likely noise levels at nearby receivers due to 71 children playing in the outdoor play areas of the proposed child care centre.

The following assumptions have been made in the noise modelling of the outdoor play areas noise impacts on the neighbouring residences:

- 16 children between the ages of 0 and 2 with total sound power level of 84 dB(A), 25 children between the ages of 2 and 3 with total sound power level of 85 dB(A) and 30 children between the ages of 3 and 5 with total sound power level of 90 dB(A) will be playing in the proposed outdoor play areas;
- The height of the residential receivers has been assumed to be 1.5 metres for residential buildings on their respective level;
- Source height in the outdoor play area, i.e. children height, have been taken to be 0.5 meters for children between the ages of 0 and 3, and heights of 0.7 metre for children between the ages of 3 and 5;
- The 1.8 meters high solid barriers (Refer to Figure 2-2) along the boundaries of the outdoor play areas have been taken into account in the noise model;



The following figure shows the receiver locations in relation to the proposed child care centre.

Figure 5-1 Receiver Locations



The predicted noise levels experienced by nearest residential receivers are presented in Table 5-4 below. Noise levels have been calculated at the most affected boundary heights. The noise levels presented below are representative of the worst case scenarios for receiver.

Table 5-4 Predicted Outdoor Play Activities Noise Emission

Receiver	Predicted Outdoor Play Activities Noise at Neighbouring Residents – dB(A)	Criteria	Compliance
R1	43	40	With recommendations
R2	46	40	With recommendations
R3	37	40	Yes

Noise from the outdoor play activities at the surrounding residences is predicted to exceed the 40 dB(A) criterion with scenario presented above at some of the nearby sensitive receivers.

The proposed development will comply with recommendations set out in this report.



5.3.2 Noise Emissions from Indoor Activities

Calculations have been carried out to ascertain the noise breakout from indoor activities to the neighbouring premises. The predicted noise levels indicate that the noise criteria will not be exceeded if the windows are in the configuration shown in Figure 2-2, the resulting noise levels are presented in Table 5-5 below. Noise levels have been calculated at the most affected boundary heights.

Table 5-5 Predicted Indoor Play Activities Noise Emission

Receiver	Predicted Indoor Play Activities Noise at Neighbouring Residents – dB(A)	Criteria	Compliance
R1	31	40	Yes
R2	29	40	Yes
R3	23	40	Yes

The assessment criterion for indoor play of 40 dB(A) can be achieved with the windows in the configuration shown in Figure 2-2.

The glazing for the windows can be standard, we note that the R_w rating is required for the complete glazing and frame assembly. The minimum glazing thicknesses will not necessarily meet the required R_w rating without an appropriate frame system. It will be therefore necessary to provide a window glass and frame system having a laboratory tested acoustic performance meeting the specified requirements.

Noise emissions from indoor activities will meet recommended design limits at the neighbouring residential receivers with the internal layout proposed.

5.3.3 Carpark Emission

The proposed car park is to be located in the basement of the site, it has a capacity of 8 employees and 22 visitor car spaces, calculations of noise from the carpark have been based on typical noise generating events within a carpark such as, door slams, engine starts and cars driving away. We have assumed a scenario where 10 cars enter or leave the carpark in a span of 15 minutes.

The calculated noise levels from the activities carried out within the carpark are presented in the table below:

Table 5-6 Calculated Carpark Noise Levels

Receiver	Predicted Carpark Activities Noise at Neighbouring Residents – dB(A)	Criteria	Compliance
R1	<20	40	Yes
R2	32	40	Yes
R3	<20	40	Yes

The proposed car park shows compliance with regulatory criteria.



6 RECOMMENDATIONS

The following recommendations must be implemented in order to achieve compliance with the criteria requirements from Cumberland Council

6.1 Outdoor Play Areas

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

- Only 50% of the children can engage in outdoor play at a time;
- No music is to be played in the outdoor areas;
- Children must be supervised at all times.

6.2 Indoor Play Areas

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

- The windows must follow the configuration shown in Figure 2-2;
- All glazing can be standard.

6.3 Acoustic Barrier Details

A 1.8 high solid barriers with a 45° awning extending to 1 meter along the boundaries must be implemented (Refer to Figure 2-2).

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

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

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

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



7 CONCLUSION

RSA has conducted a noise impact assessment of the proposed child care centre at 95-97 Dahlia Street, Greystanes NSW. The assessment has comprised the establishment of noise criteria and assesses noise impacts with regard to relevant statutory requirements.

Traffic noise intrusion into the indoor areas has been assessed to exceed the noise criteria as set out in Section 3.2.2. Based on this assessment, the windows on the western and southern façades of the 3-5 internal play area and cot room must remain closed.

Noise emissions from the indoor play activities to the nearest residential receivers have been calculated to comply with the noise criterion, with the configurations shown in Table 5-2.

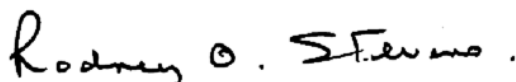
Noise emissions from the outdoor area play activities to the nearest residential receivers have been calculated to exceed the noise criterion, where all children are playing outside at any given time. A 1.8 meters high solid barriers with a cantilever along the boundaries must be implemented to minimise the noise impact from the outdoor areas (Refer to Figure 2-2). Children should also be split into smaller groups for outdoor play.

Noise emissions from the carpark to the nearest residential receivers have been calculated to comply with the noise criterion.

Criteria for noise emissions from mechanical plant have been established, a further acoustic survey by a qualified acoustic consultant will be required once mechanical plant schedules have been selected.

Based on our assessment the proposed child care centre at 95-97 Dahlia Street, Greystanes NSW is deemed to not cause "Offensive Noise" to neighbouring residences provided that the noise control measures recommended is implemented. It is therefore recommended that planning approval be granted for the proposed development on the basis of acoustics.

Approved:-



Rodney Stevens
Manager/Principal

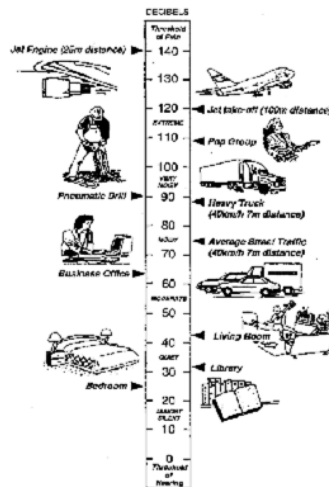


Appendix A – Acoustic Terminology

A-weighted sound pressure	The human ear is not equally sensitive to sound at different frequencies. People are more sensitive to sound in the range of 1 to 4 kHz (1000 – 4000 vibrations per second) and less sensitive to lower and higher frequency sound. During noise measurement an electronic ' <i>A-weighting</i> ' frequency filter is applied to the measured sound level <i>dB(A)</i> to account for these sensitivities. Other frequency weightings (B, C and D) are less commonly used. Sound measured without a filter is denoted as linear weighted <i>dB(linear)</i> .
Ambient noise	The total noise in a given situation, inclusive of all noise source contributions in the near and far field.
Community annoyance	Includes noise annoyance due to: <ul style="list-style-type: none"> ■ character of the noise (e.g. sound pressure level, tonality, impulsiveness, low-frequency content) ■ character of the environment (e.g. very quiet suburban, suburban, urban, near industry) ■ miscellaneous circumstances (e.g. noise avoidance possibilities, cognitive noise, unpleasant associations) ■ human activity being interrupted (e.g. sleep, communicating, reading, working, listening to radio/TV, recreation).
Compliance	The process of checking that source noise levels meet with the noise limits in a statutory context.
Cumulative noise level	The total level of noise from all sources.
Extraneous noise	Noise resulting from activities that are not typical to the area. Atypical activities may include construction, and traffic generated by holiday periods and by special events such as concerts or sporting events. Normal daily traffic is not considered to be extraneous.
Feasible and reasonable measures	Feasibility relates to engineering considerations and what is practical to build; reasonableness relates to the application of judgement in arriving at a decision, taking into account the following factors: <ul style="list-style-type: none"> ■ Noise mitigation benefits (amount of noise reduction provided, number of people protected). ■ Cost of mitigation (cost of mitigation versus benefit provided). ■ Community views (aesthetic impacts and community wishes). ■ Noise levels for affected land uses (existing and future levels, and changes in noise levels).
Impulsiveness	Impulsive noise is noise with a high peak of short duration or a sequence of these peaks. Impulsive noise is also considered annoying.



Low frequency	Noise containing major components in the low-frequency range (20 to 250 Hz) of the frequency spectrum.
Noise criteria	The general set of non-mandatory noise levels for protecting against intrusive noise (for example, background noise plus 5 dB) and loss of amenity (e.g. noise levels for various land use).
Noise level (goal)	A noise level that should be adopted for planning purposes as the highest acceptable noise level for the specific area, land use and time of day.
Noise limits	Enforceable noise levels that appear in conditions on consents and licences. The noise limits are based on achievable noise levels, which the proponent has predicted can be met during the environmental assessment. Exceedance of the noise limits can result in the requirement for either the development of noise management plans or legal action.
Performance-based goals	Goals specified in terms of the outcomes/performance to be achieved, but not in terms of the means of achieving them.
Rating Background Level (RBL)	The rating background level is the overall single figure background level representing each day, evening and night time period. The rating background level is the 10 th percentile min L _{A90} noise level measured over all day, evening and night time monitoring periods.
Receptor	The noise-sensitive land use at which noise from a development can be heard.
Sleep disturbance	Awakenings and disturbance of sleep stages.
Sound and decibels (dB)	<p>Sound (or noise) is caused by minute changes in atmospheric pressure that are detected by the human ear. The ratio between the quietest noise audible and that which should cause permanent hearing damage is a million times the change in sound pressure. To simplify this range the sound pressures are logarithmically converted to decibels from a reference level of 2 x 10⁻⁵ Pa.</p> <p>The picture below indicates typical noise levels from common noise sources.</p>



dB is the abbreviation for decibel – a unit of sound measurement. It is equivalent to 10 times the logarithm (to base 10) of the ratio of a given sound pressure to a reference pressure.

Sound power Level (SWL)

The sound power level of a noise source is the sound energy emitted by the source. Notated as SWL, sound power levels are typically presented in *dB(A)*.

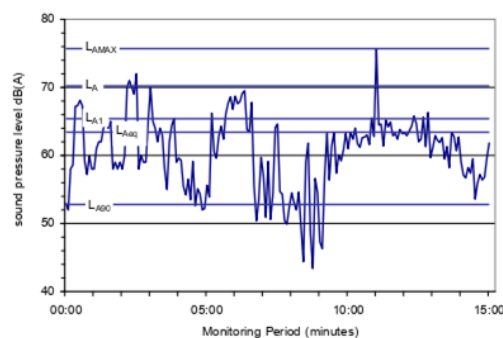
Sound Pressure Level (SPL)

The level of noise, usually expressed as SPL in *dB(A)*, as measured by a standard sound level meter with a pressure microphone. The sound pressure level in *dB(A)* gives a close indication of the subjective loudness of the noise.

Statistic noise levels

Noise levels varying over time (e.g. community noise, traffic noise, construction noise) are described in terms of the statistical exceedance level.

A hypothetical example of A weighted noise levels over a 15 minute measurement period is indicated in the following figure:



Key descriptors:

L_{max} Maximum recorded noise level.

L_{A1} The noise level exceeded for 1% of the 15 minute interval.

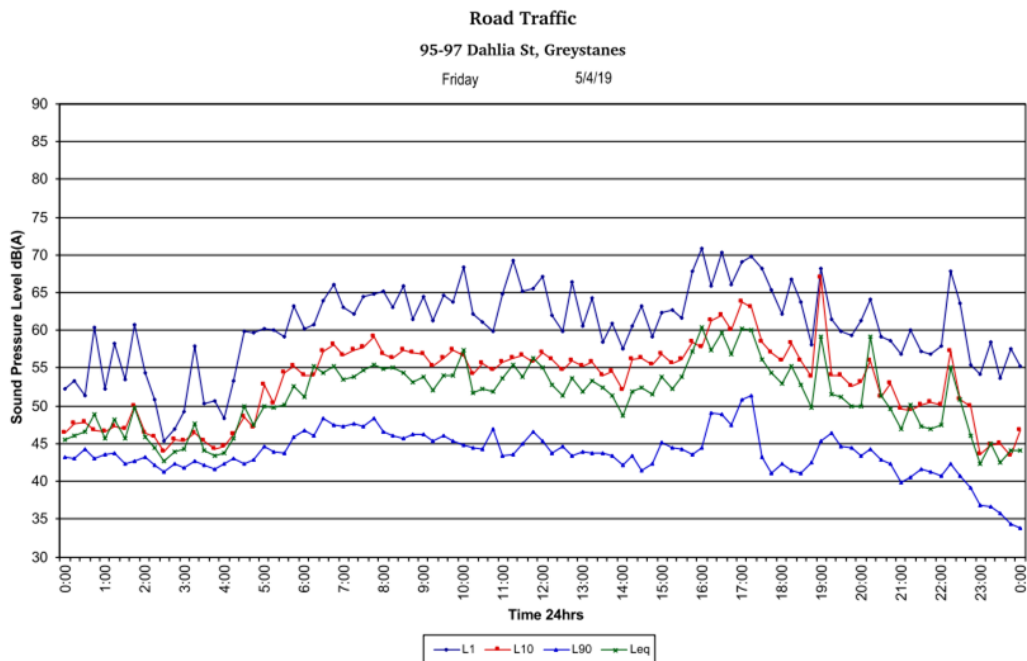
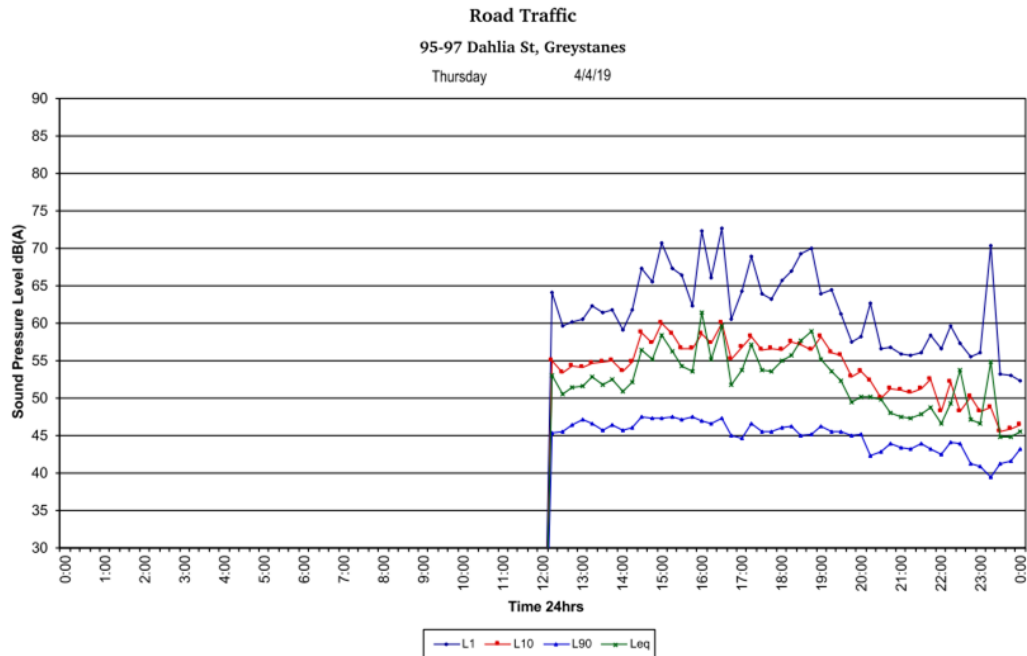


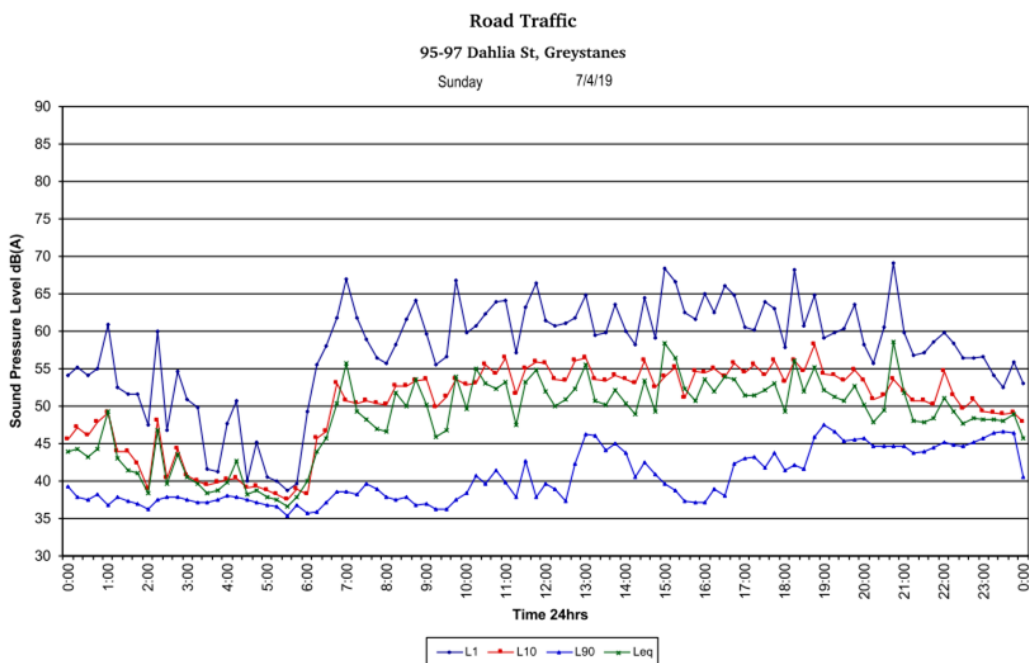
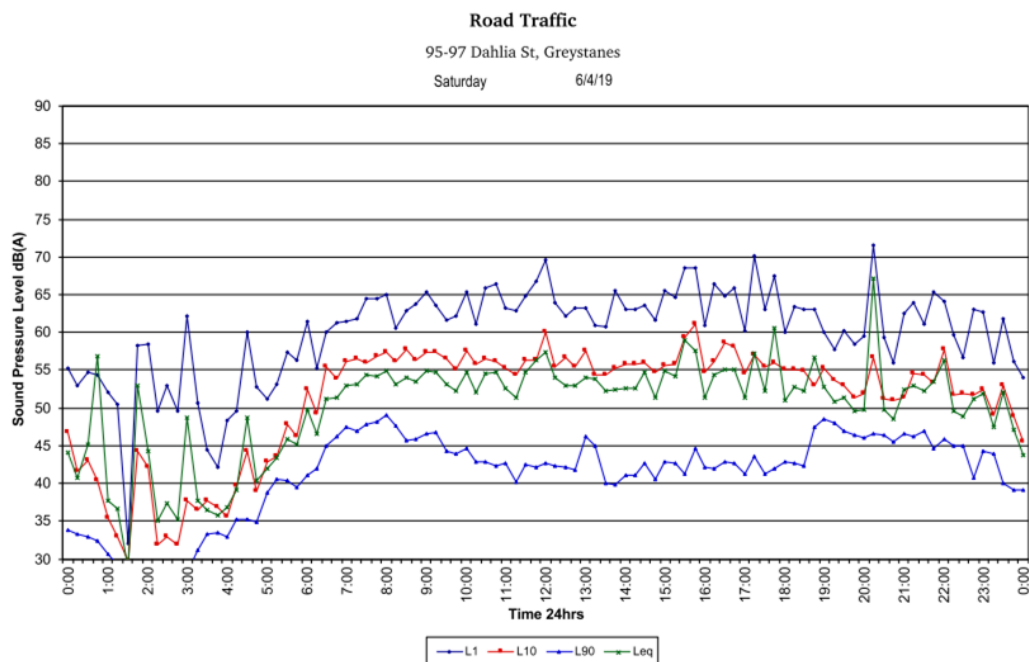
	<p>L_{A10} Noise level present for 10% of the 15 minute interval. Commonly referred to the average maximum noise level.</p> <p>L_{Aeq} Equivalent continuous (energy average) A-weighted sound pressure level. It is defined as the steady sound level that contains the same amount of acoustic energy as the corresponding time-varying sound.</p> <p>L_{A90} Noise level exceeded for 90% of time (background level). The average minimum background sound level (in the absence of the source under consideration).</p>
Threshold	The lowest sound pressure level that produces a detectable response (in an instrument/person).
Tonality	Tonal noise contains one or more prominent tones (and characterised by a distinct frequency components) and is considered more annoying. A 2 to 5 dB(A) penalty is typically applied to noise sources with tonal characteristics

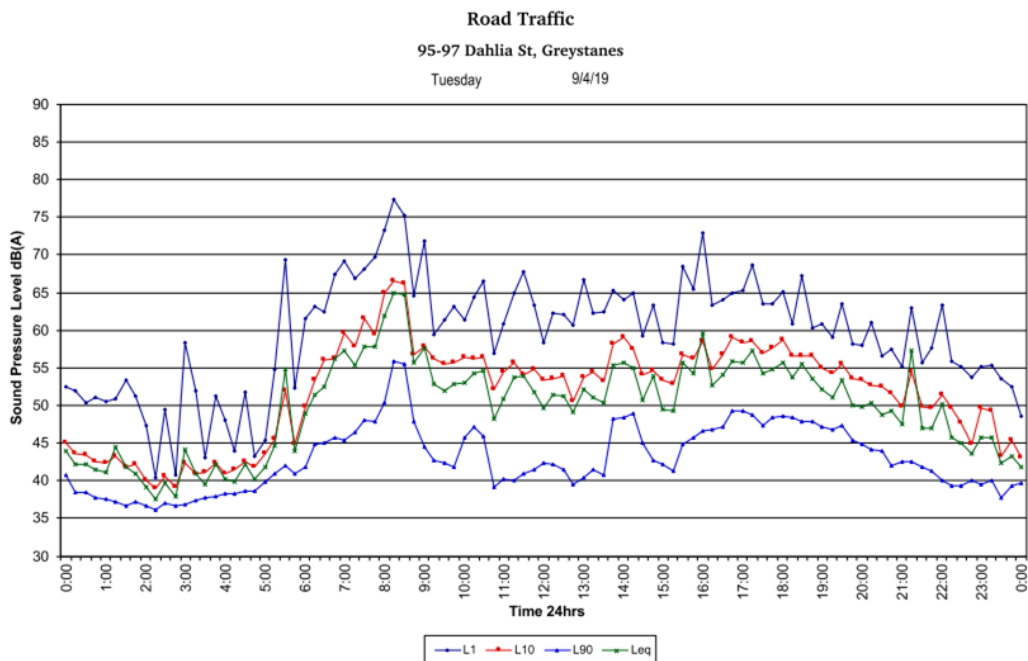
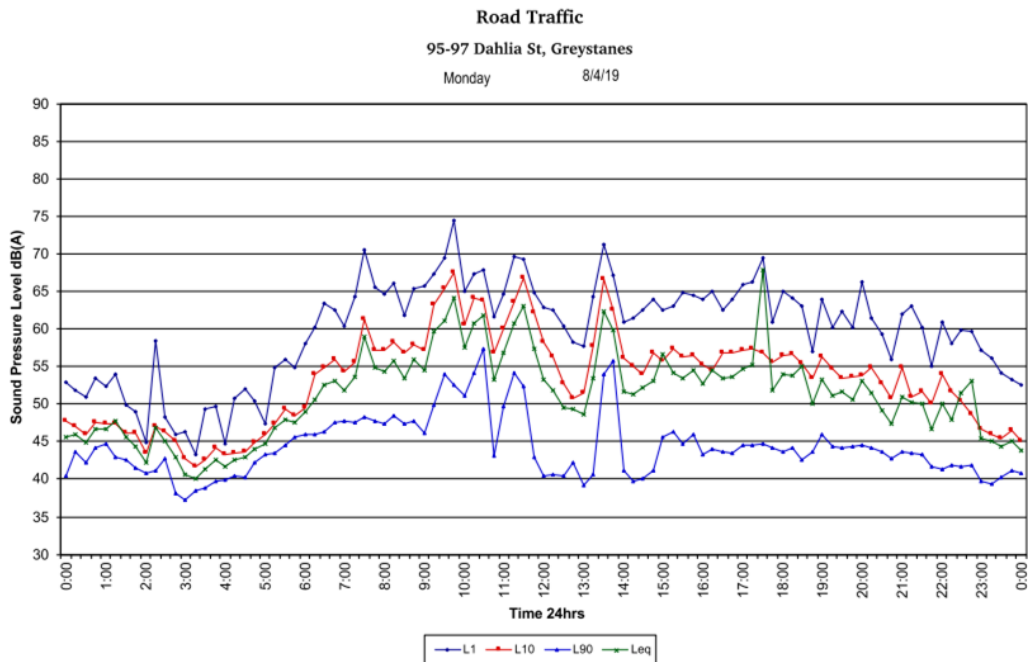


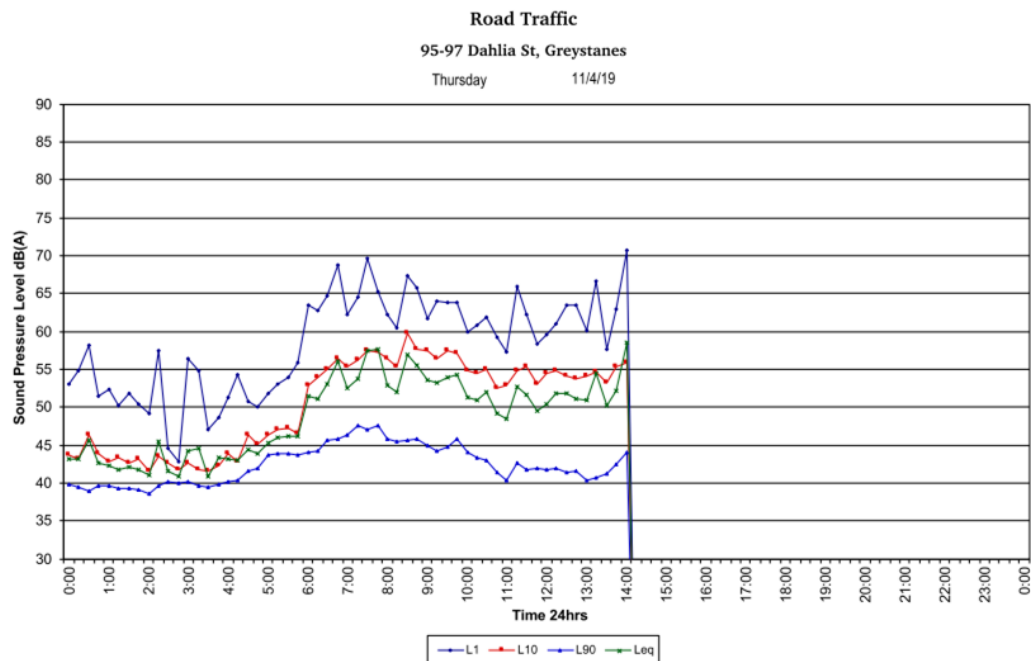
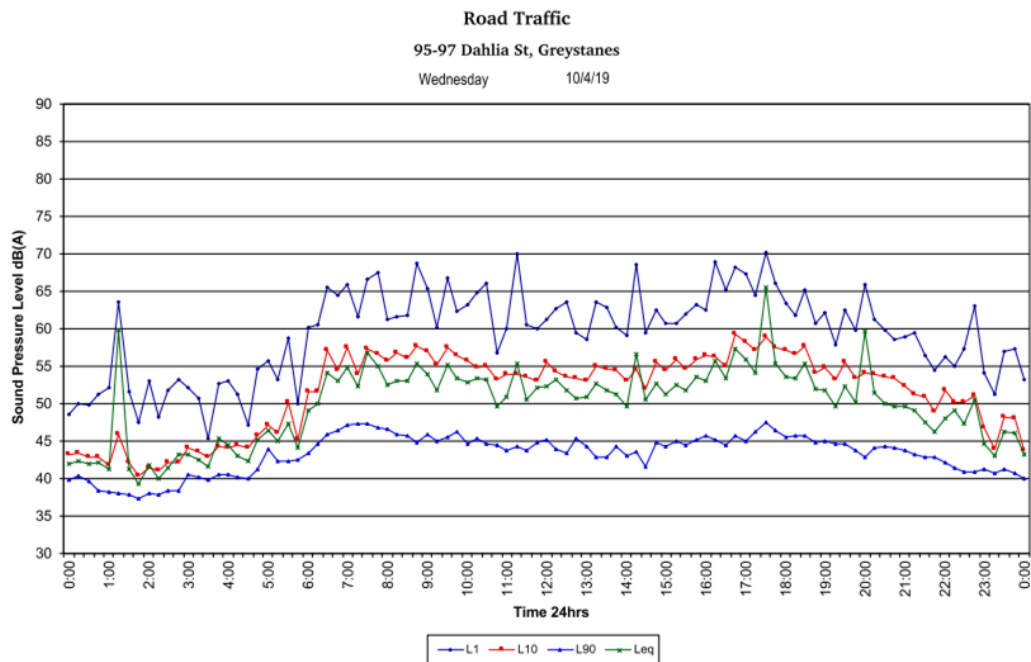
Appendix B – Logger Graphs

Traffic Logger



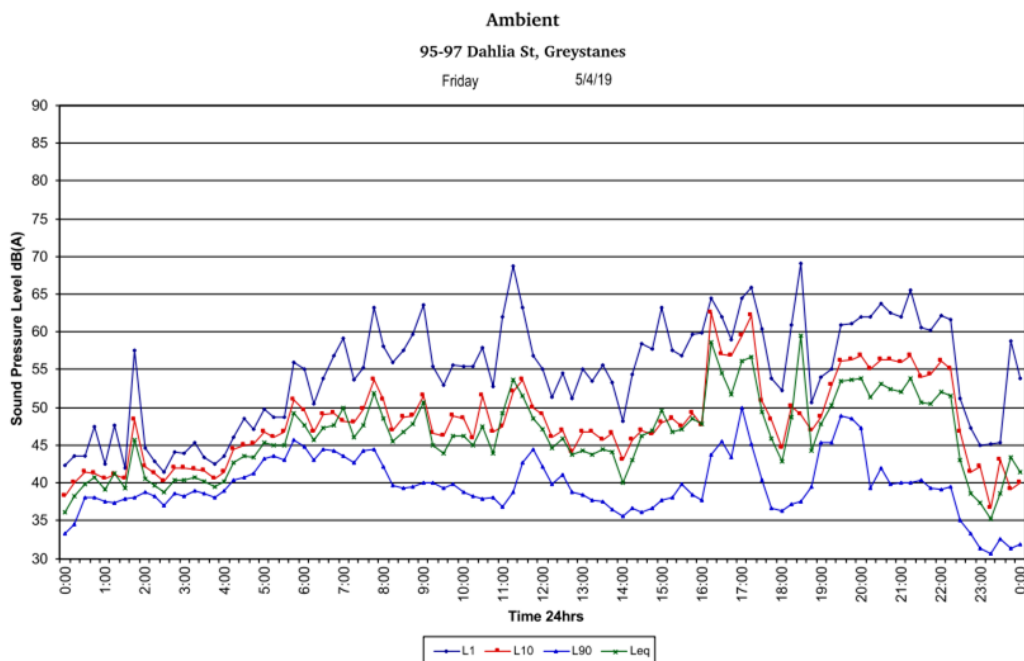
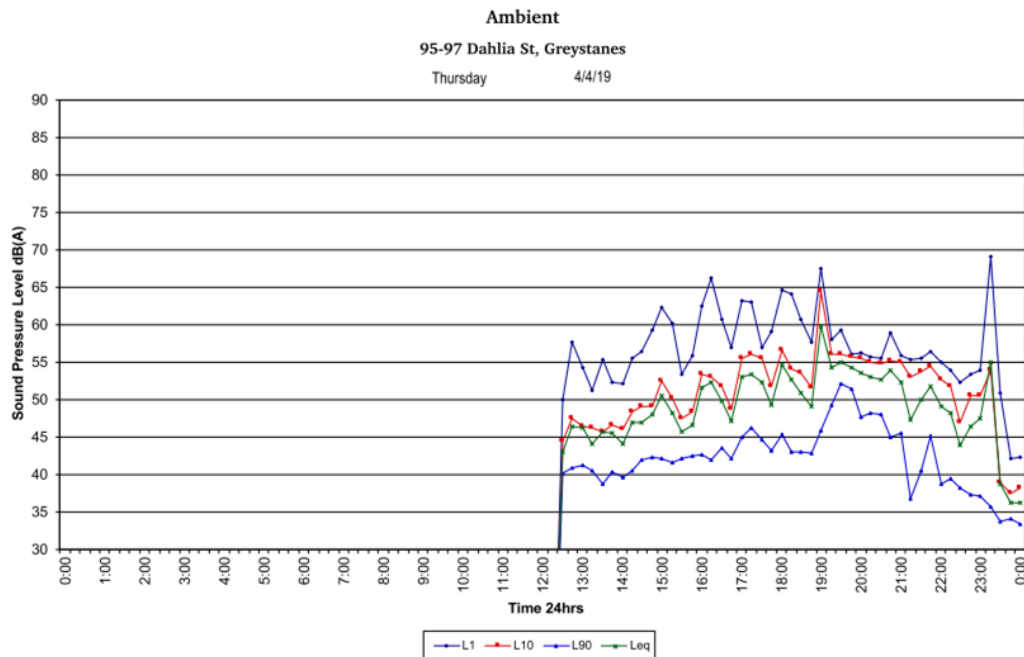


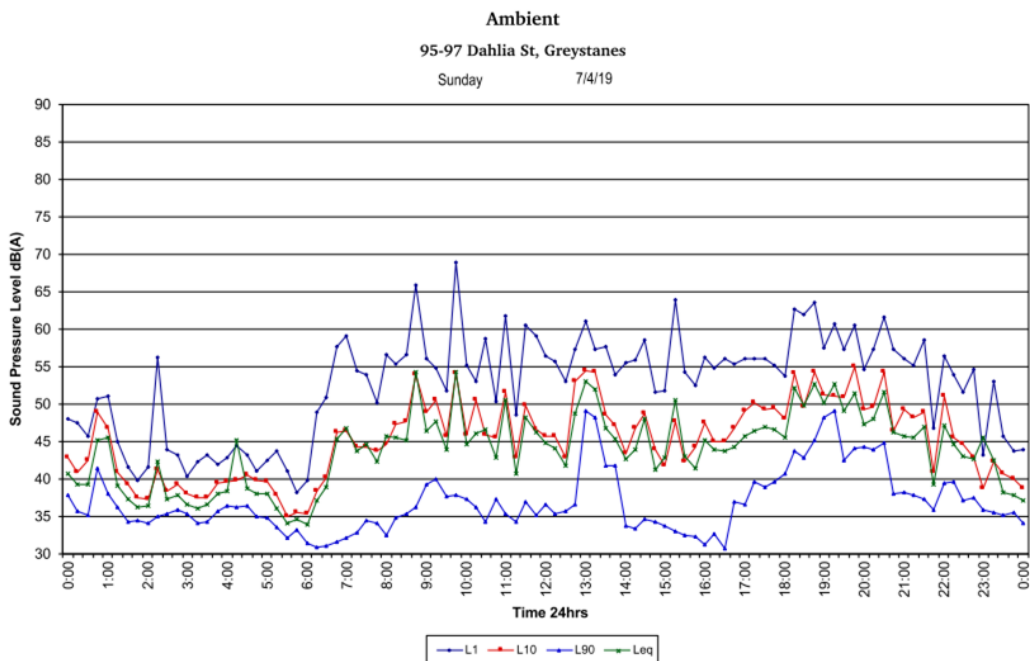
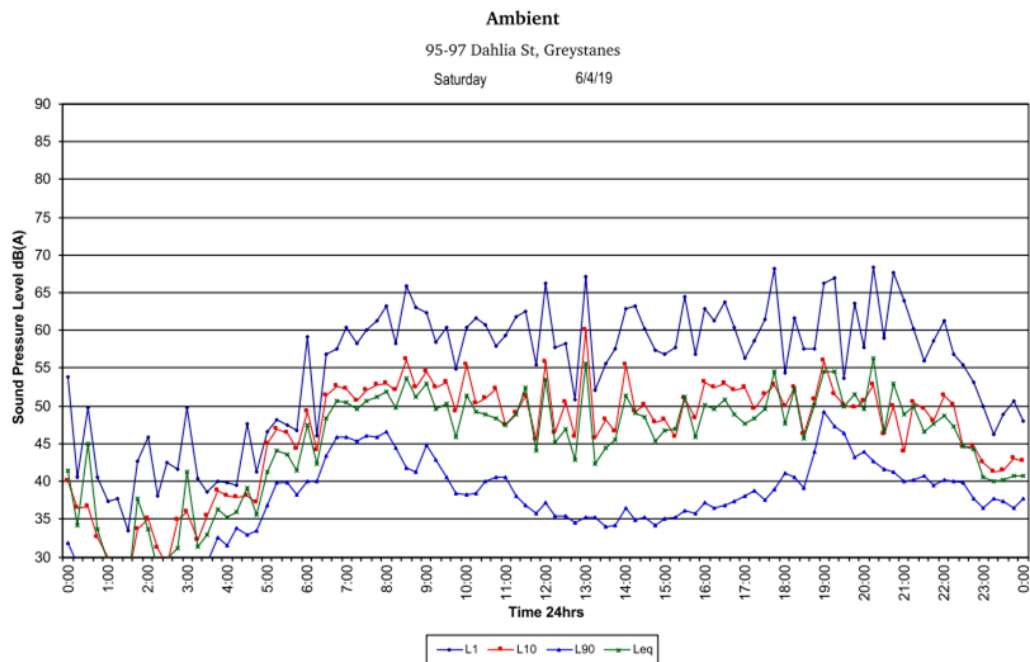


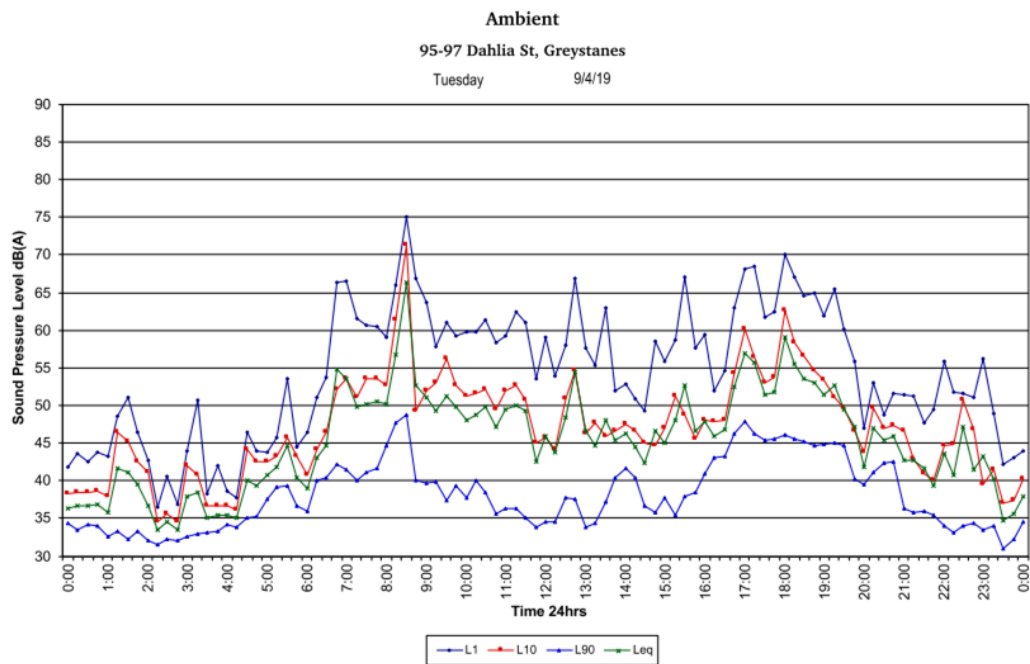
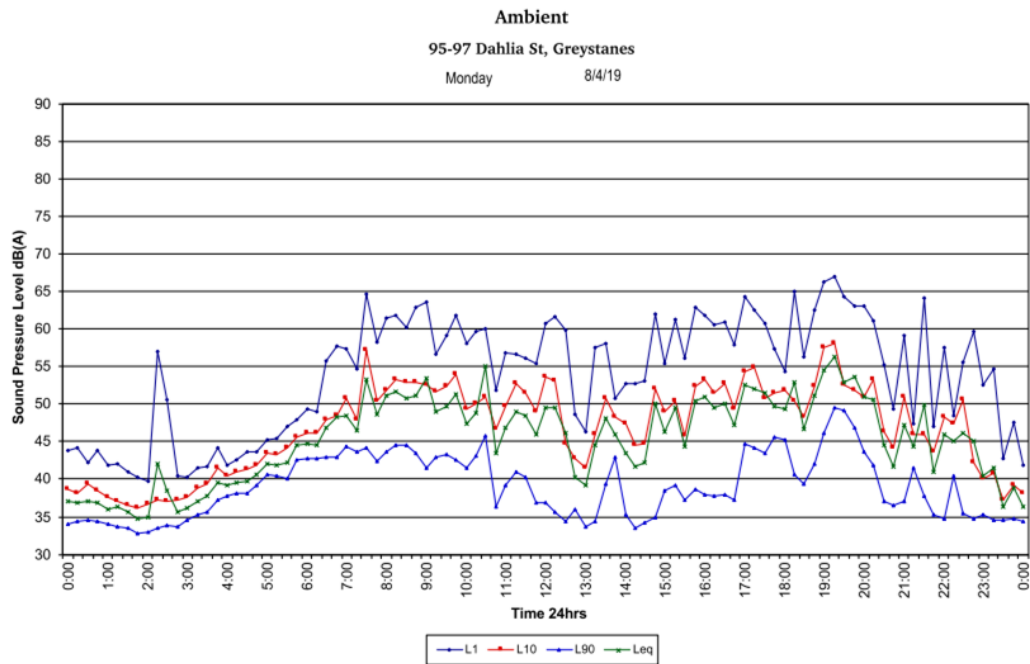


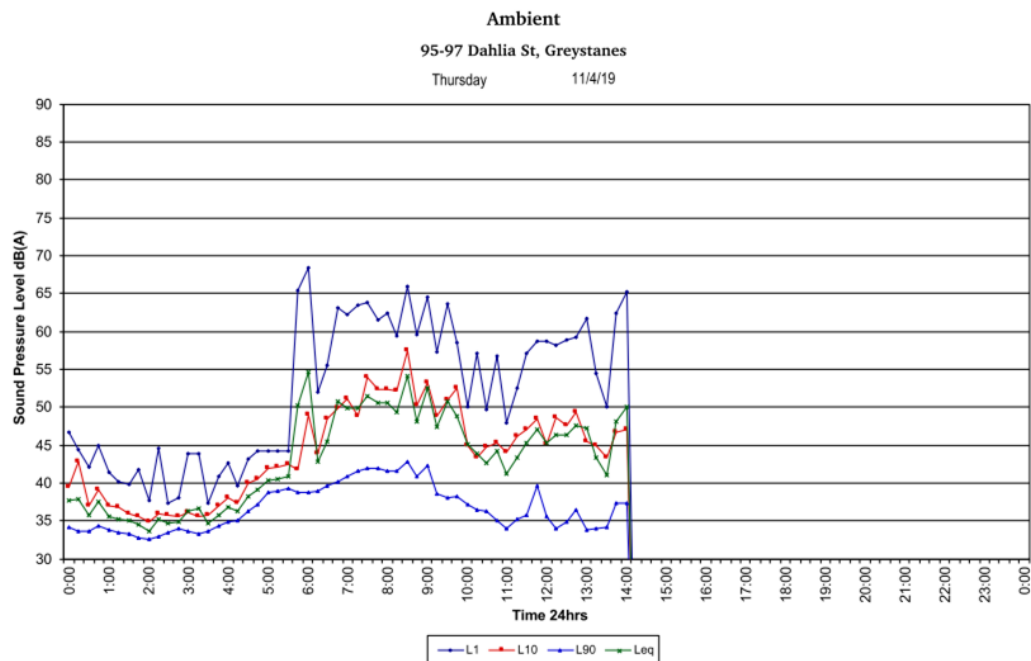
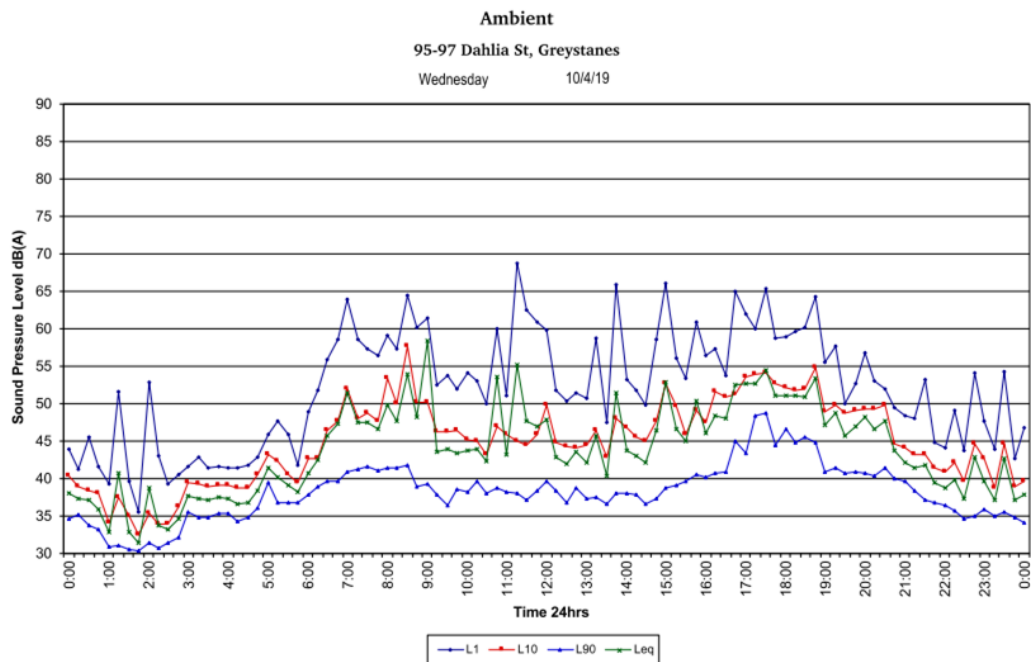


Ambient Logger












Appendix C – Calibration Certificates

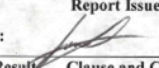


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www.acousticresearch.com.au

Sound Level Meter IEC 61672-3:2013 Calibration Certificate

Calibration Number C18124


Client Details	
Rodney Stevens Acoustics Pty Ltd 1 Majura Close St Ives Chase NSW 2075	
Equipment Tested/ Model Number : Rion NL-42EX	
Instrument Serial Number : 00184112	
Microphone Serial Number : 173008	
Pre-amplifier Serial Number : 74638	
Pre-Test Atmospheric Conditions	Post-Test Atmospheric Conditions
Ambient Temperature : 22.8°C	Ambient Temperature : 22.3°C
Relative Humidity : 57.6%	Relative Humidity : 58.2%
Barometric Pressure : 99.35kPa	Barometric Pressure : 99.37kPa
Calibration Technician : Vicky Jaiswal	Secondary Check: Riley Cooper
Calibration Date : 5 Mar 2018	Report Issue Date : 5 Mar 2018
Approved Signatory :	
 Juan Agüero	
Clause and Characteristic Tested	Result
12: Acoustical Sig. tests of a frequency weightings	Pass
13: Electrical Sig. tests of frequency weightings	Pass
14: Frequency and time weightings at 1 kHz	Pass
15: Long Term Stability	Pass
16: Level linearity on the reference level range	Pass
17: Level linearity incl. the level range control	Pass
18: Toneburst response	Pass
19: C Weighted Peak Sound Level	Pass
20: Overload Indication	Pass
21: High Level Stability	Pass

The sound level meter submitted for testing has successfully completed the class 2 periodic tests of IEC 61672-3:2013, for the environmental conditions under which the tests were performed.

However, no general statement or conclusion can be made about conformance of the sound level meter to the full requirements of IEC 61672-1:2013 because evidence was not publicly available, from an independent testing organisation responsible for pattern approvals, to demonstrate that the model of sound level meter fully conformed to the requirements in IEC 61672-1:2013 and because the periodic tests of IEC 61672-3:2013 cover only a limited subset of the specifications in IEC 61672-1:2013.

Least Uncertainties of Measurement -			
Acoustic Tests		Environmental Conditions	
31.5 Hz to 8kHz	±0.15dB	Temperature	±0.07°C
12.5kHz	±0.21dB	Relative Humidity	±0.58%
16kHz	±0.29dB	Barometric Pressure	±0.017kPa
Electrical Tests			
31.5 Hz to 20 kHz	±0.12dB		

All uncertainties are derived at the 95% confidence level with a coverage factor of 2.



NATA
WORLD RECOGNISED
ACCREDITATION

This calibration certificate is to be read in conjunction with the calibration test report.

Acoustic Research Labs Pty Ltd is NATA Accredited Laboratory Number 14172.
Accredited for compliance with ISO/IEC 17025 - calibration.

The results of the tests, calibrations and/or measurements included in this document are traceable to Australian/national standards.

NATA is a signatory to the ILAC Mutual Recognition Arrangement for the mutual recognition of the equivalence of testing, medical testing, calibration and inspection reports.

PAGE 1 OF 1



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Sound Level Meter
IEC 61672-3:2013
Calibration Certificate
Calibration Number C19007

Client Details	Rodney Stevens Acoustics Pty Ltd 1 Majura Close St Ives NSW 2075
Equipment Tested/ Model Number :	Rion NL-42EX
Instrument Serial Number :	00546393
Microphone Serial Number :	152907
Pre-amplifier Serial Number :	46605
Pre-Test Atmospheric Conditions	Post-Test Atmospheric Conditions
Ambient Temperature : 24.3°C	Ambient Temperature : 23.6°C
Relative Humidity : 59.3%	Relative Humidity : 54.3%
Barometric Pressure : 99.74kPa	Barometric Pressure : 99.74kPa
Calibration Technician : Lucky Jaiswal	Secondary Check: Lewis Boorman
Calibration Date : 11 Jan 2019	Report Issue Date : 11 Jan 2019
Approved Signatory : 	Ken Williams

Clause and Characteristic Tested	Result	Clause and Characteristic Tested	Result
12: Acoustical Sig. tests of a frequency weighting	Pass	17: Level linearity incl. the level range control	Pass
13: Electrical Sig. tests of frequency weightings	Pass	18: Toneburst response	Pass
14: Frequency and time weightings at 1 kHz	Pass	19: C Weighted Peak Sound Level	Pass
15: Long Term Stability	Pass	20: Overload Indication	Pass
16: Level linearity on the reference level range	Pass	21: High Level Stability	Pass

The sound level meter submitted for testing has successfully completed the class 2 periodic tests of IEC 61672-3:2013, for the environmental conditions under which the tests were performed.

However, no general statement or conclusion can be made about conformance of the sound level meter to the full requirements of IEC 61672-1:2013 because evidence was not publicly available, from an independent testing organisation responsible for pattern approvals, to demonstrate that the model of sound level meter fully conformed to the requirements in IEC 61672-1:2013 and because the periodic tests of IEC 61672-3:2013 cover only a limited subset of the specifications in IEC 61672-1:2013.

Least Uncertainties of Measurement -			
Acoustic Tests		Environmental Conditions	
31.5 Hz to 8kHz	±0.15dB	Temperature	±0.2°C
12.5kHz	±0.21dB	Relative Humidity	±2.4%
16kHz	±0.29dB	Barometric Pressure	±0.015kPa
Electrical Tests			
31.5 Hz to 20 kHz	±0.12dB		

All uncertainties are derived at the 95% confidence level with a coverage factor of 2.



This calibration certificate is to be read in conjunction with the calibration test report.

Acoustic Research Labs Pty Ltd is NATA Accredited Laboratory Number 14172.
Accredited for compliance with ISO/IEC 17025 - calibration.

The results of the tests, calibrations and/or measurements included in this document are traceable to Australian/national standards.

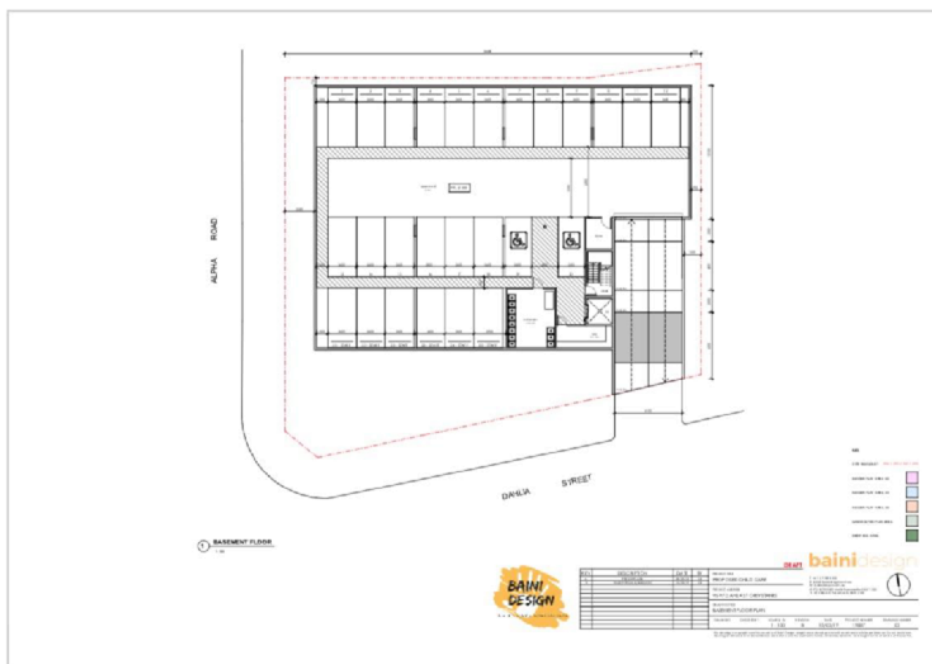
NATA is a signatory to the ILAC Mutual Recognition Arrangement for the mutual recognition of the equivalence of testing, medical testing, calibration and inspection reports.

PAGE 1 OF 1

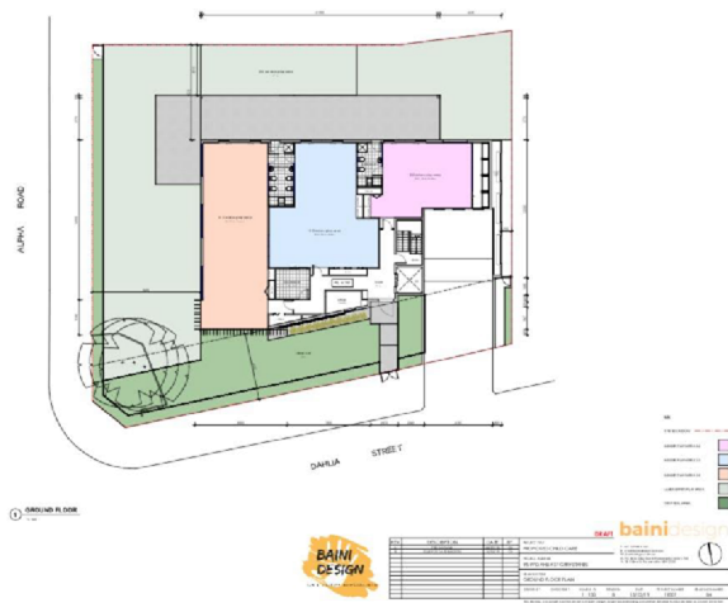


Appendix D – Architectural Plans

Basement Plan



Ground Floor Plan





The image displays a set of architectural drawings for a building project, specifically focusing on the elevations and a section. The drawings are presented in a clean, technical style with black lines on a white background.

Elevations:

- South Elevation (Front):** Shows the front facade of the building, featuring a prominent entrance area with a large window and a small porch. The building is situated on a sloping site, with the ground level indicated by a dashed line.
- West Elevation:** Shows the side profile of the building, highlighting the roofline and the placement of windows and doors. The building is shown on a sloping site.
- North Elevation (Back):** Shows the rear facade of the building, featuring a large window and a small porch. The building is shown on a sloping site.
- East Elevation:** Shows the side profile of the building, highlighting the roofline and the placement of windows and doors. The building is shown on a sloping site.

Section:

- Section A-A:** A cross-section of the building, showing the internal structure, including the roof, walls, and floor. The section is labeled with 'A' and 'A' at the ends.

Details:

- Scale:** 1:50
- Project Name:** baini design
- Architect:** baini design
- Client:** [Name obscured]
- Location:** [Location obscured]
- Date:** [Date obscured]
- Sheet:** 1 of 1

DOCUMENTS
ASSOCIATED WITH
REPORT LPP046/20

Attachment 6
Noise Management Plan



REPORT 190127NMP1

Revision 0

Noise Management Plan
Proposed Child Care Centre
95-97 Dahlia Street, Greystanes NSW 2145

PREPARED FOR:
Michael Khoury
C/o – Bains Design
1B Villiers Street
PARRAMATTA NSW 2150

15 April 2019

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Wahroonga NSW 2076
P 02 9943 5057
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ABN 78 149 311 455
rodneystevensacoustics.com.au



Noise Management Plan

Proposed Child Care Centre

95-97 Dahlia Street, Greystanes NSW 2145

PREPARED BY:

Rodney Stevens Acoustics Pty Ltd
Telephone: 61 2 9943 5057 Facsimile 61 2 9475 1019
Email: info@rodneystevensacoustics.com.au
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DOCUMENT CONTROL

Reference	Status	Date	Prepared	Checked	Authorised
190127NMP1	Revision 0	15 April 2019	Thomas Carney	Desmond Raymond	Rodney Stevens

Rodney Stevens Acoustics
Report Number 190127NMP1
Revision 0

Noise Management Plan Proposed Child Care Centre
95-97 Dahlia Street, Greystanes NSW 2145
Michael Khoury
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1 INTRODUCTION

Rodney Stevens Acoustics Pty Ltd (RSA) has been engaged by Baini Design on behalf of Michael Khoury to prepare a noise management plan for the proposed child care centre located at 95-97 Dahlia Street, Greystanes NSW 2145.

RSA prepared an acoustical assessment addressing the noise environment of the centre and surrounding area and the potential acoustical impact on nearby residential receivers associated with the proposed development. RSA report "190127R1 Rev0 95-97 Dahlia St, Greystanes" dated 15 April 2019, provided recommendations and mitigation measures for the proposed child care centre.

Specific acoustic terminology is used in this report. An explanation of common acoustic terms is provided in Appendix A.

2 PROPOSED DEVELOPMENT

2.1 Development Site

The proposed child care centre is to be located at 95-97 Dahlia Street, Greystanes. The development site is bounded by residential dwellings to the north, east and west with Alpha Road Park to the west.

The development site and its surrounding environment are mainly influenced by traffic noise from Dahlia Street and surrounding streets. Figure 2-1 shows an aerial image of the site area and the surrounding environment.

Figure 2-1 Site Location



Image Courtesy of Near Map © 2019.



2.2 Project Description and Site Plan

The development involves the demolition of the existing dwellings on the site and the construction of a double storey childcare centre with basement parking. The proposed child care centre plans to cater for up to 71 children between 0 and 5 years of age. The centre will have a single outdoor area, there will be 1.8m barrier surrounding the perimeter of the site.

The proposed development seeks approval for the following:

- Demolition of the existing dwelling and associated outbuildings on the site.
- Construction of a basement parking level, the child care centre structure and the associated outdoor play area and drive way.
- Construction of the surrounding 1.8m barrier with cantilever (as per RSA report "190127R1 Rev0 95-97 Dahlia St, Greystanes" dated 15 April 2019).

The proposed site layout of the development site is presented in Figure 2-2.

Figure 2-2 Proposed Site Plan Ground Level



3 ASSESSMENT CRITERIA

RSA's previous report, RSA report "190127R1 Rev0 95-97 Dahlia St, Greystanes" dated 15 April 2019, established that the proposed child care centre will operate more than 2 hours of outdoor play time per day, therefore, the noise criterion for noise emissions from outdoor activities to all surrounding residential receivers is (daytime L_{A90} 35 dB(A) + 5 dB(A) $L_{Aeq}(15min)$ **40 dB(A)**). This is based on a measured background noise level of $L_{A90}(15minute)$ 35 dB(A) and based on the AAAC Guidelines for child care centres



4 NOISE MANAGEMENT PLAN

One of the most effective measures that should be implemented in conjunction with the physical noise controls is a noise management plan (NMP). The NMP should be incorporated within the child care centre's overall management plan:

- The child to staff ratios are: 0-2 – 16 children, 4 teachers; 2-3 – 25 children, 5 teachers; 3-5 – 30 children, 3 teachers;
- A separate daily program for both the warmer and cooler months should be established in order to regulate the total time spent outdoors and indoors;
- A contact phone number for the centre office should be made available to neighbours to facilitate communication and to resolve any neighbourhood issues that may arise due to operation of the child care centre;
- The number of children outside at any one time should be limited to 50% capacity at any one time meet the noise criteria;
- The behaviour of children should be monitored and modified as required by staff during outdoor play;
- Parents and guardians should be informed of the importance of noise minimisation when entering the site, dropping off or picking up children;
- Staff should be educated to control the level of their voice while outside;
- Amplified music should be avoided to meet the noise criteria;
- A system will be put in place where child care staff will actively monitor the children playing outside, any child making excessive noise i.e. crying or screaming will be taken into the child care and once the child has calmed down he/she will be allowed to go to the outdoor area.

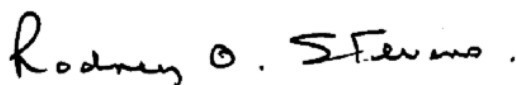
RSA report "RSA report "190127R1 Rev0 95-97 Dahlia St, Greystanes" dated 15 April 2019 provides a number of mitigation measures that must be implemented in conjunction with this noise management plan.



5 CONCLUSION

Rodney Stevens Acoustics has developed a noise management plan for the proposed child care centre's site at 95-97 Dhalia Street, Greystanes NSW. Noise emissions from the outdoor play can be sufficiently mitigated and or controlled with the implementation of recommendations of RSA previous report *190127R1 Rev0 95-97 Dahlia St, Greystanes* dated 15 April 2019 and the recommendations in this noise management plan.

Approved:-



Rodney Stevens

Manager/Principal

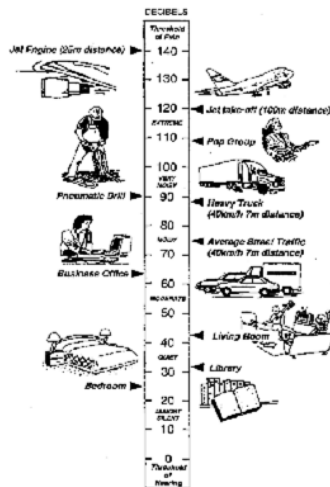


Appendix A – Acoustic Terminology

A-weighted sound pressure	The human ear is not equally sensitive to sound at different frequencies. People are more sensitive to sound in the range of 1 to 4 kHz (1000 – 4000 vibrations per second) and less sensitive to lower and higher frequency sound. During noise measurement an electronic ' <i>A-weighting</i> ' frequency filter is applied to the measured sound level <i>dB(A)</i> to account for these sensitivities. Other frequency weightings (B, C and D) are less commonly used. Sound measured without a filter is denoted as linear weighted <i>dB(linear)</i> .
Ambient noise	The total noise in a given situation, inclusive of all noise source contributions in the near and far field.
Community annoyance	Includes noise annoyance due to: <ul style="list-style-type: none"> ■ character of the noise (e.g. sound pressure level, tonality, impulsiveness, low-frequency content) ■ character of the environment (e.g. very quiet suburban, suburban, urban, near industry) ■ miscellaneous circumstances (e.g. noise avoidance possibilities, cognitive noise, unpleasant associations) ■ human activity being interrupted (e.g. sleep, communicating, reading, working, listening to radio/TV, recreation).
Compliance	The process of checking that source noise levels meet with the noise limits in a statutory context.
Cumulative noise level	The total level of noise from all sources.
Extraneous noise	Noise resulting from activities that are not typical to the area. Atypical activities may include construction, and traffic generated by holiday periods and by special events such as concerts or sporting events. Normal daily traffic is not considered to be extraneous.
Feasible and reasonable measures	Feasibility relates to engineering considerations and what is practical to build; reasonableness relates to the application of judgement in arriving at a decision, taking into account the following factors: <ul style="list-style-type: none"> ■ Noise mitigation benefits (amount of noise reduction provided, number of people protected). ■ Cost of mitigation (cost of mitigation versus benefit provided). ■ Community views (aesthetic impacts and community wishes). ■ Noise levels for affected land uses (existing and future levels, and changes in noise levels).
Impulsiveness	Impulsive noise is noise with a high peak of short duration or a sequence of these peaks. Impulsive noise is also considered annoying.



Low frequency	Noise containing major components in the low-frequency range (20 to 250 Hz) of the frequency spectrum.
Noise criteria	The general set of non-mandatory noise levels for protecting against intrusive noise (for example, background noise plus 5 dB) and loss of amenity (e.g. noise levels for various land use).
Noise level (goal)	A noise level that should be adopted for planning purposes as the highest acceptable noise level for the specific area, land use and time of day.
Noise limits	Enforceable noise levels that appear in conditions on consents and licences. The noise limits are based on achievable noise levels, which the proponent has predicted can be met during the environmental assessment. Exceedance of the noise limits can result in the requirement for either the development of noise management plans or legal action.
Performance-based goals	Goals specified in terms of the outcomes/performance to be achieved, but not in terms of the means of achieving them.
Rating Background Level (RBL)	The rating background level is the overall single figure background level representing each day, evening and night time period. The rating background level is the 10 th percentile min L _{A90} noise level measured over all day, evening and night time monitoring periods.
Receptor	The noise-sensitive land use at which noise from a development can be heard.
Sleep disturbance	Awakenings and disturbance of sleep stages.
Sound and decibels (dB)	<p>Sound (or noise) is caused by minute changes in atmospheric pressure that are detected by the human ear. The ratio between the quietest noise audible and that which should cause permanent hearing damage is a million times the change in sound pressure. To simplify this range the sound pressures are logarithmically converted to decibels from a reference level of 2 x 10⁻⁵ Pa.</p> <p>The picture below indicates typical noise levels from common noise sources.</p>



dB is the abbreviation for decibel – a unit of sound measurement. It is equivalent to 10 times the logarithm (to base 10) of the ratio of a given sound pressure to a reference pressure.

Sound power Level (SWL)

The sound power level of a noise source is the sound energy emitted by the source. Notated as SWL, sound power levels are typically presented in *dB(A)*.

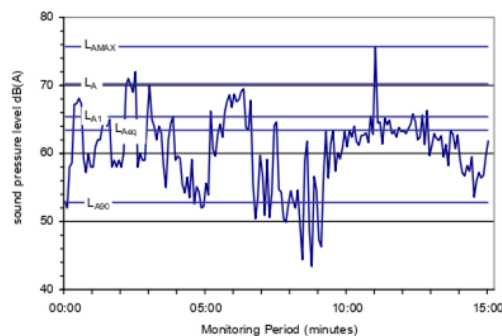
Sound Pressure Level (SPL)

The level of noise, usually expressed as SPL in *dB(A)*, as measured by a standard sound level meter with a pressure microphone. The sound pressure level in *dB(A)* gives a close indication of the subjective loudness of the noise.

Statistic noise levels

Noise levels varying over time (e.g. community noise, traffic noise, construction noise) are described in terms of the statistical exceedance level.

A hypothetical example of A weighted noise levels over a 15 minute measurement period is indicated in the following figure:



Key descriptors:

L_{max} Maximum recorded noise level.

L_{A1} The noise level exceeded for 1% of the 15 minute interval.



	<p>L_{A10} Noise level present for 10% of the 15 minute interval. Commonly referred to the average maximum noise level.</p> <p>L_{Aeq} Equivalent continuous (energy average) A-weighted sound pressure level. It is defined as the steady sound level that contains the same amount of acoustic energy as the corresponding time-varying sound.</p> <p>L_{A90} Noise level exceeded for 90% of time (background level). The average minimum background sound level (in the absence of the source under consideration).</p>
Threshold	The lowest sound pressure level that produces a detectable response (in an instrument/person).
Tonality	Tonal noise contains one or more prominent tones (and characterised by a distinct frequency components) and is considered more annoying. A 2 to 5 dB(A) penalty is typically applied to noise sources with tonal characteristics

DOCUMENTS
ASSOCIATED WITH
REPORT LPP046/20

Attachment 7
Parking & Traffic Impact
Assessment



STANBURY
TRAFFIC PLANNING
TRAFFIC, PARKING & TRANSPORT CONSULTANTS

PARKING & TRAFFIC IMPACT ASSESSMENT

**PROPOSED CHILD CARE CENTRE DEVELOPMENT
95 – 97 DAHLIA STREET
GREYSTANES**

**PREPARED FOR BAINI DESIGN
OUR REF: 19-028**



MAY 2019

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1. INTRODUCTION

1.1 Scope of Assessment

Stanbury Traffic Planning has been commissioned by Baini Design to prepare a Parking & Traffic Impact Assessment to accompany a Development Application to be lodged with Cumberland City Council. The Development Application seeks consent for the demolition of two existing detached residences and the construction of a purpose built child care centre at 95 – 97 Dahlia Street, Greystanes (hereafter referred to as the 'subject site').

The two storey child care centre is proposed to be capable of accommodating up to approximately 71 children. The centre is to be serviced by a single level of basement parking containing 25 parking spaces. Vehicular connectivity between the development and Dahlia Street is proposed via separated ingress and egress driveways situated in the south-eastern corner of the site.

The aim of this assessment is to investigate and report upon the potential parking and traffic consequences of the development application and to recommend appropriate ameliorative measures where required. This report provides the following scope of assessment:

- Section 1 provides a summary of the site location, details, existing and surrounding land-uses;
- Section 2 describes the proposed development;
- Section 3 assesses the adequacy of the proposed site access arrangements, parking provision, internal circulation and servicing arrangements with reference to relevant Council, Roads & Maritime Services and Australian Standard specifications;
- Section 4 assesses the existing traffic, parking and transport conditions surrounding and servicing the subject development site including a description of the surrounding road network, traffic demands, operational performance and available public transport infrastructure; and
- Section 5 estimates the projected traffic generating ability of the proposed development and assesses the ability or otherwise of the surrounding road network to be capable of accommodating the altered demand in a safe and efficient manner.

The report has been prepared pursuant to State Environmental Planning Policy (Infrastructure) 2007. The application is not of sufficient scale to be referred to the Roads & Maritime Services under this Instrument.

1.2 Reference Documents

Reference is made to the following documents throughout this report:

- The Roads & Maritime Services' *Guide to Traffic Generating Developments*;
- Holroyd Council's *Holroyd Development Control Plan 2013* (HDCP 2013);
- Australian Standard for *Parking Facilities Part 1: Off-Street Car Parking* (AS2890.1:2004);
- Australian Standard for *Parking Facilities Part 6: Off-Street Parking for People with Disabilities* (AS2890.6:2009);
- NSW Government's *Children (Education and Care Services) Supplementary Provisions Regulation 2012*;
- NSW Government's *State Environmental Planning Policy (Educational Establishment and Child Care Facilities) 2017*; and
- NSW Government's *Child Care Planning Guideline*.

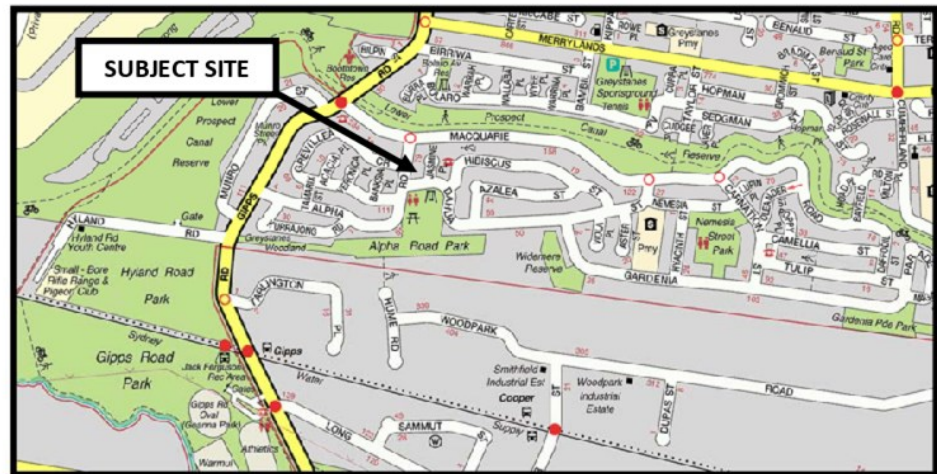
Architectural plans have been prepared by Baini Design and should be read in conjunction with this report, reduced copies of a selection of which are included as **Appendix 1** for reference.

1.3 Site Details

1.3.1 Site Location

The subject site is located on the north-eastern corner of the junction of Dahlia Street and Alpha Road, Greystanes. The site location is illustrated overleaf within a local and aerial context by **Figure 1** and **Figure 2**, respectively.

FIGURE 1
SITE LOCATION WITHIN A LOCAL CONTEXT



Source: UBD's Australian City Streets – Version 4

FIGURE 2
SITE LOCATION WITHIN AN AERIAL CONTEXT



Source: Google Earth (accessed 21/03/19)

1.4.2 Site Description

The subject site comprises two allotments providing a real property description of Lot 16 and 17 DP 236780 and a street address of 95 – 97 Dahlia Street, Greystanes.

The allotments collectively form a predominantly trapezoidal shaped parcel of land providing an approximate frontages of 36m and 32m to Dahlia Street and Alpha Road, respectively. The total site area is approximately 1,165m².

1.4.3 Existing Site Use

The subject site currently accommodates two single detached residential dwellings. Vehicular connectivity between No. 95 and No.97 Dahlia Street is currently provided via two individual driveways located in the south-western and central southern portions of each lot respectively.

1.4.4 Surrounding Uses

The subject site is adjoined to the east and north by similar detached residential dwellings as that contained within the subject site, fronting and serviced by Dahlia Street, Alpha Road and Jasmine Place.

Alpha Road Park is situated to the south on the opposite side of Dahlia Street, fronting and being serviced by Alpha Road and Dahlia Street.

2. PROPOSED DEVELOPMENT

2.1 Built Form

The subject application seeks Council's approval to the demolition of existing detached residence and the construction of a purpose built child care centre capable of accommodating up to 71 children.

The child care centre is proposed to be contained within a two storey building situated within the central portion of the site. The ground floor of the building is proposed to contain three separate indoor playrooms, an entrance foyer and an office, in conjunction with ancillary amenities. The first floor is proposed to contain a staff room, meeting room, office and a kitchen.

The building is proposed to be serviced by a single basement level of parking containing 25 passenger vehicle parking spaces.

Vehicular connectivity between the basement parking area and Dahlia Street is proposed via separate ingress and egress driveways situated in the south-eastern corner of the site.

Pedestrian access between the building and the northern Dahlia Street footway is proposed via a pathway located separate and to the west of the abovementioned vehicular access driveway.

2.2 Proposed Operation

The child care centre is proposed to accommodate up to 71 children as follows:

- 16 children aged between zero and two years of age;
- 25 children aged between two and three years of age; and
- 30 children aged between three and five years of age.

The centre is required to employ a minimum of 12 staff in accordance with the current *Children (Education and Care Services) National Law (NSW)* requirements, as follows:

- Four staff associated with the children aged between zero and two years of age;
- Five staff associated with the children aged between two and three years of age; and
- Three staff associated with the children aged between three and five years of age.

Further, it is understood that Council officers have indicated during pre-lodgement discussions that additional staff may be required for food handling, administration and relief / break cover. Whilst it is assumed that these additional tasks could reasonably be handled by one additional staff member, for the purposes of this assessment and in order to assume a worst case scenario, a total of two additional staff are adopted, resulting in a total staffing requirement of 14 staff at any one time.

The centre is proposed to operate between 7:00am and 6:00pm Monday to Friday.

3. SITE ACCESS & INTERNAL CIRCULATION

3.1 Access Arrangements

3.1.1 Vehicular Access

Vehicular access between the development site and Dahlia Street is proposed to be provided via separate 3m wide ingress and egress driveways situated within the south-eastern corner of the site.

AS2890.1:2004 provides driveway design specifications based on the proposed primary land use, the functional order of the access road and the number of spaces the driveway is to serve. Tables 3.1 and 3.2 of AS2890.1:2004 specify that, at minimum, a Category 1 type driveway is required, providing a combined ingress / egress driveway width of between 3m and 5.5m based on the local (non-arterial) functional order of Dahlia Street, the child care centre land-use proposed and the passenger vehicle parking provision within the parking area of 25 spaces. The proposed separated 3m wide ingress and egress driveways therefore exceed the minimum AS2890.1-2004 specifications and accordingly is considered to be satisfactory.

Swept path plans have been prepared in order to demonstrate the ability of passenger vehicles to enter and exit the site, copies of which are included as **Appendix 2**. These swept paths also indicate that all vehicles are able to enter and exit the site in a forward direction.

The safety and efficiency of access / egress movements are also proposed to be assisted by the following:

- The provision of a relatively level (less than 1:20) grade within the first 6m inside the property boundary;
- The consistent horizontal and vertical alignment of Dahlia Street in the vicinity of the subject site resulting in an extent of sight distance between the driveway and the frontage roadway; and
- An area abutting the eastern side of the egress driveway on approach to the boundary clear of any obstruction to visibility in accordance with Clause 3.2.4(b) of AS2890.1:2004.

3.1.2 Pedestrian Access

Pedestrian connectivity between the building and the northern Dahlia Street footway is proposed via a pathway separate and to the west of the vehicular access driveway.

Further to this access, pedestrian connectivity between the basement parking area and the building is proposed via stairs and lift located within the south-eastern portion of the site. A pathway connecting the stairs / lift with all parking spaces within the basement is provided, ensuring pedestrians can access the building, clear of vehicular circulation / manoeuvring areas.

3.2 Passenger Vehicle Parking

3.2.1 Parking Provision

The development is proposed to be serviced by 25 on-site passenger vehicle parking spaces.

NSW Government's *Child Care Planning Guideline* specifies that parking should be provided in accordance with HDCP 2013, which provides the following minimum vehicular parking rates for child care centres:

One space per four children

One space per two staff (within R2 zone)

Application of the abovementioned parking rates to the proposed centre capacity of 71 children and 14 staff results in a passenger minimum vehicle parking requirement of 24.75 (adopt 25) spaces.

The proposed parking provision of 25 spaces is therefore considered to be satisfactory.

3.2.2 Passenger Vehicle Parking Allocation

The 25 on-site passenger vehicle parking spaces are proposed to be allocated as follows:

- Six designated staff parking spaces; and
- 19 spaces which may be utilised as visitor / parent / guardian or staff parking spaces (including two disabled spaces).

The following sub-sections of this report provide assessment of the suitability or otherwise of the proposed parking provision and allocation.

3.2.2.1 Staff Parking

Section 2.2 of this report indicates that, for the purposes of this assessment, a worst case scenario of 14 staff will be on-site at any time, despite a minimum of 12 employees being required in accordance with current Children (Education and Care Services) National Law (NSW) requirements.

The development parking area provides six allocated staff parking spaces, provided in a tandem arrangement.

A further 19 spaces are provided which have flexibility to be utilised by staff or parents / guardians / visitors. Assuming an absolute worst case scenario that all staff drive themselves to the site, up to eight of these further 19 spaces could be occupied by staff vehicles, thereby available a minimum of 11 parking spaces for parents / guardians / visitors.

It is however understood that Council officers during pre-lodgement discussions indicated that tandem spaces would not be counted within the total development parking quantum. Such an approach is considered unreasonable for the following reasons:

- The provision of tandem parking is commonly accepted for staff parking spaces within all commercial development, including child care centres throughout the Sydney metropolitan area;
- The operational characteristics of centres is such that staff generally arrive and depart the centre prior to peak children set-down / pick-up periods, thereby ensuring that the tandem nature of a small portion of the parking area does not unreasonably impact the accessibility and efficiency of other parking spaces servicing the development; and
- There is no explicit development controls within the HDCP 2013 which indicate that tandem parking cannot be provided within child care centres, nor that tandem parking spaces are not to be included in parking quantum calculations.

The use of tandem spaces within the development is therefore considered appropriate if allocated to staff and should accordingly be counted within the parking quantum.

Notwithstanding the above, if considered necessary, the tandem parking spaces within the development could be governed by a site specific plan of management to ensure no unreasonable inefficiencies occur. The requirement for this plan of management could reasonably be imposed by Council as a condition of consent.

3.2.2.2 Parent / Guardian Parking

The above assessment concludes that a minimum of 11 parking spaces will be available within the development for exclusive use by parents / guardians / visitors.

In order to undertake an assessment of the suitability of the proposed minimum visitor parking provision of 11 spaces, reference is made to the Roads & Maritime Services' *Guide to Traffic Generating Developments*. This publication specifies that the average length of stay of parents / guardians when setting-down / picking-up children at child care centres is 6.8 minutes. On the basis of all children being set-down and picked-up with an even distribution over a period of two hours (say, 7:00am – 9:00am and 4:00pm – 6:00pm), the arrival rate of parents / guardians will be one parent / guardian every 1.69 minutes (120 minutes / 71 children).

The above length of stay and arrival rate results in an average of 4.02 (6.8/1.69) parents / guardians being on-site at any one time during the peak set-down / pick-up periods. The average parent / guardian parking demand during peak pick-up / set-down periods is therefore projected to be between four and five spaces.

It should however be noted that the above analysis represents an absolute worst case scenario for the following reasons:

- It assumes that all parents / guardians will drive their children to and from the centre;
- It assumes a zero sibling rate; and
- It assumes that all children will be set-down and picked-up within a two hour period, when children can be set-down / picked-up at any time during the operational hours.

The above analysis, indicating a parent / guardian parking demand of between four and five spaces has however been retained in order to account for variations in average demand associated with short term peak influxes of parents / guardians during set-down / pick-up periods. In consideration of this and the above discussion, the proposed minimum parent / guardian / visitor parking allocation of 11 spaces is considered to be appropriate.

3.3 Service Vehicle Parking

The centre is likely to necessitate regular servicing with respect to the collection of refuse. Refuse is proposed to be stored within a bin room located within the south-eastern portion of the basement parking level. These bins are to be wheeled to the Dahlia Street frontage for collection in a similar manner to adjoining residential development.

Minor deliveries associated with the centre operation are expected to be undertaken by vans and utilities. Such servicing activities are proposed to be accommodated within single passenger vehicle parking spaces located within the on-site car park. These activities are to be undertaken outside of the normal operational periods of the centre in accordance with operational requirements contained within the NSW Government's *Child Care Planning Guideline*.

3.4 Parking Circulation and Manoeuvrability

3.4.1 Parking Design

Passenger vehicles upon entry to the site, will travel in a forward direction to access the basement parking area via an access roadway / ramp running along the eastern site boundary.

The basement parking area comprises a standard 90 degree angled parking row of 14 spaces along the southern boundary (including six spaces in a tandem arrangement), serviced by a single central parking aisle. A further 11 spaces are proposed to be provided adjacent to the northern basement wall, also provided in a 90 degree angled parking arrangement.

Whilst the six tandem spaces are to be specifically allocated to staff of the centre, the remaining 19 spaces are proposed to provide dimensions which provide flexibility to accommodate either staff or parent / guardian / visitor parking.

The basement parking area has generally been designed to accord with the minimum requirements of AS2890.1:2004, providing the following minimum dimensions:

- Standard parking space width = 2.6m;
- Disabled visitor vehicle parking space width = 2.4m (plus adjoining 2.4m wide shared area);
- Additional space width adjoining obstruction = 0.3m;
- Vehicle parking space length = 5.4m;
- Parking aisle width = 6.3m; and
- Clearance = 2.2m.

Safe and efficient internal manoeuvring and parking space accessibility is anticipated to result, taking into consideration the above compliance with the relevant AS2890.1:2004 specifications.

In order to demonstrate the internal passenger vehicle manoeuvrability within the vicinity of these areas and generally throughout the overall parking area, this Practice has prepared a number of swept path plans which are included as **Appendix 2**. The turning paths provided on the plans have been generated using Autoturn software and derived from B99 and B85 vehicle specifications provided within AS2890.1:2004.

Section B4.4 of AS2890.1:2004 states the following with regard to the use of templates to assess vehicle manoeuvring:

‘Constant radius swept turning paths, based on the design vehicle’s minimum turning circle are not suitable for determining the aisle width needed for manoeuvring into and out of parking spaces. Drivers can manoeuvre vehicles within smaller spaces than swept turning paths would suggest.’

It would therefore appear that whilst the turning paths provided within AS2890.1:2004 can be utilised to provide a ‘general indication’ of the suitability or otherwise of internal parking and manoeuvring areas, vehicles can generally manoeuvre more efficiently than the paths indicate. Notwithstanding this, the swept path plans illustrate that passenger vehicles can manoeuvre throughout and enter and exit the most difficult passenger vehicle parking spaces within the parking areas.

Whilst the basement parking area forms a dead-end aisle, the parking design facilitates the provision of an exclusive turning bay in the north-western corner of the basement, thereby allowing vehicles to undertake a three point turn in order to exit the site in a forward direction in the unlikely event of all parking spaces being occupied. The proposed basement parking area layout as it relates to passenger vehicle manoeuvrability is therefore considered to be satisfactory.

3.5 Internal Pedestrian Circulation

Pedestrian connectivity between the building and the northern Dahlia Street footpath is proposed via a pathway separate and to the west of the vehicular access driveway.

Further to this access, pedestrian connectivity between the basement parking area and the building is proposed via stairs and lift located within the south-eastern portion of the site. A pathway connecting the stairs / lift with all parking spaces within the basement is provided, ensuring pedestrians can access the building, clear of vehicular circulation / manoeuvring areas.

4. EXISTING TRAFFIC CONDITIONS

4.1 Surrounding Road Network

The following provides a description of the local road network surrounding the subject site:

- **Dahlia Street** performs a local access function under the care and control of Cumberland City Council. Dahlia Street primarily provides an east-west alignment, facilitating access for abutting residential development between Alpha Road in the west and Macquarie Road in the east.

Dahlia Street predominantly provides a 10m wide pavement, facilitating the provision of one through lane of traffic in each direction in conjunction with untimed parallel parking along both kerb alignments. Notwithstanding this, informal indented 90 degree angle parking is provided along the southern alignment of Dahlia Street, immediately opposite the subject site.

Traffic flow within Dahlia Street is governed by a speed limit of 50km/h, consistent with State Government Policy for local residential roads.

Dahlia Street forms T-junctions with a number of similar low order local access roads, in Jasmine Place, Hibiscus Street, Azalea Street, Gardenia Parade and Nemesia Street, operating under major / minor priority control with Dahlia Street performing the major route.

At its western extremity and in the immediate vicinity of the site, Dahlia Street forms a T-junction with Alpha Road also operating under major / minority priority control with Dahlia Street performing the minor route.

Dahlia Street to the east of the subject site, intersects with Macquarie Road operating under single lane roundabout control.

- **Alpha Road** performs a local access function, providing a south-west / north-east alignment, facilitating access for abutting residential dwellings between Gipps Road in the south-west and Macquarie Road in to north-east.

Alpha Road provides a 10m wide pavement, facilitating the provision of one through lane of traffic in each direction in conjunction with untimed parallel parking along both kerb alignments. Notwithstanding this, informal indented 90 degree angle parking is provided along the eastern alignment of Alpha Road to the south of Dahlia Street.

Traffic flow within Alpha Road is governed by a local residential road speed limit of 50km/h.

Alpha Road forms T-junctions with a number of similar low order local access roads, in Grevillea Crescent, Dahlia Street, Kurrajong Road and Tamarix Street, operating under major / minor priority control with Dahlia Street performing the major route.

At its northern extremity, Alpha Road intersects with Macquarie Road, operating under single lane roundabout control.

Alpha Road to the south-west of the subject site, forms the minor route in a T-junction with Gipps Road.

- **Macquarie Road** performs a minor collector road function, providing an east-west alignment servicing the abutting residential precinct to the south between Gipps Road in the west and Bayfield Road in the east.

Macquarie Road provides a 10m wide pavement providing one through lane of traffic in each direction with parallel parking along both kerb alignments, in the vicinity of the site. Traffic flow is governed by a speed limit of 50km/h, consistent with State Government Policy for local residential roads.

4.2 Existing Traffic Volumes

This Practice has undertaken peak hour traffic surveys of the junction of Dahlia Street and Alpha Road in order to accurately ascertain existing traffic demands within the immediate precinct.

Surveys were undertaken between 7:00am – 9:00am and 4:00pm – 6:00pm on Tuesday the 19th of March 2019.

Figure 3 provides a summary of the surveyed peak hour (8:00am – 9:30am and 5:00pm – 6:00pm) traffic flows at the subject junction, whilst full details are contained within **Appendix 3**.

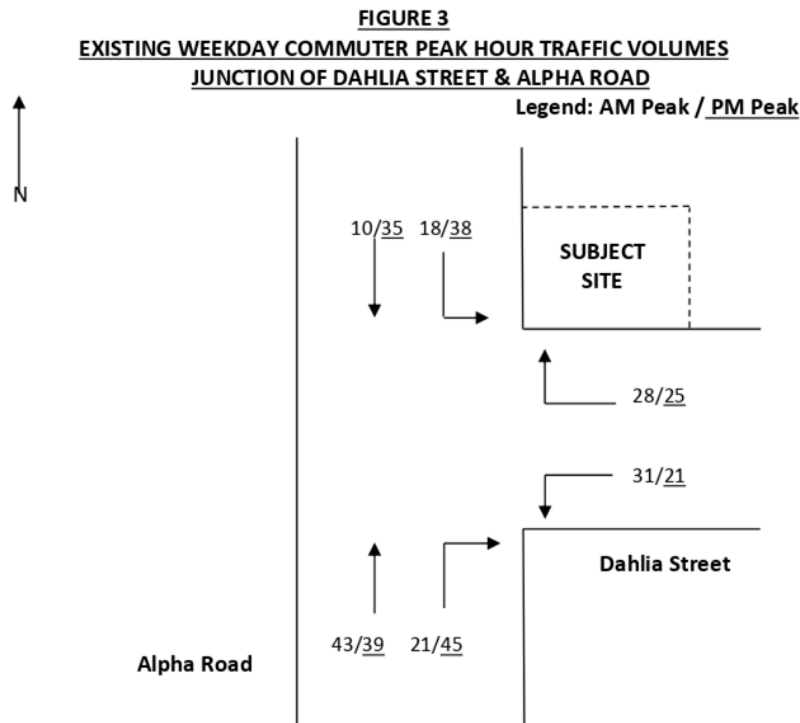


Figure 3 indicates and directional traffic flows within both Dahlia Street and Alpha Road adjacent to the site were observed to be less than 100 vehicles per hour during weekday commuter peak periods.

4.3 Existing Road Network Operation

4.3.1 Intersection Performance

The surveyed junction of Alpha Road and Dahlia Street has been analysed utilising the SIDRA computer intersection analysis program in order to objectively assess the operation of the nearby public road network.

SIDRA is a computerised traffic arrangement program which, when volume and geometrical configurations of an intersection are imputed, provides an objective assessment of the operation efficiency under varying types of control (i.e. signs, signal and roundabouts). Key indicators of SIDRA include level of service where results are placed on a continuum from A to F, with A providing the greatest intersection efficiency and therefore being the most desirable by the Roads and Maritime Services.

SIDRA uses detailed analytical traffic models coupled with an iterative approximation method to provide estimates of the abovementioned key indicators of capacity and performance statistics. Other key indicators provided by SIDRA are average vehicle delay, the number of stops per hour and the degree of saturation. Degree of saturation is the ratio of the arrival rate of vehicles to the capacity of the approach. Degree of saturation is a useful and professionally accepted measure of intersection performance.

SIDRA provides analysis of the operating conditions that can be compared to the performance criteria set out in **Table 2** below (being the RMS NSW method of calculation of Level of Service).

TABLE 2 LEVEL OF SERVICE CRITERIA FOR INTERSECTIONS PRIORITY CONTROLLED INTERSECTIONS		
Level of Service	Average Delay per Vehicle (secs/veh)	Expected Delay
A	Less than 14	Good
B	15 to 28	Acceptable delays and spare capacity
C	29 to 42	Satisfactory
D	43 to 56	Near capacity
E	57 to 70	At capacity and requires other control mode
F	> 70	Unsatisfactory and requires other control mode

The existing conditions have been modelled utilising the peak hour traffic volumes presented within **Figure 3**.

Table 3 overleaf provides a summary of the SIDRA output data whilst more detailed summaries are included as **Appendix 4**.

TABLE 3 SIDRA OUTPUT – EXISTING WEEKDAY PEAK HOUR PERFORMANCE JUNCTION OF ALPHA ROAD & DAHLIA STREET		
	AM	PM
Alpha Road (Southern Approach)		
Delay	5.6	5.7
Degree of Saturation	0.04	0.05
Level of Service	A	A
Dahlia Street		
Delay	5.8	6.0
Degree of Saturation	0.04	0.04
Level of Service	A	A
Alpha Road (Northern Approach)		
Delay	5.6	5.6
Degree of Saturation	0.02	0.04
Level of Service	A	A
Total Intersection		
Delay	5.8	6.0
Degree of Saturation	0.04	0.05
Level of Service	A	A

Table 3 indicates that the junction of Alpha Road and Dahlia Street provides a level of service of A during peak commuter periods, representing good operation with spare capacity.

4.3.2 Route Level of Service Assessment

Reference is made to the Roads & Maritime Services' *Guide to Traffic Generating Developments* in order to undertake an assessment of the operational performance of the surrounding local road network. This publication indicates that a single lane of traffic accommodating peak hour traffic demands of less than 200 vehicles, such as that observed within Dahlia Street and Alpha Road, provides a level of service 'A'. Such a level service indicates free flow where drivers are virtually unaffected by other vehicles and have freedom to select their desired speed and to manoeuvre within the traffic stream.

4.3.3 Site Access Assessment

Turning movements between abutting sites and Dahlia Street are assisted by particularly low traffic volumes within the access road and the good site distance provisions resulting from the consistent vertical and horizontal alignment of the access road. This situation results in vehicles being able to undertake entry and egress movements between private abutting residential dwellings and Dahlia Street in a safe and efficient manner.

The proliferation of driveways servicing abutting development sites in the immediate vicinity result in trailing through traffic movements within Dahlia Street being aware of the potential for vehicles to decelerate to access private properties.

4.3.4 Regional Road Connectivity

Whilst traffic demands within the surrounding regional road network servicing the immediate precinct (comprising Merrylands Road and Gipps Road) are higher commensurate with their functional hierarchy in the road network, the local road network provides safe and efficient connectivity to the surrounding regional and state road network as follows:

- Merrylands Road intersects with Cumberland Road under traffic signal control with all movements permitted; and
- Gipps Road intersections with Macquarie Road under traffic signal control with all movements permitted.

4.4 Public Transport

4.4.1 Buses

Transit Systems operate the following bus services in the immediate vicinity of the site:

- Route 806 Liverpool to Parramatta;
- Route 810 Merrylands to Parramatta; and
- Route 810x Merrylands to Parramatta.

Route 806 operates along Macquarie Road, with stops being located within 200m walking distance of the site. Route 806 provides a service frequency of 15 – 30 minutes during weekday commuter peaks, 30 minutes during weekday business periods and Saturdays and 60 minutes during weekday evenings and Sundays.

Routes 810 and 810x operate along Dahlia Street with stops being situated directly south of the subject site on the opposite side of Dahlia Street. These routes combine to provide a service frequency of 15 – 30 minutes during weekday peaks, extending to 60 minutes during other periods.

4.4.2 Pedestrians

Pedestrians are provided with the following access and mobility infrastructure within the immediate vicinity of the subject site:

- A footpath is provided along the northern side of Dahlia Street;
- A footpath is provided along the western side of Alpha Road; and
- A footpath is provided along the southern side of Macquarie Road.

5. PROJECTED TRAFFIC CONDITIONS

5.1 Traffic Generation

Traffic generation rates for various land-uses have been established through extensive surveys undertaken throughout NSW and published within the Roads & Maritime Services' *Guide to Traffic Generating Developments*. This publication specifies the following traffic generation rates for child care centres:

0.8 vehicle trips per child during the morning commuter peak hour
0.7 vehicle trips per child during the evening commuter peak hour

Application of the above traffic generation rates to the proposed 71 place child care centre results in an estimated development traffic generation of 57 vehicle trips during the morning peak and 50 vehicle trips during the evening peak.

5.2 Trip Assignment and Projected Traffic Volumes

The development generated trips are likely to be evenly distributed between inbound and outbound movements associated with the setting down and picking up of children during the morning and evening peak periods, respectively. The development is therefore projected to generate 29 ingress and 28 egress movements during the morning peak hour and 25 ingress and 25 egress movements during the evening peak hour.

5.3 Traffic Impacts

5.3.1 Overall Road Network Performance

The previous assessment contained within this report has revealed that traffic demands within the surrounding local road network are low and accordingly, motorists are provided with a good level of service with spare capacity.

The development has been projected to generate up to 57 vehicle movements per hour during commuter peak periods. Such a peak hour traffic generation equates to less than one additional vehicle movement every minute during commuter peaks, which is not projected to, in itself, result in any unreasonable impacts on the existing operational performance of the surrounding local road network.

Whilst it is acknowledged that traffic demands within the surrounding regional and arterial road network are considerable, the presence of positive intersection control at and nearby the precinct access points provide motorists with safe and efficient means with which to access and exit the subject precinct.

In consideration of the above, the impact of the development is most likely to be a result of the safety and efficiency with which motorists are capable of entering and exiting the development. The low traffic demands within Dahlia Street, combined with the provision of acceptable sight distance provisions between the

frontage road is such that it is envisaged that motorists will be capable of entering and exiting the site in a safe and efficient manner.

5.4 Parking Impacts

The proposed development provides an off-street parking provision which complies with the requirements of HDCP 2013, the Roads & Maritime Services' *Guide to Traffic Generating Developments* and NSW Government's *Child Care Planning Guideline*. It is accordingly not expected that the development will result in unreasonable impacts on surrounding public road parking supply / capacity.

Notwithstanding the above, in the unlikely event that short term on-street parking demand is generated by the development during peak set-down and pick-up periods, the following should be acknowledged:

- Observations have indicated that demand for on-street parking in the immediate vicinity of the site is low and there is capacity to accommodate additional demand;
- There is ready capacity to capacity to accommodate at least three casually parked vehicles in a parallel arrangement along the northern kerb alignment of Dahlia Street, immediately adjacent to the subject site thereby not having any unreasonable impact on adjoining properties; and
- The prevailing pavement width of Dahlia Street (10m) is such that parallel parking does not impede through vehicular traffic to any noticeable extent.

It is accordingly not anticipated that the development will result in any impacts on surrounding residential amenity or public road efficiency in the unlikely event that some on-street parking occurs as a result of the centre.

5.5 Transport Impacts

The subject site is located within reasonably close walking distance to a number of bus services. It is accordingly expected that a portion of the future centre users / staff will utilise the surrounding public transport infrastructure to access destinations throughout the Sydney metropolitan area. The capacity of the existing public transport system is however not envisaged to be measurably affected by any additional demand associated with the development, given its limited scale.

6. CONCLUSION

This report assesses the potential parking and traffic implications associated with a proposed child care centre at 95 – 97 Dahlia Street, Greystanes. Based on this assessment, the following conclusions are now made:

- The site access arrangements are projected to result in motorists being capable of entering and exiting the subject site in a safe and efficient manner;
- The proposed off-street parking provision accords with the requirements of HDCP 2013, thereby indicating that there should not be any increased on-street parking demand as a result of the development;
- The internal passenger vehicle circulation arrangements are envisaged to provide for safe and efficient internal manoeuvring;
- The particularly low traffic demands within Dahlia Street in conjunction with the low surveyed parking demands, is such that impedance / delays to directional traffic flow is extremely minimal;
- The surrounding local road network operates with a good level of service during peak periods;
- The subject development has been projected to generate up to 57 vehicle movements to and from the site during weekday commuter peak hours;
- Directional traffic demands within Dahlia Street incorporating the subject development are projected to be less than one vehicle every minute during weekday commuter peak periods;
- The particularly low projected traffic demands, in conjunction with the low surveyed parking demand, is such that impedance / delays to directional traffic flow is expected to continue to be extremely minimal, thereby ensuring that unreasonable impacts on road user amenity within Dahlia Street should not occur; and
- The surrounding local road network is considered to be capable of accommodating the additional traffic projected to be generated by the subject development.

It is considered, based on the contents of this report and the conclusions contained herein, there are no parking or traffic related issues that should prevent approval of the subject application. This action is therefore recommended to Council.

APPENDIX 1

PROPOSED CHILD CARE CENTRE

19007

COMPLIANCE TABLE

ITEM	PROPOSED	STANDARD	COMPLIANCE
A SITE AREA	1165m ² (BY CALC)	300m ²	YES
B FRONTAGE	25.6m	10m	YES
C SETBACK			
	FRONT	6m	YES
	SECONDARY	9.695m	YES
	SIDE	0.9m	YES
	REAR		
	GROUND FLOOR	4.51m	YES
	FIRST FLOOR	8.51m	YES
D GROSS FLOOR AREA			
	BASEMENT	690.8m ²	-
	GROUND FLOOR	322.2m ²	-
	FIRST FLOOR	91.7m ²	-
	STAIRS / LIFT	16m ² (PER FLOOR)	-
	TOTAL GROSS FLOOR AREA	413.9m ²	-
E FSR	0.36:1 / 413.9m ²	0.5:1 / 582m ²	YES
F HEIGHT	9m	9m	YES
G SITE COVERAGE	32% / 368.5m ²	68% / 699m ²	YES
H LANDSCAPE AREA	47% / 557m ²	25% / 292m ²	YES
H CHILDCARE			
	NUMBER OF CHILDREN		
	0-2 YEARS	16 KIDS	-
	2-3 YEARS	25 KIDS	-
	3-5 YEARS	30 KIDS	-
	TOTAL NO.	71 KIDS	-
	NUMBER OF TEACHERS		
	0-2 YEARS	4 TEACHERS / 2:4 KIDS	YES
	2-3 YEARS	5 TEACHERS / 2:5 KIDS	YES
	3-5 YEARS	3 TEACHERS / 1:10 KIDS	YES
	TOTAL NO.	12 TEACHERS	YES
	INDOOR PLAY AREA		
	0-2 YEARS	52.1m ² / 3.25 m ² PER KID	YES
	2-3 YEARS	83m ² / 3.25 m ² PER KID	YES
	3-5 YEARS	98m ² / 3.25 m ² PER KID	YES
	TOTAL NO.	233.1m ²	YES
	OUTDOOR PLAY AREA		
	TOTAL NO.	497.7m ² / 7m ² PER KID	YES
I CAR PARKING			
	STAFF	6 SPACES / 1 SPACE PER 2 TEACHERS	YES
	VISITORS	18 SPACES / 1 SPACE PER 4 KID	YES
	TOTAL NO.	25 SPACES	YES
J WASTE MANAGEMENT			
	TOTAL BINS	8 BINS	YES

LOCATION PLAN

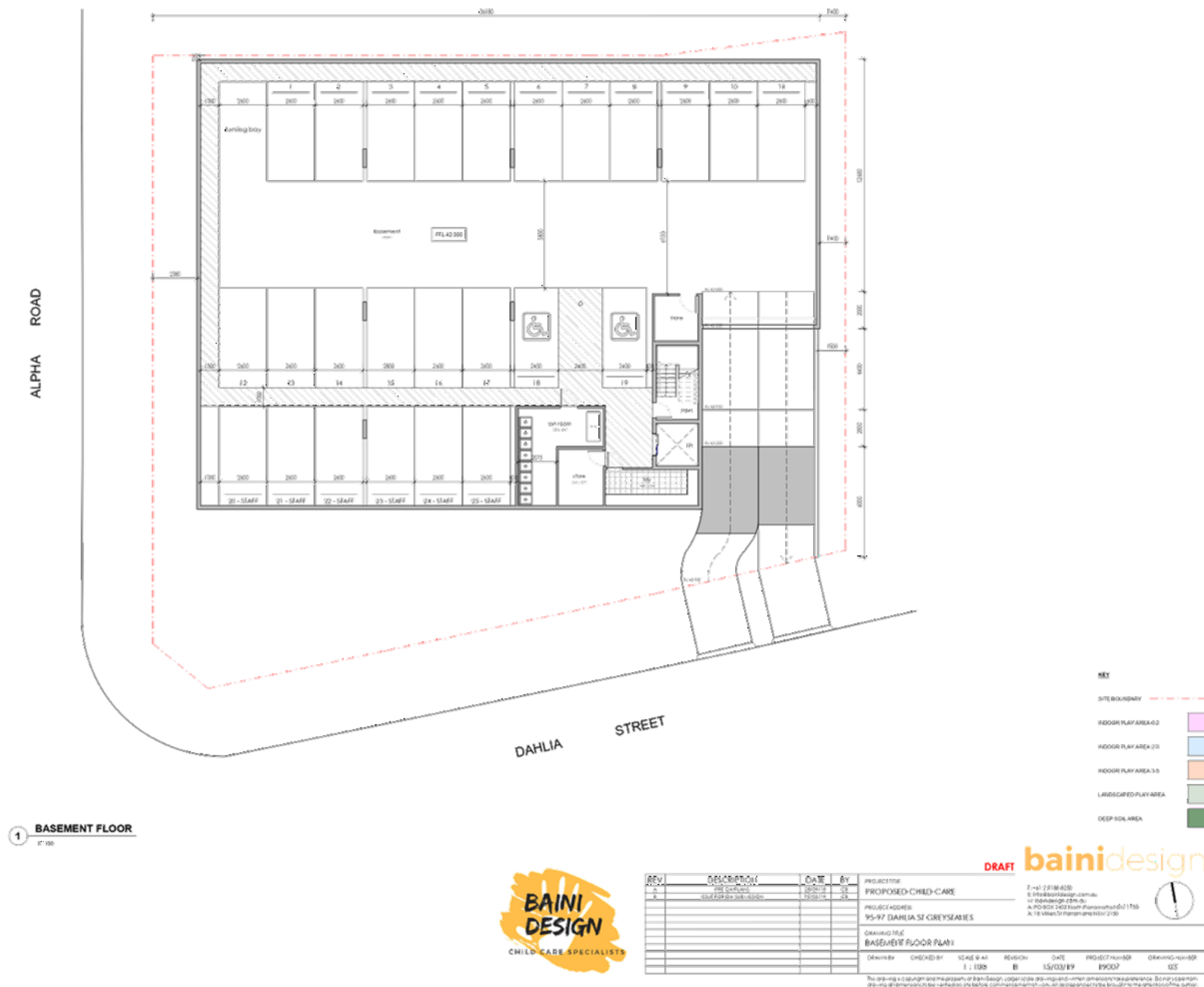


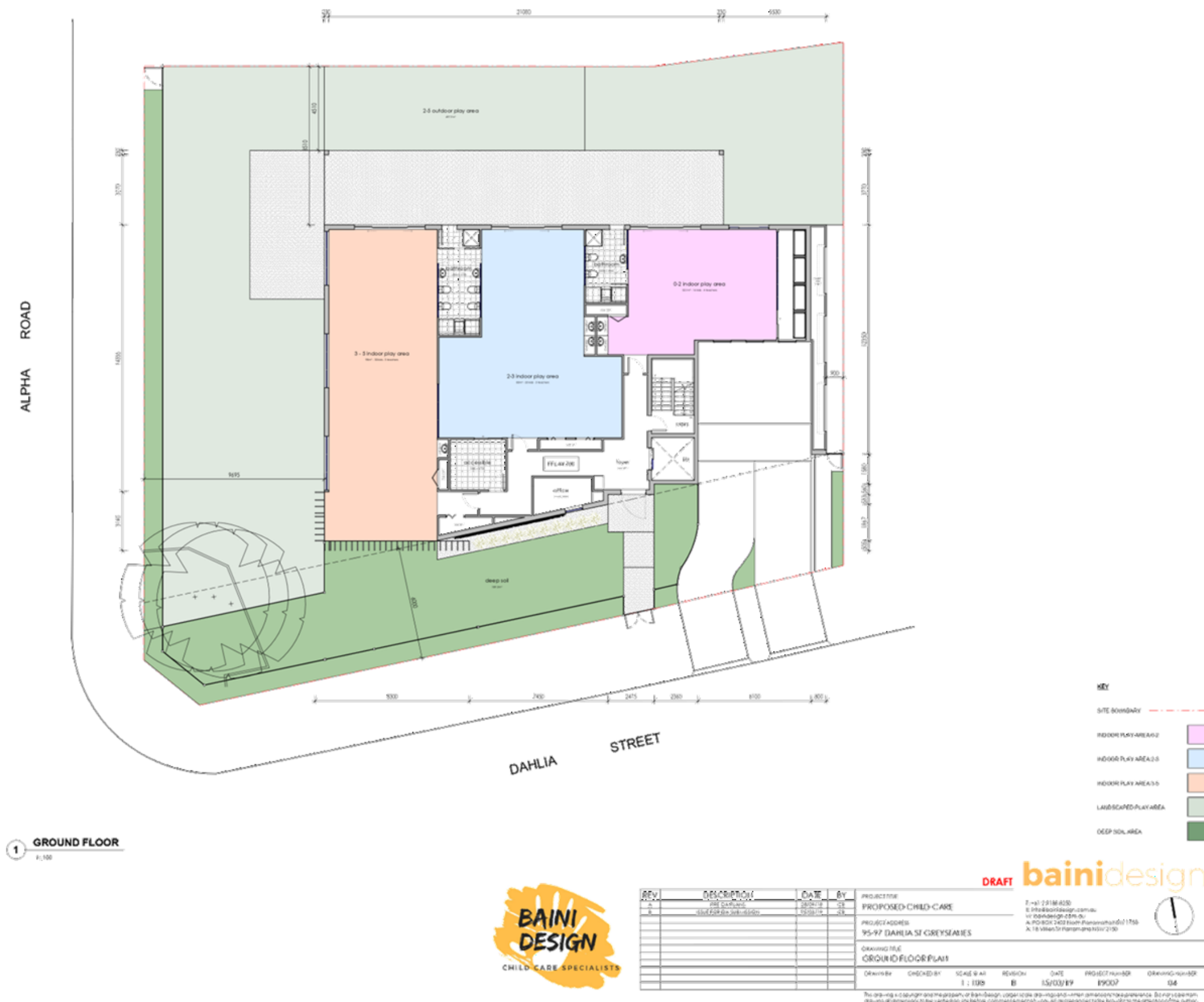
1 3D VIEW

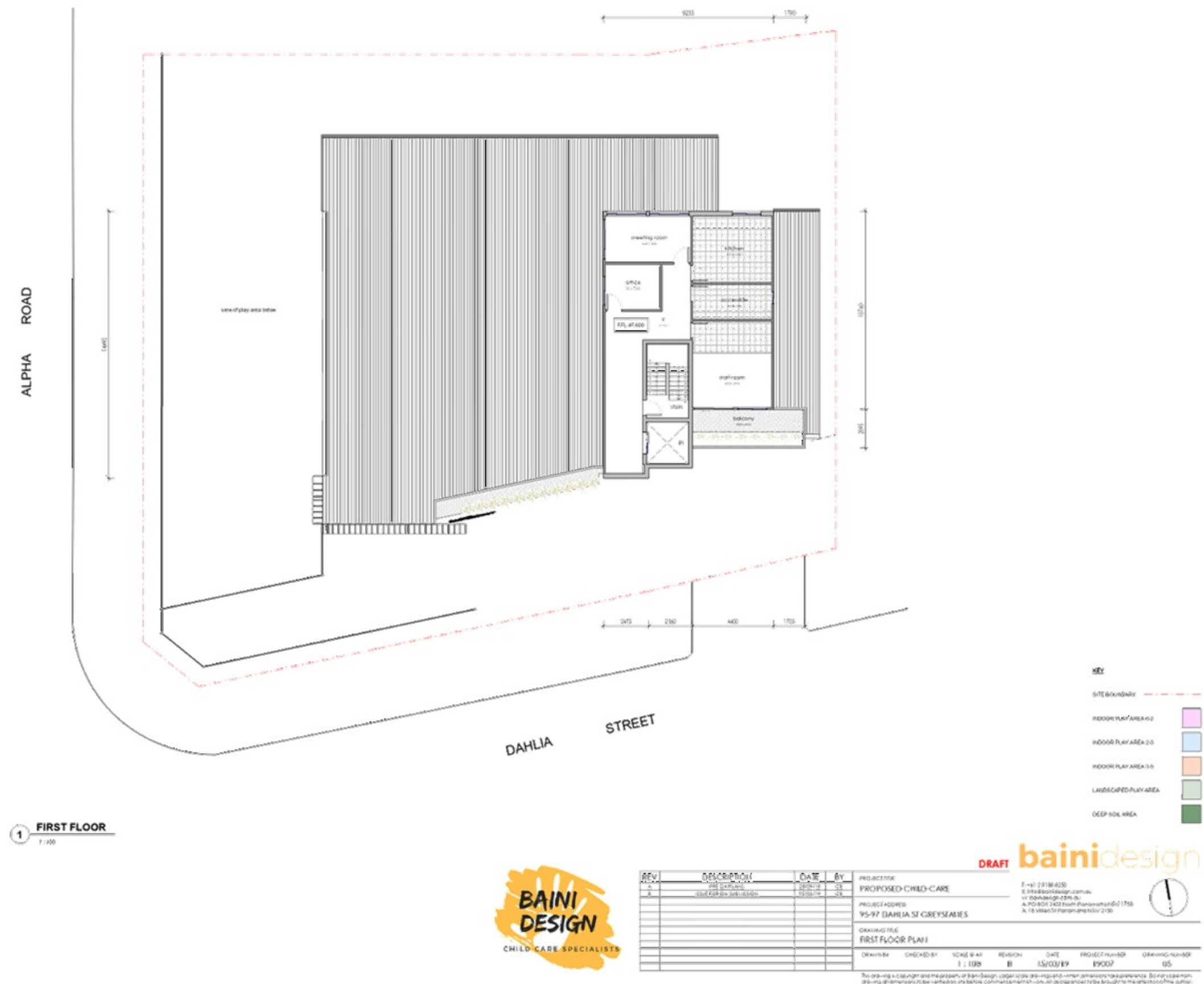


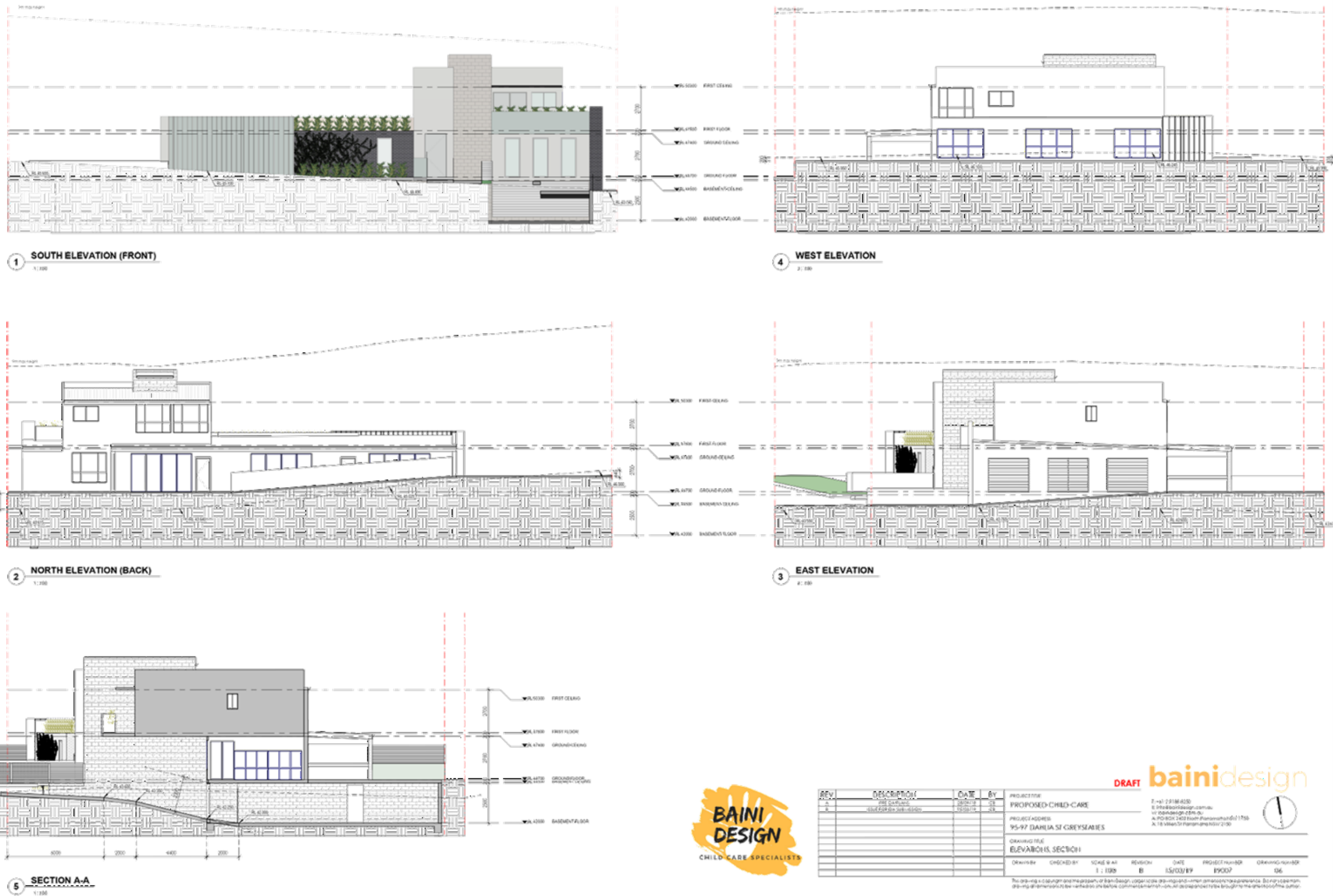
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92	REVISION	15/03/19	CS	19007	PROPOSED CHILD CARE	15/03/19	CS
93	REVISION	15/03/19	CS	19007	PROPOSED CHILD CARE	15/03/19	CS
94	REVISION	15/03/19	CS	19007	PROPOSED CHILD CARE	15/03/19	CS
95	REVISION	15/03/19	CS	19007	PROPOSED CHILD CARE	15/03/19	CS
96	REVISION	15/03/19	CS	19007	PROPOSED CHILD CARE	15/03/19	CS
97	REVISION	15/03/19	CS	19007	PROPOSED CHILD CARE	15/03/19	CS
98	REVISION	15/03/19	CS	19007	PROPOSED CHILD CARE	15/03/19	CS
99	REVISION	15/03/19	CS	19007	PROPOSED CHILD CARE	15/03/19	CS
100	REVISION	15/03/19	CS	19007	PROPOSED CHILD CARE	15/03/19	CS

This drawing is the property of Baini Design. It is to be used for the purpose of the project only. It is not to be used for any other purpose without the written consent of Baini Design. All dimensions are to be taken from the drawing unless otherwise stated.

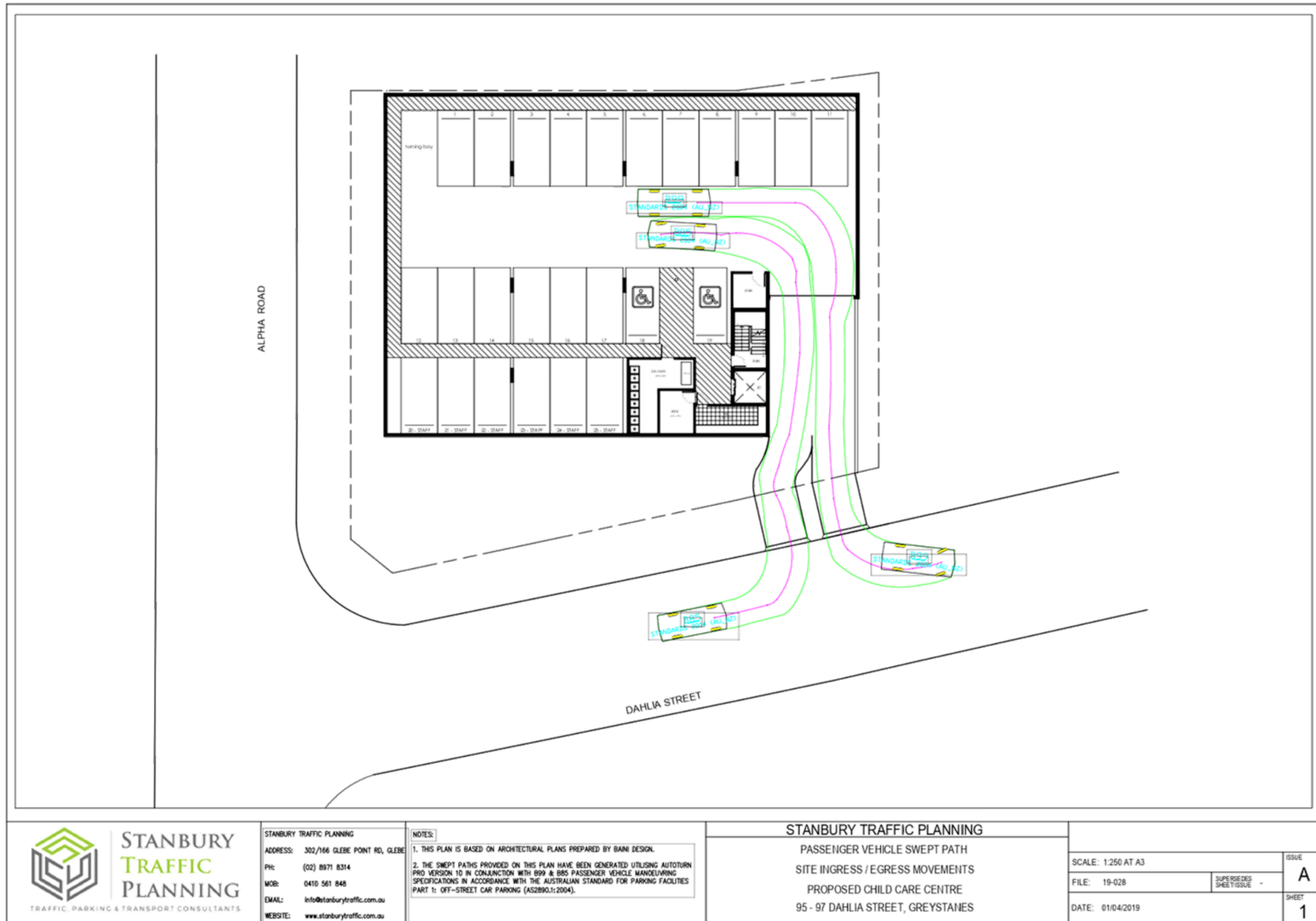


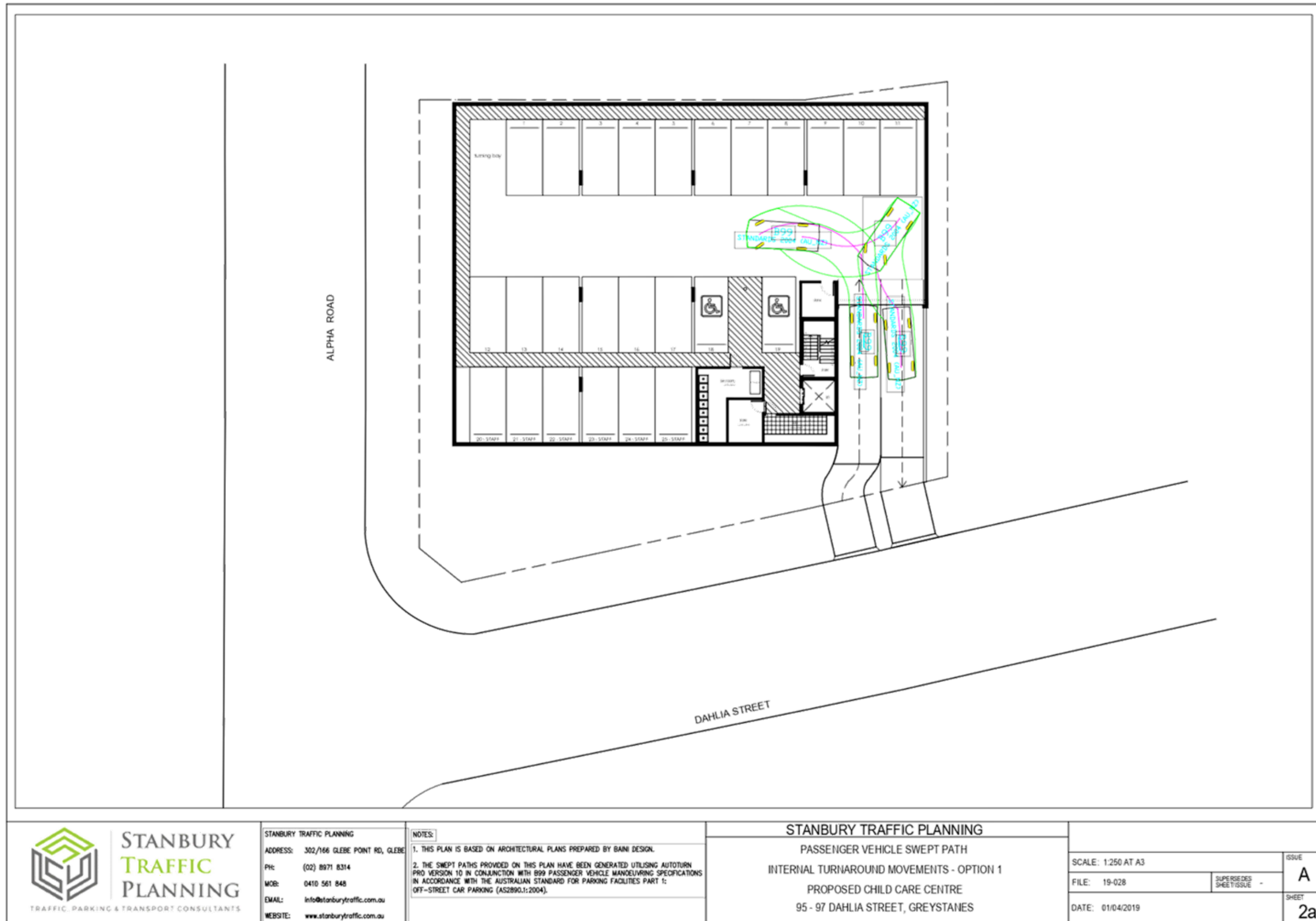


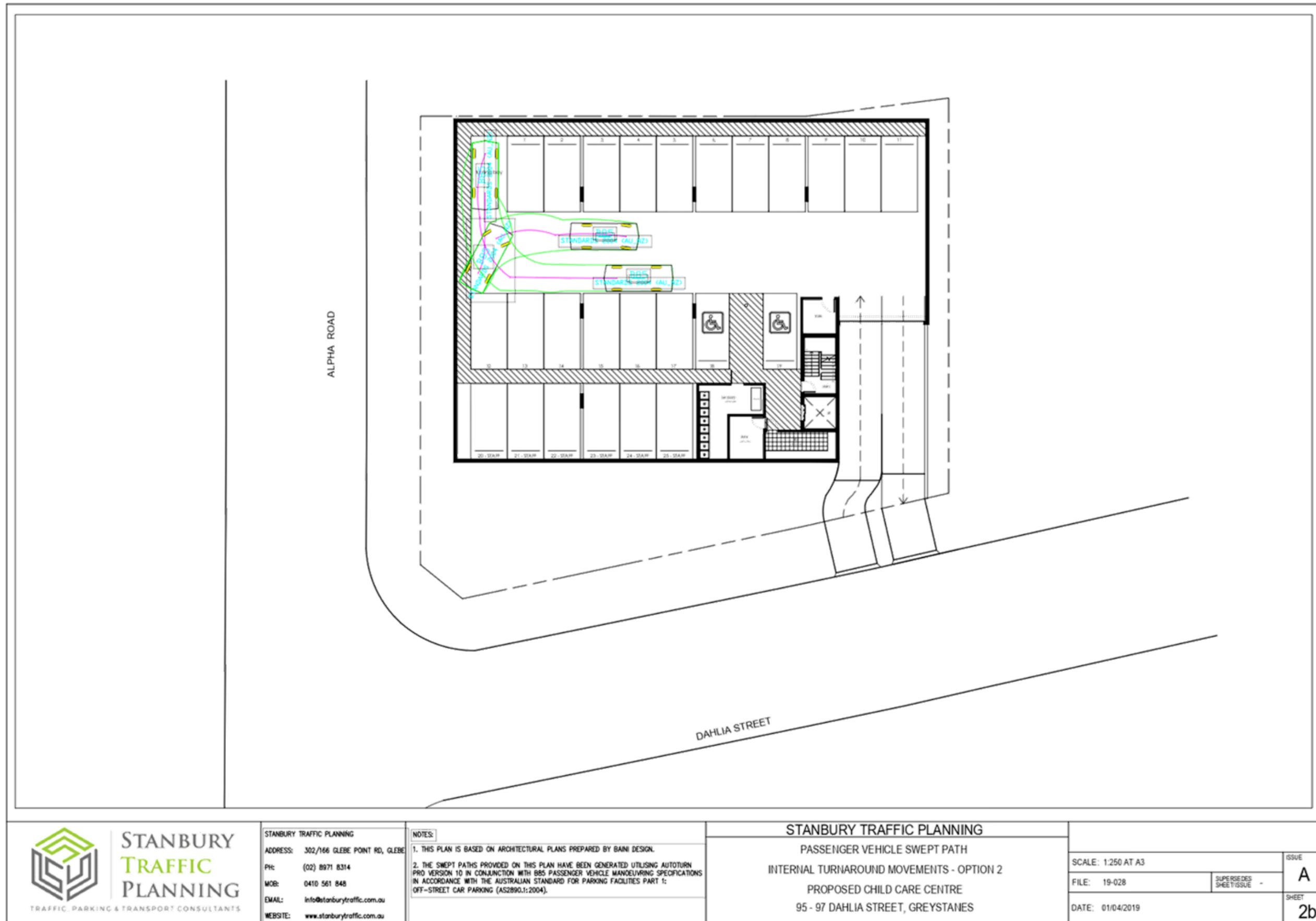


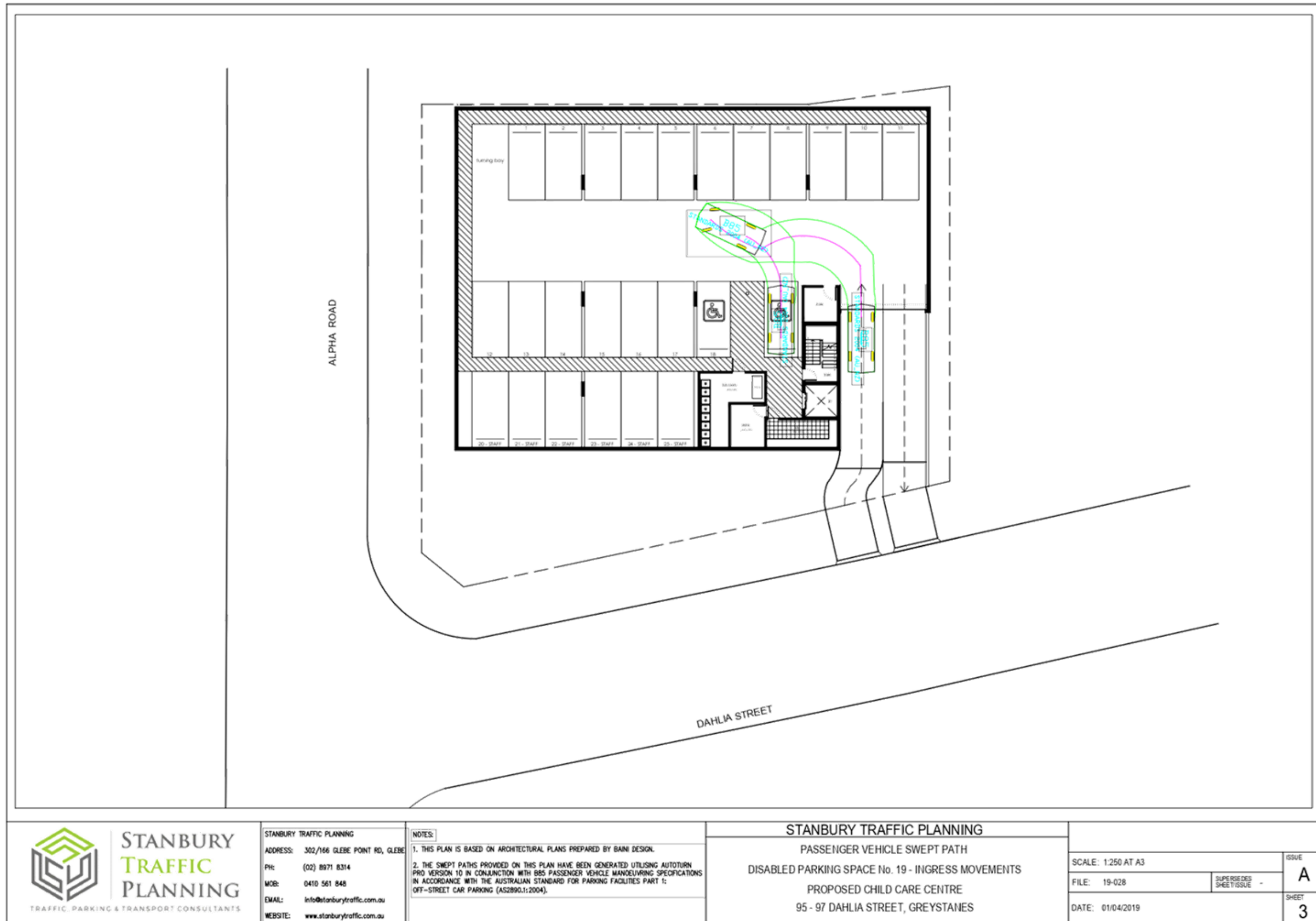


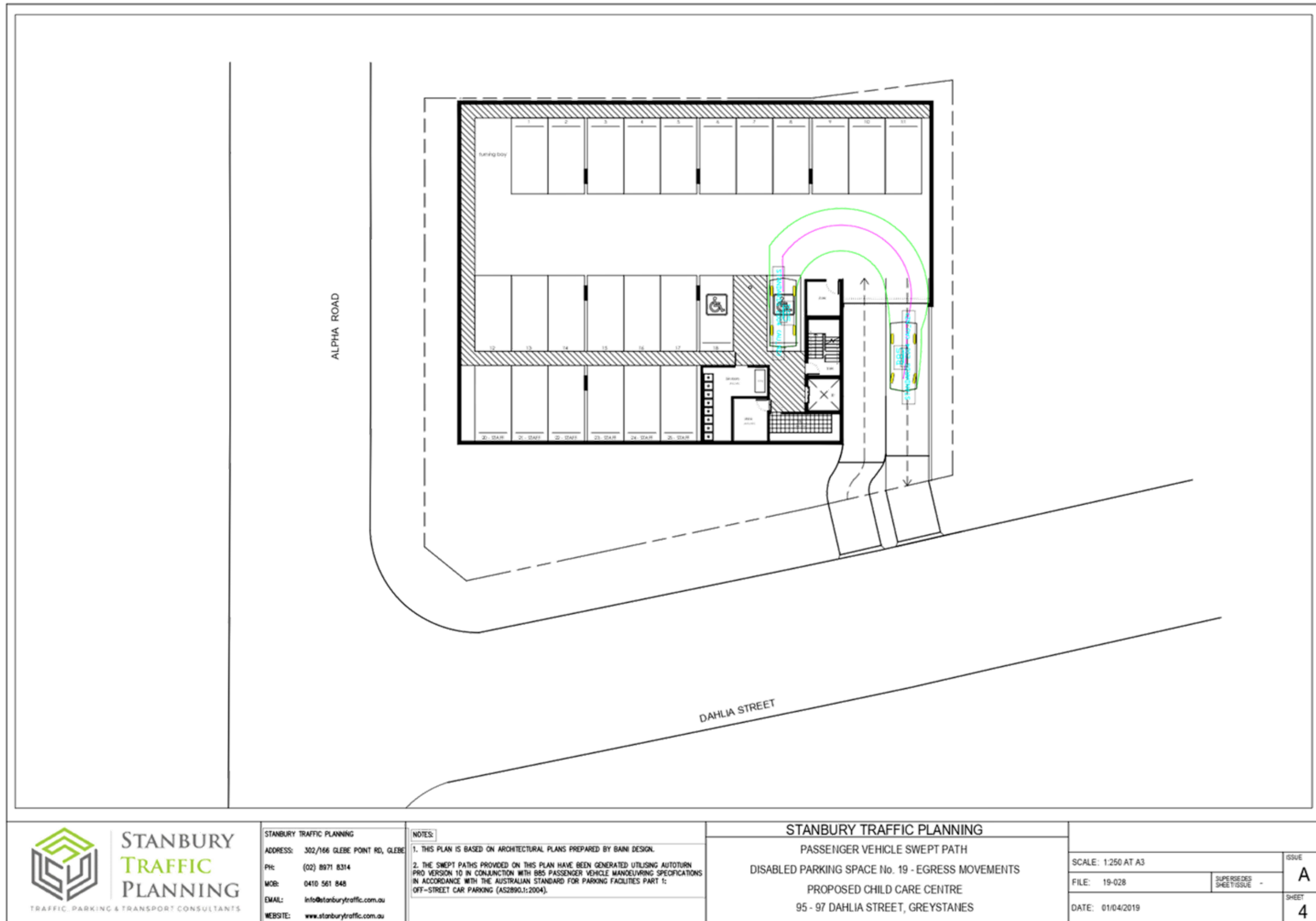
APPENDIX 2

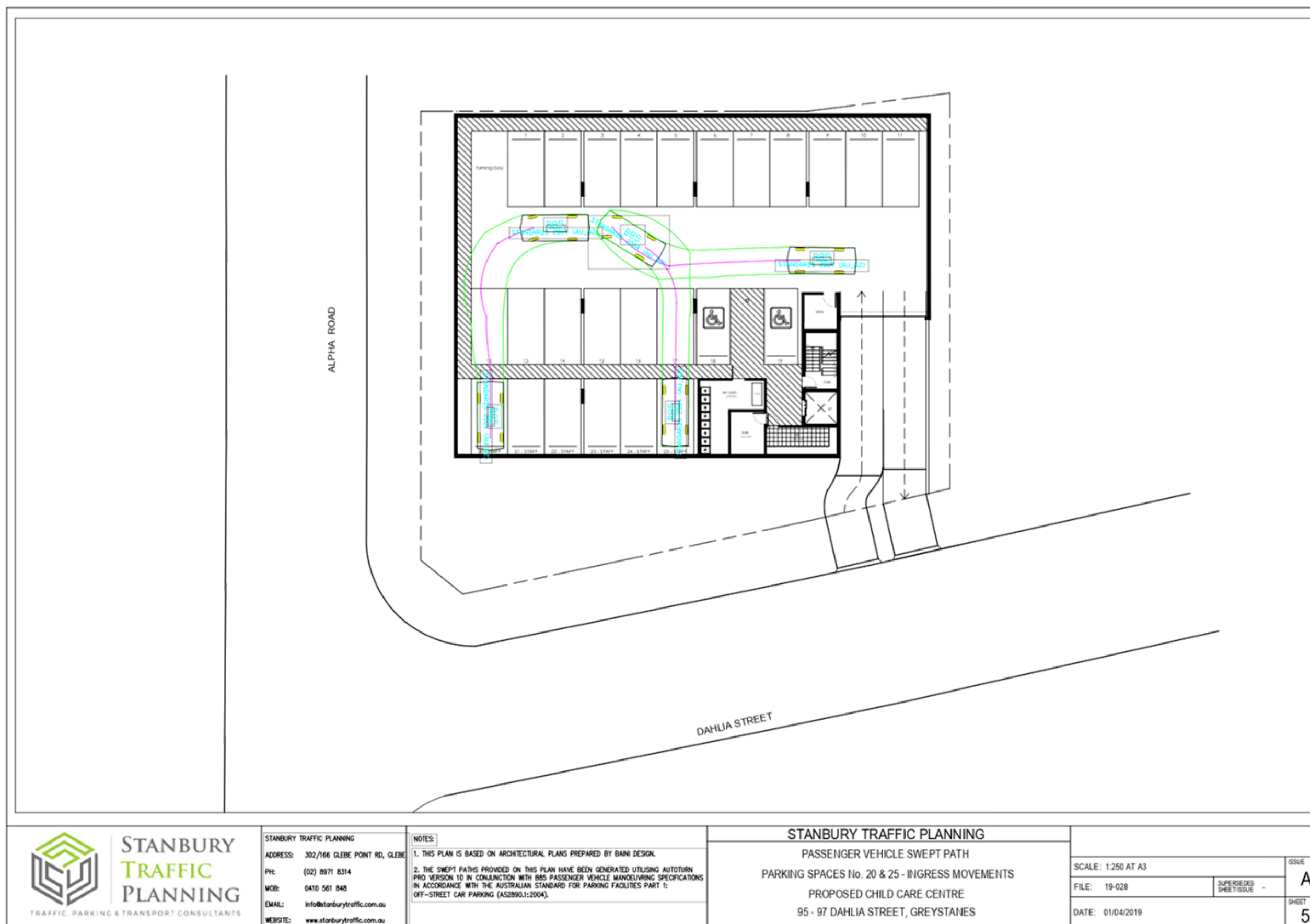




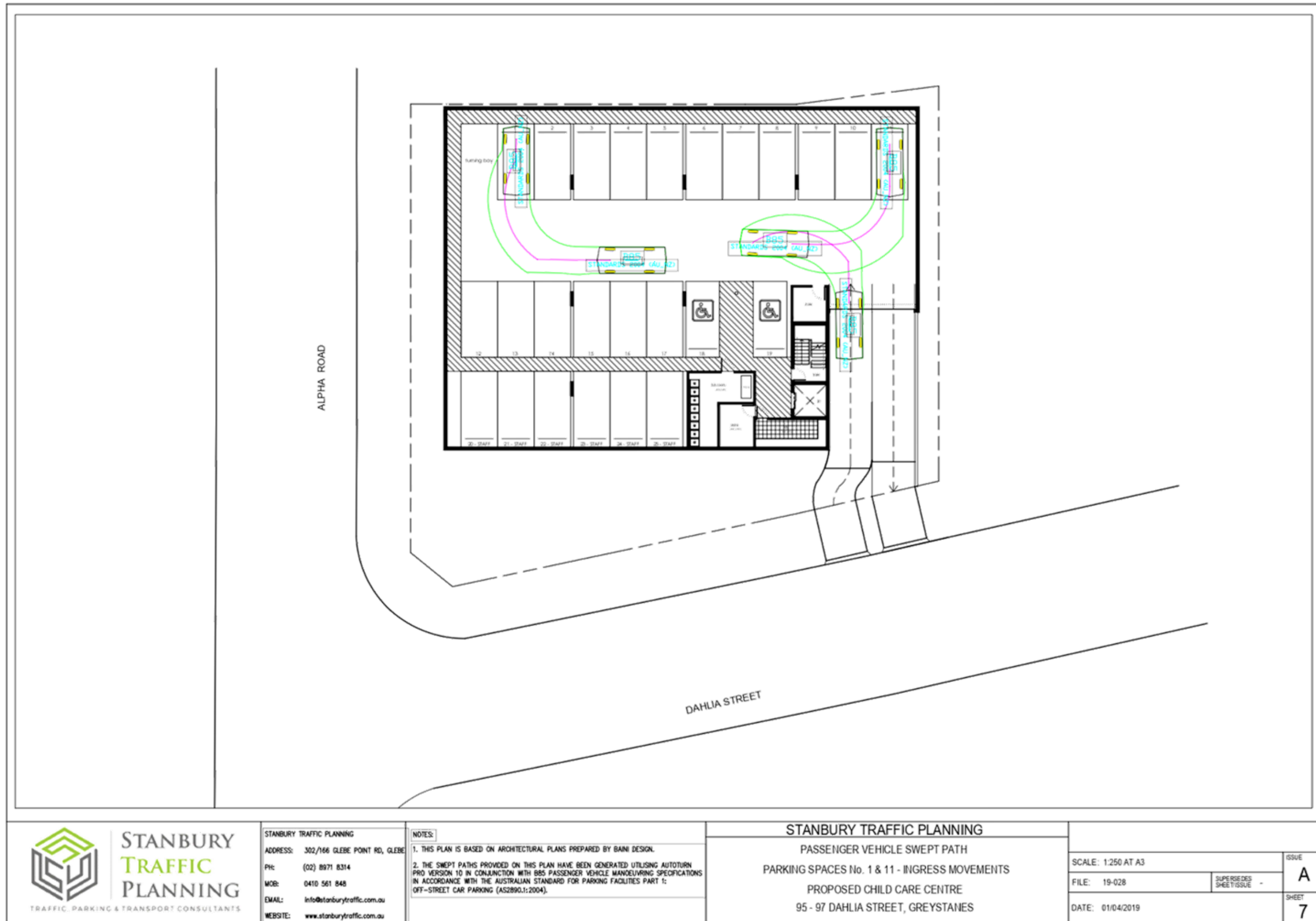


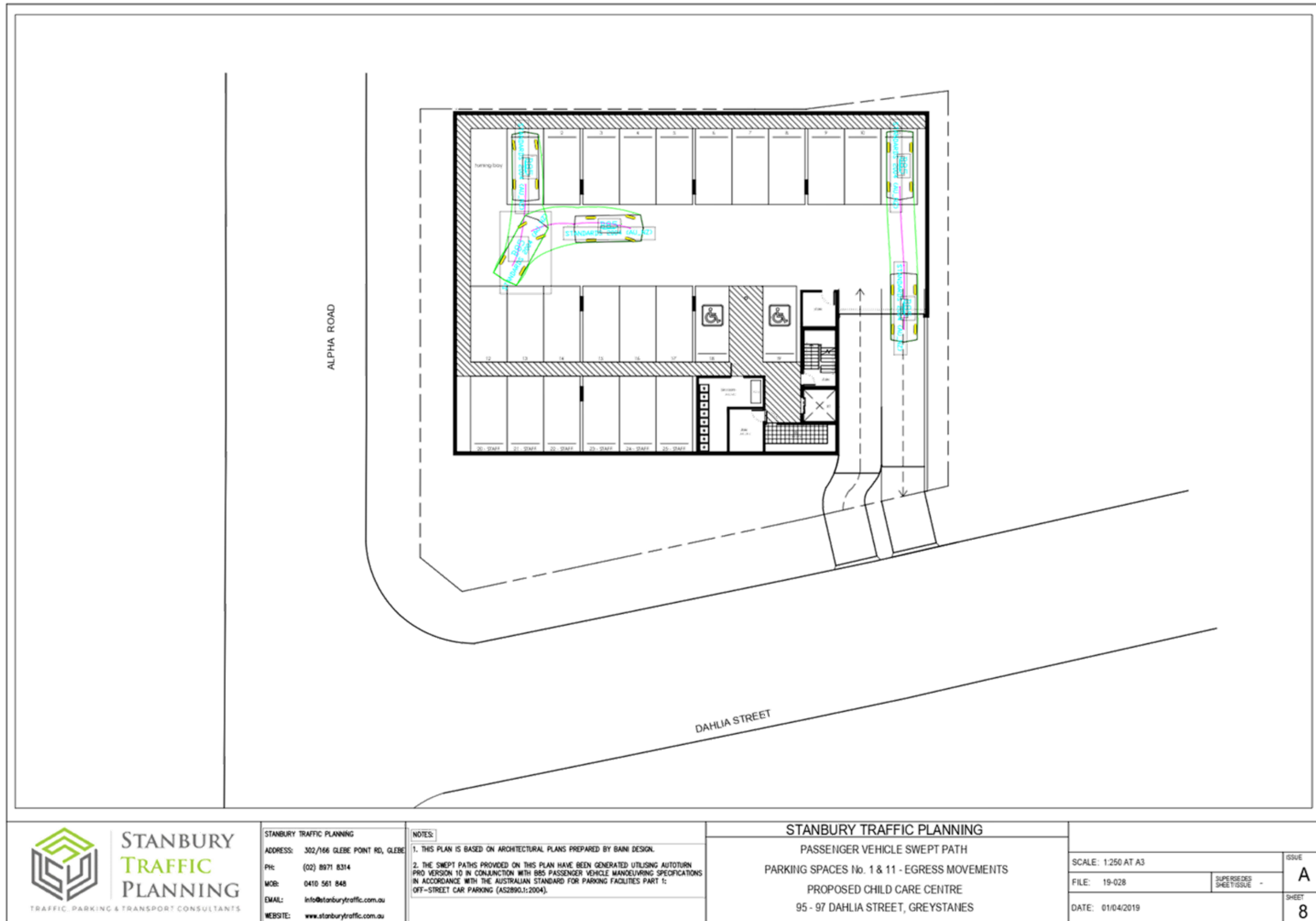


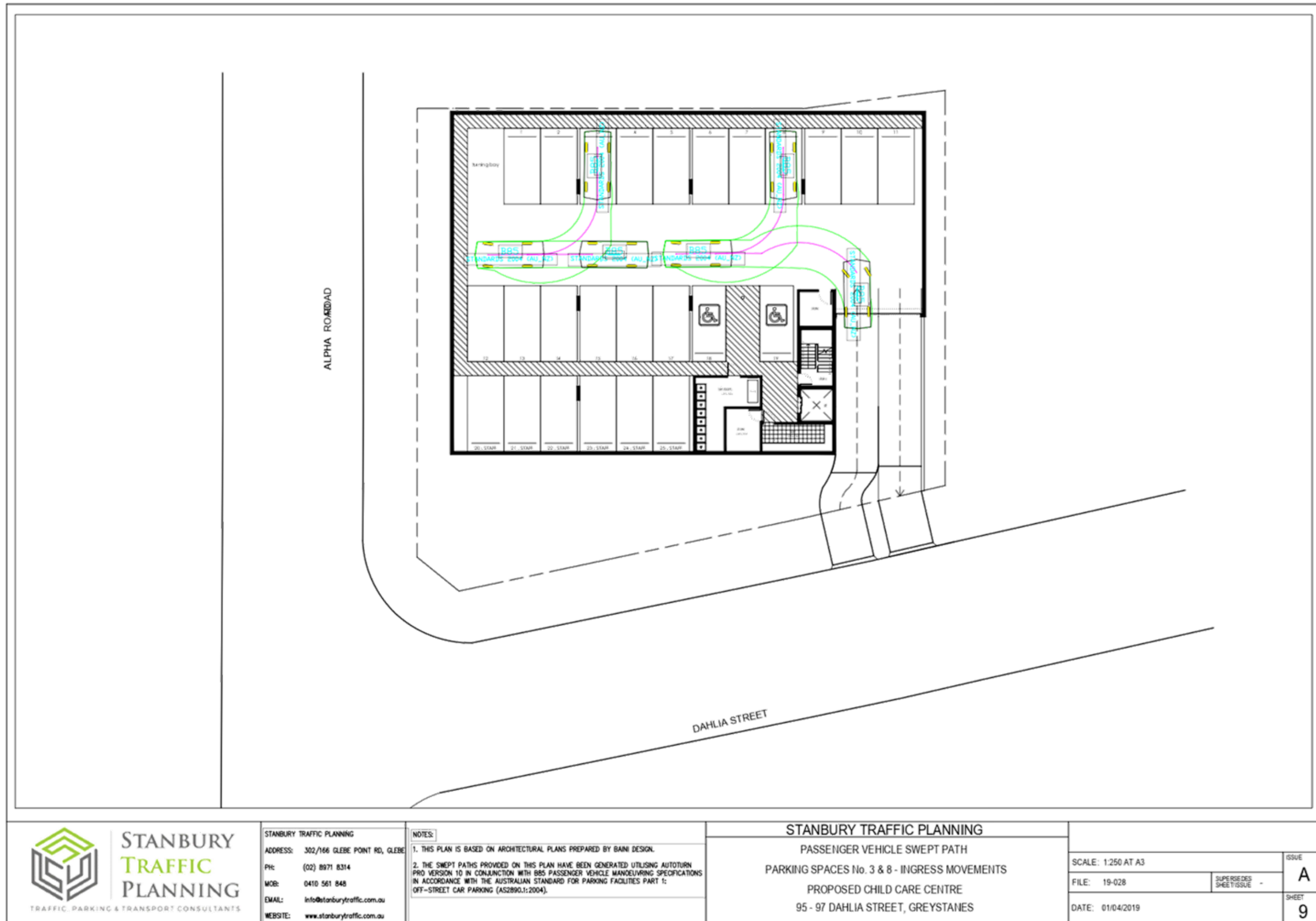


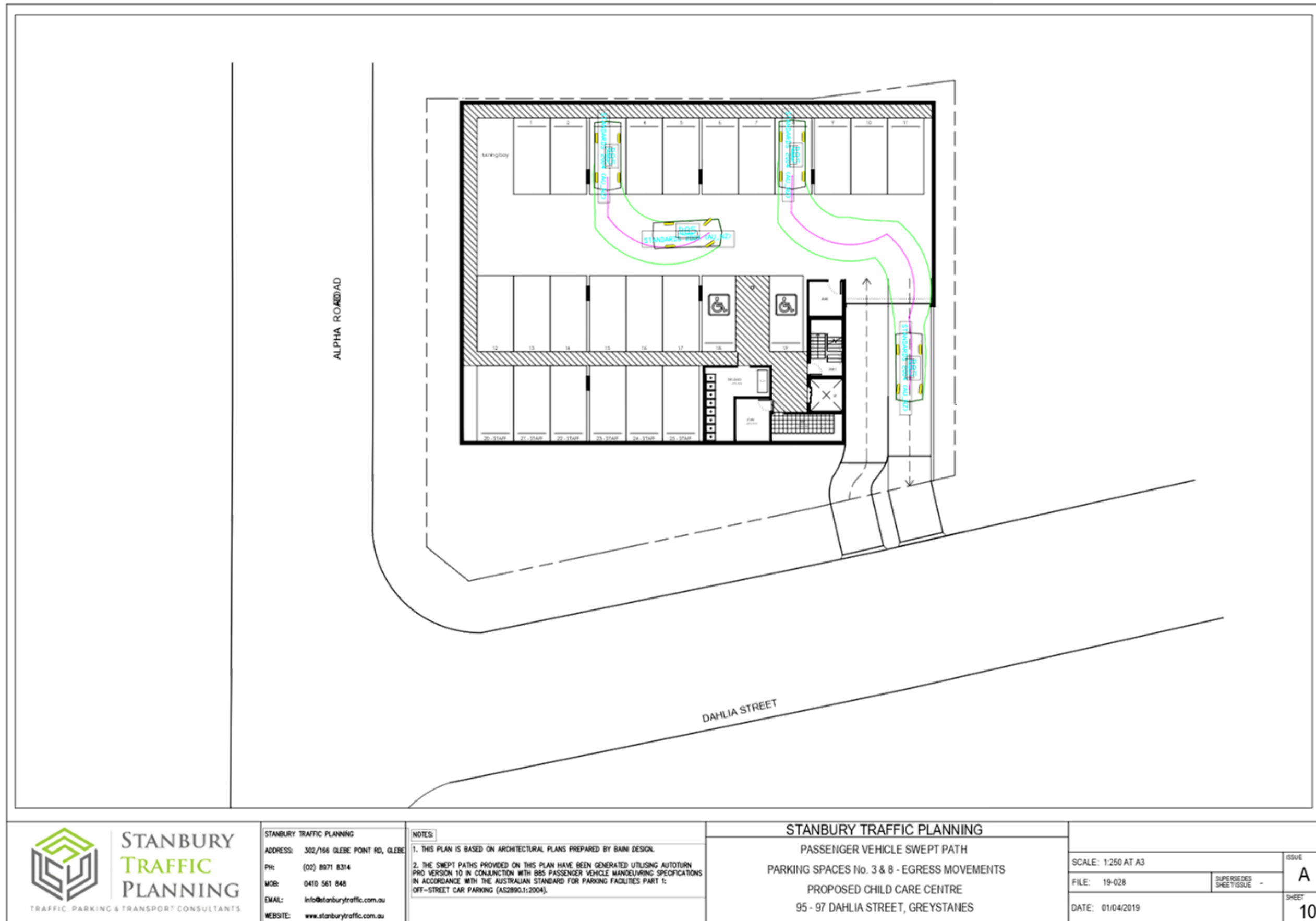












APPENDIX 3



STANBURY
TRAFFIC PLANNING

TRAFFIC, PARKING & TRANSPORT CONSULTANTS

TRAFFIC COUNTS AT:

Junction of Dahlia Street & Alpha Road, Greystanes

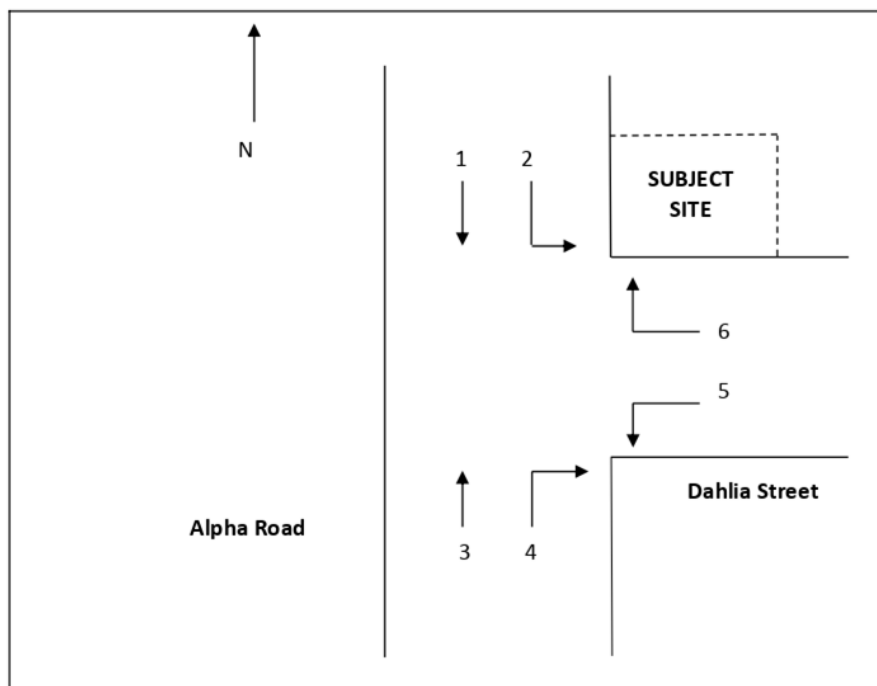
DATE:

19th of March 2019

TIME:

7:00 am – 9:00 am & 4:00pm – 6:00pm

Time	Direction of Vehicular Traffic					
	1	2	3	4	5	6
7.00 – 7.15am	1	3	2	1	4	1
7.15 – 7.30am	4	2	5	1	3	3
7.30 – 7.45am	3	3	5	2	5	4
7.45 – 8.00am	4	4	10	1	15	5
TOTAL	12	12	17	5	27	13
8.00 – 8.15am	2	5	14	5	5	4
8.15 – 8.30am	3	4	8	3	6	11
8.30 – 8.45am	3	3	17	5	7	7
8.45 – 9.00am	2	6	4	8	13	6
TOTAL	10	18	43	21	31	28
4.00 – 4.15pm	2	4	1	8	2	1
4.15 – 4.30pm	8	8	5	8	7	2
4.30 – 4.45pm	7	9	10	12	3	3
4.45 – 5.00pm	10	14	11	14	10	7
TOTAL	17	35	27	42	22	12
5.00 – 5.15pm	9	6	10	10	4	5
5.15 – 5.30pm	10	11	10	12	5	6
5.30 – 5.45pm	9	11	10	12	6	7
5.45 – 6.00pm	7	10	9	11	6	7
TOTAL	35	38	39	45	21	25



APPENDIX 4

MOVEMENT SUMMARY

▽ Site: [Alpha Road & Dahlia Street]

Existing AM

Site Category: (None)

Giveway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
South: Alpha Road South												
2	T1	43	5.0	0.035	0.0	LOS A	0.1	0.8	0.06	0.19	0.06	58.0
3	R2	21	5.0	0.035	5.6	LOS A	0.1	0.8	0.06	0.19	0.06	55.7
Approach		64	5.0	0.035	1.9	NA	0.1	0.8	0.06	0.19	0.06	57.2
East: Dahlia Street												
4	L2	31	5.0	0.044	5.6	LOS A	0.2	1.1	0.04	0.57	0.04	53.3
6	R2	28	5.0	0.044	5.8	LOS A	0.2	1.1	0.04	0.57	0.04	52.8
Approach		59	5.0	0.044	5.7	LOS A	0.2	1.1	0.04	0.57	0.04	53.0
North: Alpha Road North												
7	L2	18	5.0	0.015	5.6	LOS A	0.0	0.0	0.00	0.38	0.00	55.0
8	T1	10	5.0	0.015	0.0	LOS A	0.0	0.0	0.00	0.38	0.00	56.7
Approach		28	5.0	0.015	3.6	NA	0.0	0.0	0.00	0.38	0.00	55.6
All Vehicles		151	5.0	0.044	3.7	NA	0.2	1.1	0.04	0.38	0.04	55.2

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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MOVEMENT SUMMARY

▽ Site: [Alpha Road & Dahlia Street]

Existing PM

Site Category: (None)

Giveway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
South: Alpha Road South												
2	T1	39	5.0	0.049	0.2	LOS A	0.2	1.5	0.16	0.31	0.16	56.7
3	R2	45	5.0	0.049	5.7	LOS A	0.2	1.5	0.16	0.31	0.16	54.4
Approach		84	5.0	0.049	3.2	NA	0.2	1.5	0.16	0.31	0.16	55.5
East: Dahlia Street												
4	L2	21	5.0	0.036	5.7	LOS A	0.1	0.9	0.11	0.57	0.11	53.1
6	R2	25	5.0	0.036	6.0	LOS A	0.1	0.9	0.11	0.57	0.11	52.6
Approach		46	5.0	0.036	5.9	LOS A	0.1	0.9	0.11	0.57	0.11	52.8
North: Alpha Road North												
7	L2	38	5.0	0.040	5.6	LOS A	0.0	0.0	0.00	0.31	0.00	55.6
8	T1	35	5.0	0.040	0.0	LOS A	0.0	0.0	0.00	0.31	0.00	57.3
Approach		73	5.0	0.040	2.9	NA	0.0	0.0	0.00	0.31	0.00	56.4
All Vehicles		203	5.0	0.049	3.7	NA	0.2	1.5	0.09	0.36	0.09	55.1

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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DOCUMENTS
ASSOCIATED WITH
REPORT LPP046/20

Attachment 8

Appendix A - SEPP (Edu & Child
Care) 2017

APPENDIX A

State Environmental Planning Policy (Educational Establishments & Child Care Facilities) 2017

The subject Development Application falls under Part 3 of the SEPP, entitled *Early education and care facilities—specific development controls*. An assessment against the relevant clauses of the SEPP is provided in the table below:

Part 3 Early education and care facilities—specific development controls

Standard	Required/Permitted	Provided	Compliance
Notes	<p>Note 1. A service approval is required to operate an early education and care facility that is an education and care service to which the Children (Education and Care Services) National Law (NSW) applies or a State regulated education and care service to which the Children (Education and Care Services) Supplementary Provisions Act 2011 applies. Approved services are subject to various operational requirements under that legislation, including requirements for the physical environment of the approved service.</p> <p>Note 2. Complying development controls specifically for school-based child care are provided for in clause 40.</p>	A service approval from the NSW Dept. of Education (DEC) is required to be obtained by the operator. To be conditioned.	Conditioned in draft development consent
22 Centre-based child care facility—concurrence of Regulatory Authority required for certain development	<p>(1) This clause applies to development for the purpose of a centre-based child care facility if:</p> <p>(a) the floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the Education and Care Services National Regulations, or</p> <p>(b) the outdoor space requirements for the building or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those Regulations.</p> <p>(2) The consent authority must not grant development consent to development to which this clause applies except with the concurrence of the Regulatory Authority.</p>	<p>The proposed development complies with Clause 107 of the National Regulations.</p> <p>The proposed development complies with Clause 108 of the National Regulations subject to conditions</p> <p>Noted</p>	<p>Yes</p> <p>Yes – subject to conditions to reduce number of children to 66.</p> <p>Noted</p>
23 Centre-based child care facility—matters for consideration by consent authorities	Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the <i>Child Care Planning Guideline</i> , in relation to the proposed development.	Refer to assessment contained at Appendix D.	Refer to Appendix D

<p>25 Centre-based child care facility—non-discretionary development standards</p>	<p>(1) The object of this clause is to identify development standards for particular matters relating to a centre-based child care facility that, if complied with, prevent the consent authority from requiring more onerous standards for those matters.</p> <p>(2) The following are non-discretionary development standards for the purposes of section 4.15(2) and (3) of the Act in relation to the carrying out of development for the purposes of a centre-based child care facility:</p> <p>(a) location—the development may be located at any distance from an existing or proposed early education and care facility,</p> <p>(b) indoor or outdoor space</p> <p>(i) for development to which regulation 107 (indoor unencumbered space requirements) or 108 (outdoor unencumbered space requirements) of the Education and Care Services National Regulations applies—the unencumbered area of indoor space and the unencumbered area of outdoor space for the development complies with the requirements of those regulations, or</p> <p>(ii) for development to which clause 28 (unencumbered indoor space and useable outdoor play space) of the Children (Education and Care Services) Supplementary Provisions Regulation 2012 applies—the development complies with the indoor space requirements or the useable outdoor play space requirements in that clause,</p> <p>(c) site area and site dimensions—the development may be located on a site of any size and have any length of street frontage or any allotment depth,</p> <p>(d) colour of building materials or shade structures—the development may be of any colour or colour scheme unless it is a State or local heritage item or in a heritage conservation area.</p>	<p>Noted</p> <p>The proposed development complies with Clause 107 of the National Regulations.</p> <p>The proposed development complies with Clause 108 of the National Regulations subject to conditions</p> <p>The proposed development complies with Clause 28(2) of the Supplementary Provisions Regulation.</p> <p>The proposed development complies with Clause 28(4) of the Supplementary Provisions Regulation.</p> <p>Noted</p> <p>Noted</p>	<p>Noted</p> <p>Yes</p> <p>Yes – subject to conditions to reduce number of children to 66.</p> <p>Yes</p> <p>Yes</p> <p>Noted</p> <p>Noted</p>
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	<p>(3) To remove doubt, this clause does not prevent a consent authority from:</p> <p>(a) refusing a development application in relation to a matter not specified in subclause (2), or</p> <p>(b) granting development consent even though any standard specified in subclause (2) is not complied with.</p>	Noted	Noted
26 Centre-based child care facility— development control plans	<p>(1) A provision of a development control plan that specifies a requirement, standard or control in relation to any of the following matters (including by reference to ages, age ratios, groupings, numbers or the like, of children) does not apply to development for the purpose of a centre-based child care facility:</p> <p>(a) operational or management plans or arrangements (including hours of operation),</p> <p>(b) demonstrated need or demand for child care services,</p> <p>(c) proximity of facility to other early education and care facilities,</p> <p>(d) any matter relating to development for the purpose of a centre-based child care facility contained in:</p> <p>(i) the design principles set out in Part 2 of the <i>Child Care Planning Guideline</i>, or</p> <p>(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).</p> <p>(2) This clause applies regardless of when the development control plan was made.</p>	Noted	Noted

Consideration of the relevant requirements of the Child Care Planning Guideline is provided at Appendix D to this report.

DOCUMENTS
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Attachment 9

Appendix B - Holroyd Local
Environmental Plan 2013

APPENDIX B

Holroyd Local Environmental Plan 2013

The proposed development is defined as a 'centre based child care facility' under the provisions of Holroyd LEP 2013. Child care facilities are a permissible land use with consent under the R2 – Low Density Residential zoning applying to the land under Holroyd LEP 2013.

A summary of the relevant provisions applicable to the Application is provided in the following table.

Clause	Standard	Comment	Comply?		
			Yes	No	N/A
Part 2 Permitted or prohibited development					
	Zone R2 - Low Density Residential Objectives of zone <ul style="list-style-type: none">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 allow residents to carry out a range of activities from their homes while maintaining neighbourhood amenity.	The proposed child care centre is considered to be consistent with the objectives of the zone as it provides a service that meets the day to day needs of residents.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Permissible Uses/Development	A childcare centre is a permissible form of development within the R2 – Low Density Residential Zone and requires the consent of Council.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.7	Demolition requires consent	Demolition is sought as part of this application.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Part 4 Principal development standards					
4.3	Height of Buildings 9 metres	The overall height of the existing building is 8.4m, as measured from natural ground level.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.4	Floor Space Ratio 0.5:1	Site Area: 1,157.2m ² Maximum FSR: 0.5:1 Maximum GFA: 578.6m ² Provided: 449.85m² (0.39:1)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.6	Exceptions to development standards	N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Part 5 Miscellaneous provisions					
5.9	Repealed				
5.10	Heritage conservation	The subject site does not contain a heritage item and is not located within a heritage conservation area. Whilst not considered to be within the immediate vicinity of the subject site, it is noted that there is a heritage item of local significance located	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Clause	Standard	Comment	Comply?		
			Yes	No	N/A
		approximately 130m north of the subject site, being 'Boothtown Aqueduct' (Item No. 152 of HLEP 2013). The proposed development is not expected to impact upon the heritage item.			
Part 6 Additional local provisions					
6.1	Acid Sulfate Soils	The site is not affected by potential acid sulfate soils.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.2	Earthworks	Approximately 2.2m of excavation is required to accommodate the basement car parking level. The proposed excavation works is considered satisfactory.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.3	Essential services	Standard conditions shall be imposed with regard to the servicing of the site for the proposal.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.4/6.7	Flood planning and Stormwater Management	The site is identified as a flood affected site and includes 1% AEP overland flow. The development application was reviewed by Council's Development Engineer who raised concerns with the proposal, including flooding issues, however it is advised that these issues can be addressed through the imposition of conditions of consent, including deferred commencement conditions requiring the submission of a revised flood study report, amended architectural plans, and the provision of boundary fencing in accordance with Council drawing SD8025.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.5	Terrestrial Biodiversity	The site is not identified as being affected by biodiversity.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.7	Riparian land and watercourses	N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.8	Salinity	The site is located on lands identified as being affected by moderate salinity potential. Standard conditions have been included within the Draft Notice of Determination.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DOCUMENTS
ASSOCIATED WITH
REPORT LPP046/20

Attachment 10

Appendix C - Holroyd
Development Control Plan 2013

APPENDIX C

Holroyd Development Control Plan 2013

The relevant objectives and provisions of Holroyd Development Control Plan 2013 have been considered in the following assessment table:

No.	Clause	Comment	Yes	No	N/A
PART A – GENERAL CONTROLS					
2	Roads and Access				
2.4	Access: Vehicular Crossings, Splay Corners, Kerb & Guttering				
	Vehicular Crossing (VC) to be reconstructed if in poor condition, damaged or design doesn't comply.	All existing VCs to be demolished and 2 separated VCs with maximum 1.2m width median are proposed to be constructed. Council's Development Engineer has reviewed this arrangement with no objections subject to conditions of consent including amended gradient of driveway.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Avoid services/facilities in road reserve, existing trees, pedestrian crossing, pram ramps etc.	There are no services that would be affected by the proposed driveway.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	For corner allotments, vehicular crossings must be no closer than 6 metres from the tangent point of the kerb at the intersection	Driveway is located approx. 26m from tangent point.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Corner sites require 3m x 3m (residential) and 4m x 4m (commercial) splay corner to be dedicated.	Existing 3.84m splay corner.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.7	Road Widening	Not Applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	Car Parking				
3.1	Minimum Parking Spaces				
	1 car space per 4 children 1 car space per 2 employees for R2 Zone <u>With the reduction of children to 66:</u> No of children – $66/4 = 16.5$ (17) Number of staff: $12/2 = 6$ Total Required: 23 spaces	25 car parking spaces provided within basement level with the following ratio: Staff = 6 spaces (Tandem) Visitor = 19 spaces including 2 accessible spaces Conditions are to be imposed to ensure that there are a minimum of 19 non-tandem car parking spaces allocated as visitor car parking spaces.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.3	Car Parking, Dimensions & Gradient				
	- Min. clear length 5.5m (5.4m AS2890.1-2004). - Min. clear width 2.4m for open space; 3m for between walls. - Min. clearance height 2.3m.	The application was referred to Council's Development Engineer, who raised no objections subject to deferred commencement conditions requiring the aisle width to be increased and amendments to the driveway gradient.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
3.5	Access, Maneuvering and Layout				
	Driveways shall be setback a minimum of 1.5m from the side boundary.	1.5m setback to eastern boundary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.6	Parking for the Disabled				
	2 spaces per 100 spaces up to 400, and 1 per 100 thereafter, or part thereof.	2 accessible spaces provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Tree and Landscape Works	Council's Tree Management Officer has assessed the submitted plans and documentation and advised the proposal is acceptable, subject to conditions relating to the removal of one large tree within the front setback of the site.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	Biodiversity	The land is not environmentally sensitive land and is not zoned E2 Environmental Conservation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.1	Retaining Walls	Proposed retaining walls are contained wholly within the site. The retaining walls proposed along the northern and eastern boundaries are a max. height of 1.2m. The retaining wall proposed within the western outdoor play area is a maximum height of 1.15m. Standard condition of consent to be imposed regarding engineering detail to be provided at CC stage related to retaining walls.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.3	Erosion and Sediment Control Plan	The applicant has submitted an erosion and sediment control plan which is satisfactory.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Stormwater Management	The application was referred to Council's Development Engineer, who raised no objection, subject to conditions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8	Flood Prone Land	The site is identified as a flood control lot and is affected by 1% AEP overland flood predominantly within the north eastern corner of the site and a childcare centre is listed as a sensitive use under HDCP2013. Council's Development Engineer has reviewed the proposal and recommended a number of conditions including deferred commencement conditions, which include but are not limited to, requirements for no fill within the overland flowpath, fencing to be 'open style' at the base in accordance with Council Drawing SD8025, minimum finished floor levels, and submission of a revised flood study report.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
		It is noted that a section of the play area is located within the overland flow path being within the north eastern corner of the site. The application includes a plan of management, flood study report and an evacuation plan which are considered acceptable subject to conditions. Council's Development Engineer has advised that the proposal is acceptable subject to conditions including a minimum finished floor level for the child care centre.			
9	Managing External Road Noise and Vibration	The site is not affected by road or rail noise.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10	Safety and Security	The design is considered to be satisfactory from a safety and security perspective. A satisfactory level of passive surveillance to Alpha Road and Dahlia Street is provided. The proposed treatment of the front setback areas including first floor balcony fronting Dahlia Street allows visibility whilst front landscaping provides an appropriate demarcation of public and private space.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	Waste Management	Waste Management Plan submitted and considered satisfactory. The development proposes a private collection. The application was referred to Council's Waste Management Section and no objection was raised to the proposed waste management arrangements subject to conditions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PART B – RESIDENTIAL CONTROLS					
1	GENERAL RESIDENTIAL CONTROLS				
1.1	Building Materials	A variety of construction materials proposed as well as finishing materials and colours provides a variety of finishes for the building. The proposed childcare facility should add visual interest to the street and locality.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.2	Fences	A front fence is not proposed. A 1.8m high with cantilever acoustic barrier is proposed to be erected in accordance with the recommendations of the acoustic report on site, along the side and rear boundaries around the outdoor play area. The remaining side fencing on the boundary is to be conditioned to be 1.8m high. Conditions of consent are imposed	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
		<p>requiring that the acoustic fencing shall be a maximum height of 2.1m with 45° awning measured from the FFL of the outdoor play area, and a maximum height of 2.4m boundary fencing measured from the FFL of the outdoor play area where located above a retaining wall.</p> <p>As the site is flood affected, all fencing is to be in accordance with Council drawing SD8025 which requires 'open pool style' fencing to a height of 300mm in order to not obstruct the overland flowpath.</p>			
1.3	Views	The proposed development does not impede existing views currently enjoyed by neighbouring properties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.4	Visual Privacy	<p>Deferred commencement conditions are imposed for the development to demonstrate compliance with HDCP2013 cut and fill requirements, including no fill to be proposed within the north-eastern corner of the site obstructing the overland flowpath.</p> <p>The proposal is setback approx. 8.51m from the rear (northern) boundary which does not raise privacy issues from ground floor. However, two (2) first floor meeting room windows along the northern elevation are conditioned to contain 1.5m sill height to maintain visual privacy to private open space areas on adjoining sites.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.5	Landscaped Area Min. 25% = 289.3m ²	<p>Area of 19.22% (222.44m²) is provided with min. 2m dimension.</p> <p>Landscaped area with dimension of less than 2m equates to 64.51m².</p> <p>Total landscaped area provided on site is 286.95m², or 24.8%.</p> <p>This represents a minor non-compliance of 2.35m², or 0.2%.</p> <p>Variation to the required landscaped area and minimum dimensions is deemed acceptable as the proposed acoustic barrier is located off the western side boundary reducing the required 2m dimensions for landscaping and contains retaining walls, and various decked areas.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Only hard paved areas for driveways/pathways to be in front setback area. Not to cover	Only the proposed driveways, pedestrian entry path and eastern side access path are hardstand.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
	entire area.				
1.6	Safety & Security	Safety and security has been maintained to an acceptable level, as identified above in Part A, Section 10.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.8	Sunlight Access	<p>The site comprises of a south facing (Dahlia Street) frontage, and a north facing rear orientation.</p> <p>Adequate solar access is provided to the child care centre and surrounding dwellings.</p> <p>The shadow diagrams indicate that the adjoining dwellings would not be unreasonably affected.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.9	Cut and Fill	<p>Currently approx.1.15m of fill and approx. 1.17m of cut is proposed to accommodate the building envelope and play spaces of the child care centre.</p> <p>Approximately 2.2m excavation is required for the basement car park.</p> <p>The proposed cut and fill does not result in adverse privacy impacts on neighbouring properties or an excessive bulky built form, and as such considered acceptable.</p> <p>Council's Development Engineer has reviewed the proposal and advised that no fill is to be proposed within the overland flow path of the site which is located near the north-eastern corner of the site.</p> <p>The proposed cut and fill will be made acceptable subject to the imposition of conditions requiring no fill within the overland flow path area.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1.11	Vehicular Access and Driveways	<p>Separate vehicular entry and exit proposed with maximum 1.2m median width.</p> <p>Refer to comments by Council's Development Engineering and Traffic Section – satisfactory subject to conditions.</p> <p>2 VCs in total proposed.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Basement Parking	Whilst basement parking shall not be located outside the building footprint for single dwellings and dual occupancies, this provision does not apply to child care centres.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
5.2	Setbacks <ul style="list-style-type: none"> - Principal Street: 6m - Secondary Street: 4m Single storey - Side: 0.9m - Rear: 3m - Second storey: 4m 	6m setback provided to the building line from Dahlia Street 9.695m from secondary street frontage being Alpha Road. Side ground floor: Min. 0.9m (east) Side first floor: Min. 3.4m (east) Rear ground and first floor: 8.510m (north)	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
5.3	Building Height Max. 2 storey and 9m; if single storey max. 7m (this also applies to attics) Min. 2.4m floor to ceiling height	8.4m max. building height. Min. 2.7m floor to ceiling height.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.4	Building Appearance Design: Have regard to the size/shape/orientation of lot; style not to be in strong visual contrast to locality Bulk and scale: Max. 10m blank wall on first floor side; min. 1m wide indent. Front Facade: <ul style="list-style-type: none"> Front door and a window of a habitable room on the ground floor to face Principal Street. Corner lot: Address Secondary Street with windows, architectural features, surveillance	The appearance of the building as viewed from the street is acceptable. The proposal is considered to be compatible with a number of newer-style residential developments in the locality. In addition, it is important to note that the proposed development is commercial in nature, and in this regard, the architecture is considered to demonstrate this function. Satisfactory presentation, the front door faces the principal street. Yes, Alpha Road architectural features acceptable including windows from the meeting and office room.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Part E – Public Participation					
	Notification Requirements	The application was publicly notified to occupants and owners of the adjoining properties, online on Council's website and a site notice for a period of 14 days between 13 May 2020 and 27 May 2020. The application was renotified to occupants and owners of the adjoining properties for a second period of 14 days between 1 June 2020 to 15 June 2020 as Council received notice that notification letters were not received in an appropriate timeframe and that the notification sign erected for the first notification period was not erected adequately. In response, Council received a total of 55 submissions.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
		including during both notification periods. The grounds of objections raised in the submissions have been addressed elsewhere in this report and are not considered sufficient to warrant refusal of the DA.			
PART I – CHILDCARE CENTRES					
SIZE, DENSITY AND LOCATION					
No.	Clause	Comment	Yes	No	N/A
1	SIZE AND DENSITY				
	Any proposed Child Care Centres in R2 zones should be limited in size to accommodate not more than forty-five (45) children. Development in residential zones shall have an appropriate size, scale, bulk, etc sympathetic to the surrounding residential development. The general design requirements for Child Care Centres located within R2 and R3 zones, should comply with the standards outlined in Part B of this DCP relating to one and two storey residential development. Note: If the proposed child care centre has a common boundary with an existing child care centre, the applicant must demonstrate that the new centre is not an addition to the existing centre by way of illustrating that the centre cannot be combined at a later stage. If the proposed child care centre is to be located in a building consisting of more than one level, the child care centre component must be located on the ground floor of the buildings with office and storage space permitted on the upper level. The minimum site frontage for a child care centre is 20 metres.	The subject site is zoned R2 – Low Density Residential under HLEP2013. The development application proposes 71 children. It is recommended that the number of children be reduced to 66 to comply with outdoor space requirements as per clause 108 of the Education and Care Services National Regulations. The provision of 66 children is deemed acceptable as the child care centre is provided over 2 allotments, and is of an appropriate bulk and scale which is sympathetic to the surrounding residential area. In addition, the child care centre provides adequate indoor and outdoor play space for 66 children, and has been designed to mitigate adverse impacts on neighbouring properties with respect to noise and traffic via the provision of acoustic walls and compliant on-site car parking spaces provided within the basement level. The first floor will be used for kitchen and for staff facilities. The laundry for the childcare centre is proposed within the basement level. The site has a total frontage of 35.41m plus 3.84m splay (Dahlia Street)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LOCATION					
	The site must not be 300m from hazardous industries, LP gas sites, mobile	The subject site is located in a low density residential area and is surrounded by single and two storey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
	<p>telephone base stations and towers, and safe from any other environmental health hazards, such as high lead levels, chemical spraying in rural areas, or proximity to cooling tower drift in high rise building areas.</p> <p>Child care centres should not be located having frontage to any road, which in the opinion of Council, is unsuitable for the establishment of a child care centre having regard to:-</p> <p>(a) prevailing traffic conditions;</p> <p>(b) pedestrian and traffic safety; and</p> <p>(c) the likely impact of development on the flow of traffic on the surrounding street system.</p> <p>In this regard child care centres should not be located having frontage to an arterial or sub-arterial road (see Appendix 1 to Part I of HDCP 2013).</p> <p>As a general guide the roads identified in Appendix 2 are also considered by Council to be generally unsuitable for the establishment of child care centres, without special consideration firstly being given to the prevailing traffic conditions. All applications are to be supported by a Traffic and Parking Report prepared by a suitably qualified person addressing the above issues to Council's satisfaction.</p>	<p>residential developments, as well as a Council reserve adjacent to the south, and a small area of neighbourhood shops to the east within a 300m radius.</p> <p>A hazardous materials report and preliminary site investigation report were submitted to Council and the application was referred to Council's Environmental Health unit who raised no issues subject to conditions.</p> <p>The proposed development has been assessed by Council's Development Engineering section for traffic matters, and is considered to be satisfactory from a locational perspective. The site does not have frontage to an arterial or sub-arterial road.</p> <p>The site / road is not listed within Appendix 1 or 2 of Part I of the HDCP 2013.</p> <p>The proposed development was accompanied by a traffic and parking study which has been reviewed and deemed acceptable by Council's Development Engineering section subject to conditions</p>			
2	VEHICULAR ACCESS AND PARKING ACCESS				
	<p>Separate entry and exit driveways shall be provided where safe and convenient on street parking is not otherwise available, to Council's satisfaction, for the setting down and picking up</p>	<p>Separate entry/exit vehicular crossings are proposed which turn into a combined driveway and the proposed development has been assessed by Council's Development Engineering Section, and is considered to be satisfactory subject</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
	<p>of children. The design of such driveways shall ensure that inbound and outbound vehicles are separated and that vehicles enter and leave the site in a forward direction.</p> <p>Applications for Child Care Centres will not be favourably considered where the site has frontage to an arterial road, sub-arterial road or where the development would be contrary to the environmental capacity of the street or contrary to the traffic movement on the surrounding street system.</p> <p>All applications are to be supported by a Traffic and Parking Report prepared by a suitably qualified person addressing the above issues to Council's satisfaction.</p>	<p>to conditions.</p> <p>As discussed above, the site does not have frontage to an arterial or sub-arterial road.</p> <p>The application is supported by a Traffic and Parking Impact Assessment, which has been assessed by Council's Development Engineering Section as satisfactory subject to conditions.</p>			
PARKING					
	<p>All staff parking shall be provided on-site in any event.</p> <p>To eliminate the possibility of frontages and access ways containing expanses of plain cement, decorative pavement treatment shall be provided to all driveways and parking areas. That is, the use of decorative paving materials such as exposed aggregate or pattern stamped and coloured concrete and paving bricks. Plain cement or coloured cement will not be accepted for driveways and parking areas for aesthetic and amenity purposes.</p>	<p>The development is compliant with regard to the minimum number of parking spaces to be provided, subject to condition regarding allocation.</p> <p>Basement car parking is provided for both staff and visitors.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ACOUSTIC AND VISUAL PRIVACY					
	<p>An acoustic assessment must be completed by a suitably qualified person.</p> <p>A Noise Management Plan shall accompany the development application. This should, as a minimum, provide details of child to staff ratios, noise control measures of children while in</p>	<p>A Noise Impact Assessment and Noise Management Plan in support of the proposal have been assessed by Council's Environmental Health Unit and are both considered satisfactory subject to conditions.</p> <p>Conditions are imposed requiring compliance with the recommendations of the Noise Impact Assessment.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
	<p>outdoor play areas and seasonal play times</p> <p>Noise abatement measures are to be undertaken to ensure that inside noise levels do not exceed 40dB(A) (Leq 24). Assessments should take background noise levels into account</p>	Visual privacy of the adjoining properties has been maintained subject to conditions for 1.5m sill height first floor rear (north) facing windows and compliance with cut and fill in accordance of HDCP2013, to reduce potential overlooking concerns between properties.			
4	INDOOR SPACES				
	<p>Where achievable, windows of indoor play areas are to be located with a northern orientation and should receive at least three hours of sunlight between the hours of 9am and 3pm on June 21.</p> <p>For locations where a northern orientation for indoor play areas is not achievable, they should be located where they will receive a minimum of 3 hours of sunlight, where possible</p>	All indoor play spaces are provided with north orientation and receive adequate access to direct sunlight.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	OUTDOOR SPACES				
	<p>a) Located away from the main entrance of the child care centre, car parking areas or vehicle circulation areas;</p> <p>b) Integrated with indoor space and provide direct and easy access between those two areas;</p> <p>c) Of a design and layout to enable clear lines of sight to all areas of the outdoor space to allow direct staff supervision from other areas of the child care centre;</p> <p>d) Located away from existing and potential noise and environmental health sources;</p>	<p>a) The outdoor play areas are located to the rear (northern) and western side boundary, away from the main entrance to the childcare centre, car parking areas and vehicle circulation areas.</p> <p>b) The indoor spaces lead onto the outdoor play to the rear (northern elevation) area which provides a transitional space between the two areas.</p> <p>c) The outdoor area is designed in a 'L' shape along the western side and northern rear boundary. The outdoor play area contains 3 large windows to allow for clear lines of sight to the western side outdoor play area. The rear northern elevation play area contains clear lines of sight to all 3 indoor play areas, this also provides for sightlines of outdoor spaces to be maintained to allow direct staff supervision.</p> <p>d) The outdoor area is located away from existing and potential noise sources as it is located along the rear and secondary street boundaries of the site.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
	<p>e) If the child care centre is located in a predominantly residential area, outdoor spaces are to be located away from the living/bedroom windows of surrounding dwellings;</p> <p>f) Inaccessible from public areas outside of the child care centre, except in the case of an emergency evacuation or centre deliveries such as sand replacement;</p> <p>g) Located away from areas where objects can be projected down onto play areas; and</p> <p>h) Adequately fenced on all sides</p> <p><u>Transitional Areas</u></p> <p>a) A transitional area between the building and the play area supporting space for both indoor and outdoor activities is to be provided. It is space additionally required for the building and the playground and may only be included as either the outdoor or indoor space requirement, not both. It may comprise of a verandah;</p> <p>b) The roof area of the transitional area must be a minimum of 4 meters in width to ensure sufficient activity zones with access space around them;</p> <p>c) The transitional area must be designed in a manner that offers protection from unfavourable weather conditions, including strong winds and rainfall;</p> <p>d) The transitional area must be designed in a manner that utilises natural temperature controlling measures, including cross ventilation.</p>	<p>e) The outdoor area is designed in a 'L' shape being located along the western / secondary street boundary, and northern rear boundary, and any potential noise impacts will be mitigated by way of recommendations made within the acoustic report and conditions of consent.</p> <p>f) The proposed outdoor areas are inaccessible from public areas outside of the child care centre. There is a gate located in the south-west corner of the site fronting Dahlia Street, and a gate located at the north-east corner of the site fronting Alpha Road, which are for emergency evacuation only.</p> <p>g) Considered satisfactory.</p> <p>h) The facility is considered to be adequately fenced.</p> <p><u>Transitional Areas</u></p> <p>a) A transitional area in the form of an outdoor deck has been provided and included for outdoor space requirement only.</p> <p>b) The primary rear deck/transitional area is covered by roof and is 4m in width.</p> <p>c) Achievable</p> <p>d) Achievable</p>			
6	LANDSCAPING				
	A detailed landscape plan prepared by a suitably	A landscape plan was submitted in support of the DA and is considered	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
	qualified landscape professional should be submitted with all development applications for child care centres and should demonstrate the following: a) Separation of outdoor space into active quiet areas; b) Proposed planting, with a variety of trees and plants to be used which create visual interest for children, and can provide shading where appropriate; c) Locations of play equipment; d) Separation of outdoor space according to age ranges, including the locations of lower fencing or other structures which divide the outdoor spaces; and e) Outdoor spaces which include a variety of surfaces such as grass, soft porous paving and the like	satisfactory. Separation of outdoor space according to age range is not included in the landscape plan, however, such a control is not a requirement of the Education & Care Services National Regulations, the Education and Child Care SEPP, or the Child Care Planning Guideline. The landscape plan includes details of all equipment proposed. The landscape plan shows a variety of ground surfaces.			
7	FENCING				
	Outdoor space is required to be fenced on all sides with a height of at least 1.8m. Acoustic fences should not be higher than 2m. If a fence higher than 2m is unavoidable it must be contained within the development site with a 1.8m traditional lapped and capped boundary fence and the remaining height to be of thick, transparent perspex to ensure any views are maintained.	Side and rear fencing is proposed to be erected in accordance with acoustic recommendations, as follows: 1.8m high acoustic barrier with cantilever for the side and rear boundaries adjacent to outdoor spaces is recommended in the acoustic report. A 1.8m high solid boundary fence is proposed to the remaining boundaries. Conditions of consent are imposed requiring that the acoustic fencing shall be a maximum height of 2.1m with 45° awning measured from the FFL of the outdoor play area, and a maximum height of 2.4m boundary fencing measured from the FFL of the outdoor play area where located above a retaining wall. It is noted that Council's Development Engineer has advised that boundary fencing shall also be in accordance with Council Drawing SD8025 due to the site being flood affected by overland flowpath. This means the base of the fence to a height of 300mm is to be 'open style pool type' fencing.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
8	FIRE SAFETY AND EMERGENCIES				
	An evacuation plan complying with AS3745-2002 Emergency Control Organisation and Procedures for Buildings, Structures and Workplaces shall be submitted as part of the Development Application	An evacuation plan and plan of management have been submitted and are considered satisfactory. Conditions of consent are imposed also requiring the submission of a Flood Evacuation Plan.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	ACCESSIBILITY				
	All new child care centres, building conversions and additions to existing premises shall comply with the minimum access requirements outlined in Part D3 of the Building Code of Australia and AS 1428.1 Design for Access and Mobility – General Requirements for Access – New Building Work. Details are to be included on plans to be submitted with the application for development consent.	An accessibility report was submitted in support of the application. It is recommended that a standard condition of consent be imposed upon any development consent that requires compliance with the BCA, Disability Discrimination Act and Disability (Access to Premises – Buildings) Standards 2010.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DOCUMENTS
ASSOCIATED WITH
REPORT LPP046/20

Attachment 11

Appendix D - Child Care Planning
Guideline 2017

APPENDIX D – CHILD CARE PLANNING GUIDELINE 2017

The Guideline establishes the assessment framework to deliver consistent planning outcomes and design quality for centre-based child care facilities in NSW. Consent Authorities must consider Parts 2, 3 & 4 of the Guideline.

An assessment against Parts 2, 3 & 4 of the Guideline is provided in the tables below:

Part 2 – Design quality principles

The design quality principles establish the broad design context guide of all new proposals for child care facilities, regardless of whether they are stand alone, part of a mixed-use development, modifications or retrofits of existing buildings or seeking to occupy premises without incurring new building works.

Good design is integral to creating sustainable and liveable communities. There is growing appreciation of the significant role that good design can play in education with increasing evidence that learning outcomes are closely related to the quality of learning environments.

Factors such as air quality, ventilation, natural lighting, thermal comfort and acoustic performance have been shown to have a profound impact on learning, engagement, social interactions and competencies. They also contribute to wellbeing through creating a sense of belonging, self-esteem and confidence.

Comment:

The 7 design quality principles have been considered within the DCP assessment sections of this report, as well as in detail in Part 3 below, entitled *Matters for consideration*, which provide specific design controls and criteria to support the overarching design quality principles.

The proposed development is considered to have been designed having regard to the 7 design quality principles, however, additional detail is required to demonstrate full compliance, as outlined below.

Part 3 Matters for consideration

The considerations give guidance to applicants on how to design a high-quality proposal that takes account of its surroundings and any potential environmental impacts the development may cause and to be mindful of potential impacts that may arise from existing uses and conditions within a locality.

The matters support the design principles and must be considered by the consent authority when assessing a DA for a child care facility. Child care facilities can be developed in a broad range of locations and need to be flexible in how they respond to the requirements and challenges this brings.

Criteria	Comments	Compliance		
		Yes	No	N/A
3.1 Site selection and location				
For proposed developments in or adjacent to a residential zone, consider:				
<ul style="list-style-type: none"> the acoustic and privacy impacts of the proposed development on the residential properties 	An Acoustic report was submitted to Council and is considered satisfactory subject to conditions. Refer to discussion provided under Appendix C. Visual privacy considered satisfactory, subject to deferred commencement conditions for fill to be removed from rear north east section of site, and first floor north (rear) elevation meeting room windows to contain minimum 1.5m sill height.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> the setbacks and siting of buildings within the residential context 	Setbacks and siting of the building comply with HDCP requirements.			

<ul style="list-style-type: none"> • traffic and parking impacts of the proposal on residential amenity. <p>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 <ul style="list-style-type: none"> • The site is environmentally safe including risks such as flooding, land slip, bushfires, coastal hazards <ul style="list-style-type: none"> • There are no potential environmental contaminants on the land, in the building or the general proximity, and whether hazardous materials remediation is needed <ul style="list-style-type: none"> • The characteristics of the site are suitable for the scale and type of development proposed 	<p>Traffic and parking report submitted. Refer to discussion provided under Appendix C.</p> <p>The subject site is zoned R2 – Low Density Residential under HLEP2013 and the proposed development is permissible and meets the objectives of the zone. The site is predominantly surrounded by low density residential developments as well as neighbourhood shops further east, and a Council reserve to the south.</p> <p>The site is identified as a flood control lot. However, the site is considered environmentally safe through compliance with deferred commencement conditions including reduction in fill, installation of appropriate flood fencing, and compliance with the plan of management and evacuation plan.</p> <p>A preliminary site investigation and hazardous materials report was submitted to Council as part of the development application and are satisfactory subject to conditions.</p> <p>Yes, subject to reduction in number of children from 71 to 66 in accordance with clause 108 of the Education and Care Services National Regulations.</p>			
3.2 Local character, streetscape and the public domain interface				
<p>The proposed development should:</p> <ul style="list-style-type: none"> • contribute to the local area by being designed in character with the locality and existing streetscape • reflect the predominant form of surrounding land uses, particularly in low density residential areas • use landscaping to positively contribute to the streetscape and neighbouring amenity • integrate car parking into the building and site landscaping design in residential areas. 	<p>It is considered that the proposed contemporary design will enhance the locality and is predominantly single storey with a first floor for staff only.</p> <p>The proposed design is similar in form to the contemporary developing character of the locality including a number of newer-style detached dwellings.</p> <p>It is considered that the landscaping proposed will contribute positively to the visual amenity of the site and locality.</p> <p>Basement car parking provided for staff and visitors including accessible car parking spaces, and is integrated into the building design.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<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 	<p>The architecture and landscape plans submitted to Council as part of the development application do not propose any front fencing with the exception of a retaining wall, however, children will be contained within the complex unless picked up or dropped off by their parents / carers.</p> <p>The centre provides a satisfactory level of passive surveillance to the street.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.3 Building orientation, envelope and design				
<ul style="list-style-type: none"> Orient a development on a site and design the building layout to ensure visual privacy and minimise potential noise and overlooking impacts on neighbours. optimise solar access to internal and external play areas avoid overshadowing of adjoining residential properties minimise cut and fill 	<p>Visual privacy considered to be satisfactorily maintained, subject to conditions.</p> <p>Solar access to indoor and outdoor space is optimised.</p> <p>The proposed development does not adversely overshadow adjoining properties and contains substantial setbacks, and has been designed to reduce overshadowing of adjoining residential properties.</p> <p>Yes, subject to deferred commencement conditions that no fill be proposed within the overland flow path.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> building height should be consistent with other buildings in the locality building height should respond to the scale and character of the street setbacks should allow for adequate privacy for neighbours and children at the proposed child care facility setbacks should provide adequate access for building maintenance setbacks to the street should be consistent with the existing character 	<p>The height of the building is 2 storey / 8.4m (to top of lift over run) and is consistent with surrounding dwellings and complies with HLEP height standard.</p> <p>Setbacks comply with HDCP controls for child care centres and are considered satisfactory. Privacy subject to reduction in fill for the site and 1.5m sill height for two first floor northern (rear) elevation windows.</p> <p>Adequate access is provided.</p> <p>Setbacks comply with HDCP controls for buildings in a residential zone.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>Accessible design can be achieved by:</p> <ul style="list-style-type: none"> linking all key areas of the site by level or ramped pathways that are accessible to prams and wheelchairs, including between all car parking areas and the main building entry 	<p>All areas of the site are accessible through the use of lifts and ramps.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.4 Landscaping				
<ul style="list-style-type: none"> Appropriate planting should be provided along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space. <p>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>Appropriate landscaping is provided.</p> <p>Screen planting excluded from calculations of unencumbered outdoor space.</p> <p>Car parking proposed in basement.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.5 Visual and acoustic privacy				
<p>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>The centre has been designed to ensure visual and acoustic privacy is maintained between properties.</p> <p>Deferred commencement conditions for reduction in fill will reduce any potential overlooking from the outdoor play area.</p>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
<p>A new development, or development that includes alterations to more than 50 per cent of the existing floor area, and is located adjacent to residential accommodation should:</p> <ul style="list-style-type: none"> provide an acoustic fence along any boundary where the adjoining property contains a residential use. (An acoustic fence is one that is a solid, gap free fence). ensure that mechanical plant or equipment is screened by solid, gap 	<p>An acoustic report was submitted which recommends the installation of acoustic fencing.</p> <p>Conditions are to be imposed to ensure that the mechanical plant is located away from the side boundaries and any impact of the plant to be determined at CC stage.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>free material and constructed to reduce noise levels e.g. acoustic fence, building, or enclosure.</p> <p>A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters:</p> <ul style="list-style-type: none"> • identify an appropriate noise level for a child care facility located in residential and other zones • determine an appropriate background noise level for outdoor play areas during times they are proposed to be in use • determine the appropriate height of any acoustic fence to enable the noise criteria to be met. 	<p>An acoustic report was submitted which recommends the installation of acoustic fencing and identified projected noise levels, background noise and suitable height for the acoustic fence.</p>			
3.6 Noise and air pollution				
<p>An acoustic report should identify appropriate noise levels for sleeping areas and other non play areas and examine impacts and noise attenuation measures where a child care facility is proposed in any of the following locations:</p> <ul style="list-style-type: none"> • on industrial zoned land • where the ANEF contour is between 20 and 25, consistent with AS 2021 – 2000 • along a railway or mass transit corridor, as defined by <i>State Environmental Planning Policy (Infrastructure) 2007</i> • on a major or busy road • other land that is impacted by substantial external noise. 	<p>Acoustic report submitted. The site is not affected by external noise or vibration.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Locate child care facilities on sites which avoid or minimise the potential impact of external sources of air pollution such as major roads and industrial development</p>	<p>The site is not located adjacent to a major road and is not affected by air pollution.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.7 Hours of operation				
<p>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 core operating hours for the centre proposed are contained to between 7.00am and 6.00pm (excluding public holidays). No approval granted for after-hours use.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.8 Traffic, parking and pedestrian circulation				
<ul style="list-style-type: none"> • 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>Parking complies with HDCP 2013.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>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>Alternative vehicular access should be provided where child care facilities are on sites fronting:</p> <ul style="list-style-type: none"> a classified road 	<p>A traffic and parking report has been submitted which has indicated that the proposed development can be accommodated in the locality without affecting performance, delays or queues of nearby intersections, and complies with Council's parking requirements.</p> <p>Not applicable.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>The following design solutions may be incorporated into a development to help provide a safe pedestrian environment:</p> <ul style="list-style-type: none"> separate pedestrian access from the car park to the facility delivery and loading areas located away from the main pedestrian access to the building and in clearly designated, separate facilities vehicles can enter and leave the site in a forward direction. 	<p>Pedestrian access is separate from vehicular access.</p> <p>The proposed facility does not include a loading area. It is considered that, given the nature of the use, delivery trucks would not be servicing the site. At most, light commercial vans would deliver any required products to be used, if not brought to the centre by the operator.</p> <p>Vehicles can enter and exit the site in a forward manner. The application is recommended for deferred commencement including for amended basement layout.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Car parking design should:</p> <ul style="list-style-type: none"> include a child safe fence to separate car parking areas from the building entrance and play areas provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards include wheelchair and pram accessible parking. 	<p>The basement car parking area is separated from the main building entrance and foyer area. The car parking area is also separated from any indoor and outdoor play areas.</p> <p>2 accessible spaces are provided, which are clearly marked, and located adjacent to the lift.</p> <p>Lift access is provided.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Part 4 – Applying the National Regulations to development proposals					
4.1 Indoor space requirements					
(Regulation 107)	Required: 71 x 3.25m ² = 230.75m ²	Provided 232.65m ²			
Min. 3.25sqm of unencumbered indoor space (Regulation 107)			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Storage:					
- Min. 0.3m ³ per child of external storage	71 x 0.3m ³ = 21.3m ³	21.4m ³			
- Min. 0.2m ³ per child of internal storage	71 x 0.2m ³ = 14.2m ³	14.4m ³			
		<u>Note:</u> Due to insufficient outdoor space, the max. number of children is recommended to be reduced to 66 places.			
4.2 Laundry and hygiene facilities					
(Regulation 106)	A Laundry is located within a separate room within the basement and achieves a satisfactory size.				
On-site laundry facilities should contain: • a washer or washers capable of dealing with the heavy requirements of the centre • a dryer • laundry sinks • adequate storage for soiled items prior to cleaning.			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.2 Laundry and hygiene facilities					
(Regulation 109)					
Toilet and hygiene facilities should be designed to maintain the amenity and dignity of the occupants. Design considerations could include: • junior toilet pans, low level sinks and hand drying facilities for children • a sink and handwashing facilities in all bathrooms for adults • direct access from both activity rooms and outdoor play areas • windows into bathrooms and cubicles without doors to allow supervision by staff	Achievable Provided Provided Supervision is achievable		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
external windows in locations that prevent observation from neighbouring properties or from side boundaries	Window locations and sizes considered appropriate subject to first floor north (rear) elevation windows to contain 1.5m sill height however first floor is used by staff only.				

4.4 Ventilation and natural light				
<p>(Regulation 110) Services must be well ventilated, have adequate natural light, and be maintained at a temperature that ensures the safety and wellbeing of children.</p> <p>Child care facilities must comply with the light and ventilation and minimum ceiling height requirements of the National Construction Code. Ceiling height requirements may be affected by the capacity of the facility.</p> <p>Designers should aim to minimise the need for artificial lighting during the day, especially in circumstances where room depth exceeds ceiling height by 2.5 times. It is recommended that ceiling heights be proportional to the room size, which can be achieved using raked ceilings and exposed trusses, creating a sense of space and visual interest.</p>	<p>Rooms have a northern aspect allowing for natural light and ventilation.</p> <p>BCA compliance is required. To be conditioned</p> <p>Provided.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.5 Administrative space				
<p>(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.</p>	Provided.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.6 Nappy change facilities				
<p>(Regulation 112) Child care facilities must provide for children who wear nappies, including appropriate hygienic facilities for nappy changing and bathing. All nappy changing facilities should be designed and located in an area that prevents unsupervised access by children. Child care facilities must also comply with the requirements for nappy changing and bathing facilities that are contained in the National Construction Code.</p>	<p>Provided.</p> <p>Condition accordingly for compliance with the BCA. To be conditioned.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.7 Premises designed to facilitate supervision				
<p>(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. Child care facilities must also comply with any requirements regarding the ability to facilitate supervision that are</p>	Provided	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

contained in the National Construction Code .				
4.8 Emergency and evacuation procedures				
(Regulation 97 & 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. 	Provided. Evacuation Plan submitted as part of the development application. Conditions of consent are imposed also requiring the submission of a Flood Evacuation Plan.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.9 Outdoor space requirements				
(Regulation 108) Min. 7sqm of unencumbered outdoor space per child. 71 x 7m ² = 497m ² Where a covered space such as a verandah is to be included in outdoor space it should: <ul style="list-style-type: none"> be open on at least one third of its perimeter have a clear height of 2.1 metres have a wall height of less than 1.4 metres where a wall with an opening forms the perimeter have adequate flooring and roofing be designed to provide adequate protection from the elements 	The application indicates that an unencumbered area of 497.1m ² is provided, however, this calculation does not exclude the proposed retaining walls or low maintenance native shrubs and groundcover area nominated on the submitted Landscape plan. The assessment officer's calculation of the unencumbered outdoor space equates to 466.99m ² . This will accommodate only 66 children. This report recommends a condition to be imposed on any consent granted for a reduction in the number of children to 66. The applicant has been advised regarding the condition to reduce the number of children. Provided Provided N/A Adequate flooring achievable. The rear deck is covered.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4.10 Natural environment				
(Regulation 113) The approved provider of a centre-based service must ensure that the outdoor spaces allow children to explore and experience the natural environment.	Satisfactory.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.11 Shade				
(Regulation 114) Controlled exposure to daylight for limited periods is essential as sunlight provides vitamin D which promotes healthy muscles, bones and overall wellbeing. Outdoor play areas should be provided with controlled solar access throughout the year. Outdoor play areas should: <ul style="list-style-type: none"> • have year-round solar access to at least 30 per cent of the ground area, with no more than 60 per cent of the outdoor space covered. • provide shade in the form of trees or built shade structures giving protection from ultraviolet radiation to at least 30 per cent of the outdoor play area • have evenly distributed shade structures over different activity spaces. 	<p>The rear outdoor areas face north and west and less than 60% of the outdoor space is covered.</p> <p>Shade structures and shade trees are provided.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.	Yes, fencing is provided. It is noted part of the outdoor play area is within the 1%AEP overland flow path of the site and in this regard the base of the fencing must be in accordance with Council drawing SD8025 which is open 'pool style' fencing to 300mm high and 75mm-100mm open between posts.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.13 Soil Assessment				
(Regulation 25) To ensure consistency between the development consent and the service approval application, a soil assessment should be undertaken as part of the development application process. Where children will have access to soil the regulatory authority requires a preliminary investigation of the soil.	A soil assessment report was submitted with the application. Council's Environmental Health Unit has reviewed the proposal and considered satisfactory, subject to conditions.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DOCUMENTS
ASSOCIATED WITH
REPORT LPP046/20

Attachment 12
Submissions Received

To Whom It May Concern,

I am writing to object against the application number DA2020/0207 which has been proposed for 95-97 Dahlia Street, Greystanes. I believe this structure is highly unnecessary within this residential area, as there is no current demand for this. There is also another centre being built within 1km of this proposed structure, as well as many other centres in the suburb with current vacancies.

This structure will also add to an increased amount of traffic and congestion in a 'residential only' area, being on a busy corner this may cause issues. As stated 71 children will be arriving each morning along with 15+ staff members to accompany these children, thus creating a large amount of noise pollution to the quiet residential area.

When purchasing in this area it was a residential area not a commercial area. This proposed application will cause a massive effect on all surrounding properties, with a loss of value in the near future.

Regards,

Mobile:

From:
Sent: Tue, 26 May 2020 08:31:07 +1000
To: Records Department
Subject: Objection Letter for Development Application DA2020/0207

26 May 2020

To Cumberland City Council,

I have noticed the development proposal for a child care centre with 71 children spaces at 95 – 97 Dahlia Street Greystanes (**DA2020/0207**).

As a local resident living close to the proposal site for several year, I am objecting this development application DA2020/0207 with following reasons:

1. Increase congestions of accessing Gipps Rd (from both Alpha Rd and Macquarie Rd)

Currently the waiting time of entering Gipps Rd from either Alpha Rd or Macquarie Rd could take up to approximate 4 to 5 minutes during peak hours. In this circumstances, there are usually only 3 to 4 vehicles waiting in front of the traffic lights.

This development can potentially bring up to 50 vehicles during peak hours travelling to and from the site. As Gipps Rd is the main access point to Dahlia Street and Alpha Rd (location of proposed site), this might create traffic hazards not only to Macquarie Rd and Alpha Rd, but also impacting the existing traffics on Gipps Rd. Gipps Rd is one of the highest traffic area during peak hours, this development could potential worsen the situation.

2. Child Care Development Control

According to Holroyd Development Control Plan 2013 Part I Child Care Centre Controls – section 1 Size Density and Location – point C1 stated “A child care centre proposed in an R2 low density residential area in size to accommodate for no more than 45 children.” This development plan is proposing for a child care centre catering up to 71 children in an R2 zone. This is inconsistent with the requirement stated in the Holroyd Development Control Plan 2013.

3. Location of Development on the corner of Dahlia St and Alpha Rd

I understand a location of a children related facility is very important for safety reason. Dahlia St and Alpha Rd junction as a corner with blind spot might not be the best location for a Children related facility. As child care centre usually attract more pedestrians as well as traffic, I am sure there are more suitable location with less traffic risk within Greystanes without a blind spot involve.

Hope you understand the concerns and potential impacts on the residential area if this development is approved. Therefore I am against this development application.

Thank you for your time in viewing my concerns. Please keep me update on this application.

Regards,

From:
Sent: Sat, 23 May 2020 07:51:28 +0000
To: Records Department
Subject: Submission re DA2020/0207, Lots 16 and 17 in DP 236780

This submission is to express my opposition to the above DA proposal for the following reasons:

- Size of proposed building, it's purpose and number of children are incompatible with the residential nature and amenity of surrounding properties,
- While the application document claims that the development would play a role in "increasing valuable child care places within Greystanes", this is hard to reconcile with the fact that there are at least 5 long day care centres already established within 2.5 kms, plus another under construction just over 1km away (15 Hyacinth Street, DA-284/2018.2 GREYSTANES). Most of these centres advertise "spaces available" which would contradict any assertion of overt demand in the suburb.
- The Traffic Report assessment of Existing Traffic volumes is based on measurements taken on Tuesday 19th March 2019. At that time several of the shops located at 81 Hibiscus Street Greystanes were vacant. Since then, in late 2019, a cafe has opened at Shop 4, 81 Hibiscus Street. The popularity of this new business has significantly increased the amount of traffic passing along Dahlia Street, past the properties affected by this DA, probably invalidating the original traffic assessment.

Please take these matters into consideration when considering this DA.

Yours faithfully,

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Submission in relation to DA2020/0207

Firstly, I have not been advised of this development, notwithstanding its proximity to my property and potential effect on the area in which I live.

My submission concerns the potential effect on traffic in the area of the development.

A “Parking and Traffic Impact Assessment” for this DA was prepared in May 2019.

This is a very comprehensive Report, for the purpose of demonstrating that the parking arrangements and assessment on traffic comply with government requirements and Australian Standards.

However, in addition to meeting these requirements, there is human behaviour to be considered.

The above Impact Assessment is based on a scenario of (most) parents entering the underground car park, to park their vehicle, exit their vehicle, walk up a flight of steps (or take the lift) and then sign in their child to the centre staff. This would be reversed at pick up time.

The primary arrangements for this is the proposed provision of an underground car park, which will provide parking for staff and parents.

The car parking arrangements envisage:

- minimum dimensions for the car spaces and within the car park
- an area designated as a “turning bay”
- a statement that:
The internal passenger vehicle circulation arrangements are envisaged to provide for safe and efficient internal manoeuvring [p.22]

However, it is likely that human behaviour will seek to vary the proposed arrangements.

The purpose of child care facilities is, in most instances, the provision of child minding while parents are at work. Parents will seek to minimise their time at the centre, when dropping off and picking up [they have to park for this purpose].

While the proposed arrangements for parking in the underground car park are efficient (in terms of vehicular movement), they will also take time (all the dimensions are minimum).

Parents will then seek alternatives, generally parking in Dahlia Street outside the centre.

In this regard, the following is noted [p.22]

Notwithstanding the above, in the unlikely event that short term on-street parking demand is generated by the development during peak set-down and pick-up periods, the following should be acknowledged:

- Observations have indicated that demand for on-street parking in the immediate vicinity of the site is low and there is capacity to accommodate additional demand;

- There is ready capacity to capacity to accommodate at least three casually parked vehicles in a parallel arrangement along the northern kerb alignment of Dahlia Street, immediately adjacent to the subject site thereby not having any unreasonable impact on adjoining properties; and
- The prevailing pavement width of Dahlia Street (10m) is such that parallel parking does not impede through vehicular traffic to any noticeable extent.

It is accordingly not anticipated that the development will result in any impacts on surrounding residential amenity or public road efficiency in the unlikely event that some on-street parking occurs as a result of the centre.

Rather, the situation that is likely to develop, given human behaviour, is that on street parking (for drop off and pick up) will become the norm.

This is then likely to have an impact on local traffic, for example:

- traffic flow being affected, as cars park in the limited area directly outside the proposed centre on Dahlia Street (including waiting for cars to exit before parking)
- local parking (as parents look for parking elsewhere). There are two bus stops close by (one is directly opposite the proposed centre and one outside Cedary). These need to remain unobstructed, for bus use.
- some difficulty in exiting from the car park, as line of sight will be restricted if cars are parked outside the centre in Dahlia Street (particularly with seeing cars turning into Dahlia Street from Alpha Road)
- some difficulty in entering the car park, if a car (parked in Dahlia Street) is parked too close to the driveway

Summary

The Parking and Traffic Impact Assessment demonstrates that the parking arrangements meet appropriate government requirements and Australian Standards.

Notwithstanding, it is apparent that there will eventuate a significant impact on traffic flow and possibly local parking as human behaviour adjusts to the proposed arrangements.

Thank you

25 May 2020

From:
Sent: Mon, 25 May 2020 15:15:17 +1000
To: Records Department
Subject: Objection - DA2020/207

Hello,

I am writing with regards to a proposed Child Care facility on 95-97 Dahlia St Greystanes.

My name is . and I am a Cumberland Council resident residing at

I'd like to take this opportunity to formally object to a proposed child care facility and it is my sincere hope that council considers the ramifications on the Greystanes community should such a development be approved.

1. Increased traffic.

I refer to the Parking and Traffic Assessment completed in May 2019.

This document is outdated as there have been several changes since the completion of this report. Cedary Bakehouse is now operational. During Cedary Bakehouse business hours, there are regularly over 20 vehicles on Dahlia St, sometimes double parked. Vehicles move quickly through Dahlia St and Hibiscus St often without much consideration for foot traffic.

2. Basement Parking

I refer again to the Parking and Traffic Assessment completed in May 2019.

My 20 years experience in the child care sector as an Area Manager, provides me with the expertise to know that six staff parking spaces are not sufficient for a 71 place centre.

I refer to the Indoor Play Diagram which outlines that there will be 12 teachers, however there would be more staff required by the Education and Care Services Regulation that a child care centre of this size would need to abide by.

For example,

1x Director
1x Assistant Director
1x Cook
1x Educational Leader

Now, depending on their operational standards, this would increase the staff attending at any time to 16 people. Some centres of this size also employ other staff to release educators for requirements set out in the Children's Services Award (2010) such as non face to face teaching and breaks. The parking space would not be sufficient and as such would result in the staff parking near by on residential streets.

As a resident in this area, I have observed the parking adjacent to Alpha Park be used for a number of events (eg. sporting activities) however, it is also used by parents who use the playground. With no parking available, this would limit the ability for local families to use this facility therefore impacting their livelihood and their access to outdoor facilities.

3. Oversupply of Child Care

I object to a commercial property to be developed in a residential area. The flower streets of Greystanes are a unique part of our community and the inclusion of such a business would not support our community. There is an oversupply of children's services within Greystanes, many of which are not at full capacity. The inclusion of this development would hinder the success of already established early learning centres that provide care for the children of Greystanes.

A brief search on government website childcare [finder.gov](https://finder.gov.au) shows 21 child care facilities within a 6km radius of this proposed location. This website also demonstrates that only 6 of these facilities are operating at full capacity.

4. Safety of Local Children Residents

I have concerns for the welfare of my children as they walk to and from school at Widemere Public School. With increased traffic from Cedary Bakehouse, there is already an increased risk for their safety and well-being as they commute to school.

There are no crossings, traffic lights or other implements that slow traffic. To include the additional cars from families and staff of the child care facility would increase the risk of danger to local children who reside in the flower streets.

There are a number of children from local schools (St Paul's College, Greystanes High School, Beresford Rd Public School and Our Lady Queen of Peace Primary School) who also catch the bus from Dahlia St bus stop which is opposite this development.

It is clear, that the submission for approval provides outdated reports provided to council and does not consider the needs of the local community nor established children's services.

I thank you for your time in reading my submission for the objection of the proposed child care facility on Dahlia St Greystanes.

If you wish to discuss this further, please contact me via the following :

From:
Sent: Sat, 23 May 2020 16:11:59 +1000
To: Records Department
Subject: DA2020/0207 Dahlia Street Greystanes
Importance: Normal

Like many of the residents in the "Flower Estate" we have been here since its establishment in the 1970's. Those who made their home here in the years since have done so for the same reasons. The fact that the estate is surrounded by an established Industrial Estate on one side and the Boothtown Aquaduct on the other meant that the area would remain residential without fear of extensive development. The streets were already paved without opportunity for change and they were designed for residential traffic only adding to our assurance that it would remain a quiet neighbourhood as live as we chose to live here.

With this in mind the local demographic is entirely that of semi professional or retired householders with very few small children in need of childcare. In fact judging by the number of enrolments at the closest school there are few children of any age in the confines of the area serviced by the proposed childcare centre.

The recent addition of a Coffee Shop /Bakery and Tutoring Centre in Hibiscus Street has exacerbated the traffic hazard in small residential streets and one which can only escalate with the addition of a childcare centre.

It should also be noted that within a 4 km radius there are at least eight childcare centres including one in Hyacinth Street under construction less than one Km away.

I am not opposed to development in our Council area but rely on our elected representatives to apply some care and consideration to ensure that our lifestyle is not unfairly disadvantaged.

I thank you for the opportunity to lodge my objections to the project in its current position.

Regards

Sent from [Mail](#) for Windows 10

From:
Sent: Sat, 23 May 2020 04:22:55 +0000
To: Records Department
Subject: Fwd: DA2020/0207

From: [\[redacted\]](#)
Date: 23 May 2020 at 2:18:53 pm AEST

Subject: DA2020/0207

I wish to submit my strong objection to the proposed childcare centre at 95-97 Dahlia Street Greystanes.

I was very anxious to hear that this proposal had been submitted in our residential area.

I have lived in the same home at : for 44years and I speak from experience when I say that this will impact on the lives of the residents in this area. Since a cafe & child centre opened opposite my home, my life here has been impacted in a negative way.

The peace & safety of our area has been affected by so much increased traffic & noise especially at drop off & pick up times.

People have absolutely no regard for the fact that this is a quiet residential area. Our days including Sunday is a long list of traffic, loud car engines speeding, slamming doors, shouting & children crying.

Having a car park at the proposed new centre will have little impact as drivers will still park on both sides of the street.

Cars already park along Dahlia Street and Hibiscus Street to attend the cafe & child centre here so congestion will only increase.

It is also the bus route so safety is a big issue.

I currently have many cars each day turning around on my lawn & blocking access to our driveways.

Garbage pickup has become a nightmare as the driver has trouble gaining access to our bins.

This will continue in Dahlia Street if this development goes ahead.

I implore the council to consider the impact all this has on our lives & anxiety. This is no longer a peaceful area.

I often witness cars speeding on Dahlia & Hibiscus Streets & I'm constantly waiting for a terrible accident. I have phoned police on several occasions.

This part of Greystanes cannot accommodate any more external traffic & will have a negative impact on the value of our homes.

I have recently considered moving because of the extra external traffic coming to this area to attend the cafe & child centre so I know this will affect Dahlia Street & the safety of children walking from Widemere School.

Thankyou for considering my valid & heartfelt objections to this development

proposal.

I trust Council will think about the well-being if it's residents and rate payers.

Sent from my iPhone

From:
Sent: Mon, 25 May 2020 01:55:47 +0000
To: Records Department
Subject: Regarding development DA2020/207

APPLICATION; DA2020/207
Name;
Contact number;

As a resident of Jasmine place Greystanes im strongly opposed to the development of yet another childcare centre especially of this size as it would greatly affect incoming and outgoing traffic to the area in high numbers as well as greatly affect the value of my property. Another childcare centre is not needed as there is one less than a kilometer away, I am strongly against this proposed development!

Sent from [Mail](#) for Windows 10

From:
Sent: Sat, 23 May 2020 17:30:49 +1000
To: Records Department
Subject: Re:-Proposed council application No. DA2020/0207

Dear Sir

I , and my wife who reside in , Home phone :

Email address ,

We both protest on this development application proceeding in our area on the grounds of increased traffic volume this development would create in our area.

There is sufficient child minding facilities in our Greystanes area one being developed less than 1km away in Hyacinth street. We don't need anymore commercial facility in our residential area.

Our street already has a greater volume of traffic and parking with the new popular Cedery coffee and bakery shop , not to mention the early learning for children in Hibiscus street shop front.

Also there is a sporting park and child playground in Alpha park where more traffic come for these facilities.

With the greater volume of traffic created by this development, The streets in this area are very narrow parking on both sides creates only room for one way traffic especially in Hibiscus st.

This will create a vehicle accident waiting to happen!

Please reject this proposal.

Email sent using Optus Webmail

From:
Sent: Mon, 25 May 2020 11:50:00 +1000
To: Records Department
Subject: Application number DA2020/0207 objection

To whom it may concern

In regard to the above application my neighbor and myself wish to object. The proposed site is on a dangerous corner which is a bus route as well as local traffic. We cannot understand why another pre school is needed in the flower streets as there has already been one approved in Hyacinth St.
We have checked with the many pre schools in the area and there are vacancies in all of them. So why do we need another one as it seems ridiculous. As far as underground parking is concerned the drivers would come up to a blind spot where they would not be able to see pedestrians or the cars that regularly scream around that corner. We have hoons in the area that treat Dahlia and Alpha as their own personal speedway.
Our details are below

Regards

Sent from my iPad

From:
Sent: Tue, 26 May 2020 14:52:36 +1000
To: Records Department
Subject: Objection to DA 2020/0207

Dear Sir / Madam

I am writing to formally object to the proposed Development Application (DA2020/0207). My reasons for the objection are as follows:

- 1) Council currently has a new childcare facility under construction in Hyacinth St (less than 1km away from this proposed centre)*
- 2) Current traffic in the street (Dahlia St) is now at certain times restricted to one way traffic flow due to the increased volume of traffic and parked cars from the new Cedary Bakery - Adding additional cars entering into a Childcare centre will exacerbate this.*
- 3) The submitted Traffic management plan (Stanbury REF: 19-028) only indicated traffic recording from 1 day (March 19, 2019) - This measurement was prior to the bakery opening.*
- 4) Noise levels - Indicated in Noise impact assessment (REPORT 190127R1) indicate noise levels would be at 55 dB (A) - I find it hard to believe that 70 children playing/laughing/yelling/crying will generate this level of noise when 60 dB(A) is considered normal conversation level.*

I ask the council to reject this application for the greater good of the community.

with regard,

From:
Sent: Mon, 25 May 2020 16:02:09 +1000
To: Records Department
Subject: Re DA2020/0207 - 95/97 Dahlia St, Greystanes.

Attention:

Council Officer Elif Haliloglu
Development Assessment Team
Cumberland City Council

RE: Development Application No. DA 2020/0207 – 95 Dahlia Street, Greystanes NSW 2145 and 97 Dahlia Street, Greystanes NSW 2145.

We wish to make you aware of a number of strong objections that we have to the proposed redevelopment of 95 and 97 Dahlia Street, Greystanes, application referenced above. As a nearby neighbour to the site of the proposed redevelopment, we are of the view that the proposed redevelopment will have a serious impact on our standard of living as local residents. Our specific objections are as follows:-

1. The detrimental impact upon the residential area

The northern side of Dahlia Street from Alpha Road to Hibiscus Street has up to recent times, been for residential dwellings. Historically, there were four dwellings butting up against the commercial building at the corner of Dahlia Street and Hibiscus Street. One of the dwellings that is at the corner of Jasmine Place and Dahlia Street has been rezoned as commercial and has a plumbing business operating there. With the proposed redevelopment of 97 and 95 Dahlia street, it will mean that there will be only one residential dwelling left. If approved, it will mean that with the exception of that one dwelling the northern side of Dahlia Street to Hibiscus Street will be all commercial.

We have lived at our current address since 1971 and moved here because of the residential ambiance of the area. The commercial buildings located at the corner of Dahlia and Hibiscus Street were already there and their functions acceptable to local residents.

This part of Greystanes is a residential area and people move here for that reason. We have been free from living with high-rise buildings, commercial developments etc. That is why we like living here.

2. The need to avoid the negative impact on vehicular traffic

The proposed redevelopment is at the corner of Dahlia Street and Alpha Road. This is a major intersection in Greystanes with a public bus service using Dahlia Street in both directions turning into and out of Alpha Road. This intersection is not big enough for two buses to turn into and out of Dahlia Street at the same time. In addition, Dahlia Street at this location is a major vehicular thoroughfare used by parents/care givers to deliver and pick up their children from Widemere Public School prior to the start of school and the afternoon pick up.

3. Street safety, inadequate parking and access

Dahlia Street is a major feeder road within the flower streets estate. With the recent opening of a commercial bakery/café at the corner of Hibiscus Street and Dahlia Street, there has been a significant increase in vehicular traffic coming into Dahlia Street from Alpha Road from 6am to 3pm Tuesdays to Sundays. Whilst we are aware that the proposed child care centre redevelopment will be in use from Monday to Friday, patrons frequenting the bakery/café often park their vehicles west of the café along Dahlia Street to Alpha Road. We are of the opinion that the proposed redevelopment will mean significant more vehicles being parked at and around the intersection of Alpha Road and Dahlia Street. There is a parking layback in Dahlia Street opposite the redevelopment site which is utilised by persons bringing their children to the park to play and 'on season' used by parents/care givers to bring their children to the park for football practice. It is not unusual to have more than a hundred persons in the park during practice and all parking spaces occupied. Football practice commences during the operating times of the proposed pre-school.

We are also concerned about the volume of traffic going into and exiting from the proposed child care centre and the close proximity of the entry to the centre to the intersection of the Alpha Road and Dahlia Street. This of course would mean potential danger the children attending the centre

Whilst we appreciate the need for child care centres within the Cumberland City Council area, we are aware that in Greystanes there are in excess of six centres currently operating with other centres under construction. We are of the belief that Greystanes is well catered for insofar as child care centres are concerned. We do not feel that having the proposed child care centre constructed at 95 and 97 Dahlia Street is in the best interests of the residents in and around the proposed development site.

We believe the proposal will be detrimental to the quality, character and amenity value of the area, as outline above.

In conclusion, we would be grateful if the Council would take our objections into consideration when deciding this application. We would welcome the opportunity to meet with Council at a meeting or the Local Planning Committee to further discuss our objections.

Your sincerely

Tele. No.

From:
Sent: Tue, 26 May 2020 04:12:34 +0000
To: Records Department
Subject: Development Application - objection

Dear Sir / Madam

I am writing to formally object to the proposed Development Application (DA2020/0207). My reasons for the objection are as follows:

- 1) Council currently has a new childcare facility under construction in Hyacinth St (less than 1km away from this proposed centre)
- 2) Current traffic in the street (Alpha Rd) is now at certain times restricted to one way traffic flow due to the increased volume of traffic and parked cars from the new Cedary Bakery - Adding additional cars entering into a Childcare centre will exacerbate this.
- 3) The submitted Traffic management plan (Stanbury REF: 19-028) only indicated traffic recording from 1 day (March 19, 2019) - This measurement was prior to the bakery opening.
- 4) Noise levels - Indicated in Noise impact assessment (REPORT 190127R1) indicate noise levels would be at 55 dB (A) - I find it hard to believe that 70 children playing/laughing/yelling/crying will generate this level of noise when 60 dB(A) is considered normal conversation level.

I ask the council to reject this application for the greater good of the community.

With regard,

From:
Sent: Tue, 26 May 2020 12:13:57 +1000
To: Records Department
Subject: Objection to DA2020/0207

Dear Sir / Madam

I am writing to formally object to the proposed Development Application (DA2020/0207). My reasons for the objection are as follows:

- 1) Council currently has a new childcare facility under construction in Hyacinth St (less than 1km away from this proposed centre)
- 2) Current traffic in the street (Alpha Rd) is now at certain times restricted to one way traffic flow due to the increased volume of traffic and parked cars from the new Cedary Bakery - Adding additional cars entering into a Childcare centre will exacerbate this.
- 3) The submitted Traffic management plan (Stanbury REF: 19-028) only indicated traffic recording from 1 day (March 19, 2019) - This measurement was prior to the bakery opening.
- 4) Noise levels - Indicated in Noise impact assessment (REPORT 190127R1) indicate noise levels would be at 55 dB (A) - I find it hard to believe that 70 children playing/laughing/yelling/crying will generate this level of noise when 60 dB(A) is considered normal conversation level.

I ask the council to reject this application for the greater good of the community.

with regard,

From:
Sent: Mon, 25 May 2020 15:17:06 +1000
To: Records Department
Subject: OBJECTION to Development Application No.: DA2020/0207

Cumberland City Council
16 Memorial Avenue,
PO Box 42,
Merrylands NSW 2160

24/05/2020

OBJECTION to Development Application No.: DA2020/0207

Dear Cumberland City Council,

I am writing to you with my objection to the following development application:

Application No: DA2020/0207
Property: 95 Dahlia Street Greystanes NSW 2145 & 97 Dahlia Street Greystanes NSW 2145
Proposal: Construction of two storey child care centre of 71 children

I have lived in few different areas in Greystanes since 2014, Grevillea Crescent where I currently live in gives me the greatest sense of comfort and safety for me and my family to live in.

As soon as I am aware of the application of this development, I feel really a great deal of uncertainty with the impact of this proposed development.

There are many elderly people living in the area around the proposed development site, most of them stay at home most of the time. A child care centre with 71 children may lead to significant increases of traffics and noises in this quiet area. This will not only affect the living of the older residents, but also increases the risks of road accidents.

Lack of Road Crossing Facility around Dahlia Street and Alpha Road

This development is located at the junctions of Dahlia Street and Alpha Road. Currently there no road crossing facilities around this junction since the area has a low foot traffic (i.e. traffic light, road crossing and island).

A child care centre will attract higher foot traffics of parents with children crossing around this junction. Facilities such as traffic light, road crossing and crossing island will be needed to ensure the safety of pedestrians crossing the roads.

Numbers of Child Care Centres in surrounding

Also there are already many child care centres in Greystanes, including the new ones that were just opened recently. Many have vacancies too, I think having another child care centre in Greystanes may be just a redundancy of resources in the environment.

Increase number of traffics and people in quiet residential area

There may be increase of hundreds of cars and/or people travelling to/from our quiet residential area due to the development. This includes the educators, parents and children and people related to the development. This may not only be causing more traffic congestions and unwanted crowds, but also increases the chances of traffic risks.

This resident area has been great to be lived in, where children are able to play at the playground and riding bikes on the walking path, I cannot imagine how unsecure it would make us feel if the development is to be proceed. This may not only affect our lives in the area, but also other local residents.

Thank you and please kindly let me know any updates on this application.

Kind Regards

Mobile:

Email Address:

Address:

From:
Sent: Mon, 25 May 2020 13:47:09 +1000
To: Records Department
Subject: OBJECTION FOR APPLICATION OF DA2020/0207

24th May 2020

Ref: DA2020/0207

Dear Jai,

I have received the letter about the child care development application with application number **DA2020/0207** at 95 & 97 Dahlia Street Greystanes 2145.

Therefore I am writing to you about my OBJECTION to this development.

I live at _____ since 2013, the quiet and safe neighbourhood keep me feeling comfortable and safe at my own home. This development is going to deeply impact the neighbourhood and surrounding, moreover the safety issues raise my concerns.

Here are the list of reasons for my objection:

Increase to over 100 of cars in the area

This proposed child care centre could involve over 100s of cars to travel in the area in order to cater the 71 children. It includes parents, staffs, deliveries and other workers associate with the centre. This increased numbers of cars which will increase the traffic congestions, it also increases the traffic densities in this low density residential area.

Noise generate by the development plan

I understand the noise levels of the child care are estimated to be under the regulated levels. On the other hand, I also understand it will create certain level of noises which are unavoidable, such as people gathering outside child care centre, the increased traffics and outdoor playtime, etc.

In this case, this will affect my everyday life activities which require quiet environment, such as meditation, yoga and painting, etc. This may also increase my stress level even at my very own home.

Management of waste to the area

I understand the proposed child care centre would have waste management in place for the development, my concerns are what waste management would be in place for the potential extra rubbish that may create from the increased of traffics and people surrounding the site.

More concerns for residents when travelling to/from home

This proposed child care centre may increase the level of traffics, parking cars as well as pedestrians. This will worsen my current condition of travelling in and out of my property. As it might require extra time for my travels or potential risks of illegal parking as well as jaywalking with the higher condensed traffics.

Sewage pipe going across 75 Alpha Road and 95 Dahlia Street

Currently there is a sewage pipe going across 75 Alpha Road and 95 Dahlia Street, with the proposed 2 storey building with the construction of basement, I am really concern about the risk of area contamination that may create by the sewage pipe impacts from any changes of underground structure. This will affect the health of environment, people living in the area and also the children in the proposed child care centre.

Thank you for your time reading my list of concerns on this development proposal. I will appreciate if you can keep me updated on the council's reviewing process of this development application.

Yours sincerely,

From:
Sent: Tue, 26 May 2020 13:35:31 +1000
To: Records Department
Subject: proposed application for redevelopment of 95-97 Dahlia St. Greystanes.
Application No. DA2020/207

ATTENTION:

Council Officer Elif Haliloglu
Development Assessment Team
Cumberland City Council

**RE: DEVELOPMENT APPLICATION NO. DA 2020/0207 - 95 DAHLIA ST. GREYSTANES
NSW 2145 and 97 DAHLIA ST. GREYSTANES NSW 2145**

We are residents and nearby neighbours of the proposed redevelopment application referenced above.

We wish to state we object the proposal. We have made this area our home since 1971, at that time we were aware that 2-3 commercial shops would be built for the residents' convenience and the rest all residential.

Many years ago one house , corner of Jasmine Place and Dahlia Street had been rezoned for commercial plumbing. Recently a commercial bakery/cafe opened, the amount of traffic it has caused, buses use Dahlia Street and Alpha Road as a major thoroughfare in both directions coming and going the street is not wide enough or safe enough for all the traffic, parents use the street as drop off and pick up for their children from Widemere school, teams use, the park which is directly opposite the proposed redevelopment for soccer training and playing, it is not unusual to have between 80-100 people in the park also parents take their children there for recreation. It is definitely not safe , just a couple of weeks ago there was an accident a truck ploughed into two parked cars next time it could be a fatality, We realise the need for childcare centres but there are in excess of 6 centres currently operating with other centres under construction. If the proposal goes ahead it means it is only one kilometre away from the one in construction.

Please council take into account the ramifications it would cause children playing in the park dodging cars from the bakery and parents picking up their children from the proposed redevelopment, we the residents have enough trouble with cars parked on both sides of Dahlia

Street and Alpha Road. Also this is a residential area not for commercial use therefore we believe the proposal will be detrimental to the quality, character and amenity value of the area.

In conclusion we would be very grateful if Council takes our objections into consideration when deciding the application.

Your sincerely

Tele No : email:

From:
Sent: Sun, 24 May 2020 15:33:38 +1000
To: Records Department
Subject: Proposed the Childcare centre DA 2020/207.

To whom it may concern,

My name is _____ and my phone number is (_____), my email address is _____

I am strongly objecting to this development of the DA 2020/207 as it will create the traffic problem in the area and we already do many childcare Centre's and they serve enough for number of children in the area and also I wish to maintain a safe and quiet area.

Could you please consider this objection seriously? Thank you for your cooperation.

Regards

Sent from my iPhone

From:
Sent: Thu, 21 May 2020 06:32:05 +0000
To: Records Department
Cc:
Subject: Objection of application number DA2020/0207
Attachments: image001.png, image002.png, image003.png

RE: Objection of Application number DA2020/0207

95 -97 Dahlia Street, GREYSTANES. NSW 2145

Proposal: Demolition of existing structures and construction of two storey 71 place centre-based child care facility over basement car parking.

Dear Sir/Madam

My name is _____ and reside at _____. I strongly object the above proposal and raise the following points to justify my objection.

Demographics:

Firstly based on demographics of our area there are less than 7.1% of pre-school aged children in our area (as per attached document). I would also like to point out that there currently is a child care centre in Hyacinth Street under construction and recent approval for a child care centre to be constructed in Camellia Street. There is also a 100 place child care centre under construction on Merrylands Road.

Based on these approvals and the demographics supplied the above application is not going to be of any value or benefits to the local community. It must also be noted that there are currently child care centres in Kippax Street, Pemulwuy and Uniting Church Child Care Centre to name a few in close proximity.

Traffic and Safety:

Traffic and safety are already an issue with the bakery on the corner of Hibiscus and Dahlia street. Cars parked on the bend of Alpha Road park can cause traffic build up as well as being dangerous to oncoming cars and also to children who may be going across to the park. This will be an increasing issue once sport is again being played on Alpha Road park on a Saturday or Sunday, also note that local primary schools use Alpha Road park for PSSA sports. Construction will also cause a blind spot on the corner of Alpha Road and Dahlia Street which may increase the likelihood of an accident due to the large number of residents and school aged children who frequent Alpha Road Park for leisure and bike riding. Another important factor is that there is a bus stop across the road from the proposed construction site and also beside construction site where a number of school children catch the bus to and from school daily.

Noise:

The noise within the area is already a common factor by drivers fishtailing down Alpha Road onto Dahlia Street at all times of day and night. With the construction of this 71 place childcare centre, the noise factor will only increase due to drop off and pick up times. I personally complained to council due to construction noise due to the building of duplexes closeby, as early as 7am and sometimes before this time. This is bad enough during weekdays but is even worse on weekends.

Privacy:

With a duplex currently adjacent to our property the occupants of one of these duplexes having no regard for her neighbours we have been kept up at night with loud music and a spotlight that shines onto our bedroom windows. With a two storey 71 place child care centre which includes basement car park we will again have our privacy invaded.

When we moved to Greystanes we were happy that it was a quiet residential area to raise our family and while I understand and appreciate that demographics change over time, however we strongly feel that the construction of the above child care centre does not reflect the need of the community currently residing within the proposed area.

I sincerely trust and hope the council will take serious consideration of my objection to the above proposal.

Yours sincerely

Greystanes

Households with children

There are 1,627 couples with young children in Greystanes in 2016, comprising 22.2% of households.

Households with Children require different services and facilities than other household types, and their needs change as both adults and children age. When many families in an area are at the same stage in their individual lifecycles, it creates a suburb lifecycle. Knowing where a suburb is in a cycle of change helps planners make evidence-based decisions about the demand for services both now and in the future.

For Households with Children in Greystanes, life stage is based on the age of children in the household. The age of the parent(s) is not taken into account.

- **Young children:** Children aged under 15 only
- **Mixed age children:** One or more children under 15 and one or more children over 15 (must have 2 or more children)
- **Older children:** Children aged 15 and over only

To continue building the story, Greystanes's Household data should be viewed in conjunction with Household Size, Age Structure and Dwelling Type.

systema	-	Cumberland Council	-	2011	-	Persons	-	reset	
systema - Total persons (usual residence)				2016			2011		Change
Age group (years)	+	Number	%	Cumberland Council area %	+	Number	%	Cumberland Council area %	2011 to 2016
0-4		1,621	7.1	7.0		1,600	7.5	6.2	+21
5-9		1,608	7.4	7.0		1,418	6.5	6.7	+190
10-14		1,400	6.3	6.7		1,364	6.3	6.3	+36
15-19		1,306	5.8	5.9		1,464	6.7	6.6	-158
20-24		1,344	5.9	7.0		1,259	6.0	8.0	+85
25-29		1,294	5.7	6.9		1,313	6.0	9.4	-19
30-34		1,584	6.9	6.6		1,516	6.9	8.5	+68
35-39		1,710	7.5	7.6		1,549	7.1	7.2	+161
40-44		1,580	6.9	6.3		1,494	6.7	6.5	+86
45-49		1,611	6.7	5.8		1,603	6.7	6.3	+8
50-54		1,370	6.0	5.6		1,244	5.7	5.3	+126
55-59		1,182	5.3	5.2		1,294	5.9	5.1	-112
60-64		1,000	4.4	4.3		1,077	5.0	4.4	-77
65-69		1,430	6.3	5.6		1,160	5.4	5.2	+270
70-74		1,101	5.0	5.0		909	4.2	5.0	+192
75-79		706	3.1	5.0		505	2.4	5.0	+201
80-84		414	1.8	1.4		365	1.7	1.7	+49
85 and over		264	1.2	1.3		209	1.1	1.4	+155

Area: Greystanes Benchmark area: Greater Sydney Comparison year: 2011 reset

Households with children by life stage

export reset

Greystanes - Households (Enumerated)		2016		2011		Change	
Households with children		Number	% Greater Sydney	Number	% Greater Sydney	2011 to 2016	
a Couples with children		3,238	44.1	3,122	42.9	+116	
Couples with young children		1,627	22.2	1,484	20.4	+144	
Couples with mixed-age children		391	5.3	447	6.2	-57	
Couples with older children		1,219	16.6	1,190	16.4	+29	
a Single parents with children		877	11.9	931	12.8	-54	
Single parents with young children		260	3.5	334	4.6	-74	
Single parents with mixed-age children		74	1.0	126	1.7	-51	
Single parents with older children		542	7.4	471	6.5	+71	
Total households with children		4,116	56.0	4,054	55.7	+62	
Total households		7,345	100.0	7,279	100.0	+66	

From:
Sent: Sun, 24 May 2020 15:23:36 +1000
To: Records Department
Subject: Proposed the Childcare Centre DA2020/207.

My name's _ . My contact number is . My email address is

I am strongly objecting to the proposed two stories Childcare Center which will be on the corner of Dahlia street and Alpha Road , Greystanes because we already have enough Childcare Center in the area and this would create more traffic volume as we now have a very safe and quiet environment in our area.

Could you please consider this problem? I am looking forward to hearing from you soon.

Thank you .

Regards,

Sent from my iPhone

Ref: DA2020/0207

T: (0) 2 939 4000
M: 0400 000 000
E: info@cumberland.nsw.gov.au

26 May 2020

Cumberland City Council
PO Box 42
MERRYLANDS NSW 2160

To Whom It May Concern

Application No: DA2020/0207
Property: 95 Dahlia Street GREYSTANES NSW 2145,
97 Dahlia Street GREYSTANES NSW 2145
Legal Description: Lot 16 DP 236780, Lot 17 DP 236780
Proposal: Demolition of existing structures and construction of a two storey, 71 place centre-based childcare facility over basement car parking.

I **OBJECT** to this application for the following reasons:

- **Commercial Development in Residential Area:** A commercial development in an existing residential area like the Flower Estate should not be permitted.
- **Physical Size of the Proposed Child Care Facility:** The design as submitted is too large and unsuitable for the area. The Flower streets do not need another Childcare Centre, as there is a new facility currently under construction in Hyacinth Street.
- **Size of the Operation:** A 71 place operation seems too crowded for the proposed size of the facility.
- **Design not in Keeping with Area:** The design as submitted is not in keeping with the general style of residences in the area.
- **Increased Traffic Congestion in Area:** Currently local parking and general traffic congestion is a problem for local residents since the opening of the Cedary Bakery and The Learning Centre at the corner of Dahlia & Hibiscus Streets. Because the proposed development is located approximately 50 metres from the proposed development, vehicular traffic in the area will increase substantially with parents dropping their children off in the morning and picking up in the afternoon.
- **Noise Impact:** Vehicle noise in the area will increase substantially with the extra traffic.
- **Increased Traffic:** Traffic in the area will increase substantially in the morning and evening.
- **Impact on Immediate Neighborhood:** Construction noise and truck movements during the construction phase will impact heavily on houses within the immediate area. Noise from the day to day operation of the Childcare Centre, if approved, will also impact immediate residents to their detriment.

Yours faithfully

Ref: DA2020/0207

T: ()
M: ()

E: ()

26 May 2020

Cumberland City Council
PO Box 42
MERRYLANDS NSW 2160

To Whom It May Concern

Application No: DA2020/0207
Property: 95 Dahlia Street GREYSTANES NSW 2145,
97 Dahlia Street GREYSTANES NSW 2145
Legal Description: Lot 16 DP 236780, Lot 17 DP 236780
Proposal: Demolition of existing structures and construction of a two storey, 71 place
Centre-based childcare facility over basement car parking.

I **OBJECT** to this application for the following reasons:

- **Commercial Development in Residential Area:** A commercial development in an existing residential area like the Flower Estate should not be permitted.
- **Size of Operation:** The design as submitted, is too large, has too many child placements and does not fit in with the environs of the area. The Flower streets do not need another Childcare Centre as there is a new facility currently under construction in Hyacinth Street, less than 1 kilometre away.
- **Increased Traffic Congestion in Area:** Traffic congestion has greatly increased since the opening of the Cedary Bakery and The Learning Centre, both of which are located in the four units building located at the corner of Dahlia and Hibiscus Streets. If the proposed development is approved, vehicular traffic in the area will increase substantially with parents dropping their children off in the morning and picking up in the afternoon.
- **Design not in Keeping with Area:** The design as submitted is not in keeping with the general style of housing in the area.
- **Noise Impact:** Noise in the area will increase substantially with the extra traffic.
- **Increased Traffic:** Traffic in the area will increase substantially in the morning and evening. Traffic entering and exiting the facility will also have an adverse effect on the already congested area.
- **Impact on Immediate Neighborhood:** Construction noise and truck movements during the construction phase will impact heavily on houses within the immediate area. Noise from the day-to-day operation of the Childcare Centre, if approved, will affect immediate residents to their detriment.

Yours faithfully

From:
Sent: Tue, 26 May 2020 05:38:24 +0000
To: Records Department
Subject: DA2020/0270

Dear Council,

I am writing to object the proposed development at 95-97 Dahlia St Greystanes DA2020/0207.

The reason for my objection is due to the following:

- Increased traffic congestion within the area.
- Already increased traffic in Hibiscus St due the new bakery.
- Not enough adequate parking for 71 children during hours of operation.
- Noise will impact the adjoining neighbours.
- Shadowing of the adjoining property. The orientation will block the neighbours sun in winter.
- Two level commercial building in a residential area. The size of the project is not acceptable.
- Another child care centre in the area. Construction of a new child care in Hyacinth St.

We do not need this development in this area. Keep with low rise residential housing.

From:
Sent: Tue, 26 May 2020 21:49:00 +1000
To: Records Department
Subject: DA 2020/207

Attention Elif Haliloglu

Tuesday, 26 May 2020

Notice to reject Application DA2020/0207

To Whom it May Concern

I am a resident of _____, my name is _____, I can be
contacted by phone _____ or email _____

I am not affiliated with, nor have I made a political donation of gift.

I wish to lodge my fervent and unequivocal opposition to the development of the residential properties of 95-97 Dahlia street.

I ask that this commercial enterprise **NOT** be approved by the Cumberland City Council.

I would bring to your attention the impact this will have on the **health and wellbeing** on my family that consists of myself, my husband, two children aged 9 and 12, and my elderly parents who reside with us intermittently throughout the year from their primary residence in Canberra, as they require our care and support.
This will be on account of the following:

During Demolition and Construction:

The construction for this development will need a significantly larger building workforce than a residential home, as the site will require the **demolition** of existing dwellings, **the excavation** for the three levels, (as this is what a two level with basement construction is), and the **construction** of the commercial dwelling. This will increase of traffic, require large building machinery, and onsite labour force. It will be disruptive, noisy and dusty, and there will be an increase in vehicle emissions that will be directly line with all of my bedroom windows.

What assurance do I have that my house will not be affected by the excavation and build, given all three properties are on a sloping elevation downwards, not forgetting the 100 year flood report?

During Childcare Operations:

My children's bedroom windows face the street and the driveway into the basement parking of the childcare facility. We will be directly impacted by **noise and car fumes** from the **increased traffic** a 71 placement childcare facility will create, as parents and care givers drop off and pick up, driving into the **basement carpark** and **parking out the front** of my house between the hours of (?) 6am and 6pm, notwithstanding the **earlier arrival** and departure of the facilities staff at either side of these times.

The proposed plans that I could find, do not provide detail as to a security gate, but given the security measure to ensure the security of the childcare it will have, or soon will have a **security gate that will also disrupt my family** with repeated opening and closing particularly in the early morning.

The **industrial sized rubbish bins** required for this operation will need extra **garbage truck** runs to remove the **rubbish** from nappies and the food that will be discarded, and then there's the **smell** that will waft across my home.

Would anyone choose to live next door to **the noise 71 children** will make during the day? Not to mention the **loss of privacy** that this three-level building will pose as the upper level looks over my property, and the placement of windows in unclear whether they will look into mine.

As all sporting activities have been restricted during the COVID pandemic, I am unable to confirm what and when sporting activities are held on the **Alpha St Oval**, however prior to this, the **parking for these games and training sessions were already congested and inadequate**, without the increase this development will surely have. There are **two bus stops**, one opposite the proposal and one on the corner of Alpha and Dahlia, this corner is congested enough already.

Commercial entity:

I would also note that I invested and reside in a quiet **residential area**. I have previously lived in Pymont and Merrylands (next to the Sherwood Rd BP petrol station). When I bought and resided in these locations the commercial properties were already established before I moved in, I was reconciled to live with busy traffic and loud noise. I however chose to raise a family in a residential area, I was aware of the small commercial Plumbing business located on 91 Dahlia St, and was aware of the small shops in Hibiscus Street, so I was aware of, and accept the impact that these businesses have on noise and traffic in the area.

This development should **not be located in a residential area**; the size of the development is too big for this area, and my family and my neighbours do not deserve to live with the consequences this overblown commercial enterprise will have on our health and wellbeing, particularly when industrial and commercial businesses operate minutes away in the streets off Gipps Rd in Wetherill park.

There are currently **16 childcare facilities** in Greystanes and Pemulwuy, when I did a simple Google search for my address.

I reject that another is needed, or will provide a service the residents of this area.

This development should not be approved for such a large number of placements right next to my bedroom windows.

I am available to discuss my objections through the above contacts, and I thank you for considering my objection to this development.

Regards

Sent from my iPhone

To Whom It May Concern,

I, _____ of _____, am writing this letter to **vehemently express my strong objection** to the proposed two storey, with basement car park, 71 placement child care centre DA application (DA2020/0207) at 95-97 Dahlia Street, Greystanes.

The reasons for my objections are as follows;

1. **Flood Zone**

Child care centres are classified as a 'sensitive use development' and under Cumberland Council's flood controls which can be located on page 84 of the DCP it clearly states sensitive use developments are not permitted in flood prone land affected by the 100 year flood. I have had a look at the flood map and a corner of the property is affected therefore, this proposed development should have automatically been rejected – despite how much flood water affects the land. Consideration 2 of the *Child Care Planning Guideline* (page 9) clearly states that '*the site is environmentally safe including risks such as flooding.*' Therefore, this proposed site is not fit for the construction of a sensitive use development as outlined by council's DCP and state legislation.

Clovelly Montessori Academy Pty Ltd v Randwick City Council [2020] NSWLEC 1051 the Land and Environment Court said in dismissing a DA for a childcare centre "236 Firstly, there was no designated flood evacuation location or documented procedure during flooding, nor an analysis of what is required. Secondly, the PoM contains inadequate detail, notwithstanding the updated flooding information and contention, in terms of how children and staff would be evacuated in the event of a flood, which is an agreed likely event on this site. It was instead proposed to be left to extensive conditions of consent to try and resolve the flood evacuation issues and have an adequate PoM. Finally, I was not satisfied as to the acceptability of the post development flood impacts to neighbours given the agreed changes to the affectation of their properties, in terms of the location and depth, even if not the quantum, of floodwaters. 237 Not only cl 6.3 but DCP controls indicate that a child care centre on flood prone land needs to be carefully designed to ensure a safe outcome as it is inappropriate to unnecessarily put at risk young childrens' lives."

The flooding report relevantly said;

"5. FLOOD EVACUATION. During large storm events there is the potential for flooding to occur at and within the vicinity of the site. Therefore, evacuation from the site during a flood event should be considered. Evacuation would need to occur well before flood waters reach their peak as the local area can be inundated during large floods. During floods, many roads within the area will be cut by floodwaters. Travelling through floodwaters on foot, or in a vehicle can be very dangerous as the water may be polluted, obstructions can be hidden under the floodwaters, or you could be swept away. It is recommended that occupants stay within the building as much as practical as this is the safest option (the ground floor level of the childcare centre is higher than the PMF level and therefore provides a safe refuge from all flood events. If the building needs to be evacuated, do so only under the guidance

of the SES, Police or other Emergency Service personnel. DURING A FLOOD EVENT, IT IS SAFER TO STAY WITHIN THE BUILDING."

I would like to point out that there is no Evacuation Plan.

2. **Traffic & Safety**

Alpha Road, Dahlia Street and Hibiscus Street are already congested with traffic and parking problems due to the overwhelming popularity of the bakery on Hibiscus Street and Alpha Park. When training is held on multiple nights during the week and sporting events are held on the weekends, it is difficult to get a park resulting in drivers making their own rules. I have had residents in Hibiscus Street inform me of drivers using their nature strips and driveways. There is also a couple of bus stops out the front and opposite the proposed centre further causing traffic congestion when the buses have stopped. I would also like to point out the 'Local Traffic Only' signs on the 3 entry points to the Flower Estate – surely allowing more cars into the area defeats the purpose of these. Consideration 1 of the *Child Care Planning Guideline* (page 9) clearly states that 'For proposed developments in or adjacent to a residential zone consider traffic and parking impacts of the proposal on residential amenity.' This proposed development has not taken into consideration the impact it would have on traffic. I reject the Traffic Report dated May 2019 and submitted with the application and its findings. This report was conducted prior to the opening of Cedary Bakery in November 2019 and does not take into consideration the impacts that this has had on traffic. Further to that the traffic report was only conducted for the duration of an hour in the morning and not the entire peak hour times of the morning and afternoon. I would welcome a new independent report that is conducted post Covid times in order to fully capture the traffic implications on our quiet, residential area.

3. **Noise**

How much noise would a 71 placement child care centre generate? Not everyone works 9-5. We have residents that are shift workers and those that work at home. As an aging demographic, we also have a large number of retired residents. Are the boundary fences acoustically appropriate? Consideration 1 of the *Child Care Planning Guideline* (page 9) clearly states that 'For proposed developments in or adjacent to a residential zone consider the acoustic and privacy impacts of the proposed development on the residential properties.' The amount of noise that would be generated by traffic and whilst the centre is in operation does not take into consideration the impacts on local residents.

4. **Privacy**

The size of the building and the fact that it is on sloping land, reduces the level of privacy that the neighbouring properties are entitled to. Again, this contravenes Consideration 1 of *The Child Care Planning Guideline* (page 9) which states that 'For proposed developments in or adjacent to a residential zone consider the acoustic and privacy impacts of the proposed development on the residential properties.' Page 15 of the same document also states that 'Visual privacy is about allowing residents on adjacent

properties to occupy their private space without being overlooked by child care facilities ...'

5. **Size**

The sheer size of the building. You can see in the plans that the building will in effect take up most of the land with one section coming right up to the fence line – which impacts on the privacy of neighbouring properties. Does this fulfil the requirement for mandatory outdoor space? Does the floor space fulfil the mandatory requirement of how many children and educators are permitted per square metre? How is it still considered residential when it occupies two lots of land and given it is a commercial enterprise?

6. **Basement Car Park**

Not only will this be affected by the flood but it does not meet requirements. Based on page 30 of the DCP it states that one parking spot per 4 enrolled children and one parking spot per 2 staff members is required. That is a minimum of 18 spaces for each enrolled child and whilst the current plans show 19 spaces, 2 are designated disabled spots and therefore not for the use of the majority. They also have 6 staff member parking spots. Given the sheer size of 71 enrolments, and the mandatory educator to child ratio as noted below I believe that this does not meet the requirements.

Educator to Child Ratios for NSW Child care Centres

(<https://education.nsw.gov.au/early-childhood-education/whats-happening-in-the-early-childhood-education-sector/news-and-events/spotlight-on-quality/issue-2>)

Birth to 24 months: 1 educator per 4 children

24 months to 36 months: 1 educator per 5 children

36 months to preschool age: 1 educator per 11 children

Over preschool age: 1 educator per 15 children

According to their plans (<https://cumberland-eplanning.t1cloud.com/Common/Output/Document.aspx?id=7932375&ext=pdf>) they are anticipating 12 educators but have not factored chefs, admin staff, director, etc.,. Therefore the car park does not cater for all staff. Should all staff members drive where would they all park? What about the bank up of traffic for those waiting to enter the basement parking? Where will the overflow parking be?

7. **Street Parking**

Consideration 2 of the *Child Care Planning Guideline* (page 10) clearly states that *'there are suitable drop off and pick up areas, and off and on street parking.'* Where is the off street parking? This site is on a corner and with bus stops located in front of and opposite the site. Does this proposed child care centre plan to make use of the minimal car spaces that are opposite 97 Dahlia Street that are currently for the public who use the park? If so this poses another safety risk with parents needing to cross the road with no pedestrian crossing whilst navigating bus stops and a blind corner. The proposed site does not support off street parking. This directly contravenes *Principle 7 – Safety of the Child Care Planning Guideline* (page 7).

8. **Planning Objectives**

Principle 1 - Context of the Child Care Planning Guideline (page 6) document states that *'Good design... includes social, economic, health and*

environmental conditions. Well-designed child care facilities respond to and enhance the qualities and identity of the area including adjacent sites, streetscapes and neighbourhood.' Furthermore, point 1.3 on page 2 states that the planning objectives of the Guideline are to 'ensure that child care facilities are compatible with the existing streetscape, context and neighbouring land uses and minimise any adverse impacts of development on adjoining properties and the neighbourhood, including the natural and built environment.' The building plans and overall look of the building are NOT in line with the character and heritage of the Flower Estate and therefore do not comply with the principles and considerations outlined in the Guideline document. This is further supported under point 3.2, C5 of the *Child Care Planning Guideline* (page 11) which states that 'the proposed development should contribute to the local area by being designed in character with the locality and existing streetscape.' I reject any notion that this proposed design enhances our local area but rather detracts from it which directly impacts on the property value of surrounding residences.

9. **Demographics**

According to profileid.com, data from the 2016 census shows that 22.2% (couples) and 3.5% (single parent) of households have young children. Therefore, does this warrant the need for another child care centre? Keeping in mind that definition of 'young children' is those aged under 15 so this total of 25.7% also includes school aged children. Compare that to the 56.0% of households with **NO** children and factor in the school age children, the data is clearly supporting the fact that another child care centre is not needed by the residents of Greystanes. **Furthermore; the 0 to 4 year old age bracket is 7.1% again supporting the fact that another child care centre is not warranted in Greystanes.** <https://profile.id.com.au/cumberland/five-year-age-groups?WebID=150>

Greystanes

Households with children

There are 1,627 couples with young children in Greystanes in 2016, comprising 22.2% of households.

Households with Children require different services and facilities than other household types, and their needs change as both adults and children age. When many families in an area are at the same stage in their individual lifecycles, it creates a suburb lifecycle. Knowing where a suburb is in a cycle of change helps planners make evidence-based decisions about the demand for services both now and in the future.

For Households with Children in Greystanes, life stage is based on the age of children in the household. The age of the parent(s) is not taken into account.

- **Young children:** Children aged under 15 only
- **Mixed age children:** One or more children under 15 and one or more children over 15 (must have 2 or more children)
- **Older children:** Children aged 15 and over only

To continue building the story, Greystanes's Household data should be viewed in conjunction with **Household Size, Age Structure and Dwelling Type**.

Area: Greystanes Benchmark area: Greater Sydney Comparison year: 2011 reset

Households with children by life stage export reset

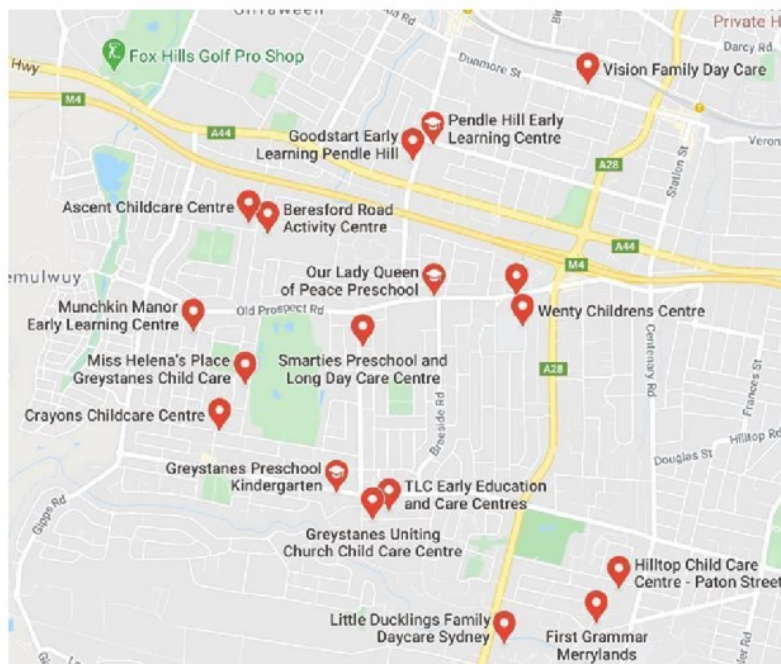
Greystanes - Households (Enumerated)	2016			2011			Change
Households with children	Number	%	Greater Sydney %	Number	%	Greater Sydney %	2011 to 2016
Couples with children	3,238	44.1	35.3	3,122	42.9	34.8	+116
Couples with young children	1,627	22.2	16.8	1,484	20.4	16.3	+144
Couples with mixed-age children	391	5.3	4.7	447	6.2	4.9	-57
Couples with older children	1,219	16.6	11.8	1,190	16.4	11.6	+29
Single parents with children	877	11.9	10.4	931	12.8	10.8	-54
Single parents with young children	260	3.6	3.3	334	4.6	3.7	-74
Single parents with mixed-age children	74	1.0	1.2	126	1.7	1.3	-51
Single parents with older children	542	7.4	6.0	471	6.5	5.8	+71
Total households with children	4,116	56.0	45.8	4,054	55.7	45.6	+62
Total households	7,345	100.0	100.0	7,279	100.0	100.0	+66

Area:	Benchmark area:	Comparison year:	Gender:	
Greystanes	Cumberland Council	2011	Persons	reset

Greystanes - Total persons (usual residents)		2016		2011		Change	
Five year age groups (years)	Number	%	Cumberland Council 2016 %	Number	%	Cumberland Council 2011 %	2011 to 2016
0 to 4	1,029	7.1	7.3	1,001	7.5	8.2	-15
5 to 9	1,080	7.4	7.0	1,416	8.5	6.7	+280
10 to 14	1,432	8.3	5.7	1,364	6.3	6.3	+68
15 to 19	1,330	5.8	5.8	1,461	6.7	6.6	-131
20 to 24	1,341	6.9	7.9	1,296	6.8	8.0	+45
25 to 29	1,294	5.7	9.9	1,313	6.8	9.4	-16
30 to 34	1,584	6.9	9.6	1,510	6.9	8.5	+60
35 to 39	1,710	7.6	7.8	1,540	7.1	7.2	+171
40 to 44	1,581	6.9	6.5	1,464	6.7	6.5	+117
45 to 49	1,611	6.2	5.8	1,462	6.7	6.3	-61
50 to 54	1,278	6.0	5.6	1,244	5.7	5.9	+130
55 to 59	1,162	5.1	5.2	1,294	5.9	5.1	-132
60 to 64	1,223	5.4	4.3	1,577	7.2	4.4	-354
65 to 69	1,430	6.3	3.6	1,180	5.4	3.2	+250
70 to 74	1,101	5.0	2.9	906	4.2	2.5	+195
75 to 79	798	3.1	2.0	520	2.6	2.0	+178
80 to 84	614	1.8	1.1	260	1.2	1.7	+35
85 and over	264	1.6	1.5	200	1.1	1.4	+164
Total population	22,854	100.0	100.0	21,824	100.0	100.0	+1,030

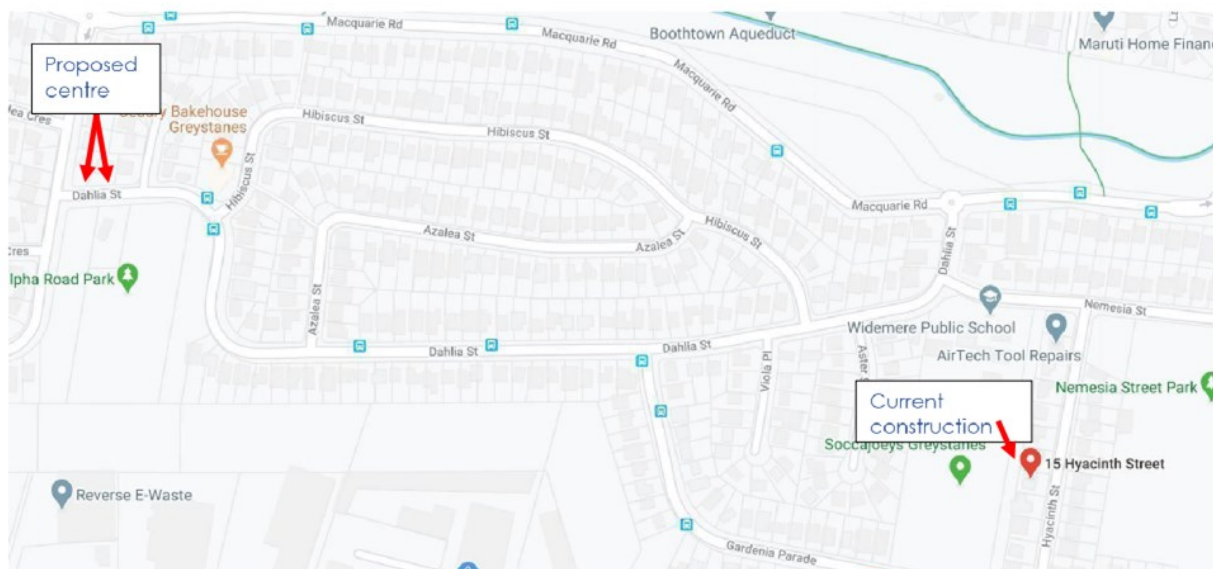
10. Sheer number of child care centres in Greystanes

How many child care centres are needed to cater for 7.1% of the Greystanes population? A quick phone call to these (even pre-Covid times) shows that all of them, excluding some the council operated ones, had vacancies and most could accommodate children on a full time basis. This is not including those currently in construction or already approved.



11. Current development

The same designers 'Baini Designs' are also responsible for the current child care centre (28 placements) being constructed on Hyacinth Street. Do they really need to construct another one less than 1 minute drive away? Surely the 28 places that will be available will be more than enough to cater for the residents of the Flower Estate with young children. Furthermore, there is another child care centre that has been approved for Camelia Street. That's 3 child care centres with basement car parks within one kilometre of each other in the Flower Estate! The overall ramifications that this has to the traffic and noise levels for the entire area must not be overlooked.



12. Low density

When I purchased in Greystanes in 2009 I did so because it was an established area that was categorised as low density. I now have double storey duplexes approved for right next door and now this proposed double storey child care centre across the road. Will they be constructed simultaneously? Imagine the impact that would have on residents – dirt, noise, trucks, etc.. Would any of the councillors, planners and/or engineers be prepared to purchase my house or at least live in it whilst both of these structures are being constructed?

Holroyd Local Environmental Plan 2013 provides Zone R2 Low Density Residential;

1 Objectives of zone

- 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 allow residents to carry out a range of activities from their homes while maintaining neighbourhood amenity."

The number of childcare centres in the area related to the population lead inevitably to the conclusion that this is not **to enable other land uses that provide facilities or services to meet the day to day needs of residents**

Holroyd Local Environmental Plan 2013 further provides **6.4 Flood planning**

(1) The objectives of this clause are as follows—

- to minimise the flood risk to life and property associated with the use of land,
- to allow development on land that is compatible with the land's flood hazard, **taking into account projected changes as a result of climate**

change to avoid significant adverse impacts on flood behaviour and the environment."

Neither the Statement of Environmental Effects nor the Flood Impact Assessment makes any attempt to **project changes as a result of climate change**.

Thus the Council cannot take into account projected changes as a result of climate change.

13. Rejection of previous submission

The same proposal was rejected by council on 28th August 2019 (DA2019/303/1). I have since discovered that it was rejected to the following;

- Detailed Site Contamination
- Flood Report
- Survey Plan

I can inform you that no work has been undertaken to rectify any of these issues at either property.

14. Cost

Both the first and current application stipulate the same estimate for construction - \$2,619,502. How is this possible if modifications have been made? I am aware this is an estimate but given the design and materials required, I feel that this is a gross underrepresentation of the accurate figure to lower the cost of fees due to council. What will happen if the developers run out of funds just like Hyacinth Street? Will the residents be left with an incomplete eyesore?

The final point I would like to make is that this application shouldn't be determined by residents having to look at legalities and technicalities within the application and associated documents. The fact that the residents are against this proposal should be enough to prevent it from proceeding – or is the collective voice of the constituents of Cumberland City Council and the Greystanes community purely not enough?

From:
Sent: Mon, 18 May 2020 22:40:52 +0000
To:
Subject: Proposed Development at Greystanes DA2020/0207

Dear

Thank you for your time on the phone yesterday afternoon. As discussed I, along with other neighbours, have concerns regarding the proposed development of a two storey, 71 placement childcare centre at 95-97 Dahlia Street Greystanes.

The reasons for my objections are as follows;

- **Safety:** it is situated on a blind spot corner. This intersection is notorious for people doing 'fishies' in the rain and Alpha Road is often used a race track.
- **Traffic:** Alpha Road, Dahlia Street and Hibiscus Street are already congested with traffic and parking problems due to the overwhelming popularity of the bakery on Hibiscus Street and Alpha Park. When training is held on multiple nights during the week and sporting events are held on the weekends, it is difficult to get a park resulting in drivers making their own rules. I have had residents in Hibiscus Street inform me of drivers using their nature strips and driveways. There is also a couple of bus stops out the front and opposite the proposed centre further causing traffic congestion when the buses have stopped. I would also like to point out the 'Local Traffic Only' signs on the 3 entry points to the Flower Estate – surely allowing more cars into the area defeats the purpose of these.
- **Noise:** How much noise would a 71 placement child care centre generate? Not everyone works 9-5. We have residents that are shift workers and those that work at home. Are the boundary fences acoustically appropriate?
- **Size:** The sheer size of the building. You can see in the plans that the building will in effect take up most of the land with one section coming right up to the fence line – which impacts on the privacy of neighbouring properties. Does this fulfil the requirement for mandatory outdoor space? Does the floor space fulfil the mandatory requirement of how many children and educators per square metre?
- **Parking:** How many parking spots is the basement parking allowing for? Is this enough to sustain the employees plus those utilising the services? What about the bank up of traffic for those waiting to enter the parking? Where will the overflow parking be?
- **Demographics:** According to profileid.com, data from the 2016 census shows that 22.2% (couples) and 3.5% (single parent) of households have young children. Therefore, does the this warrant the need for another childcare centre? Keeping in mind that definition of 'young children' is those aged under 15 so this total of 25.7% also includes school aged children. Compare that to the 56.0% of households with **NO** children and factor in the school age children, the data is clearly supporting the fact that another child care centre is not needed by the residents of Greystanes. **Furthermore; the 0 to 4 year old age bracket is 7.1% again supporting the fact that another child care centre is not warranted in Greystanes.** <https://profile.id.com.au/cumberland/five-year-age-groups?WebID=150>

Greystanes

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For Households with Children in Greystanes, life stage is based on the age of children in the household. The age of the parent(s) is not taken into account.

- **Young children:** Children aged under 15 only
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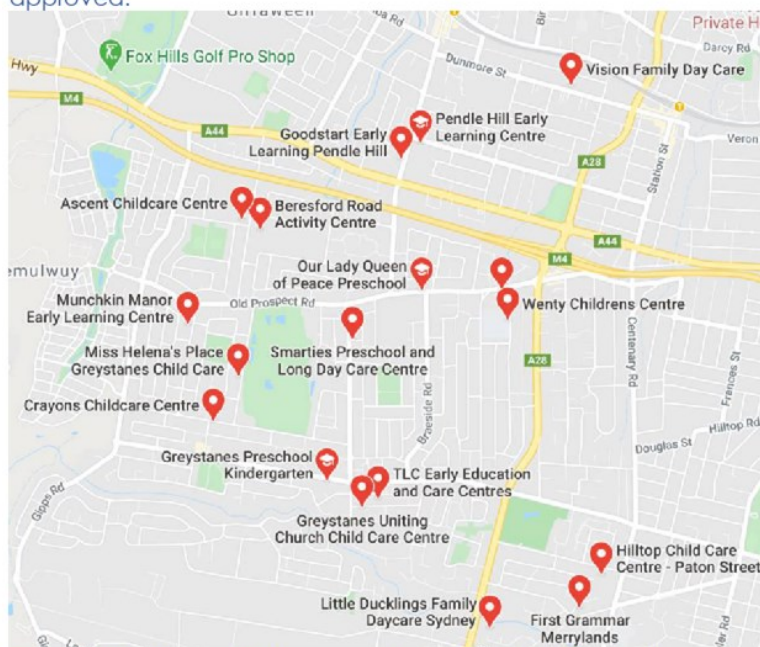
To continue building the story, Greystanes's Household data should be viewed in conjunction with Household Size, Age Structure and Dwelling Type.

Area:	Benchmark area:	Comparison year:
Greystanes	Greater Sydney	2011

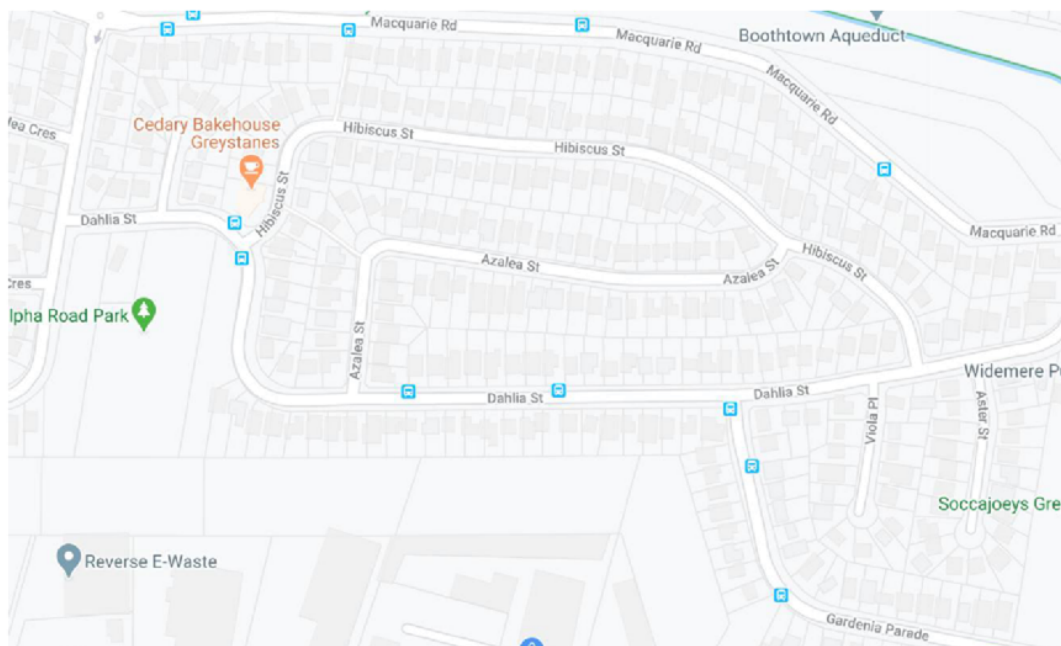
Households with children by life stage

Greystanes - Households (Enumerated)		2016		
Households with children	Number	%	Greater Sydney %	Ni
Couples with children	3,238	44.1	35.3	
Couples with young children	1,627	22.2	18.8	
Couples with mixed-age children	381	5.3	4.7	
Couples with older children	1,219	16.6	11.8	
Single parents with children	877	11.9	10.4	
Single parents with young children	260	3.5	3.3	
Single parents with mixed-age children	74	1.0	1.2	
Single parents with older children	542	7.4	6.0	
Total households with children	4,116	56.0	45.8	
Total households	7,345	100.0	100.0	

- **Sheer number of child care centres in Greystanes:** How many childcare centres are needed to cater for 7.1% of the Greystanes population? A quick phone call to these (even pre-Covid times) shows that all of them, excluding some the council operated ones, had vacancies and most could accommodate children on a full time basis. This is not including those currently in construction or already approved.



- **Current development:** The same designers 'Baini Designs' are also responsible for the current childcare centre (28 placements) being constructed on Hyacinth Street. Do they really need to construct another one less than 1 minute drive away? Surely the 28 places that will be available will be more than enough to cater for the residents of the Flower Estate with young children.



- **Low density:** When I purchased in Greystanes in 2009 I did so because it was an established area that was categorised as low density. I know have double storey duplexes approved for right next door and now this proposed double storey childcare centre across the road. Will they be constructed simultaneously? Imagine the impact that would have on residents – dirt, noise, trucks, etc.,
- **Time to respond to the application:** The letter I received was dated 11th May and indicated that I had between the 13th and 27th May to submit an appeal. I didn't receive the letter until the afternoon of Friday 15th May, and given the weekend, effectively meant that I had lost 5 days to allow for research and make necessary phone calls. I confirmed with my neighbours who also didn't receive the letter until 15th May.
- **Rejection of previous submission:** The same proposal was rejected by council on 28th August 2019 (DA2019/303/1). I have attempted to access records to ascertain why yet these are not on council website. Follow up phone calls lead me to believe that these should be accessible as a matter of public interest. I am also requesting a copy of the report that accompanied the rejection of this previous application.
- **Cost:** Both the first and current application stipulate the same estimate for construction - \$2,619,502. How is this possible if modifications have been made? I am aware this is an estimate but given the design and materials required, I feel that this is a gross underrepresentation of the accurate figure. What will happen if the developers run out of funds? Will the residents be left with an incomplete eyesore?

26th May 2020

Application: DA2020/0207

To Whom it may concern,

I would like to put forward my views regarding the proposed child care centre development for Dahlia Street, Greystanes.

We bought our house a couple of years ago in a beautiful quiet cul-de-sac, which we love. Parking in a cul-de-sac is always an issue and at times it's a struggle. We have MID Plumbing on the corner who often has all there cars parked around the place and more recently Cedary Bakery opened which has increased the traffic severely. People park on bends, corners, anywhere they can, even in our cul-de-sac. Obviously with a child care centre this will make it even worse, at times we can't even see to pull out safely onto Dahlia Street which is very dangerous.

My other concern is the noise of 71 children in a nice quiet residential area. Not to mention the poor people who own the only other house in the block, next door to them. I'm sure you or no one else would want that great big noisy place built next door to them.

There is currently another child care being built in Hyacinth Street, literally just around the corner.

How many child care Centres do we need in one area?

I hope you seriously consider this application before approving.

Regards

From: PlanningAlerts on behalf of
Sent: Tue, 26 May 2020 12:55:28 +1000
To: Records Department
Subject: Comment on application DA-303/2019 GREYSTANES

For the attention of the General Manager / Planning Manager / Planning Department

Application DA-303/2019 GREYSTANES
Address 95 Dahlia Street, Greystanes NSW 2145
Description Child Care Centres and Demolition (DRAFT)
Name of commenter
Address of commenter
Email of commenter

Comment

Re: Application DA2020/0207

I wish to lodge a complaint re the proposed development on 95-97 Dahlia St. for a 71 placement Childcare Centre.

This is a residential area and we have numerous Childcare Centres, the newest one being completed in Hyacinth St. less than 1 km. away.

eg Narrow Hibiscus St. already has a major problem at certain times when mums drop off and pick up kids from the Learning Centre and Cedary Cafe.

It's near impossible to safely drive through because of cars parked on both sides.

Do we really need another commercial development in this area?

Please consider our very real concerns.

This comment was submitted via PlanningAlerts, a free service run by [the OpenAustralia Foundation](#) for the public good. [View this application on PlanningAlerts](#)

From:
Sent: Tue, 26 May 2020 13:04:59 +1000
To: Records Department
Subject: Proposed Development at 95-97 Dahlia Street Greystanes DA2020/0207
Importance: Normal

Dear Sir/Madam

I am writing to you today to express my concerns re a proposed development on 95-97 Dahlia Street, Greystanes DA2020/0207.

Application No: DA2020/0207

Property: 95 Dahlia Street Greystanes and 97 Dahlia Street Greystanes

Legal Description: Lot 16 DP 236780, Lot 17 DP 236780

Proposal: Demolition of existing structures and construction of a two storey 71 place centre-based child care facility over basement car parking.

Applicant: Baini Design

Traffic Congestion

A facility of this size would cause an increase in the amount of vehicles in the area and have an enormous impact on traffic congestion in the area. A two storey 71 place centre-based child care facility with an over basement car parking complex on this site would cause many problems with increased traffic as the clients come and go dropping off 71 children. There is very limited parking on that area of Dahlia Street and although the facility has provision for basement parking one would assume this would only cater to the staff working at the facility. The number of staff provided for a child care centre of this size also adds to the increased number of vehicles entering and departing this residential area.

A child care facility of this size including staff and visitors would have approximately 100-140 (probably more) vehicle movements per day. The timing of these vehicle movements would depend on the hours of operation. The increased volume of traffic caused by this would have an enormous impact on the local residents.

There are already problems in this area with increased traffic flow and limited parking provisions due to the large number of people who frequent the Cedary Bakehouse, shop 4 81 Hibiscus Street and those attending sporting events at Alpha Road Park. The lack of parking spaces encourages people to park in the designated 'No Parking' areas, Bus stops and to close to the residents driveways. They also double park beside the designated parking for Alpha Road Park. This is not only dangerous but also very frustrating for the local residents. An influx of vehicles in the area would only exacerbate this situation.

The location is not suitable or ideal for drop offs and pick ups and does not provide significant street and off street parking.

Dahlia Street is only suitable for local traffic flow and an increase in the number of vehicles entering and departing this area would be a safety concern for the local residents.

There are at least three Bus stops in very close proximity to 95-97 Dahlia Street and an increase in vehicular traffic, people trying to park near or close to this proposed development to drop off and pick up children would cause problems for the local residents and bus drivers.

Historically there has been an increase in the amount of local traffic utilising Dahlia Street and Alpha Road as a cut through route to Gipps Road to avoid the traffic lights at the intersection of Macquarie Road and Gipps Road. The construction of a child care facility on this site would generate an increase in the volume of traffic and only add to this problem.

Noise Impact

Another area of concern would be the noise impact on local residents.

A child care facility in this area would generate noise due to the increase in traffic flow, noise from the drop off and pick ups and general noise from the child care facility housing up to 71 children. Increased noise in a relatively quiet residential area can have a detrimental affect on the mental health and well being of the local residents.

Hours of Operation/Size of the facility

Due to the size of this facility and number of placements, the hours of operation are a concern for local residents. The hours of operation and number of placements (71) contribute to the noise impact and traffic congestion which will have an affect on the local residents. This area is a residential area and does not need a commercial facility to be constructed on this site. There are already many child care facilities in the local area, including a new child care centre under construction on nearby Hyacinth Street, Greystanes. This area does not need another child care facility.

Property Values

The properties in this area are detached homes, a two storey 71 place centre-based child care facility over basement car parking complex is not compatible with the surrounding area.

The approval of this development proposal would have a negative affect on the existing property values in the area. A person looking to buy a property in the area is not going to be interested in living next door or in close proximity to a child care centre for obvious reasons such as noise, increased activity, increase in traffic volume, parking issues and privacy issues.

The construction of a 71 placement two storey child care facility on 95-97 Dahlia Street will have a detrimental affect on the local residents and the property values in this area.

As a resident in this area since 1986, who lives in close proximity to this proposed development, I vehemently oppose the construction of this facility.

If this proposed development is approved it will impact my life and mental health on a daily basis. Please consider the above mentioned concerns when deliberating your approval for this proposed development.

I am also lodging this submission on behalf of my elderly neighbour who is not able to lodge a submission of her own as she does not have access to a computer.

We have had several in depth discussions re this development proposal and she supports the above concerns and also objects to the approval of the development.

has been a resident in the area since 1971.

From:
Sent: Mon, 25 May 2020 14:19:47 +1000
To: Records Department
Cc:
Subject: DA 2020/0207

The area in which this development is proposed is in a quiet location with a demographics of middle-aged to retiree families.

There is no need for a daycare centre as proposed or for that matter at all.

People who may require this centre are not immediate locals and therefore will drive to get there, further as the DA states, 71 childrens places plus 10 teachers and additional support staff will come into this area. The traffic flow will be severely impacted as there is only 3 points of access to this site. One passes an unpatrolled school crossing.

The council has already stealthfully allowed a cafe to be opened not 100 metres from this site and it has caused no end of traffic/parking problems to this location. (A problem the council, though informed, has not fixed). This extra commercial development in a residential area is not acceptable to the rate payers that have to live with it.

I think it is about time council respect and do as locals request of it, look after local interest and not outside commercial interlopers.

DO NOT ALLOW THIS DEVELOPMENT TO PROCEED.

Regards
Rate payer of 46 years

From:
Sent: Wed, 27 May 2020 13:22:46 +1000
To: Records Department
Subject: DA2020/0207

Good afternoon,

I would like to raise a few concerns in regards to this application. We object based on the fact it is in a residential area, and there is an early childhood service and restaurant already in the area. The development of the above two have seen a significant increase in traffic and noise which will only get worse with this proposal.

Currently I have to call the council rangers at least once a week due to not being able to access my driveway due to cars being parked illegally.

The fact it is going to be a two storey development will only mean further traffic congestion and noise levels would also increase to levels that go against the current noise restrictions evident in our area.

Greystanes has always been a quiet area with a community based atmosphere. There is no need for a two storey development of a commercial enterprise in the middle of residential housing we urge you to consider the wishes of the local residents in preserving our suburb

Thanking you

From:
Sent: Wed, 27 May 2020 09:58:19 +1000
To: Records Department
Subject: DA2020/207

FROM

I STRONGLY object to your DA2020/207 for 95/97 Dahlia st Greystanes this.
street is far too busy with the take away business on the corner not even 100 metres away
.....which can have up to 30/40 cars parked at any given time. this makes it almost impossible
to get past. the Plumbing business can also have up to 15 trucks which is less than 50 metres
away. from your proposed DA regards



Virus-free. www.avg.com

From:
Sent: Mon, 25 May 2020 14:19:11 +1000
To: Records Department
Subject: DA2020/207

My name is _____ e.mail address _____
surely we don't need another commercial business in this area of greystanes. there is already a childcare / learning centre an accountant.....a coffee shop and a plumbing business. also a Real Estate Business .Sometimes early in the morning there can be up to 10 plumbing trucks also there can be 8 /12 cars parked at the coffee shop plus the rear of the coffee shop full of staff cars ..it also doesn't help that a 30 foot metal shipping container takes up heaps of the car parking spaces as well. At times it can only be one way for the mothers driving their children to the Widemere Public school at the other end of Dahlia Street where there is another. Childcare Centre being built in Hyacinth st Surely enough is enough! Sometimes of a morning the school bus struggles to get through this area already i strongly oppose this DA2020/207 going ahead. Regards

From:
Sent: Wed, 27 May 2020 09:56:18 +1000
To: Records Department
Subject: Objection to DA Submission DA2020/0207

Cumberland City Council
16 Memorial Avenue
Merrylands NSW 2145

27th May 2020

For the attention of Jai Shankar
Coordinator Development Advisory Services

Reference:
DA2020/0207 (95 & 97 Dahlia Street, Greystanes NSW 2145)

We are writing in reference to the above development application to build a two storey 71 place child care facility at 95 - 97 Dahlia Street Greystanes. As residents of the Flower Streets in Greystanes, we are opposed to the development in this location due to the following reasons:

1. There is already a childcare facility being built at 15 Hyacinth Street, Greystanes. Why is there a need for another within such close proximity?
2. The location is at a T-Intersection (Dahlia Street & Alpha Road) which is also quite dangerous and on many occasions we have witnessed near accidents take place. It is very worrying to know that there will be many cars coming and going particularly at peak times dropping off and picking up children.
3. The increased traffic will cause extra congestion on top of what is already a busy intersection at peak times.
4. The noise pollution that will be created due to size of the Childcare Centre, i.e. 71 placements; will negatively impact the nearby residents in Dahlia Street, Alpha Road, Jasmine Place and Grevillea Crescent.
5. Building a commercial development of this size in the middle of a residential area will devalue the surrounding residential properties.

Thank you for taking the time to read the above. We trust these points will be considered when assessing this DA.

Kind regards.

From: |
Sent: Saturday, 23 May 2020 12:37 PM
To: Records Department <council@cumberland.nsw.gov.au>
Subject: DA2020/207

To Whom it may concern,

I am a local resident and have numerous family/friends who live in this district of Greystanes in particular Dahlia street.

I object to the approval of the above DA based on the following reasoning;

- Increased congestion/traffic in such an already narrow street.
- Increased Noise levels In such a quiet street/neighbourhood.
- The scale of this structure in proportion to the adjacent/surrounding residential dwellings.
- There is another local childcare centre located in the same flower estate of this district, another is not required.
- Low density residential suburb

If you require anymore information please don't hesitate to contact me.

Disclaimer

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From:
Sent: Wed, 27 May 2020 09:56:27 +1000
To: Records Department; Elif Haliloglu
Cc: -
Subject: Submission: DA2020/0207

On behalf of [redacted] family at

RE: DA2020/0207 - proposed child care centre

Dear Sir/Madam,

I write to strongly object to the proposed breach of the Holroyd LEP as adopted and approved by local residents and endorsed/gazetted by the NSW Government in 2013.

The breach will occur should Cumberland City Council approve two adjoining single dwellings - which are located in a Low Density Residential Zoning precinct - to be demolished for a three storey (includes basement carpark) oversized commercial development.

The existing properties - both owned by Michael Khoury, according to land title records - are freestanding homes with gardens set among other freestanding homes in a neighbourhood that is predominantly quiet and residential.

Permitting a commercial/business development is not only a betrayal of the community who elected the present councillors to ensure the present LEP and DCPs are adhered to, but sets a precedent for other neighbouring residential properties to follow suit. As the council's planning department and elected officials would be well aware, the point of the LEP and DCP are to "control" developments, thereby giving residents the assurance that developers are restricted to sites that are legally allowable. In fact, I should not have to be spending time writing this submission - the LEP should be the blueprint for developers to follow. Should they wish to change it, then there is an opportunity when the LEP is reviewed.

Yes, there is some retail in the area - a small shopping strip at 81-82 Hibiscus Street, which is appropriate. For many years, there was a mixed use business serving the area. Recently, a new bakery cafe has been established (which is great). However, there are already more cars in the area.

With regard to the traffic management report by Baini Design - I have to disagree with its conclusions. Most people choose the easiest option, which is park or wait in the street, rather than descend in to an underground carpark.

Finally, the actual development will be unsightly due to its sheer size in an area of freestanding homes. Again, I find it disappointing that this even has to be raised, given the development is not in an area that is zoned for a business. It should have been dismissed from the outset.

Unlike other neighbouring suburbs, Greystanes has so far managed to avoid some of the poor development decisions that have been made elsewhere where a solo oversized development has been permitted in a predominantly residential area. A residential precinct should remain as such - a residential precinct. Retail and commercial entities should be clustered together. This gives certainly to residents when they move in to an area. A better option for a childcare centre would be adjoining a school and/or situated on an appropriately zoned site.

I will be watching this DA with interest. I have faith that the council's planning department and its councillors put the interests of the community, as opposed to a developer first, first as they were elected to do so.

Kind Regards,

on behalf of the [redacted] family

From:
Sent: Wed, 27 May 2020 15:19:32 +1000
To: Records Department
Subject: DA2020/0207

Application DA2020/0207

There is no need for this application to go through.
The flower streets don't need another childcare centre with already many around, as well as widemere public school nearby, it will cause un-needed traffic in a residential area.

Regards.

From:
Sent: Wed, 27 May 2020 15:06:28 +1000
To: Records Department
Subject: Submission for DA2020/0207

I am contacting you to protest the above DA 95 Dahlia st Greystanes. I strongly object to this going ahead, we do not need another childcare centre in Greystanes there is one being built in hyacinth St which is just around the corner. There will also be way too much traffic for that street to cope with. If you wish to contact me my phone number is my address is . Regards
Sent from my iPhone

From:
Sent: Wed, 27 May 2020 14:53:37 +1000
To: Records Department
Subject: DA2020/0207

To Whom it May Concern,

I'm writing the email to express my disapproval of the above mentioned DA.

The building of a 71 child childcare facility along with 12 staff within the residential area of Greystanes, Brings quite a few concerns.

Firstly this is a commercial venture in a residential area, and should not be permitted.

Secondly the extra traffic flow of approx. 83 extra vehicles, delivering children and then staff arriving, then another 83 movements at the end of the day, will congest the rather narrow streets surrounding.

We are in Hibiscus St, and this has already become a hi speed thoroughfare and quite dangerous.

Thirdly, the extra traffic movements combined with the already dangerous and illegal traffic movements and parking etc from THE CEDARY, will make this area a major traffic hazard. Between THE CEDARY, MID PLUMBING and now a Childcare centre, offering parking on Dahlia Street and the carparks for the sports oval, with parents and children having to walk across Dahlia St is a recipe for disaster.

Fourthly, the noise from small children in a childcare centre would be overbearing in comparison to the tranquillity now available in the area.

A new childcare centre is currently under construction in Hyacinth St, which I think is enough for the area.

Please keep our nice residential are as just that, A Nice Peaceful Residential Area, and place these childcare centres in more open non-residential areas with wider streets, easier access and less traffic danger to all concerned.

Regards

From: -
Sent: Wed, 27 May 2020 15:32:54 +1000
To: Records Department
Subject: Re: DA2020/0207

To whom it may concern,

I am a resident living at - and would like to voice my concerns and opposition to the proposed above development.

I have been living at this address since 1973. This has always been and remains a very quiet, safe neighbourhood. I believe that the proposed childcare centre will attract an increase in through traffic which the very narrow streets cannot safely accommodate. The small group of shops on the corner of Dahlia and Hibiscus already attract much traffic.

I believe that there are already 3 childcare centres within a 2 kilometre radius and I question the need for yet another.

The parking provided, as shown in the plans, cannot cater for the staff, ancillary services and kitchen staff for a centre of this size without considering the number of parents required to park to drop off or pick up children. Staff and parents will obviously be looking for street parking which will seriously impact the neighbours.

The large size of the centre is not in keeping with the neighbouring homes and I feel that the neighbours on each side will have their right to adequate privacy affected.

Please consider my submission. I look forward to your reply.

Yours truly,

Resident

- - -

From:
Sent: Wed, 27 May 2020 15:36:59 +1000
To: Records Department
Subject: DA2020/02/07

Dear Sir/Madam

I wish to lodge a submission in respect of DA2020/0207

Contact details are:

Name .

Mobile .

I am a long-term resident of Greystanes (over 40 years) and I have seen many changes over the years I have been here.

I am concerned about the continued commercialisation of the residential strip on Dahlia Street between Hibiscus Street and Alpha road, including Jamison Place.

Currently we have a 35 seat Bakery/Caf , a plumbing business and now a two storey child care centre is proposed for this strip. Should the child care centre go ahead it will mean only one residential home left between Hibiscus Street, Jamison Place and Alpha Road.

The amenity of the area will be lost for us who bought here to live in a peaceful residential area

Already the traffic, in non Covid-19 days, is such that parking for day visitors to my house is almost nonexistent. When the cafe reopens it will be once again be very busy and the day care centre will add to this during the morning and afternoon drop off and pick up times.

Unfortunately, we now seem to have also attracted a hoon element who use the strip to 'show off' their alleged race car driving techniques and cars to visitors to the cafe

The area fronts a park and playground which obviously attracts a number of children and vehicles in general, when it is used for sports activities. We bought our house when the park was there so we accept and appreciate it as an amenity for local residents and their children. It is not a problem.

However, the child care centre will be just another step in commercialising a small area of what was once a quiet street.

It will mean the demolition of two single storey houses, leaving only one house wedged into a business area with no other solely residential premises within the two blocks mentioned above.

Already in this immediate area we have a number of existing, or approved for construction, child care facilities. Do we really need another one?

Greystanes was once a beautiful suburb for families to grow up in but with developments like the one proposed it is slowly deteriorating into a suburb where money seems to be the driving factor not families

I hope you take this as an ratepayer's objection to the proposed development.

Best wishes

From:
Sent: Wed, 27 May 2020 18:04:42 +1000
To: Records Department
Subject: Application number DA2020/207

To Whom It May Concern.

We are sending an objection to Planning Application number DA2020/207.
We strongly object to the above proposed change of use from residential to commercial – Child care Centre.

Like other residents in Dahlia and surrounding streets, we have made this area our home. We have been a resident to Dahlia Street for 25 years. There has always been an area 200 meters from our Home for Commercial, retail, Office and Community services. We don't need another site which will drastically increase traffic, and safety of pedestrians using the nearby park and Bakery close by. I urge the council to carry out a thorough assessment of traffic issues this will cause. There is already a loss of parking spaces in the street, due to the high volume of local cars using the Bakery, 100 meters from the proposed site.

We feel the council need to question the need for this centre in the area. There is already considerable Child Care Centres in Greystanes – most of which still have vacancies!. Already one being completed in nearby street!

This has always been a quiet residential area, with families enjoying the park and walking tracks nearby. This proposed building will not only bring noise, impact on local air quality but mainly the safety of families crossing street to use
And enjoy the local environment.

Overall, we urge the council to listen to the majority of the people, as this proposed construction is not in the best interest of the families in Greystanes.

We would be grateful if you would acknowledge receipt of this planning objection.

Kind regards

From:
Sent: Wed, 27 May 2020 17:27:08 +1000
To: Records Department
Cc:
Subject: DA2020/0207 - 95-97 DAHLIA STREET GREYSTANES.NSW.2145 ;CENTRE-BASED CHILD CARE FACILITY OVER BASEMENT CAR PARKING.

LODGEMENT OF OBJECTION.

I request personal information be suppressed under Section 58 of the Privacy and Personal Information Protection Act 1998 (PPIP Act)

I am lodging an objection to the above DA Application on the following grounds-

- The development is completely inappropriate for the area.
- The proposed development is too large for the area.
- The proposed under cover parking is insufficient for the number of staff required for a child- care facility of the size proposed.
- The proposed facility will create parking and vehicle traffic congestion in the area.
- Traffic congestion is already a hazard in the Dahlia Street, Jasmine Place and Hibiscus Street precinct because of the existing commercial businesses in the area-e.g. Pizza Shop, Plumber business warehouse and Vehicles; Real Estate, Accounting Office; and Drafting/design business. It is common practice in the morning for vehicles travelling in one direction to have to stop to allow opposing traffic to go through.
- there are other child-care facilities within close proximity.
- Increased traffic in the area especially morning and afternoon/night will create a safety hazard and will be a risk to pedestrians particularly children going to local schools and those catching and alighting from buses at the two stops adjacent to the proposed development. There are no pedestrian crossings in the area and no footpath on the southern side of Dahlia Street.
- The development will create problem for adjoining residents.

From:
Sent: Wed, 27 May 2020 16:20:52 +1000
To: Records Department
Subject: Objection to DA2020/207 at Dahlia Street
Importance: Normal

Sent from [Mail](#) for Windows 10

Good afternoon,

I am the owner of a property at Hibiscus Street, Greystanes and am concerned about the above DA for a 71 placement two level childcare centre.

The said development will add to the already congested conditions at the end of my street and likely expose us to further dangerous driving and loud excelled action we deal with on a daily basis.

I am concerned that the value of my property is dropping with the area transforming into a more commercial zone with so many businesses at the end of the street and on Dahlia Street.

I have experienced traffic incidents and near misses as a result of the increased traffic in our street, I can only imagine how much worse this will be if another business is added to this.

The size of this enterprise seems excessive with the proposal stating 71 placements. That is a lot of kids and a lot of cars.

Given that sport should be returning the traffic of the Child Care Centre together with the other businesses and the Sport training at Alpha Park will make this area virtually unliveable.

Liveability for an area is very important for land and house value.

As an elderly person, I don't want to be disrupted by the traffic noise and the increased risk when picking up my grandchildren from school and sport.

Increased traffic is also linked to an increase in crime statistics .

This development when added to the other two businesses recently opened will make this street unsafe, noisy and just painful.

I strongly oppose the application and will continue to do so as loudly and publicly as possible.

Please don't further ruin our area with this monstrosity.

From:
Sent: Wed, 27 May 2020 15:57:02 +1000
To: Records Department
Subject: Submission for DA 2020/0207

I am contacting you to object to the above DA on . We do not need another childcare centre in Greystanes particularly one so big, there is one being built around the corner in Hyacinth st. There will also be too much traffic in this street. Regards

Sent from my iPhone

From:
Sent: Thu, 28 May 2020 11:23:48 +1000
To: Records Department
Subject: Letter to council

28th May 2020

Cumberland Council
Re Application No : DA2020/0207

Dear Sir

I am writing this letter to express my objection to the building of a child care centre in 95-97 Dalia Street, Greystanes for the following reasons.

1. That there are few children in our area who would qualify for child care in the flowers streets. Witness the reduction in the Widemere Primary School attendance from the number of demountable classrooms, which were at the school. to there now being none.
2. That there is a danger to children of vehicles speeding down Alpha Road from the entries at Betts Road and Macquarie Road, which are the major routes into this area.
3. There is a Child Care Centre being built in Hyacinth Street which would be adequate for our area.
4. The Provision of a two story Child Care Centre would be an overkill for this area and a possibility of having to supervise 71 Children in a Three Level building with Stairs would seem to be untenable.

Thank you for giving us the possibility to object to this proposal.

Yours sincerely

From:
Sent: Fri, 29 May 2020 02:47:26 +0000
To: Records Department
Subject: DA2020/0207 - 95 - 97 Dahlia Street Greystanes

Dear Council

On behalf of myself and my family, I would like to oppose this Childcare Centre.

I have only recently moved into my home from Merrylands in the past 2 years. The reason I left Merrylands was only because of the congestion, traffic and noise impact that was causing me and my family stress. It was a big sacrifice we had to make to move but we were sure this would be the **right move** as we needed the **quiet and peaceful suburb and street** we bought into.

In recent days we have had a huge change in the area with major congestion from the Corner of Dahlia and Hibiscus Street with the opening of the commercial cafe.

I am positive that the Childcare being developed and commercially run will increase the traffic congestion in Hibiscus and surrounding flower Streets with cars using alternate routes to exit and enter Dahlia Street **which is proven to be happening now already.**

Please take into consideration my concerns and the concerns of my neighbours as our quiet already tight streets are suffering.

The flower estate in Greystanes already has another Childcare development and does not need another one.

Kind Regards

From:
Sent: Wed, 27 May 2020 09:04:32 +0000
To: Records Department
Subject: Fw: Development submission DA2020/207

From:
Sent: Wednesday, 27 May 2020 8:59 AM
To: council@cumberland.nsw.gov.au <council@cumberland.nsw.gov.au>
Subject: Re: Development submission DA2020/207

To whom it may concern,

I am writing to address some concerns I have to the proposed development above- Lot 16 DP 236780 and Lot 17 DP 236780.

Firstly, it was a surprise to learn of this development at such very late notice and I question why this was so.

My concerns as to the proposed construction of a two storey 71 place centre based childcare with basement parking are as follows:

- the area is a quiet, residential neighbourhood. This facility and the size planned would increase traffic flow greatly. While Alpha Road may be an adequate width for parking and passing traffic the surrounding streets, namely Dahlia and Hibiscus and others are definitely too narrow to accommodate the traffic that will use these streets for access. The residents of these streets already suffer to some degree. Where cars are parked on each side of the road it is unsafe to pass an oncoming vehicle. My aged mother occupies the home that my brother and I own in Hibiscus Street and has lived there for the past 46 years. I am fearful for the disturbance that this traffic will cause for her and the other longstanding residents.
- the car parking provided cannot adequately cater for the number of staff that would be required in a facility of this size (teachers, child care workers, kitchen staff and visiting speech pathologists, physiotherapists etc) let alone the number of parents dropping off or picking up children. This would mean that staff and/or parents would be parking on the street and from experience this hugely impacts the neighbouring properties.
- the building size and height is not consistent with the surrounding homes.
- with consideration to the neighbouring homes (those on each side in particular) Their privacy, both visual and acoustic will be severely impacted because of the size, height and location of the proposed facility.
- Finally, I question the need for this facility in this neighbourhood based on the demographic of the area and other facilities already in the immediate area.

I oppose this development.

Yours truly,

Owner

From: -
Sent: Fri, 29 May 2020 08:59:58 +1000
To: Records Department
Cc:
Subject: Re Application no. DA2020/0207

I write regarding this above mentioned application for 95/97 Dahlia Street Greystanes.

I wish to put forward my objection to this development due to the increased traffic this will create. I believe despite the facility having underground parking that people will still prefer to park on the streets for convenience. We already have a plumbing business with multiple trade vehicles at the bottom of my street which causes congestion, along with the cafe around the corner which brings in extra vehicles when open.

Additionally, as retirees, I am concerned about the increase in noise due to outdoor activity from the day care centre. I also believe the large, multi story facility will not fit in with our usually residential, low lying home style environment.

I trust you will consider all objections to this proposal.

Thank you & regards

From:
Sent: Wed, 27 May 2020 15:06:28 +1000
To: Records Department
Subject: Submission for DA2020/0207

I am contacting you to protest the above DA 95 Dahlia st Greystanes. I strongly object to this going ahead, we do not need another childcare centre in Greystanes there is one being built in hyacinth St which is just around the corner. There will also be way too much traffic for that street to cope with. If you wish to contact me my phone number is my address is . Regards
Sent from my iPhone

From:
Sent: Wed, 27 May 2020 16:18:03 +1000
To: Records Department
Subject: Proposed Developments

To whom it may concern

After many unsuccessful & time consuming attempts to find out how to contact Cumberland Council through 'Have Your Say' I have had to resort to sending this email.

I have no idea if it will reach anyone at all much less the right person.

I want to register a protest/complaint for the proposed construction of a 2 storey 71 place centre-based child care facility over basement car parking DA 2020/0207.

The location for this facility is to be at 95-97 Dahlia Street Greystanes which is actually on the corner of Alpha Road & Dahlia Street.

My objections to this proposal are as follows –

1. Traffic congestion it will cause. Especially now there is a pizza place just a few metres away already causing traffic problems in the area.
2. There are already at least 7 child care centres within 1-2 km of this proposed one.
3. The large size of this centre (71 children plus staff) will certainly create a lot of noise in this quiet residential area.
4. Traffic congestion & noise will also be caused when parents/carers drop off & pick up the children.
5. Basement parking, if it is built will not reduce this congestion, noise or danger.
6. This corner (Alpha Rd & Dahlia St) is already dangerous with traffic flow.
There is often an obstructed view for traffic turning right into Alpha Rd as well as the dangerous curve coming downhill along Dahlia St along the park.
7. Why is such a large 2 storey business being allowed to be built in a residential area?
8. Greystanes has a very low percentage of pre-school aged children (7% according to last Census) so how can the building of this 71 place centre in this suburban residential area be justified, especially with so many others in the area?
9. Is this just another money making enterprise for developers & council with no regard for or consultation with the residents of this community?

I trust you will not tell me it is too late to lodge this complaint, especially as there was not even an (almost unnoticeable) sign on the property until very recently.

I would be pleased to hear your prompt response to these issues.

Yours sincerely

From:
Sent: Mon, 1 Jun 2020 02:48:16 +0000
To: Records Department
Subject: Proposed development DA2020/207

To whom it may concern,

I would like to submit an objection to the proposed development of the two level childcare centre DA 2020/207 for Dahlia St Greystanes. I am a home owner and rate payer in Greystanes for the last 17 years and one of the main attractions I think it is a quiet residential area or has been up until lately. The recent opening of Cedary Bakery (Less than 100 metres away from this proposed development!) has already caused a lot parking and traffic concerns in the vicinity, to add to this with a childcare centre with placement for 71 children would be making a bad situation worst to say the least. The whole neighbour (the flower streets in general) were always local traffic only and supposedly still are, but the traffic we get around here is not. I have raised three children in Greystanes myself and can understand the need for child care centres but there is already one being constructed in Hyacinth St, seriously It is getting a bit much especially with this one being so large! It is not the right placement for such a large commercial facility.

Please help keep our neighbourhood quiet and safe for future generations.

Sent from [Mail](#) for Windows 10S

From:
Sent: Thu, 4 Jun 2020 11:28:17 +1000
To: Records Department
Subject: RE: DA 2020/0207 - PROPOSED CHILDCARE CENTRE AT 95 DAHLIA STREET,
GREYSTANES NSW 2145

Please find the below prepared on behalf of Joseph Zammit.

Good morning,

I am emailing today to lodge my objection to the proposed childcare centre planned for 95 Dahlia Street, Greystanes NSW 2145.

I have been a resident of Dahlia Street for over 50 years and have watched the area change with the coming and goings of families. I understand that this change is good however not at a cost to those resident who remain in the area.

A development of this size would cause an increase in traffic and further congestion in an already busy area. We understand that this may also affect our property values being in such close proximity to the noise and commuter traffic that a centre of this size would attract. We believe that there are already centres of this size no less than 1km away, is another centre really necessary.

I again formally lodge my opposition to this development and hope that council can see that this is not the best place for a business such as this.

Yours sincerely,

From:
Sent: Thu, 4 Jun 2020 11:20:04 +1000
To: Records Department
Subject: RE: DA 2020/0207 - PROPOSED CHILDCARE CENTRE AT 95 DAHLIA STREET,
GREYSTANES NSW 2145

Please find the below prepared on behalf of

Good morning,

I am emailing today to lodge my objection to the proposed childcare centre planned for 95 Dahlia Street, Greystanes NSW 2145.

I have been a resident of Dahlia Street for over 50 years and have watched the area change with the coming and goings of families. I understand that this change is good however not at a cost to those resident who remain in the area.

A development of this size would cause an increase in traffic and further congestion in an already busy area. The opening of the pizzeria on Dahlia Street although welcomed has already shown that this particular area can not function with increased traffic. It is dangerous to the community and not in our best interests.

I again formally lodge my opposition to this development and hope that council can see that this is not the best place for a business such as this.

Yours sincerely,

From:
Sent: Tue, 9 Jun 2020 21:14:46 +1000
To: Records Department
Cc:
Subject: DA2020/0207 – Child Care Centre, 95-97 Dahlia Street Greystanes

DA2020/0207 – Child Care Centre, 95-97 Dahlia Street Greystanes

I am writing to raise objections to the above proposed development in Greystanes.

As a nearby resident I am dismayed with the negative impacts this development will have on local streets and would implore Council not to proceed with approval of DA2020/0207.

This proposed development will bring increased traffic congestion to a section of road that is already a problem. The recently opened Cedary Bakehouse has caused parking, traffic and pedestrian issues only 70 metres from this proposed development. Between the two businesses is a plumbing business that at times has a fleet of commercial plumbing vehicles parked in the same precinct.

The proposed underground parking area has been designed to the absolute minimum legal dimensions which shows the developer is more interested in doing the bare minimum rather than providing a truly usable parking area. If the land parcel is too small to support truly adequate parking then this development proposal should be rejected and the developer should be looking for a more suitable location.

Anyone who has observed drop off and pickup at local schools will know that many parents drive largish SUVs and many of them lack driving confidence and common courtesy, shown by their willingness to park across driveways or anywhere that suits them. I don't see why these same issues won't also become apparent in the area of this proposed development after the parents realise just how hard it will be to negotiate a cramped underground parking area.

This scenario will soon prove the street parking to be inadequate which will be exacerbated by the bus stop that is opposite the proposed development on Dahlia Street and the other bus stop on the development's boundary on Alpha Road.

In one of the DA's supporting reports a claim that any attempt to exclude tandem parking spaces would be "unreasonable" is disingenuous. Tandem spaces are inherently unpopular and will be avoided by the staff so that they do not become parked in.

On the basis of tandem parking alone, the development fails to meet the provision of providing adequate parking spaces.

Businesses are notorious for building parking spaces that soon become storage areas once final inspections have been completed. How do we know this will not happen with this proposed development?

In a cursory look at the reports supplied by the developer's consultants I have noticed a number of small errors, such as incorrect dimensioning on parking plans, a notation that 6+18 totals 25 parking spaces, and a claim that Boothtown Aqueduct is the nearest water source amongst other things. Greystanes (Boothtown) Aqueduct is a built structure that hasn't carried water since 1907. If they can't get small things correct how do we know that the reports aren't riddled with errors not apparent to residents unskilled in these matters.

Despite the assurances of the developer's consultants I find it hard to believe that a Child Care Centre with such a large number of placements won't cause undue noise for the immediate neighbours of the proposed development. The number of placements is just too large for a quiet residential area.

Greystanes is already well serviced by child care facilities, with I believe two others being built in the Flower Estate at the moment, so one has to ask why do we need yet another oversized child care facility shoehorned into our quiet estate?

I would implore Council not to erode the amenity of my local streets by approving this unwelcome and unneeded development.

From:
Sent: Mon, 15 Jun 2020 06:15:03 +0000
To: Records Department
Subject: Letter of objection DA2020/0207

To whom it may concern

I am a resident of greystanes and are writing of my concerns to the proposed construction of a childcare centre at 95/97 Dahlia st, This proposed centre on the cnr of Alpha / Dahlia is a area that I regularly work as I'm a community worker, increased traffic around here is not what we need, it's setting up dangerous driving situations for drivers and the children attending the centre, there are already increased cars here due to the pizza shop, increased parking on the narrow streets, making visibility restricted
And does greystanes really need another childcare centre, there is one proposed for ettalong rd, one under construction in Hyacinth st, which is under 1 Klm away, also Camellia street these are all under 1 klm radius from each other, this is overdevelopment for this area,

Sent from my iPad

From: |
Sent: Monday, 25 May 2020 12:10 PM
To: Records Department <council@cumberland.nsw.gov.au>
Subject: Development of DA2020/207

#DA2020/207

Contact Information:

Phone:

As a resident living no less than a few houses up from the development i was greatly concerned to learn of the development of yet another childcare centre, especially one of its large size and capacity (2 stories, 71 placement). This development is not a welcome addition to the area and is quite problematic for a plethora of reasons; any business of this size would create an unacceptable level of traffic and noise pollution let alone alone with the cedar bakery across the street. The surrounding area is not a commercial area it is a quiet residential area and one of the best attributes of where i live for all the residents here including my family and myself. The development of this daycare is simply unacceptable and should not be approved.

Disclaimer

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To whom it may concern,

I have been informed of a proposal to demolish two existing houses on the corner of Dahlia Street and Alpha Road in Greystanes for a development consisting of a two storey child care centre plus an underground carpark.

The reason I am writing this letter is to point out why I am against the proposal. I reside opposite Alpha Park and the noise when sports are being played is extremely loud because the park is like an amphitheatre, amplifies the noise across the park, therefore, I find myself shutting all my windows during this period of time. Sometimes for eight hours or more. We also have an industrial area with several factories very close to our homes which also are noisy, not only during the day but at a lesser degree at night. Recently a pizza shop opened on the corner of Dahlia Street just a few doors down from the proposed site so there is more traffic already and inadequate parking for this let alone the buses also travel this route. There are at least two or three child care centres not far from our area so to be perfectly honest this proposal is unnecessary and would only cause even more congestion. The thought of an underground carpark is also a concern as this could very well cause problems to the foundations of nearby properties as well as the value of those properties. Alpha Road is already used as a bypass by large trucks as well as cars to avoid part of Gipps Road.

Although I reside around the corner from the proposed development does not mean that it will not cause more traffic congestion if this were to go ahead. I must add that this request has come at a most inopportune time when people are stressed out enough due to the pandemic which is still a threat to our community.

Points to be evaluated:

- 1) Increase noise
- 2) More traffic congestion
- 3) Underground carpark dangerous to foundations on nearby properties.
- 4) Not necessary as there are already childcare centres in the immediate area including a child learning centre just around the corner.
- 5) As this is a residential area we have more than enough, a park, shops and a factory area.

This is why we are opposed to any more commercial facilities in this area. I sincerely hope you will take all these facts into account and recognize that this would not be an option for our area.

Yours Truly,

From:
Sent: Mon, 8 Jun 2020 21:27:45 +1000
To: Records Department
Subject: Re: DA2020/207
Attachments: Child care centre data 26052020.pdf

Dear Council,

I am completely opposed to the construction of a 71 place childcare centre DA2020/207. This will contribute to turning our well known quiet flower estate into a commercial precinct that is not required.

I oppose this on the following grounds:

The DA proposal submissions should include all effected residences that reside opposite Alpha Park and Alpha rd and all in Jasmin place.

The owner/developer who resides in 97 did not comply with displaying the proposal notification, it only appeared on 22/05 after my wife advised Elif Haliloglu, on the 21/05. I have dated photos and will commit to a Stat Dec stating so.

Dahlia Street is a local traffic only Low Density RESIDENTIAL neighbourhood and is already congested due to the 806 bus route, Alpha st Park - with children play area and sporting activities, the commercial MDI Plumbing business, retail shops such as the Cedary Cafe Bakery, Real estate, and Child Tutoring, and twice daily Widemere Primary school traffic.

Dahlia street doesn't require any more commercial spaces.

95 Dahlia st and our property falls in the 100yr flood zone but as our property slope, heavy rain also impacts our properties, made worse by larger rainfalls in recent the last 2 years. There is an access hatch on our property for the easements through the properties which is consistently covered by soil erosion coming down from the top of Alpha rd. I have this erosion occurring on heavy rain from the current adjoining property (95) under my house to the garage. I fear this development will increase the erosion on our back yard. The fact the basement excavation is almost on the boundary line we are more at risk of having damage to our house foundations. The finished grounds at the back of the development (concrete) will increase the flow rate for rain fall into our property with no provision in place. When we purchased the our home we understood that the middle room window adjoining property (95) had restricted views but did get the afternoon sunlight. Building a 2 storey will completely block out any light and restrict airflow to the room. This will also block out any light our ensuite window. The first floor also is higher than the current roof lining, removing the current angled roof to a square second floor will increase the shadow line. Having this commercial space also having windows looking straight into our child's bedroom & pool is not acceptable.

The proposed underground carpark entry is along all our bedrooms and will impact with noise and wake us all up. I have lived in units with automated electronic & hydraulic gates and there is no such thing as a quiet automated gate. Having 70 placements it would require the gate to open and close for each drop off 140 times in 120min. Contributing to the early morning noise will be all the extra bins required collected for this commercial development.

The traffic plan report was carried out prior to increased traffic from Cedary Cafe opening and was only carried out for 1 day which would not identify the impact on Dahlia st currently. The report has only accounting for 14 staff and not any administration or cooking staff. More than half the staff will have to park on the street causing congestion on the residential road especially if the staff use more than the 6 provided spots as stated in [3.2.2.1](#). The report should have all data from not a summary as stated in clause 4.2. Sydney peak hour is 6am to 10am and 3pm to 7pm not 7am to 9am & 4pm to 6pm. The staff will be in before 7am and Cedary Cafe opens at 6am and has traffic.

The fact that a childcare centre of this size will require more than 6 staff car park spaces which will mean that the rest of the staff will have to park on the street outside and across at the park. This will make it difficult people who attend the park after school for organised sports. This section of Dahlia st is already congested with a bakery/cafe that didn't have a proper parking plan for the number of seats capacity. Dahlia st also has a bus route with a bus directly opposite the proposed driveway which will increase the risk of accidents with more traffic during peak hour trying to enter & exit the centre while the buses are there.

There is absolutely no requirement for this type of commercial establishment as there is no demand. I have compiled an online search (as attached).

There is more than 50 Childcare centres within 7km/10min of this development, with availability at 95% of them. There is approval for 2 more childcare centres currently being built in the flower estate less than 1km away. Widemere Public school- enrolments sit around 200- 250 children indicating there is not a local population requiring early childhood care and schooling.

Regards

Operating Greystanes Childcare Centre 15 in Total		
Vacancies in total 11	No Vacancies 1	No Data in total 3
Jono's House Family day care 0 commercial, park, business or school	Wenty Childrens Centre 0 commercial, park, business, on school ground	Ascent Child Care Centre 260m away from empty commercial space (0 business or school)
TLC Early Education and Child care centre 0 commercial, park, business or school		Miss Helena's Place Greystanes Child Care Centre (0 commercial, park, business or school)
Greystanes Uniting Church Child Care Centre (0 commercial, park, business or school)		Munchkin Manor Early Learning Centre (0 commercial, park, business or school)
Crayons Childcare centre (0 commercial, park or business, Behind school)		
Bella's Family daycare (0 commercial, park, business or school)		
Smarties Preschool & Long Day Care Centre (0 commercial, park, business or school)		
Premila's Family day care (0 commercial, park, business, 100m school & Wenty Children Center)		
First Academy Preschool Child Care Centre Greystanes (Main Rd, 0 commercial, park, business or school)		
Elen's Family day care (0 commercial, park, business or school)		
Cumberland Council Family day care with Jan (0 commercial, park, business or school)		
Bulbul's Family day care (0 commercial, park, business or school)		

Within 7km drive / 10 minutes of Dahlia St 43 in Total		
Vacancies 32	No Vacancies 7	No Data 4
Pemulwuy Children's Centre (on commercial grounds)	Berry Patch Preschool & long daycare Centre	Friend Park children's centre
Manpreet Family day care	Pab's Family day care	Little Ducklings Family Daycare Centre
Reena's Family day care	Garfield Child care	First Grammar Merrylands
Pemulwuy Family day care	Scribbles Long Daycare	Hilltop Child Care Centre Paton Street
Toys & Tots Pre-school (6weeks to 6yr old)	Dorothy's Family day care	
Five Star Family day care	Bright Stars Motessori Preschool (6weeks to 5yr old)	
Pranitha's Family day care	Sugna Family day care	
Aum Family day care		
Sasikala Family day care		
Mamta Family day care		
First Academy Preschool Child Care Centre Girraween		
St Mary Kindergarten (6weeks to 6yr old)		
Binalong Cottage Kindergarten (0yr to 6yr old)		
Tralee Garden Centre for babies & toddlers		
Little Steps Family day care		
Sai Family day care		
Viji's Family day care		
Komal's Family day care		

Pendle Hill Early Learning Centre (6weeks to 5yr old)		
Afrose's Family day care		
Vision Family day care		
Shahanaz's Family day care		
Shanthi Family day care		
Learning Through Play Preschool & Long day care centre		
Caroline Vision Family day care		
Early Learning Family day care		
Monash Preschool (18mth to 6yr old)		
Khurshida's Family day care		
Nazneen's Family day care		
Little Zak's Academy Family day care		
St Mary Kindergarten Long Day Care Centre		
The Little Kids school (6weeks to 5yr old)		

Pre schools within 7kms of Dahlia St

Catholic early learning centre our lady queen of peace parish
age 3-5yrs preschool

Integricare Pendle Hill Pre school
age 3-6yrs

Goodstart Early Learning Pendle Hill (Main rd on old church site)
age 2-5yrs

Happy Days Kindergarten age 3-5yrs

Greystanes under construction

Hyacinth st

Camellia st

Greystanes proposed 21/05/2020	
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Ettalong Rd Greystanes	
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	76 placement
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Approved in adjoining suburbs

Pemulwuy 15/2/19	90 places
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Merrylands 10/4/20	60 places
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South Wentworthville 2/4/20	42 places
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Toongabbie 20/3/20	48 places
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Merrylands 12/3/20	41 places
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Merrylands 11/3/20	53 places
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Item No: LPP047/20

DEVELOPMENT APPLICATION FOR 26 MARY STREET, AUBURN

Responsible Division: Environment & Planning
Officer: Acting Executive Manager Development and Building
File Number: DA2020/0210

Application lodged	8 April 2020
Applicant	Mr D Thomson
Owner	LG Finance Pty Ltd
Application No.	DA2020/0210
Description of Land	26 Mary Street AUBURN NSW 2144, Lot B DP 73573, Lot C DP 73573
Proposed Development	Internal alterations to existing building at the front of the site for use as a medical centre (methadone clinic)
Site Area	620sqm
Zoning	R2 Residential Low Density
Disclosure of political donations and gifts	Nil disclosure
Heritage	No
Principal Development Standards	Building height (9m) Proposed building height (No change to existing) FSR (N/A)
Issues	Parking provision Proximity to sensitive land uses Inadequacy of submitted information Submissions

SUMMARY:

1. Development Application No. DA2020/0210 was received on 8 April 2020 for internal alterations to existing building at the front of the site for use as a methadone clinic.
2. The application was publicly notified to occupants and owners of the adjoining properties for a period of 14 days between 13 May 2020 and 27 May 2020. The application was re-notified for a period of 14 days between 10 June 2020 to 24 June 2020 to expand the area of notification. In response to the exhibition periods, a total of 27 unique submissions were received.
3. The subject site is located within an R2 Residential low density zone and is located in close proximity to a variety of residential uses, schools, aged care facilities.
4. The application seeks a variation to the following control:

Control	Required	Provided	% variation
Auburn Development Control Plan 2010 – Parking and Loading	2 x consulting rooms are proposed.	1 onsite space.	83%
5.1.4 Onsite parking 3 spaces per surgery	A minimum of 6 onsite parking spaces are required.		

5. On 26 June 2020, a letter was sent advising the applicant to withdraw the application as Council was unlikely to support the development. No response to withdraw the application was received by Council.
6. The application is referred to the Panel as the proposal is considered to be a contentious development.
7. The application is recommended for refusal for the reasons provided in the Draft Notice of Determination at attachment '1' of this report.

REPORT:

Subject Site and Surrounding Area

The site comprises two lots identified as Lot B DP 73573 and Lot C DP 73573 and is known as 26 Mary Street Auburn. The site has an area of approximately 620sqm and a frontage to Mary Street of 17.068m. It is rectangular in shape with a northern orientation.

A site inspection of the premises carried out on 22 May 2020 confirmed that the site is currently occupied by a vacant single storey dwelling house which previously operated as a medical centre. This building faces Mary Street and is identified as Lot B. Lot C which is located to the rear of Lot B contains a single storey building which currently operates as a physiotherapy practice.

Auburn Town Centre is located to the north east and Auburn Railway station is situated approximately 400m away. The existing developments adjoining the site include a medical facility (Westside Hearing Clinic) to the west, a commercial use (Islamic Science Culture & Art Association) to the east and a dwelling house to the south. Other uses in close proximity to the site include a high density mixed use residential/commercial development on the opposing side of Mary Street, a school (Trinity Catholic College), a Nursing Home, a private hospital and low density residential uses.

Figure 1 – Locality Plan of subject site

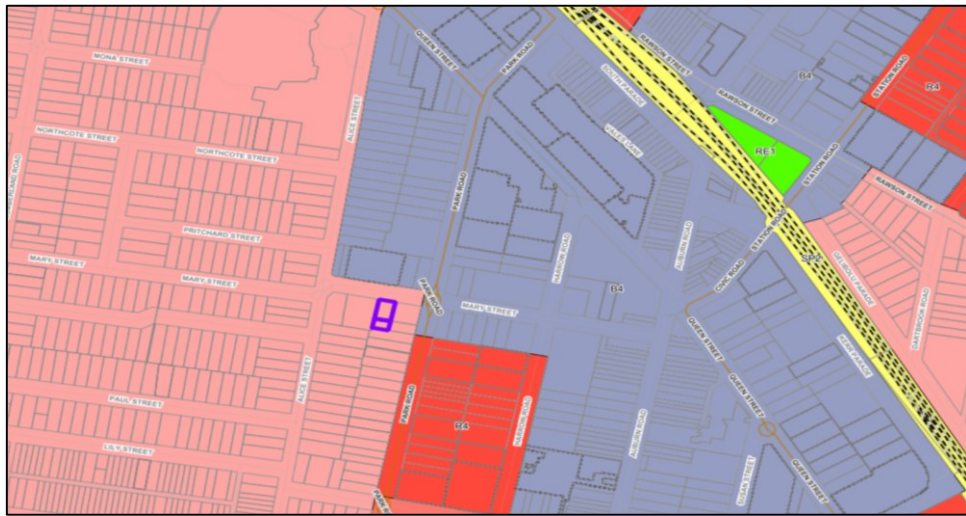


Figure 2 – Aerial view of subject site

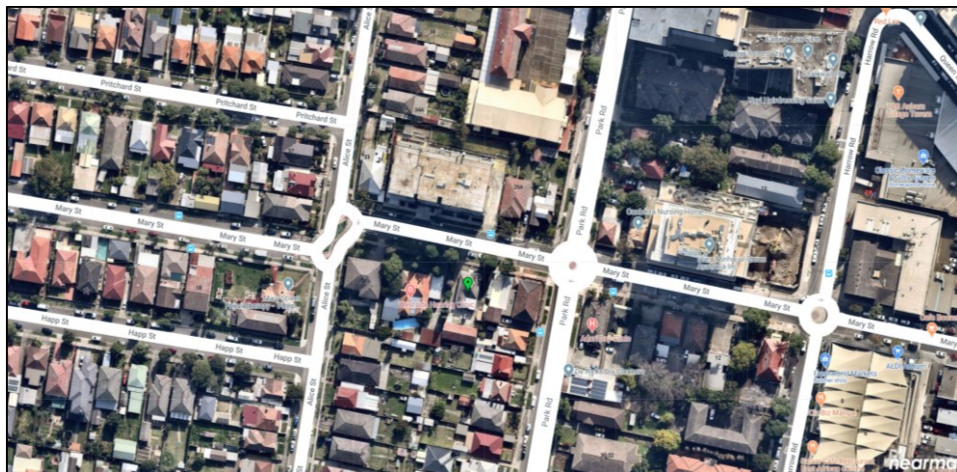


Figure 3 – Street view of subject site (Google maps)



Description of the Proposed Development

Council has received a development application for alterations and additions to an existing building for use as a methadone clinic known as the Auburn Medical Referral Centre (AMRC).

Demolition and construction

Internal walls and doors are proposed to be removed and new internal walls are to be constructed to delineate rooms including two (2) consulting rooms, a staff area, a waiting area, a pathology, a dispensing room and station, a staff toilet and a patient toilet.

A disabled access ramp is to be constructed at the rear of the building providing disabled pedestrian access from the proposed car park area.

Details of use

The AMRC previously operated out of 20 Mary Street Auburn which is located within the Auburn Town Centre. The use of this site was the subject of a DA approval (DA1988/345) issued on 7 November 1988. This site contained provision for six (6) onsite parking spaces. The proposed relocation to 26 Mary Street Auburn is situated outside the boundaries of the Town Centre.

The AMRC will administer and prescribe various restricted drugs for opiate treatment including Methadone Syrup, Biodone, Buprenorphine, Subutex and Suboxone. The clinic currently has over 215 patients who will be serviced at the new site. A pathology service is also proposed at the new site.

Hours of operation are as follows:

- Monday to Friday – 7.30am to 1.00pm and 4.00pm to 6.00pm; and
- Saturday, Sunday and Public Holidays – 9.00am to 12.00pm.

There will be six (6) staff members with a maximum of four (4) onsite at any one time. Staff members include private ‘medical prescribers’ who operate independent of each other onsite and nurses who operate the dosing clinic. There will be a maximum of 5-6 patients at the centre at any given time and the duration of patient visits is 15 minutes to 1 hour.

Parking provision

Two (2) onsite parking spaces are proposed at the rear of the building with one space to be allocated to the proposed use and the other to the existing use (Physiotherapy Clinic) located at the rear of the site on Lot C. Access to the proposed spaces is provided via an existing driveway that extends along the western side setback.

Loading and unloading

The applicant intends to utilise the rear car parking area for the loading and unloading of goods to service the clinic.

History

On 28 November 1962, Council granted permission for the land (Lot B) to be used for the purpose of 'professional rooms'.

On 28 July 1993, a development application (DA1993/132) was approved for 'Use of the existing building as a youth resource centre involving counselling/assessment and referral of clients'.

On 18 February 2003 a development application (DA665/2002) was approved for a carport on the site. Information submitted with this application suggests the building was intended to be used as a dwelling.

Applicants Supporting Statement

The applicant has provided a Statement of Environmental Effects prepared by Barker Ryan Stewart dated 19 March 2020 and was received by Council on 8 April 2020 in support of the application.

Contact with Relevant Parties

The assessing officer has undertaken a site inspection of the subject site and surrounding properties and has been in regular contact with the applicant throughout the assessment process.

Internal Referrals

Development Engineer

The development application was referred to Council's Development Engineer for comment who has advised that the development is unsatisfactory with regard to the provision of onsite car parking. The matters of concern raised by Council's Development Engineer is summarised below.

- Insufficient number of onsite parking spaces
 - i) The proposal does not provide the minimum required number of onsite parking spaces in accordance with Auburn Development Control Plans 2010 – Parking and Loading which specifies at least three (3) onsite spaces per consulting room are required. The development proposes two (2) onsite parking spaces, one of which is to be used by the existing use (physiotherapy) at the rear of the site on Lot C.
- Design of parking area
 - ii) The proposed parking layout does not comply with the Australian Standard AS2890.1 with regard to vehicle manoeuvrability.
 - iii)

Environment and Health

The development application was referred to Council's Environment and Health Officer for comment who has advised that the development proposal is satisfactory subject to an assessment of the submitted Acoustic Report and Operational Management Plan. It was therefore recommended that the development be supported subject to conditions should consent be granted.

Waste Management

The development application was referred to Council's Waste Management Officer for comment who has advised that the development is not supported on the basis that ongoing waste arrangements need to be provided on the architectural plans. This may be resolved by condition should consent be granted.

External Referrals

NSW Police

The development application was referred to NSW Police for comment who raised concerns in relation to the proximity of the clinic to adjoining uses including the 'paediatric audiology clinic where mothers and children are frequently in attendance' and Trinity Catholic College which is within walking distance. Concern was raised regarding the 'demographic of crime within the area, generally due to the people attending the location for the purpose of obtaining methadone. Most of these people have historical and current drug related issues and it is common for people with such problems to engage in other forms of criminal and anti-social activity'.

Despite these concerns, the proposal was deemed acceptable subject to a number of recommendations relating to signage, lighting, security and occupational health and safety.

Planning Comments

The provisions of any Environmental Planning Instruments (EP&A Act s4.15 (1)(a)(i))

State Environmental Planning Policies

The proposed development is affected by the following State Environmental Planning Policies:

(a) State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)

Clause 7 of SEPP 55 requires Council to be satisfied that the site is suitable or can be made suitable to accommodate the proposed development. The matters listed within Clause 7 have been considered in the assessment of the development application.

Matter for Consideration	Yes/No
Does the application involve re-development of the site or a change of land use?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Matter for Consideration	Yes/No
In the development going to be used for a sensitive land use (e.g.: residential, educational, recreational, childcare or hospital)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site? acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage, paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the site listed on Council's Contaminated Land database?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the site subject to EPA clean-up order or other EPA restrictions?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the site been the subject of known pollution incidents or illegal dumping?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the site adjoin any contaminated land/previously contaminated land?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>Details of contamination investigations carried out at the site:</p> <p>The site is not identified in Council's records as being contaminated. A site inspection reveals the site does not have any obvious history of a previous land use that may have caused contamination and there is no specific evidence that indicates the site is contaminated.</p>	

Regional Environmental Plans

The proposed development is affected by the following Regional Environmental Plans:

(a) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The subject site is identified as being located within the area affected by the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. The proposed development raises no issues as no impact on the catchment is envisaged.

(Note: - the subject site is not identified in the relevant map as 'land within the 'Foreshores and Waterways Area' or 'Wetland Protection zone', is not a 'Strategic Foreshore Site' and does not contain any heritage items. Hence the majority of the SREP is not directly relevant to the proposed development).

Local Environmental Plans

Auburn Local Environmental Plan 2010

The provision of the Auburn Local Environmental Plan 2010 is applicable to the development proposal. It is noted that the development achieves compliance with the key statutory requirements of the R2 Residential Low Density zone.

(a) Permissibility:-

The proposed development is defined as a 'Medical Centre' (specifically, a Methadone Clinic) and is permissible in the R2 Residential Low Density zone with consent.

Medical centre means premises that are used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals. It may include the ancillary provision of other health services.

The relevant matters to be considered under Auburn Local Environmental Plan 2010 and the applicable clauses for the proposed development are summarised below.

Figure 4 – Auburn LEP 2010 Compliance Table

OBJECTIVE/DEVELOPMENT STANDARD	COMPLIANCE	DISCUSSION
Zone R2 Low Density Residential 1 Objectives of zone <ul style="list-style-type: none"> To enable other land uses that provide facilities or services to meet the day to day needs of residents. 	No	The purpose of the proposed methadone clinic is to provide opiate treatment to recovering drug addicts which is not considered to be a service that meets the day to day needs of the local residents in the area.
4.3 Height of Buildings 9m (max)	N/A	No change to the height of the existing building is proposed.
4.4 Floor Space Ratio	N/A	FSR does not apply to development on land in the R2 land use zone.

The provisions of any proposed instrument that is or has been the subject (EP&A Act s4.15 (1)(a)(ii))

(a) Draft State Environmental Planning Policy (Environment)

The draft SEPP relates to the protection and management of our natural environment with the aim of simplifying the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property. The changes proposed include consolidating the following seven existing SEPPs:

- State Environmental Planning Policy No. 19 – Bushland in Urban Areas
- State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011
- State Environmental Planning Policy No. 50 – Canal Estate Development
- Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment
- Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No.2-1997)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Willandra Lakes Regional Environmental Plan No. 1 – World Heritage Property.

The draft policy will repeal the above existing SEPPs and certain provisions will be transferred directly to the new SEPP, amended and transferred, or repealed due to overlaps with other areas of the NSW planning system.

Changes are also proposed to the Standard Instrument – Principal Local Environmental Plan. Some provisions of the existing policies will be transferred to new Section 117 Local Planning Directions where appropriate.

(b) Draft Cumberland Local Environmental Plan 2020 (Draft CLEP)

The Draft Cumberland Local Environmental Plan 2020 (Draft CLEP) has been prepared by Cumberland Council to provide a single planning framework for the future planning of Cumberland City. The changes proposed seek to harmonise and repeal the three existing LEPs currently applicable to the Cumberland local government area, those being:

- Holroyd Local Environmental Plan 2013,
- Parramatta Local Environmental Plan 2011, and
- Auburn Local Environmental Plan 2010.

The current planning controls for the subject site, as contained within the Auburn Local Environmental Plan 2010, are not proposed to change under the Draft CLEP.

The provisions of any Development Control Plans (EP&A Act s4.15 (1)(a)(iii))

The Auburn Development Control Plan 2010 provides guidance for the design and operation of development to achieve the aims and objectives of the Auburn Local Environmental Plan 2010.

A comprehensive assessment and compliance table is contained in Appendix A.

The following table highlights a non-compliance with the DCP, which relates to parking provision. The variation sought is considered unsatisfactory in this instance:

Figure 5 – Auburn DCP 2010 – Parking and Loading Compliance Table

Clause	Control	Proposed	Complies
5.1.4 Onsite parking	3 onsite parking spaces per surgery. 6 onsite spaces required (given 2 consulting rooms are proposed).	2 onsite parking spaces. 1 space to be allocated to each use on the site.	No

As indicated in the compliance table above, the proposed development departs from the onsite parking provisions of Council's Parking and Loading DCP. Having regard to this departure, it is considered that the proposal performs unsatisfactorily from an environmental planning viewpoint for the reason discussed below:

The development will provide one (1) onsite parking space for use by the proposed methadone clinic. This results in a deficiency of five (5) spaces or 83% which is excessive. The staff and patient numbers were also considered in the assessment. The submitted details and referral advice suggest that four (4) staff, a minimum of two (2) patients being served at any one time and security personnel (as recommended by NSW Police) would be present at the clinic during operating hours.

Based on the proposed staff numbers and the number of clients, it is considered that the provision of one (1) parking space on the site would be inadequate to accommodate the proposed use.

Issue is also raised with regard to the conflict of the new disabled pedestrian ramp located at the rear of the building. It is likely given the limited area at the rear of the building that installation of the ramp will compromise vehicle manoeuvrability and result in the deletion of an onsite parking space which is not supported.

The provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4 (EP&A Act s4.15(1)(a)(iia))

There is no draft planning agreement associated with the subject Development Application.

The provisions of the Regulations (EP&A Act s4.15 (1)(a)(iv))

The proposed development raises no concerns as to the relevant matters arising from the Environmental Planning and Assessment Regulations 2000 (EP&A Reg).

The Likely Environmental, Social or Economic Impacts (EP&A Act s4.15 (1)(b))

It is considered that the proposed development will have a significant environmental impact in the locality noting the carparking non compliance.

The suitability of the site for the development (EP&A Act s4.15 (1)(c))

The subject site and locality is not known to be affected by any natural hazards or other site constraints likely to have a significant adverse impact on the proposed development. However, due to the significant departure of Council's parking requirements, the development is considered unsuitable in the context of the site and surrounding locality.

Submissions made in accordance with the Act or Regulation (EP&A Act s4.15 (1)(d))

Advertised (newspaper) ☒ Mail ☒ Sign ☒ Not Required ☐

In accordance with Council's Notification requirements contained within the Auburn DCP 2010, the proposal was publicly notified for a period of 14 days between 13 May 2020 and 27 May 2020 and was re-notified for a further 14 days between 10 June 2020 to 24 June 2020. The notification periods generated a total of 27 unique submissions in respect of the proposal. The issues raised in the public submissions are summarised and commented on as follows:

Figure 6 – Submissions summary table

Concern	Comment
The subject site is in close proximity to sensitive land uses.	It is acknowledged that the subject site is in close proximity to a number of sensitive land uses including residential, schools, aged care facilities and various health services that cater for the elderly, families and children.
Inadequate onsite parking is provided on the site to accommodate the development and the application does not consider the existing use on the site.	The development proposes insufficient onsite parking to comply with the minimum requirement in Auburn Development Control Plan 2010. The proposed onsite parking provision is considered inadequate to accommodate the proposed use as explained in this report.
Traffic congestion and lack of on-street parking.	It is acknowledged that traffic along this part of Mary Street becomes congested at times and demand for on-street parking in the area is high. This is due to the scale and type of uses in close proximity to the site including a school, high density residential uses and various health related service providers. In addition, the section of Mary Street fronting the subject site is a busy thoroughfare for motorists given its linkage and close proximity to the Auburn Town Centre.
Vehicle accessibility to the subject site is inadequate.	Vehicle access to the site is an existing condition. It is noted however that the introduction of a new disabled access ramp at the rear of the building is likely to present vehicle manoeuvring issues and result in the deletion of a proposed parking space which is not supported.
Incidence of crime and safety of residents will be compromised. Loitering of patients and	The development application was referred to NSW Police for comment and concern was raised regarding the incidence of crime resulting from

Concern	Comment
potential trespassing on private property.	the demographic that would make use of the service. Nonetheless, NSW Police have raised no issue with the proposal subject to the inclusion of conditions of consent should the proposal be supported.
Declining property values.	No evidence has been provided to support this claim.
Impact on existing businesses.	No evidence has been submitted to suggest local business would be impacted by the proposed development.
Noise impact of the development.	An acoustic report was submitted with the application and assessed by Council's Environmental Health Officer. No issue was raised regarding noise impact subject to the inclusion of conditions should consent be granted.
Visual impact of barred windows and doors.	The proposed works include the removal and installation of internal walls and a disabled access ramp to the rear of the building adjacent to the onsite parking area. No changes are proposed to the existing windows and external doors of the building.
Operational management plan is generic in its content.	Any deficiencies of the operational management plan can be addressed via conditions should consent be granted.

The public interest (EP&A Act s4.15(1)(e))

In view of the foregoing analysis it is considered that the development as proposed would not be consistent with the public interest as it would result in a detrimental impact on on-street parking availability.

Section 7.11 (Formerly S94) Contribution Towards Provision or Improvement of Amenities or Services

This part of the Act relates to the collection of monetary contributions from applicants for use in developing key local infrastructure.

Comments: The development does not require the payment of contributions in accordance with Cumberland Local Infrastructure Contributions Plan 2020.

Disclosure of Political Donations and Gifts

The applicant and notification process did not result in any disclosure of Political Donations and Gifts.

CONCLUSION:

Having regard to the relevant matters of consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, Auburn Local Environmental Plan

2010, Auburn Development Control Plan 2010 and the Draft Cumberland Local Environmental Plan 2020, it is considered that the proposed development is unacceptable for the reasons outlined in this report. It is recommended that the development application be refused.

REPORT RECOMMENDATION:

- 1. That Development Application No. DA2020/0210 for Internal alterations to existing building at the front of the site for use as a medical centre (methadone clinic) on land at 26 Mary Street AUBURN NSW 2144 be refused for the reasons listed in the attached schedule.**
- 2. Persons whom have lodged a submission in respect to the application be notified of the determination of the application.**

ATTACHMENTS

1. Draft Notice of Determination [↓](#)
2. Architectural Plans [↓](#)
3. Submissions Recieved [↓](#)
4. Appendix A - Auburn Local Environmental Plan 2010 [↓](#)

DOCUMENTS
ASSOCIATED WITH
REPORT LPP047/20

Attachment 1
Draft Notice of Determination

**DEVELOPMENT APPLICATION
NOTICE OF DETERMINATION**

Under the *Environmental Planning and Assessment Act, 1979*
(Section 4.18(1))

Development Application No: DA2020/0210

Applicant: Damien Thomson
55 Jenkins Street
CAMMERAY NSW 2064

Property Description: 26 Mary Street, Auburn
Lot B and C, DP 73573

Development: Internal alterations to existing building at the front of the site for
use as a medical centre (methadone clinic)

Determination

Pursuant to Sections 4.18(1) of the Act, Council advises that the development application has been determined by:

- **Refusal of Consent** on the grounds specified on the following page(s)

Determination Date: 9 September 2020

By: Cumberland Local Planning Panel

Right of Appeal

Sections 8.7 and 8.10 of The Act confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court within 6 months of the date of this notice. Section 8.2 of the act allows an applicant to request council to review this determination. The request must be made within 6 months from the date shown on this determination.

Michael Lawani
COORDINATOR MAJOR DEVELOPMENT ASSESSMENT

Date: 9 September 2020

In accordance with Section 4.59 of the *Environmental Planning and Assessment Act, 1979*, any person may question the validity of this consent in legal proceedings commenced in the Land and Environment Court within 3 months of the date of publication of the notice.

Application No: DA2020/0210
Property: 26 Mary Street AUBURN NSW 2144

Draft Notice of Determination

Reason for Refusal

1. **Zone R2 Low Density objectives**

The objectives of the R2 Low Density Residential zone include to enable other land uses that provide facilities or services to meet the day to day needs of residents. The purpose of the proposed methadone clinic is to provide opiate treatment to recovering drug addicts which is not considered to be a service that meets the day to day needs of the local residents in the area. (Section 4.15(1)(a) of the *Environmental Planning and Assessment Act 1979*)

2. **Off-street parking requirements**

The provision of off-street parking does not comply with the parking requirements specified in Auburn Development Control Plan 2010 - Parking and Loading at section 2.0, D1 which requires new development to comply with the off-street parking requirement tables of the respective development in the Part.

Part 5.0, clause 5.1.4, D1 requires at least three (3) onsite spaces per surgery for a medical centre. The development proposes one (1) onsite space to be used by the development where a minimum of 6 is required. (Section 4.15(1)(a) of the *Environmental Planning and Assessment Act 1979*)

3. **Suitability of the site**

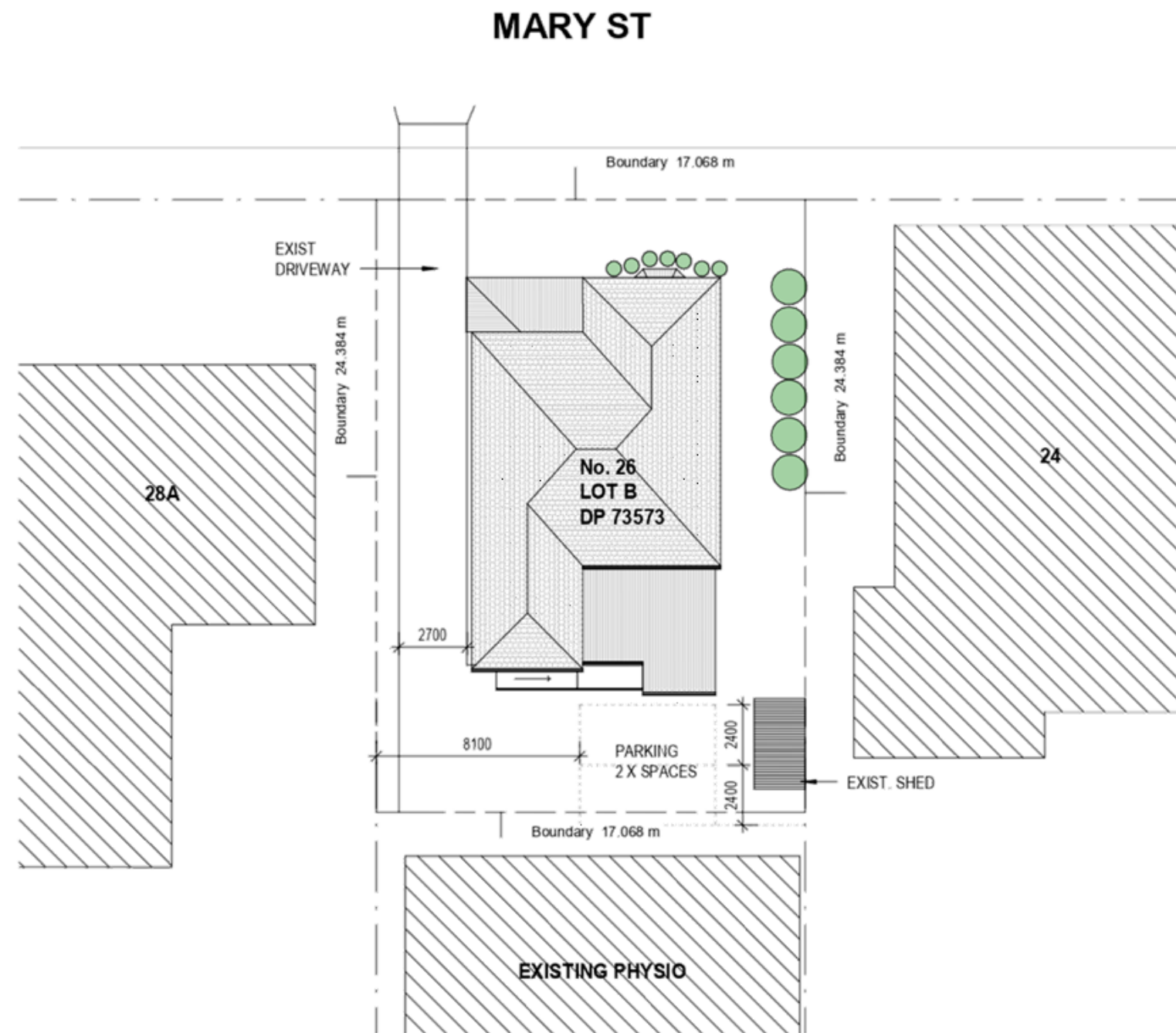
The subject site is not considered suitable for the development as proposed due to the significant departure of Council's onsite parking requirements. (Section 4.15(c) of the *Environmental Planning and Assessment Act 1979*)

4. **Public interest**

Due to the deficiencies detailed above and the submissions received, approval of the proposed development would be contrary to the public interest (Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*)

DOCUMENTS
ASSOCIATED WITH
REPORT LPP047/20

Attachment 2
Architectural Plans



1 00 Site
1 : 200

0 10 20 m



Notes

This document is the property of 4 Track Building Design. This drawing shall be used for the purpose for which it was commissioned. Unauthorised use of this drawing is prohibited. Do not scale from drawing. Figured dimensions shall take precedence over scaled dimensions. Any discrepancies please report to 4 Track Building Design prior to commencement of work.

Amendments

FEB 2020 A - REVISED BOUNDARY

28/02/2020 B - CAR SPACES

Project Address:

26 MARY ST
AUBURN

Client:

KAMINA HOLDINGS PTY
LTD

Project Status:

CLINIC

Sheet Name:

SITE PLAN

Project number:

084

Scale:

1 : 200 @ A3

Date:

FEB 2020

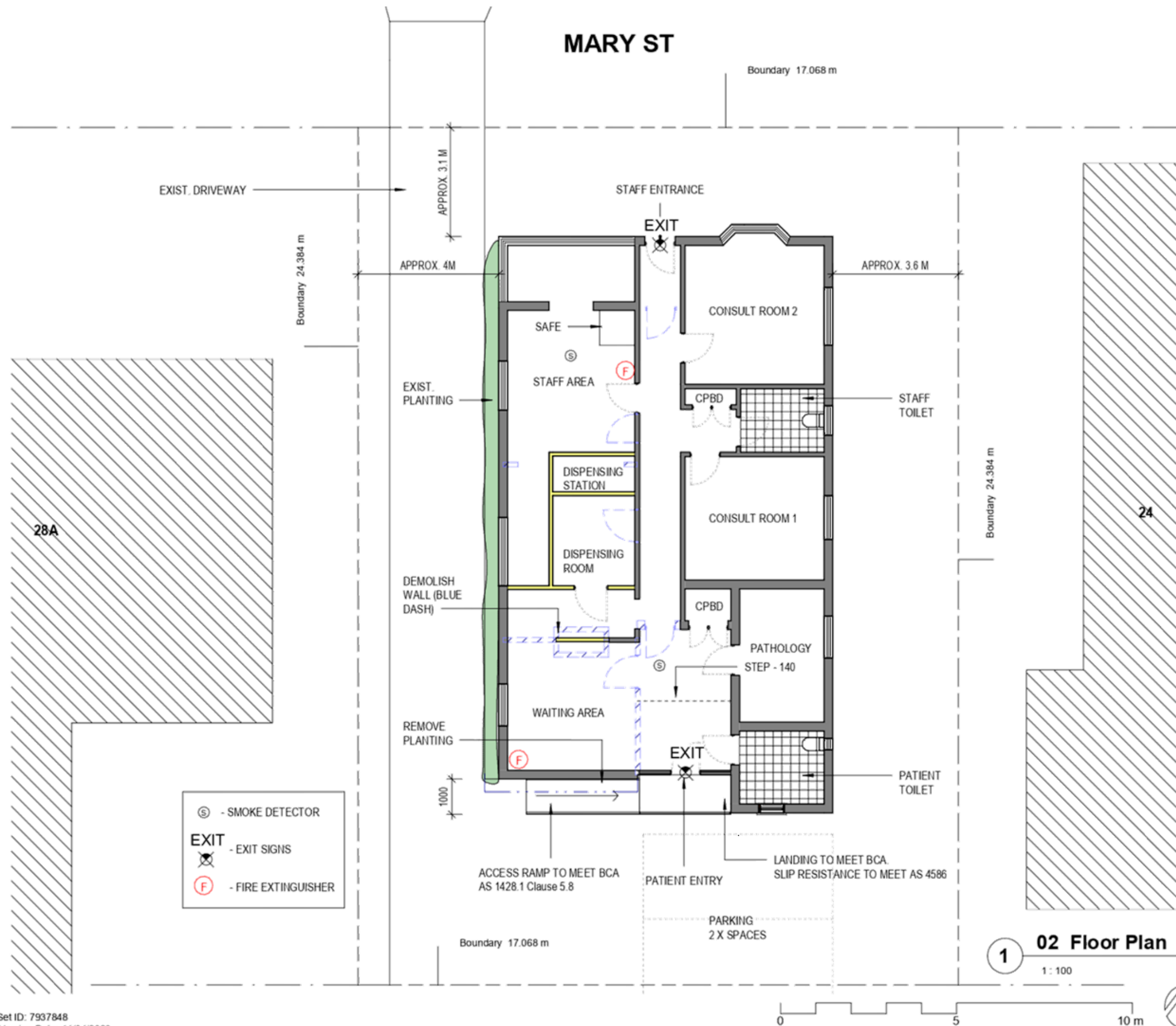
Sheet Number

00 B

4 TRACK BUILDING DESIGN

4 High View Rd
Pretty Beach
NSW 2257

P: 0422271398
E: info@4track.com.au



Notes

This document is the property of 4 Track Building Design. This drawing shall be used for the purpose for which it was commissioned. Unauthorised use of this drawing is prohibited. Do not scale from drawing. Figured dimensions shall take precedence over scaled dimensions. Any discrepancies please report to 4 Track Building Design prior to commencement of work.

Amendments

FEB 2020 A - REVISED BOUNDARY

28/02/2020 B - CAR SPACES

Project Address:

26 MARY ST
AUBURN

Client:

KAMINA HOLDINGS PTY
LTD

Project Status:

CLINIC

Sheet Name:

FLOOR PLAN

Project number:

084

Scale:

1 : 100 @ A3

Date:

FEB 2020

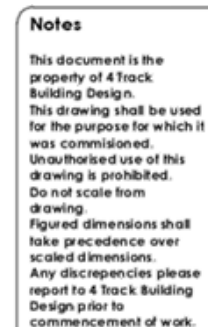
Sheet Number

01 B

4 TRACK BUILDING DESIGN

6 High View Rd
Pretty Beach
NSW 2257

P: 0422271398
E: info@4track.com.au



Amendments

A-REVISED BOUNDARY

Project Address:

26 MARY ST
AUBURN

Client:

KAMINA HOLDINGS PTY
LTD

Project Status:

CLINIC

Sheet Name:

SOUTH ELEVATION

Project number:

084

Scale:
1 : 50 @ A3

Date:

FEB 2020

Sheet Number

02 A

4 TRACK BUILDING DESIGN

6 High View Rd
Pretty Beach
NSW 2257

P: 0422271398
E: info@4track.com.au

Document Set ID: 7937848
Version: 1 Version Date: 14/04/2020

1 South Elevation

DOCUMENTS
ASSOCIATED WITH
REPORT LPP047/20

Attachment 3
Submissions Recieved

[Redacted]

Sent: Fri, 15 May 2020 17:11:50 +1000
To: Records Department
Subject: DA2020/0210 - 26 Mary Street, Auburn NSW 2144
Attachments: DA20200210.png

I refer to the above-mentioned DA and reject it on the following grounds:

Direct impact to the local residents with 7 days a week & public holidays usage. The hours of operation in particular will impact the students/parents of Trinity Catholic College.

Patients loitering in street with particular concerns for 27-29 Mary Street front brick fence.

Any Drug paraphernalia being left in street, together with rubbish as there are no council bins in the vicinity for disposing of rubbish of any kind.

Inadequate parking facilities. Mary Street already has excessive traffic congestion.

The potential increase of crime rate to the residents and/or property.

Decline in value of property prices for neighbouring residential properties.

Residents feeling intimidated, unsafe and impacting their quality of life.

Residents should not have to ring medical centre to advise of any disorderly conduit from their patients.

Above concerns should be taken into immediate review for all residents concerned.

Kind Regards,

[Redacted Signature]

Sent from [Outlook](#)

From: [REDACTED]
Sent: Wed, 27 May 2020 14:09:18 +1000
To: Records Department
Subject: APPLICATION NO: DA 2020/0210

TO: The Planning Officers

I want to oppose this application for the relocation of the Methadone Clinic to
26 MARY STREET AUBURN.

There are homes and families with young children in this area.
It is primarily a residential part of Auburn.
There is a block of 80 units with many young families living there just across the road.
There are clinics with children and babies and frail elderly people coming and going.
There are students walking to and from school along this part of Mary Street.
There are aged residents and their carers from St Joseph's Aged Care Facility walking along this street daily to do their shopping in Auburn.
There is a high school with 1500 students around the corner on Park Road.

I have worked in this street for 26 years. I have seen the activity around the Methadone Clinic:

- * the cars that race along the driveway of the clinic (presumably to avoid recognition) with no care for pedestrians or passing traffic.
- * the gatherings of people out the front of the clinic and down the driveway
- * the people loitering on the street corners
- * the plastic cups and drug paraphernalia left in front yards and gardens
- * the double parking out the front
- * the undercover police operations
- * the people who come into the clinic and demand to use the bathroom
- * the young man hiding behind my car injecting himself

We don't want this clinic in this area. It should be located in a more appropriate place - "located away from residential development" as stipulated in the NSW Methadone Clinic Accreditation Standards from the Dept of Health 2000.

It should be in the hospital precinct where there is 24 hour security, Mental Health and Counselling support and an Emergency Dept. - as has been done in Blacktown Hospital and Mt Druitt Hospital and St Vincent's Hospital and Bankstown Hospital.

Please take notice of the local residents and business owners. We know the people in this area. They deserve to live comfortably, without fear of crime and drug taking around them and without having to worry about the safety of their children and the older members of their families.

Thank you taking the time to read my submission.

--

Kind regards,



---Legal Notice---

Confidential Communication: This email and any files transmitted with it is intended solely for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, or the person responsible for delivering the email to the intended recipient, please immediately notify the sender by email and delete the original transmission and its contents. Any use (which includes dissemination, forwarding, printing, or copying) of this email and any file attachments is prohibited.

From: [REDACTED]
Sent: Fri, 22 May 2020 13:52:48 +1000
To: Records Department
Cc: [REDACTED]
Subject: Submission - 26 Mary St Auburn

Application Number: DA2020/0210

Dear Sir/Madam,

I wish to lodge a submission in relation to the above DA for use of the premises 26 Mary Street, Auburn as a methadone clinic.

The proposed location is surrounded by an apartment building, businesses and residential areas. It is also a main street leading to the shops which is used by many residents. Further, there are two schools located in very close proximity with students frequently walking by before and after school. There are numerous families with children nearby as well as many like myself who care for young grandchildren. This will not be a good or safe environment for children to be near.

I am also extremely concerned about potential criminal activity that will come to the area, with drugs being provided close by and people who will congregate together.

Further, parking is difficult in that area at present, especially with the schools nearby. This will create more people and cars to the area which is already congested. I feel that patients will park down the residential side and will therefore be congregating in these areas as well, not just limited to the location of the proposed methadone clinic.

I understand that there may be a need for the clinic in Auburn or the surrounding areas, however, the proposed location is not suitable or safe and it should be located in another area of Auburn which is not in close proximity to schools or residential areas or high traffic flow of people.

Please contact me if you have any queries.

Kind Regards

[REDACTED]

From: [REDACTED]
Sent: Wed, 27 May 2020 10:18:03 +1000
To: Records Department
Subject: File DA 2020/0210

File: DA2020/0210
Site: 26 Mary Street AUBURN NSW 2144
Legal Description: Lot B DP 73573 & Lot C DP 73573
Dear Council,

I raise a number of concerns regarding the relocation of the Methadone Clinic to 26 Mary St Auburn:

- Firstly, the title of Medical Centre is deceitful, it is a Methadone Clinic
- No parking or access to parking on the premises, as current premises holds many cars and cars are able to drive directly in and out of the premises. There is no provision to make a U-turn in this location. Drivers would need to reverse out - this is impossible
- Vehicle access, poor visibility to enter and exit 26 Mary St
- Potential crime increase
- Impacts school children
- Impact on existing businesses
- No consideration for the existing physiotherapy business located on the back of the site
- No street parking
- High volume of pedestrian foot traffic
- Unsupervised clients roaming the neighbourhood and congregate inside and outside the premises
- Elderly and the vulnerable will be impacted
- Residential safety can be compromised
- The hours of operation create loitering before seeking their methadone. Opening at 7:30am will create loitering from 6:30am in a residential area.

Regards

[REDACTED]
I request my personal information to be suppressed under Section 58 of the Privacy and Personal Information Protection Act 1998

From: [REDACTED]
Sent: Thu, 21 May 2020 18:04:43 +1000
To: Records Department
Subject: Please Stop the DA 2020/0210

Hi Dear Sir/Madam

I don't want Methadone Clinic to 26 mary street Auburn NSW.

It is unsafe for families,
increase in crime and drug dealing, increased noise and disturbances in area,
Increased traffic and double parking,
Too closed to the Trinity Catholic School.

Please stop this application (application no: DA 2020/0210).

Sincerely

[REDACTED]

21/05/2020

File: DA2020/0210
Site: 26 Mary Street AUBURN NSW 2144
Legal Description: Lot B DP 73573 & Lot C DP 73573

Dear Council,

As a long-term Auburn resident and ratepayer, I wish to raise a number of concerns regarding the relocation of the Methadone Clinic to 26 Mary St, Auburn:

- Firstly, the applicant needs to be upfront with the residents – it is a Methadone Clinic, not a Medical Centre in the true sense
- Vehicle access is very poor and located opposite an 80 unit apartment block with other existing driveways and significant vehicle usage
- Poor visibility restricting sight distances
- Potential crime increase
- Impacts a large number of Primary and Secondary school students
- Impact on existing businesses
- No consideration for the existing Physiotherapy Business that has been located on the back of the proposed site for more than 15 years
- Residential safety can be compromised
- The hours of operation will see loitering occur before users seeking their methadone. Opening at 7:30am will create loitering from 6:30am in a residential area, 7 days a week.
- Is there provisions for patient behaviour before opening and after closing?
- Is there provisions for security cameras and security guards?
- A poorly visible DA notice attached to a glass window on the building. Not noticed or visible to residents either driving or walking by the proposed location.
- The proposed location for the methadone clinic is in a largely residential area
- As this is a private facility, do the clients have case managers and access to other important facilities for rehabilitation?

This is a serious issue for residents. The fact that residents were only notified by a Police Officer is concerning. I wish to note that while the exhibition period took place between May 13 – May 27, council did not inform residents appropriately, nor did they place a visible sign on the DA site prior to May 13.

The Cumberland Council Parking and Loading Document, 5.1.4 states the requirement for the number of car parking spaces for Medical centres and Health consulting rooms require 3 car parking spaces. Currently, the applicant has provided 2 very tight car spaces.

Also, this document states that:

- “D2 Driveways servicing car parking shall comply with AS 2890 – Parking Facilities or similar designs for car turning paths unless otherwise advised by Council’s Works and Services Department”.

I have been able to view an A4 sketch (copied from Ms Bruce from the Westside Hearing and Balance Clinic) that details limited information. I noticed that a ramp is going to be built at the back which will take up part of the so-called “two parking spaces”. However, there is an existing Physiotherapy Practice as you are aware, located behind the proposed “Medical

Centre”, tightening the available room for the proposed two car spaces. Users of the “Medical Centre” must drive into and drive out of this proposed location as visibility is poor, in addition to a narrow exit and entrance into 26 Mary Street. It would be extremely dangerous to reverse out of this narrow driveway with poor visibility on to a narrow street with a median strip and crowded parking.

The sketch does not highlight the following requirements for a methadone clinic:

- dosing room
- consulting room
- administration office
- reception counter
- waiting room
- pathology

I feel as though the applicant has not taken in to consideration the:

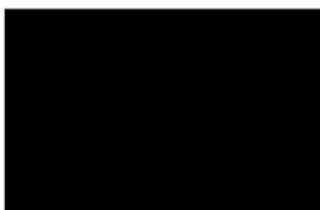
- thousands of Auburn residents who surround the proposed methadone clinic
- existing Physiotherapist business on the proposed site
- neighbouring businesses
- residential safety
- security issues
- additional cars and no parking.

I propose that before a decision is made for a facility that is treating 200+ methadone patients, the following assessment needs to be conducted :

1. a real-life site study and visit of the proposed development
2. a real – life study into the current premise at 20 Mary Street in particular cars entering and exiting the driveway, people loitering inside and outside of the current clinic and people around the corner waiting for methadone patients
3. a Police report is needed, regarding the existing premise at 20 Mary Street

This type of “medical centre” would be best suited in the Auburn Community Hospital.

Regards,



Under Section 58 of the Privacy and Personal Information Protection Act 1998, I request my personal information to be suppressed.

25th May, 2020

Cumberland Council

To Whom It May Concern

RE : PROPOSED METHADONE CLINIC FOR 26 MARY STREET AUBURN
DA2020/0210

I have recently been informed that there is a Methadone Clinic proposed for 26 Mary Street Auburn. I work in this area, in fact on this street, and have done since 1994. I know this street very well and the nearby community. **SO I WOULD THEREFORE, LIKE TO LODGE MY CONCERNS**

There is a Hearing Clinic next door to this proposed site, where babies and elderly people are tested 5 days per week; as well as a School, Trinity College, opposite this site, which of course, operates daily. There are many residents who live across the road, on the same side of the street and around each corner, from 26 Mary Street. These residents range in age from young infants to the elderly. **I AM CONCERNED ABOUT THE FACT THAT CLIENTS OF THIS METHADONE CLINIC WILL HAVE TOTAL DISREGARD FOR THEIR BEHAVIOUR WHILST VISITING THIS PROPOSED CLINIC. THEY WILL BE FOCUSED ON GETTING IN AND OUT, AS QUICKLY AS POSSIBLE, IN A VEIL OF SECRECY, OF COURSE.** There will be total disregard for a mother and baby (in a pram) crossing the already busy road, to get to their home, visit the hearing clinic or GP, or visit grandparents or friends, or an elderly resident or hearing clinic patient doing their best to cross Mary Street, as safely as possible.

I know from experience that there is **very limited parking in this and adjacent streets**. Where does council propose that these Methadone Clinic clients will park? There is one driveway on this block with one way in and the same way out, which means the visitor to 26 Mary street, will have to reverse back out onto the street. This is very concerning. Will the patients that arrive whilst the driveway is full, double park? Park across adjacent driveways? Total chaos will prevail.

I have worked in this street long enough to have seen the debris and chaos that the Methadone clinic (which was located down the road) created over the years. **What support will be available? Will the police / security be available? Can Council assure us that there will not be attempts to break into this clinic?**

I personally will feel very unsafe working near to 26 Mary Street if it becomes a Methadone Clinic. I will be concerned about my car being parked near by, about crossing the street, and about patients from the clinic entering my work place and asking to use the toilet etc, whilst I have other people waiting to see me. There just has to be a better location for this Methadone Clinic. A place where there is better security, parking and psychological assistance.

PLEASE RECONSIDER THIS PROPOSAL: THIS IS NOT THE RIGHT AREA FOR THIS TYPE OF FACILITY.



From: [REDACTED]
Sent: Thu, 21 May 2020 16:50:08 +1000
To: Records Department
Subject: Methadone clinic da2020/0210

I m resident of 27 Mary St, Auburn NSW 2144 and I strongly oppose the planned establishment of the rehab clinic on 26 Mary st as it is not safe for me , for my kids and the the whole society which will increase crime , flow of druggist in the area which no normal human would like. Therefore I advise the council to move the clinic somewhere close to hospitals away from residential and schools

[REDACTED]

From: [REDACTED]
Sent: Mon, 25 May 2020 16:06:24 +1000
To: Records Department
Subject: Formal Objection: DA2020/0210_Methadone Clinic Proposal

To whom it may concern,

Hello, How are you?

My name is [REDACTED]

I am writing to you in regards to the development application to situate a Methadone Clinic on 26 Mary Street, Auburn, NSW 2144. As per application DA2020/0210.

As a home owner, I would like to formally oppose the above mentioned application (DA2020/0210).

My concerns & the reasons for my objection are as follows:

- Patients loitering in street, with particular concerns for 27-29 Mary Street front brick fence.
- Drug paraphernalia being left in street, together with rubbish as there are no council bins in the vicinity for the safe disposal of refuse of any kind.
- The potential increase of crime rate to the community, residents and/or property.
- Decline in value of property prices for neighbouring residential properties.
- Residents feeling unsafe and the impact to our quality of life.
- Disorderly conduct from the patients of this facility. Residents should not be required to ring the medical centre or Police to advise of such behaviour.

My apartment complex is already riddled with crime, theft & drug abuse related issues (enacted by passer-by's). Therefore, I urge you to take into consideration my concerns for the Methadone Clinic proposal/ application.

I believe this development proposal will have serious implications on my quality of life & negate my ability to live in a peaceful & safe environment.

I urge you to take my formal objection & the concerns I outlined into consideration-- at the highest degree possible.

Thank you very much for your time & consideration,
Warm regards,
[REDACTED]

From: [REDACTED]
Sent: Tue, 26 May 2020 09:34:19 +1000
To: Records Department
Subject: Response to application no: DA2020/0210

To whom it may concern,

I am writing in response to the above mentioned application **DA2020/0210 - to relocate the Methadone clinic to 26 Mary Street**. As a resident of Cumberland Council and also as an allied health professional working within this local area government, I felt it would be remiss of me not to express my concerns.

I am an Audiologist and have been working at Westside Hearing & Balance Clinic at 28 Mary Street Auburn for the last 8 years. My clinical role includes conducting hearing and balance assessments of children and adults and the provision of aural rehabilitation. I have concerns for my safety and the safety of my patients – whom are the most vulnerable members of our community – the very young and the very old. These are families whom bring in very young children to the clinic, and the elderly attend with carers and often have mobility devices such as walking frames whom should not be exposed to the potential danger of having a methadone clinic right next door to our premises.

I feel such a clinic would be more suited to a location closer to the hospital over on Norval Street where there is better security and more medical staff nearby. Westside Hearing & Balance Clinic has been serving the community's hearing needs for over 20 years; please reconsider the approval of this application for the safety of the staff and patients of this establishment.

Regards,



Sent from [Outlook](#)

From: [REDACTED]
Sent: Mon, 25 May 2020 20:11:29 +1000
To: Records Department
Subject: DA2020/0210
Importance: High

Dear Sir/Madam,

I am writing this email to you to present my concern regarding the plan of moving the Methadone clinic to 26 Mary Street, Auburn. Application No: DA2020/0210.

As a resident who has lived in 27-29 Mary Street for three years, I am familiar with the traffic and environment around this area. By moving the clinic into the house, it will certainly increase the local traffic and cause double parking and car accident, even.

Working as a health worker, I fully understand that everyone has right to receive proper treatment. However, consider about the specific of these clients who is going to visit Methadone clinic, it does make sense to put this clinic into a hospital area but not so close to residential builds and School. It does worry me and my family a lot, who is going to maintain the local safety? Who is going to take responsibility for the increasing of noise and disturbances?

Based on these concerns, me and my family sincerely asking the council double think of this plan and make a right decision, please!

If there is anything you need to contact me, here is my detail:

[REDACTED]

Thank you for your time!

[REDACTED]

From: [REDACTED]
Sent: Tue, 26 May 2020 19:05:06 +1000
To: Records Department
Cc: [REDACTED]
Subject: Re: Application DA2020/0210 METHADONE CLINIC 26 Mary Street Auburn

Dear Cumberland Council,

You must be insane to permit a drug clinic within 100 metres of a primary and secondary school, a respite hospital and a business district that includes cafes, supermarkets, childcare facilities and families. Not only is a residential area, specifically 26 Mary St Auburn NOT the right place for a drug clinic, the nerve you have to entertain such a hot spot for undesirable persons to be within close vicinity of children and families in Auburn is beyond belief.

Who the hell do you think you are to impose such a centre near our home? How do you think these people are going to arrive to this clinic, by teleportation? They will be coming via public transport, namely buses and trains, meaning they will arrive at Auburn Train Station and walk through the centre of Auburn.

Put this clinic next to your home, next to Cumberland council chambers or in a hospital. Better yet, let me be very clear with this part, KEEP THIS METHADONE CLINIC OUT OF AUBURN AND AWAY FROM OUR HOME!

A copy of this letter to our local members, Hon, Jason Clare MP, Ms Lynda Voltz MP, the Premier of NSW Hon. Gladys Berejiklian, Ms Shelly Hancock MP and Hon. Brad Hazzard MP may be of interest.

Cumberland Council please care about your electorate and the safety of those residing in it!!!

Re: Application No: DA 2020/0210

Kind Regards,

[REDACTED]

Get [Outlook for iOS](#)

From: [REDACTED]
Sent: Mon, 25 May 2020 20:53:52 +1000
To: Records Department
Subject: DA2020/0210- Methadone Clinic

To Whom it May Concern,

I am writing to you regards my rejection to have methadone clinic on 26 Mary street, Auburn.

Mary street already has parking shortage. Please do not make the congestion worse.

The value of my unit will decline as more patients will be seen loitering and littering, which will be unsafe to live in this area with increased crime rate. I really don't want to end up selling the unit and move somewhere else to live

I suggest the methadone clinic be built close to hospital or police station

Please take this matter in consideration.

Kind regards,

[REDACTED]

From: [REDACTED]
Sent: Thu, 21 May 2020 13:41:07 +1000
To: Records Department
Subject: Application No: DA2020/0210, Property 26 Mary Street, Auburn NSW 2144

Dear Sir/Madam,

Thank you for the information regarding **DA 2020/0210**, 26 Mary Street Auburn, NSW 2144.

I have some concern about opening a Methadone Clinic in a peaceful mixed residential, commercial and school zone.

Majority of the Methadone clinic are based at hospital or away from areas frequently used by elderly population, school children and family.

This is a quite street with residential apartments, private homes, medical centre, dental surgery, specialist clinic and auxillary health care facilities, and very close to child care centres, few primary and high schools.

My concerns are as follows

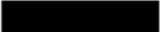
1. noise and disturbances
2. safety of school children especially high school children (teenagers especially)
3. possible exposure to drug related population to school children as its very close to school
4. elderly population - common walking path for shopping trip and doctors visit
5. heavy traffic especially during school hours
6. safety of the dental practice with glass partition
7. Possibility of the undercover area of the building facing the street being used as a regular hub by people coming to Methadone clinic

Please reassess the use of highly dense public area for the purpose (Methadone clinic).

These clinics should be planned strictly away from residential area and school zone if the council wants the best for the residents of Auburn. Please do not hesitate to contact me for any further queries.

Kind Regards

[REDACTED]

From: 
Sent: Tue, 19 May 2020 09:49:26 +1000
To: Records Department
Subject: DA2020/0210 26 Mary St Auburn

Dear Sir/Madam

19th May 2020

Re: Application No: DA2020/0210
26 Mary Street Auburn NSW 2144

I am writing to strongly oppose the above development application.

I own the physiotherapy business at the rear of the above property and have operated this practice for the past 29 years.

The opening of a methadone clinic at this site will severely affect me and my physiotherapy patients. I'm sure other adjoining businesses and residents will say the same.

The nature of people attending a methadone clinic is one of drug addiction with the associated increased likelihood of crime and anti-social behaviour. My patients will be exposed to this increased risk. I have patients of all ages attending, including families with children. I feel the above proposal will be a significant security and safety risk for them.

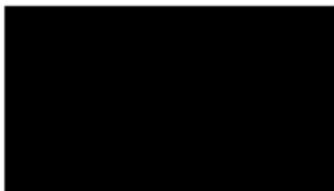
Having been in Auburn for almost 30 years and being a member of the chamber of commerce, I can remember when the Methadone clinic originally opened at 20 Mary St. Local residents and business people were caught unaware at this time, not objecting to the proposal because it had been described as a (normal) medical centre. Let's not make the same mistake this time. (I appreciate the words "Methadone Clinic" is included in this proposal.)

In summary, my objections relate to:

- Security and safety
- Noise and disturbance
- Detrimental impact on character of neighbourhood
- Visual impact (barred windows and doors)

I request council to seriously consider the implications of approving the above development proposal. I would ask you to also consider any recommendations from the local police.

Yours Sincerely



19th May 2020

Cumberland City Council
1 Susan Street
Auburn NSW 2144

To Whom It May Concern,



RE: DA2020/0210_Methadone Clinic

As Strata Managing Agents for the above property, we have been instructed by the Owners Corporation of [REDACTED] to write to you in relation to the proposed development application received on 11th May 2020 and lodge our formal objection toward this proposed development application to situate a methadone clinic near the complex we manage as addressed above.

On this basis the Owners Corporation has compiled a list of reason as to why they have reasonable objections to this proposal as it could encourage the following:

- Patients loitering in street, with particular concerns for 27-29 Mary Street front brick fence.
- Drug paraphernalia being left in street, together with rubbish as there are no council bins in the vicinity for the safe disposal of refuse of any kind.
- Inadequate parking facilities. Mary Street already has excessive traffic congestion.
- The potential increase of crime rate to the community, residents and/or property.
- Decline in value of property prices for neighbouring residential properties.
- Residents feeling unsafe and the impact to their quality of life.
- Disorderly conduct from the patients of this facility. Residents should not be required to ring the medical centre or Police to advise of such behaviour.

You can clearly appreciate the residents' concerns regarding the proposed development as they already have issues with crime, theft and drug abuse within the complex from passers-by's.

We would appreciate if the Council could take high consideration in relation to the above concerns as residents believe that this would have serious implications of the peaceful living in this scheme.

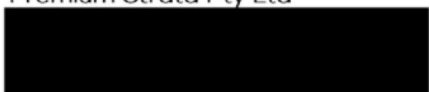
1

exceeding expectations

We look forward to your review of this objection and your response in due course.

Thank you for your assistance in this matter.

Yours faithfully
Premium Strata Pty Ltd



From: [REDACTED]
Sent: Mon, 25 May 2020 17:22:35 +1000
To: Records Department
Subject: Application no : DA 2020/o210 . Property 26 Mary street.Auburn NSW 2144

Dear Sir/Madam,

I have some concerns regarding DA2020/ 0210, 26 Mary Street Auburn NSW 2144. I am worried about proposed plan of opening a Methadone Clinic in a Residential & Commercial Place. Myself being a medical practitioner I would like to draw your attention into this issue as Methadone clinic should be based within a hospital or atleast away from School & commercial areas.

Thank you

Regards

[REDACTED]

From: [REDACTED]
Sent: Tue, 26 May 2020 20:05:08 +1000
To: Records Department
Subject: NO METHADONE CLINIC in Mary Street, Auburn 2144, Please!

Good evening,

We've just found out that there is a plan being considered to move the Methadone Clinic to 26 Mary Street, Auburn, NSW 2144. We're very concerned and started to worry about the future of our neighborhood, the safety of our family and social atmosphere around us. This kind of clinics belong to the hospital area and not near homes and schools and children and elderly people. Even we wanna sell this apartment and leave this area we can't because of this current property market and we're on negative equity at the moment.

As a family who's living and raising kids at 27 Mary Street, Auburn NSW 2144 we strongly object this move. We request council to reject this plan immediately and completely.

I believe the application No: DA 2020/0210

Please feel free to contact us if there is anything you'd like to ask from us.
Our contact information:

[REDACTED]

From: [REDACTED]
Sent: Thu, 21 May 2020 21:24:08 +1000
To: Records Department
Cc: [REDACTED]
Subject: 26 Mary Street - Methadone Clinic Proposal - DA 2020/0210

Hi,

It's been brought to our attention that there's plans to move a Methadone Clinic to 26 Mary Street, Auburn directly opposite the building I currently live in [REDACTED] and both my partner and I oppose the idea and would like to avoid this from happening.

I feel any clinic of this nature should be housed within a hospital and away from a bustling suburb. Not only will this be detrimental to the street, our building and others around us but is a high risk factor that is putting our safety on the line with the possible increase in criminal activity, including drug dealing.

I support people getting help but feel there's a place for it. I hope you reconsider and decide against moving a Methadone Clinic 240 m from a high school, 400 m from a primary school, 400 m from Auburn central and 650 m from Auburn station all locations that come into contact with hundreds of people each day.

[REDACTED]



Sydney Catholic Schools

22 May 2020

By email: council@cumberland.nsw.gov.au
General Manager
Cumberland Council
PO Box 42
MERRYLANDS NSW 2160



Attention: Roy Wong, Assessment Officer

Dear Mr Wong

Submission on Proposed Development at 26 Mary Street, Auburn – DA2020/0210

We refer to development application 2020/0210 (DA), lodged with Cumberland Council (Council) on 8 April 2020 concerning the proposed internal alterations to 26 Mary Street, Auburn (Proposed Development).

1 Summary

- a) Sydney Catholic Schools (SCS) makes this submission on its own behalf and on behalf of Trinity Catholic College (College).
- b) While SCS and the College accept the Proposed Development is permissible and is likely to be approved, from its experience of operation of the current clinic at 20 Mary Street over a number of years, the Council needs to be aware of a number of adverse impacts which need to be addressed.
- c) In large part, these impacts can be managed by the imposition of appropriate conditions of consent. We have suggested a number of conditions for consideration by the Council.
- d) SCS and the College wish to meet with the Council to discuss the Proposed Development prior to determination of the development application.
- e) The College wishes to be formally notified of future development applications concerning properties in the locality of the College.

2 Background – Sydney Catholic Schools and Trinity Catholic College

SCS runs 150 Catholic primary and secondary schools operating across the Archdiocese of Sydney. The schools in our system provide more than 70,000 students with high-quality, low fee Catholic education.

The College, which is located at 13 Park Road, Auburn and occupies much of the block immediately adjacent to 26 Mary Street, is part of the SCS system. The College educates approximately 820 students ranging from year 9 to year 12, and employs 80 staff.

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SYDNEY CATHOLIC SCHOOLS LIMITED ACN 619 137 343
AS TRUSTEE FOR THE SYDNEY CATHOLIC SCHOOLS TRUST ABN 26 158 447 082
Version 1 Version Date 28/05/2020



22 May 2020

Cumberland Council

Submission on Proposed Development at 26 Mary Street, Auburn – DA2020/0210

The College recently became aware of the Proposed Development after it was notified by a concerned parent. No notification of the Proposed Development was received from the Council.

It is unfortunate that the Council does not appear to have a policy for notification of development applications and that neighbouring premises, including the College and nearby the St John's Catholic Primary School, were not been informed of the Proposed Development. We would be grateful if you could note the following contact details for the College on Council's records, so that appropriate notification can be provided when future development applications concerning adjoining and adjacent properties are received: Mr Daniel Delmarge Principal Trinity Catholic College 13 Park Road Auburn NSW 2144 Ph.: 9749 1919

While an activity of the nature proposed so close to a school is clearly an inconsistent use, in principle, neither SCS nor Trinity Catholic College is opposed to the operation of the Clinic. We accept that the Clinic's services are necessary and important. However, SCS has taken the opportunity to make this submission on behalf of the students, their parents and the staff of the College to ensure their concerns about elements of the Proposed Development are understood by Council and appropriately addressed in conditions of consent.

3 Impacts of the Existing Clinic and the Proposed Development

SCS has reviewed the DA and associated documents. We understand that the Proposed Development involves internal alterations to 26 Mary Street to enable the relocation of the existing methadone clinic (Clinic) from 20 Mary Street.

SCS has several concerns about the potential impacts of the Proposed Development on the students and staff of the College.

Over the years of operation of the existing Clinic at 20 Mary Street, the College has experienced a number of adverse and unacceptable impacts:

- a) the Proposed Development relocates the existing Clinic from east of the intersection of Mary Street and Park Road to west of the intersection and closer to the College;
- b) the Statement of Environmental Effects (SEE) prepared as part of the DA notes that the Proposed Development will result in a car parking deficiency of 2 spaces on the site compared to the requirements of the Auburn Development Control Plan 2010 (Auburn DCP);
- c) the SEE addresses this noncompliance identified at (b) by noting that clients of the existing Clinic at 20 Mary Street predominately use public transport to attend the Clinic, which is considered likely to continue under the Proposed Development;
- d) the proposed hours of operation include from 7.30am to 1.00pm and 4.00pm to 6.00pm on weekdays, which corresponds closely to peak times for staff and students entering and leaving the College;

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Version: 1 Version Date: 28/05/2020

22 May 2020

Cumberland Council

Submission on Proposed Development at 26 Mary Street, Auburn – DA2020/0210

- e) given the matters identified at (a) – (d), clients attending 26 Mary Street are likely to use:
 - a. the bus stop on Mary Street before Park Road, or the bus stops on Park Road located outside and opposite the College, all of which service the College; or
 - b. Auburn Train Station, which requires clients to transit past the College to reach 26 Mary Street;
 at times when students and staff are most likely to be coming and going from the College;
- f) the Operational Management Plan included at Appendix H of the SEE is generic and provides little detail around the ongoing management of the Clinic under the Proposed Development. It should be revised so it is directly responsive to the Clinic in its proposed location;
- g) College leadership receive regular requests to review College CCTV footage from NSW Police (approximately two to three times per school term). These requests predominately relate to crime activity in Park Road, in contrast to the suggestion in the Crime Prevention through Environmental Design (CPTED) Assessment Report at Appendix G of the SEE which suggests stable crime rates in the area;
- h) there have been incidents in the vicinity of the Clinic where paramedics have had to attend to treat people apparently experiencing a drug or alcohol related medical episode. These occur in full view of parents, students and staff of the College and cause distress; and
- i) over many years, College staff have had to eject from the College grounds trespassers from the existing Clinic and have been the victim of street crime, including theft from motor vehicles.

4 Proposed conditions of consent

Both SCS and the College believe that the potential adverse impacts of the Proposed Development on the College's students and staff can be reduced by the imposition of appropriate conditions of consent.

In response to the concerns raised above, SCS has prepared the following suggestions in relation to conditions of consent for Council's consideration:

Issue	Scope of proposed condition
Clients of the Clinic loitering outside the Clinic or College outside operating hours	Visible street signage with out of hours contact details to be erected on the Clinic site Provision to the College of a direct out of hours contact for Clinic management
Clients of the Clinic congregating on Mary Street while waiting for the Clinic to open or for space in the waiting room	Provision of additional off-street waiting space on the Clinic site

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SYDNEY CATHOLIC SCHOOLS LIMITED ACN 619 137 343
Document Set ID: 7891204
TRUSTEE FOR THE SYDNEY CATHOLIC SCHOOLS TRUST ABN 26 158 447 082
Version: 1 Version Date: 28/05/2020



22 May 2020

Cumberland Council

Submission on Proposed Development at 26 Mary Street, Auburn – DA2020/0210

Issue	Scope of proposed condition
(particularly as COVID-19 social distancing will likely require waiting outside and on the street)	
Impact on available parking in surrounding streets given deficit of parking spaces	Requirement to provide the total amount of car spaces required by the Auburn DCP
Potential for medical episodes in vicinity of Clinic	Installation of 'emergency vehicle parking' signage and street marking in the "No Parking" space between 26 and 28 Mary Street and/or requirement to keep driveway of 26 Mary Street clear
Potential for criminal or anti-social behaviour in the vicinity of the Clinic	Requirement for regular (quarterly or half-yearly) meetings between Clinic management, College leadership, Council and Auburn Police to review the Clinic's Operational Management Plan and CPTED strategy. A requirement for the Clinic to keep these plans under regular review and report revisions to the Council.
	Requirement for regular exterior patrols of the Clinic site and immediately surrounding areas by Clinic staff – at least every 2 hours and immediately before College finish time each day.
Lack of information about issues or complaints raised in relation to Clients or the operation of the Clinic	Requirement for Clinic management to establish a complaints management system and report all community complaints, along with actions taken, to Council within 7 days of each complaint

Yours sincerely



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SYDNEY CATHOLIC SCHOOLS LIMITED ACN 619 157 343
Document Title: FOR THE SYDNEY CATHOLIC SCHOOLS TRUST ABN 26 158 447 082
Version: 1 Version Date: 28/05/2020



From: [REDACTED]
Sent: Sat, 23 May 2020 18:51:54 +1000
To: Records Department
Subject: Application no: DA2020/0210

Ref- Application No: DA2020/0210

I [REDACTED] would like to object the above mentioned subject based on the following:

1. Personal safety – relocating such clinic just opposite my house will increase risk to my family not mentioning my children whom everyday playing on the front yard, goes to school and so on. My children and I included most likely to come into contact with those individual one away or the other and not good for our safety reasons.
2. Increase traffic – we already experiencing huge congestion every day from rush hours as a result of commuting to work, school drop off/ pick ups you name it. Most times, I have to wait for more than 5 minutes just to pull out or get into my drive was due to heavy traffic. Relocating such clinic will make it worse.
3. Noise and disturbance – this will increase as clients comes in and out. Some will not go but hang around for chat as I witness most of the time and this will cause disturbances and insecurity.
4. Lack of parking spaces - as we know Auburn been having a boom of high rise apartments in recent years. In particular along the intersections of park road and Mary street. This being the zone of such high rise it has already cause lack of parking due to number of residence who park along the street. Bringing such clinic will not be helping at all. Prior to Covid – 19, Auburn night life in terms of dinning out has increase of recent. People come from every corner and park along the street and walk into Auburn central. Such things was brought about when formally “Auburn Council” upgraded Auburn road and made it one-way hence reduce the street parking for any potential dinner.
5. Potential crime increase – this clinics as we know deals with drug addicts. Putting them in high densely and increasing population and Auburn CBD expands is not a helping. Crime will definitely increase as dealers comes in and mingle, new and probably young innocent children including mine will be introduced to drugs.

For these few mentioned reasons, I therefore object relocation of such clinic next to me.

Sent from [Mail](#) for Windows 10

From: [REDACTED]
Sent: Tue, 26 May 2020 21:08:00 +1000 (AEST)
To: Records Department
Subject: DA 2020/0210

To Whom It May Concern

Re: DA 2020/0210

I acknowledge that the methadone clinic offers an important service to vulnerable members of the community. The right location for the clinic is essential for the people who use the clinic and others in the Auburn community.

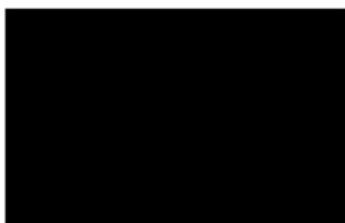
This submission is to raise concerns about the proposed move to 26 Mary Street, Auburn for the following reasons:

- Traffic congestion along Mary Street between Alice Street and Park Road particularly during peak hours. Many people who use the methadone clinic will now need to cross busy Park Road which can be dangerous during peak times. There are only small traffic islands for people to wait for break in the traffic. A proper pedestrian crossing on Park Road near the Mary St intersection is desperately needed. Moving the Methadone clinic to 26 Mary Street will increase this need.
- The current location of the clinic has been modified with security precautions such as bars on the windows and rear access which reduces the need for people to congregate in the front and on the street. The reception to 26 Mary Street is very close to the street, has consideration been given to the need for rear access. What security considerations have been given to 26 Mary Street?
- Mary Street has a lot of foot traffic between Alice Street and Park Road. This includes many elderly people and school children. What consideration has been given to the safety of the community?

- Has safety issues been addressed for people using the Westside Hearing Clinic where many elderly people visit?

I believe careful management of all concerns raised by the community is essential to maintain harmony within the community.

Kind regards



(right to privacy would be appreciated)



1

Tuesday 26th May 2020

By email: council@cumberland.nsw.gov.au

General Manager

Cumberland Council

PO Box 42

MERRYLANDS NSW 2160

Attention: Roy Wong, Assessment Officer

Dear Mr Wong

Submission on Proposed Development at 26 Mary Street, Auburn – DA2020/0210

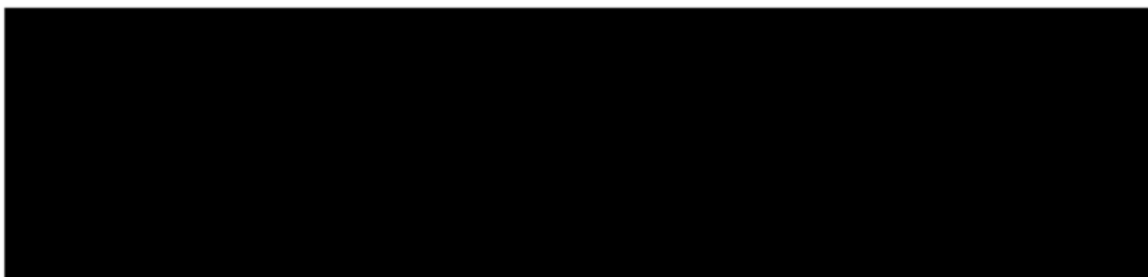
We refer to development application 2020/0210 (**DA**), lodged with Cumberland Council (**Council**) on 8 April 2020 concerning the proposed internal alterations to 26 Mary Street, Auburn (**Proposed Development**).

1. Summary

- (a) Sydney Catholic Schools (**SCS**) makes this submission on its own behalf and on behalf of Trinity Catholic College (**College**).
- (b) While SCS and the College accept the Proposed Development is permissible and is likely to be approved, from its experience of operation of the current clinic at 20 Mary Street over a number of years, the Council needs to be aware of a number of adverse impacts which need to be addressed.
- (c) In large part, these impacts can be managed by the imposition of appropriate conditions of consent. We have suggested a number of conditions for consideration by the Council.
- (d) SCS and the College wish to meet with the Council to discuss the Proposed Development prior to determination of the development application.
- (e) The College wishes to be formally notified of future development applications concerning properties in the locality of the College.

2. Background – Sydney Catholic Schools and Trinity Catholic College

SCS runs 150 Catholic primary and secondary schools operating across the Archdiocese of Sydney. The schools in our system provide more than 70,000 students with high-quality, low fee Catholic education.



Tuesday 26th May 2020

Cumberland Council

Submission on Proposed Development at 26 Mary Street, Auburn – DA2020/0210

2

The College, which is located at 13 Park Road, Auburn and occupies much of the block immediately adjacent to 26 Mary Street, is part of the SCS system. The College educates approximately 830 students ranging from year 9 to year 12 (1250 across both campuses), and employs 140 staff.

The College recently became aware of the Proposed Development after it was notified by a concerned parent. No notification of the Proposed Development was received from the Council.

It is unfortunate that the Council does not appear to have a policy for notification of development applications and that neighbouring premises, including the College and nearby the St John's Catholic Primary School, were not informed of the Proposed Development. We would be grateful if you could note the following contact details for the College on Council's records, so that appropriate notification can be provided when future development applications concerning adjoining and adjacent properties are received:



While an activity of the nature proposed so close to a school is clearly an inconsistent use, in principle, neither SCS nor Trinity Catholic College is opposed to the operation of the Clinic. We accept that the Clinic's services are necessary and important. However, SCS has taken the opportunity to make this submission on behalf of the students, their parents and the staff of the College to ensure their concerns about elements of the Proposed Development are understood by Council and appropriately addressed in conditions of consent.

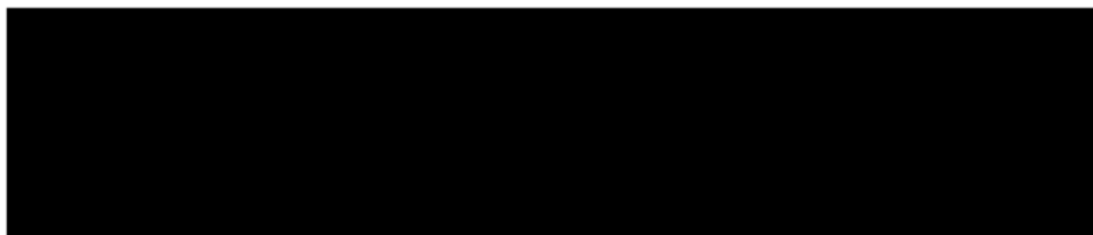
3. Impacts of the Existing Clinic and the Proposed Development

SCS has reviewed the DA and associated documents. We understand that the Proposed Development involves internal alterations to 26 Mary Street to enable the relocation of the existing methadone clinic (**Clinic**) from 20 Mary Street.

SCS has several concerns about the potential impacts of the Proposed Development on the students and staff of the College.

Over the years of operation of the existing Clinic at 20 Mary Street, the College has experienced a number of adverse and unacceptable impacts:

- (a) the Proposed Development relocates the existing Clinic from east of the intersection of Mary Street and Park Road to west of the intersection and **closer to the College**;
- (b) the Statement of Environmental Effects (**SEE**) prepared as part of the DA notes that the Proposed Development will result in a **car parking deficiency of 2 spaces** on the site compared to the requirements of the Auburn Development Control Plan 2010 (**Auburn DCP**);



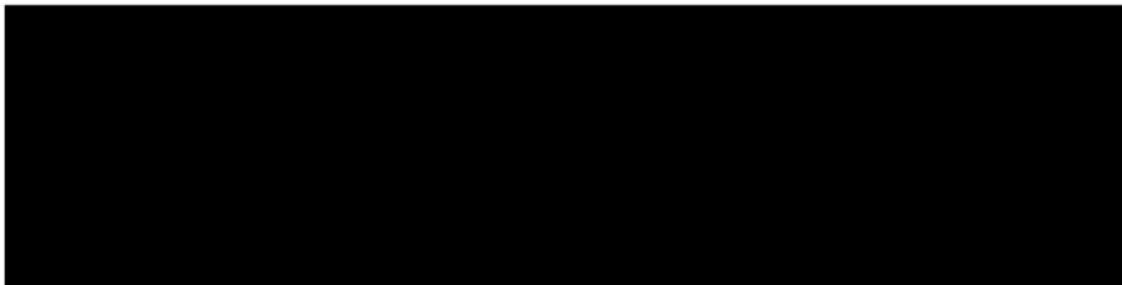
Tuesday 26th May 2020

Cumberland Council

Submission on Proposed Development at 26 Mary Street, Auburn – DA2020/0210

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- (c) the SEE addresses this noncompliance identified at (b) by noting that clients of the existing Clinic at 20 Mary Street predominantly use public transport to attend the Clinic, which is considered likely to continue under the Proposed Development;
- (d) the proposed hours of operation include from **7.30am to 1.00pm** and 4.00pm to 6.00pm on weekdays, which corresponds closely to peak times for staff and students entering and leaving the College;
- (e) given the matters identified at (a) – (d), clients attending 26 Mary Street are likely to use:
- the bus stop on Mary Street before Park Road, or the bus stops on Park Road located outside and opposite the College, all of which service the College; or
 - Auburn Train Station, which requires clients to transit past the College to reach 26 Mary Street;
 - at times when students and staff are most likely to be coming and going from the College;
 - The Operational Management Plan included at Appendix H of the SEE is generic and provides little detail around the ongoing management of the Clinic under the Proposed Development. It should be revised so it is directly responsive to the Clinic in its proposed location;
 - College leadership receive regular requests to review College CCTV footage from NSW Police (approximately two to three times per school term). These requests predominantly relate to crime activity in Park Road, in contrast to the suggestion in the Crime Prevention through Environmental Design (**CPTED**) Assessment Report at Appendix G of the SEE which suggests stable crime rates in the area;
 - there have been incidents in the vicinity of the Clinic where paramedics have had to attend to treat people apparently experiencing a drug or alcohol related medical episode. These occur in full view of parents, students and staff of the College and cause distress; and
 - Over many years, College staff have had to eject from the College grounds trespassers from the existing Clinic and have been the victim of street crime, including theft from motor vehicles.



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Submission on Proposed Development at 26 Mary Street, Auburn – DA2020/0210

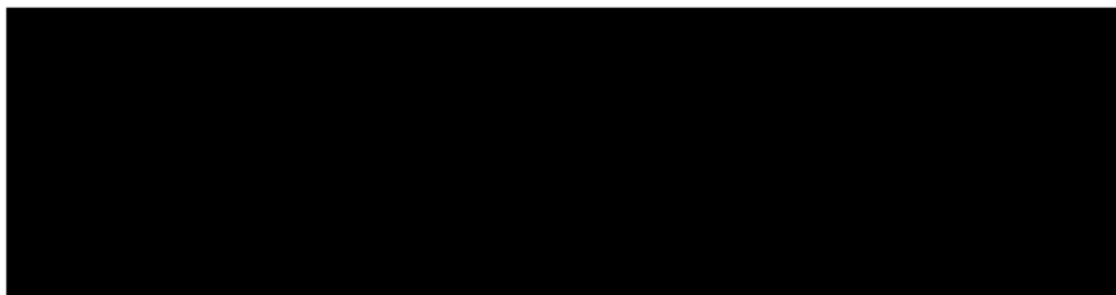
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4. Proposed conditions of consent

Both SCS and the College believe that the potential adverse impacts of the Proposed Development on the College's students and staff can be reduced by the imposition of appropriate conditions of consent.

In response to the concerns raised above, SCS has prepared the following suggestions in relation to conditions of consent for Council's consideration:

Issue	Scope of proposed condition
Clients of the Clinic loitering outside the Clinic or College outside operating hours	Visible street signage with out of hours contact details to be erected on the Clinic site Provision to the College of a direct out of hours contact for Clinic management
Clients of the Clinic congregating on Mary Street while waiting for the Clinic to open or for space in the waiting room (particularly as COVID-19 social distancing will likely require waiting outside and on the street)	Provision of additional off-street waiting space on the Clinic site
Impact on available parking in surrounding streets given deficit of parking spaces	Requirement to provide the total amount of car spaces required by the Auburn DCP
Potential for medical episodes in vicinity of Clinic	Installation of 'emergency vehicle parking' signage and street marking in the "No Parking" space between 26 and 28 Mary Street and/or requirement to keep driveway of 26 Mary Street clear



Tuesday 26th May 2020

Cumberland Council

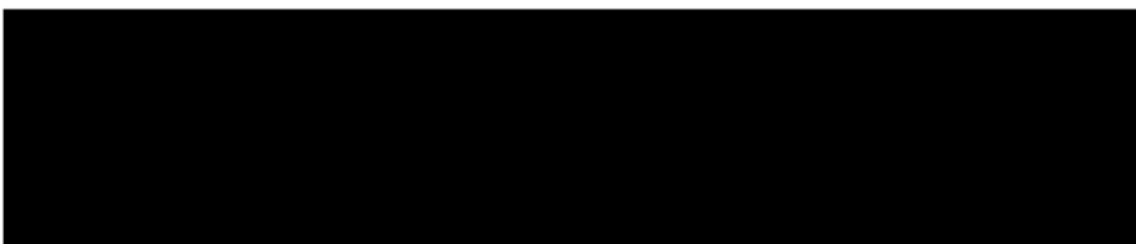
Submission on Proposed Development at 26 Mary Street, Auburn – DA2020/0210

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Potential for criminal or anti-social behaviour in the vicinity of the Clinic	<p>Requirement for regular (quarterly or half-yearly) meetings between Clinic management, College leadership, Council and Auburn Police to review the Clinic's Operational Management Plan and CPTED strategy. A requirement for the Clinic to keep these plans under regular review and report revisions to the Council.</p> <p>Requirement for regular exterior patrols of the Clinic site and immediately surrounding areas by Clinic staff – at least every 2 hours and immediately before College finish time each day.</p>
Lack of information about issues or complaints raised in relation to Clients or the operation of the Clinic	Requirement for Clinic management to establish a complaints management system and report all community complaints, along with actions taken, to Council within 7 days of each complaint

This list is not exhaustive, and SCS would welcome the opportunity to discuss this submission with Council and to assist with facilitating any of these suggestions.

SCS would also appreciate attention of the Council to regular enforcement action in relation to issues posed by the Proposed Development which cannot be addressed through conditions of consent, such Council Ranger patrols and Council involvement in any meeting between Clinic management and stakeholders.



From: [REDACTED]
Sent: Wed, 27 May 2020 00:05:51 +1000
To: Records Department
Subject: Re: Object DA 2020/0210



在 2020年5月26日, 下午4:01, Records Department
<council@cumberland.nsw.gov.au> 写道:

Thank you for your email

Before forwarding your enquiry to the relevant area within Council, please provide your full address details for registration purposes only. The information is required for the customer data base to prevent duplication and will not be released to any other person or organisation.

Kind Regards



RECORDS
RECORDS DEPARTMENT

DEPARTMENT

16 Memorial Avenue, PO Box 42 Merrylands NSW 2160

T

E council@cumberland.nsw.gov.au

W www.cumberland.nsw.gov.au

-----Original Message-----

From: Wenjia Wang <wenjia4040@gmail.com>

Sent: Monday, 25 May 2020 6:27 PM

To: Records Department <council@cumberland.nsw.gov.au>

Subject: Object DA 2020/0210

Dear officer,

I'm writing to object the moving of The Methadone Clinic to 26 Mary Street,Auburn.

This move could be a concern for people live in our unit which is directly opposite to 26 Mary St since it affect our safety , it could cause increase in crime,and increase in noise and traffic. In addition, it's close to school which could be a problem of anyone in the school.

Please stop this move.

Thanks.



Disclaimer

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From: [REDACTED]
Sent: Sat, 20 Jun 2020 14:21:40 +1000
To: Records Department
Subject: DA2020/0210

Dear Officer,

I say no to DA2020/0210.

[REDACTED]

Best Regards,

Mert

[REDACTED]

From: [REDACTED]
Sent: Sat, 20 Jun 2020 14:27:50 +1000 (GMT+10:00)
To: Records Department
Subject: stop this DA2020/0210 application

Dear officer.
please stop DA2020/0210 application, here is residential area, I don't want my kids stay next to this clinic.

[REDACTED]

Hi,

I am the home owner of [REDACTED] and I have been told through my neighbours that the Methadone clinic is potentially being moved to number 26 Mary Street.

I am VERY concerned to hear about this and in Particular to NOT have any official notification that this was in the pipeline.

This concerns me on many levels:

- as this section of Mary street is Zoned residential I am concerned for my young family [I look after my grandchildren aged under 2] and the neighboring families that a facility such as this will be next door.

- West side hearing clinic and the ENT specialists have children and numerous young families visiting daily.

- Trinity Catholic College is in close proximity and students use this part of Mary street to walk home and be picked up by their parents.

- There is no parking at the proposed address, which would mean individuals who would be seeking to use this facility would have to park on the street and quiet far away as this street is already full. This would lead to loitering and hanging around on the footpath in front of the above places of concern.

I feel that if something like this is being proposed we have a right to know about this and voice our concerns and know where to lodge our concerns and complaints.

My daughter wrote to council December 2019 and to this day have not had any correspondence back and we know that our neighbors have done the same. To find out a few days ago the police have notified my neighbor that this is still being considered is appalling.

Every one has a right to help, though putting a facility like this in a residential area surrounded by children in NOT ok.

Can you please assist in whatever way possible and please provide any information you can on what is going on.

I look forward to you response,

Regards

[REDACTED]

DOCUMENTS
ASSOCIATED WITH
REPORT LPP047/20

Attachment 4

Appendix A - Auburn Local
Environmental Plan 2010

Appendix A

Auburn Local Environmental Plan 2010

Relevant Control		Compliance with Requirements	Consistency Objectives
4.3 Height of Buildings	Building height 9m (max)	No change to the height of the existing building is proposed.	N/A
4.4 Floor Space Ratio	FSR does not apply to development on land in the R2 land use zone.	N/A	N/A

Parking and Loading

Relevant Control		Compliance with Requirements	Consistency Objectives
2.0 Off-street parking requirements	D1 - All new development shall provide off-street parking in accordance with the parking requirement tables of the respective developments in the Part.	No Refer to comment below.	No
3.0 Design of parking facilities	D4 – Access driveways shall be located and designed to minimise loss of on-street parking.	N/A Existing access driveway to be used.	
	D5 – Access driveways shall have a minimum width of 3.0m unless elsewhere specified.	No Width of access driveway is 2.7m.	No
3.4. General parking design	D3 – Car parking modules and access paths shall be designed to comply with AS2890-Parking Facilities (all parts).	No Council's Senior Development Engineer has noted that the proposed parking layout does not comply with Australian Standards AS2890.1.	No
	D4 – All pedestrian paths and ramps shall have a non-slip finish, 1.0m width, not be steep, comply with AS1428.1 and AS1428.2.	Yes subject to conditions. Any consent can be conditioned to ensure compliance with these requirements.	Yes subject to conditions.
5.0 Commercial development	5.1.1 D1 – Parking shall be provided at the rear of the development.	Yes	Yes
	5.1.2 D2 - Driveways shall be designed to allow vehicles to enter and leave in a forward direction.	No No details have been provided to demonstrate compliance with this requirement.	No
	D4 – Adequate area shall be provided on site and driveways designed to enable all vehicles to enter and leave the site in a forward direction.	No No details have been provided to demonstrate compliance with this requirement.	No
	D8 – Driveways servicing car parking shall comply with AS2890-Parking Facilities or similar designs for car turning paths unless otherwise advised by Council's Engineers.	No Council's Senior Development Engineer has noted that the proposed parking layout does not comply with Australian Standards AS2890.1.	No
	5.1.4	No	No

	D1 - Medical Centres, Health Consulting Rooms – 3 spaces per surgery.	2 x consulting rooms are proposed which requires a minimum of six (6) onsite parking spaces. The development provides for one (1) onsite parking space for use by the development.	
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Access and Mobility

Relevant Control		Compliance with Requirements	Consistency Objectives
2.0 Design guidelines for access	2.3 D1 – Compliance with AS1428.1 .	Yes subject to conditions. A disabled access ramp is proposed to be constructed at the rear of the premises. An access report has been submitted with the DA. Any consent can be conditioned to ensure compliance with the relevant requirements of the standard.	Yes subject to conditions.

Waste

Relevant Control		Compliance with Requirements	Consistency Objectives
4.0 Commercial and industrial development	4.1 D8 – Where special waste material is to be generated, special arrangements will be required and detailed in a waste management plan.	Yes subject to conditions. Any consent can be conditioned to ensure compliance with this requirement.	Yes subject to conditions.
	4.3 D2 – Space shall be provided in the development to accommodate bins provided by contractors.	Yes The Waste Management Plan specifies bins for the collection of medical waste is to provided in each consulting room and removed as required. Council's Environmental Health Officer has raised no issue subject to conditions of consent.	Yes

Item No: LPP048/20

DEVELOPMENT APPLICATION FOR 3 & 5 HAIG STREET, WENTWORTHVILLE

Responsible Division: Environment & Planning
Officer: Acting Executive Manager Development and Building
File Number: DA2020/0145

Application lodged	9 March 2020
Applicant	Mr R Kota
Owner	Mr R Kota
Application No.	DA2020/0145
Description of Land	3 & 5 Haig Street WENTWORTHVILLE NSW 2145, Lot 111 and Lot 112 DP 7383
Proposed Development	Demolition of existing structures and construction of a 56 place child care centre with at-grade car parking
Site Area	1347m ²
Zoning	R2- Low Density Residential
Disclosure of political donations and gifts	Nil disclosure
Heritage	No
Principal Development Standards	<ul style="list-style-type: none"> Floor Space Ratio – 0.5:1 (HLEP 2013) Height of Buildings – 9m
Issues	<ul style="list-style-type: none"> Site suitability Front setback (inconsistent with the streetscape) Large expense of hard stand area within the front setback Cut and fill Retaining walls Fencing heights Amenity impacts Pedestrian access Shade structures Inadequate information Public interest

SUMMARY:

- Development Application No. DA2020/0145 was received on 9 March 2020 for the demolition of existing structures and construction of a 56 place child care centre with at-grade car parking.
- The application was publicly notified to occupants and owners of the adjoining properties for a period of 21 days between 1 April 2020 and 15 April 2020. The notification period was extended for a further 7 day period as number of objectors requested for extra time to submit their concerns due to the COVID 19 Pandemic. In response, a total of 20 unique submissions including a petition containing 53 signatures and 2 x form letters were received, objecting to the proposal.

3. Correspondence was sent to the Applicant on 1 June 2020 advising that the application could not be supported and inviting its withdrawal. That correspondence also set out Council's concerns with the application in detail. The issues included site unsuitability, incompatibility with the streetscape, compliance with child care centre provisions, excessive cut and fill, height of acoustic fencing, amenity impacts, waste and engineering matters. The applicant elected not to withdraw the application.
4. Amended plans and additional information were provided to Council on 1 July 2020. The amended plans did not warrant re-notification.
5. The subject application has been assessed against the relevant provisions of the Environmental Planning and Assessment Act 1979, State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017, Child Care Planning Guideline (the Guideline) 2017, Holroyd Local Environmental Plan 2013 (HLEP) and Holroyd Development Control Plan 2013 (HDCP).
6. The proposal seeks the following numerical non-compliances which are not supported:

Control	Required	Provided	Variation (%)
Shade (Child Care Planning Guideline 2017 – Clause 4.11)	30% of the outdoor play area shall be provided with shade (118.5m ²)	94.6 m ² is provided with shade	20.2%
Driveway Setback (HDCP 2013)	Min. 1.5m	940mm for the one way entry driveway	37.3%
Retaining walls (HDCP 2013)	Max 1m high	1.48m to 2m high	100%
Cut (HDCP 2013)	Cut: max. 1m; max. 0.45m within 0.9m of side/rear boundary	Max cut: 930mm along the northern boundary	106.6%
Fill (HDCP 2013)	Fill: 0.3m within 0.9m of side/rear boundary	Max fill: 1.2m along the eastern boundary	300%
Front setback (HDCP 2013)	Min setback of 6m and should be consistent with the existing streetscape	Front setback of 20.9m	248.33%
First floor child care centre component (HDCP 2013)	Childcare centre component shall not be located on the upper level	Children play area (0-2-years old) is located on the upper floor	
Acoustic Fence heights (HDCP 2013)	Max. 2m with a 1.8m traditional lapped and capped boundary fence and the	Max 3.4m along the eastern boundary	70%

	remaining height to be of thick, transparent Perspex.		
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7. The application has been referred to the Cumberland Local Planning Panel (CLPP) for determination due to the number of submissions received during the notification period.
8. The application is recommended for refusal for the reasons provided in the Draft Notice of Determination contained in Attachment 1 of this report.

REPORT:

Subject Site and Surrounding Area

The subject site is known as 3 & 5 Haig Street, Wentworthville; and is legally described as Lot 111 and Lot 112 in DP 7383. The site is located on the northern side of Haig Street. The site is a rectangular block with a frontage of 30.48m, depth of 44.195m and a total site area of 1347m².

The subject site includes two dwelling houses with associated parking and vegetation. Existing improvements on the site include a single-storey and double storey residential dwellings with associated structures and outbuildings along the eastern and western sides.

Adjoining developments consist of one to two storey detached dwelling houses with landscaped front setbacks. The site has a fall of approximately 4m from front to the rear. Wentworthville Public School is located 1.2km from the site. The subject site and the adjoining properties are zoned R2 Low Density Residential.

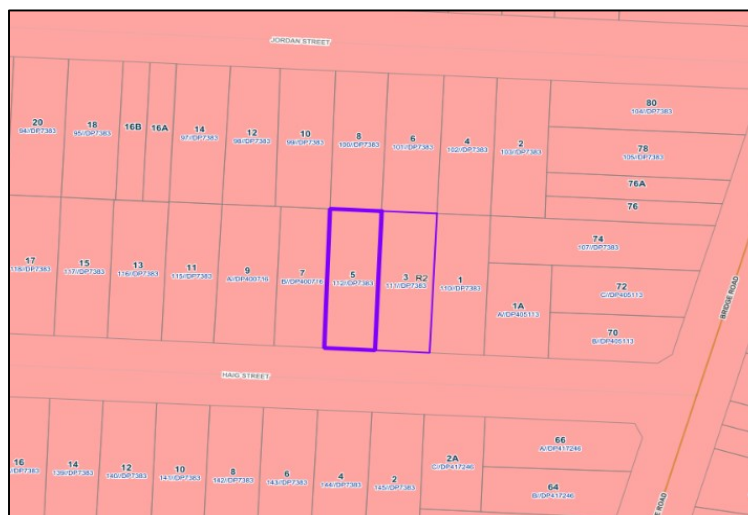


Figure 1 - Zoning map with the subject site. Source: Cumberland Council

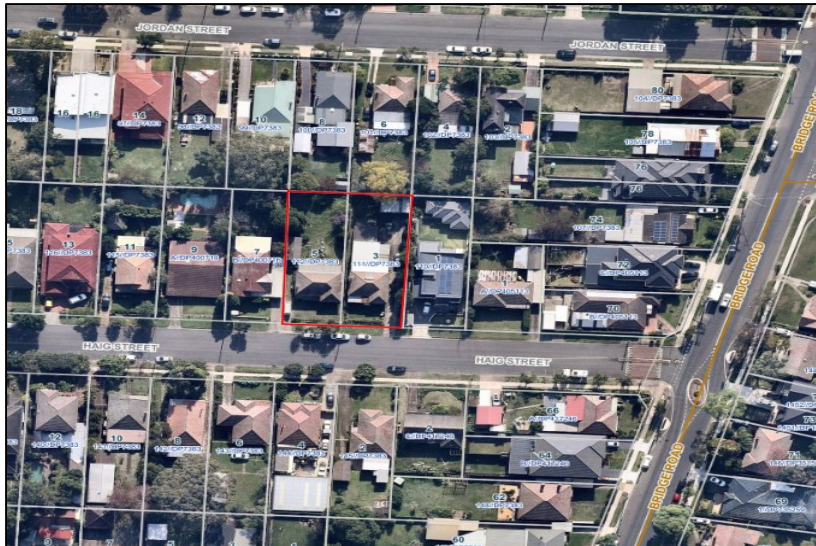


Figure 2- Aerial view of the locality with the subject site. Source: IntraMaps



Figure 3 & 4- Site Photos

Description of the Proposed Development

The proposed development involves the demolition of existing structures and construction of a two storey, 56 place child care centre with at grade parking accommodating 18 car parking spaces.

Key features of the development proposal are as follows:-

- Demolition of the existing structures
- Construction of a two-storey child care facility accommodating 56 children.
- At grade car parking area accommodating 18 car parking spaces, for staff and visitors (including 1 accessible space)
- The facility will accommodate 56 children, as follows:
 - 12 children – 0-2 yrs
 - 44 children – 3-6 yrs
- The proposed centre will operate from 7.00am to 6.00pm Monday to Friday, and will employ 8 staff; with staff 'shoulder times' of 6.30am to 6.30pm.
- The upper ground floor level contains meeting room, waiting room, reception, main entry from at grade car parking facing Haig Street, toilets, storage and indoor and outdoor play areas.
- The lower ground floor level contains indoor and outdoor play areas (3-6 yrs old), office, toilets, kitchen, laundry, bin storage, store, lift and stairs.
- Consent is not sought for signage as part of this application, rather, it is the intention for signage to be addressed under the Exempt Development provisions (as indicated in the Statement of Environmental Effects)
- Below ground OSD system with associated OSD pits and retaining walls are proposed on site.

History

Date	Action
9/03/2020	Development Application 2020/0145 was lodged.
19/03/2020	The application was referred to Council's internal and external departments for review.
1/04/2020 to 15/04/2020	The application was publicly notified to adjoining and opposite owners, a notice was placed in the local press and a notice placed on the site for 14 days. The notification period was extended for a further 7 day period as number of objectors requested for extra time to submit their concerns due to COVID 19 Pandemic. In response, a total of 20

	unique submissions including a petition containing 53 signatures and 2 x form letters were received objecting to the proposal.
1/06/2020	Application was deferred due to non-compliances with SEPP (Educational Establishments and Child Care Facilities) 2017, Child Care Planning Guideline 2017 and Holroyd Development Control Plan 2013.
1/07/2020	Amended plans and additional information were received by Council. Amended plans did not warrant re notification.
15/07/2020 to 29/07/2020	The amended plans were re-referred to Council's internal departments for review.
6/08/2020	Correspondence was sent to the applicant advising that the application could not be supported and inviting its withdrawal. That correspondence detailed Council's concerns with the application with regard to site incompatibility, streetscape presentation, large hard stand area within the front setback, retaining walls, height of boundary fencing and amenity impacts. The applicant advised that the application would not be withdrawn.
09/09/2020	Application referred to CLPP for determination.

Applicants Supporting Statement

The applicant has provided a Statement of Environmental Effects prepared by Miletic-Mieler Development Consultants Pty Ltd dated March 2020 in support of the application.

Contact with Relevant Parties

The assessing officer has undertaken a site inspection of the subject site and surrounding properties and has been in regular contact with the applicant throughout the assessment process.

Internal Referrals

Development Engineer

The development application was referred to Council's Development Engineer for comment who has advised that the development is generally supportable in regards to stormwater management and on-site detention provision, should the consent have been granted. However, concern was raised regarding the submitted survey plan as it shows an existing drainage easement is within the site. In this regard, inadequate information is provided to demonstrate that the development is clear of the easement.

Tree Management Officer

The development application was referred to Council's Tree Management Officer for comment who has advised that inadequate information is provided to demonstrate that the proposed new easement works will not have an adverse impact on the existing tree/s located within the neighbouring properties.

Waste Management Officer

The development application was referred to Council's Waste Management Officer for comment who has raised concern with regard to the ongoing management of waste as inadequate information has been provided to ensure that the bin storage room/s has the capacity to accommodate the bin arrangement in accordance with the waste management plan. In addition, concern was also raised with regard to the location of cot room adjacent to the proposed bin room.

Environmental Health Officer

The development application was referred to Council's Environmental Health Officer for comment who has advised that the development is supportable in regards to fit-out for food preparation area, acoustic assessment, noise management plan, noise attenuation measure, soil assessment, and site contamination, subject to conditions, should consent be granted.

Children, Youth and Families

The development application was referred to Council's Children, Youth and Families section for comment who has raised concern in regards to compliance with the provisions of Education and Care Services National Regulations and Law, specifically with regard to supervision of the lower ground floor outdoor play area. However, this could be imposed as condition of consent, should consent be granted.

External Referrals

Endeavour Energy

The development application was referred to Endeavour Energy for comment who has advised that the development is supportable in regards to electricity connection and sufficient clearance to existing electricity asset, subject to conditions.

Planning Comments

The provisions of any Environmental Planning Instruments (EP&A Act s4.15 (1)(a)(i))

State Environmental Planning Policies

The proposed development is affected by the following State Environmental Planning Policies.

(a) State Environmental Planning Policy No. 55 – Remediation of Land

The requirement at Clause 7 of SEPP No. 55 for Council to be satisfied that the site is suitable or can be made suitable to accommodate the proposed development has been considered in the following table:

Matters for consideration	Yes	No	N/A
Does the application involve re-development of the site or a change of land use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Matters for consideration	Yes	No	N/A
Is the development going to be used for a sensitive land use (e.g.: residential, educational, recreational, childcare or hospital)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage, paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation.			
Is the site listed on Council's Contaminated Land Database?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is the site subject to EPA clean-up order or other EPA restrictions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Has the site been the subject of known pollution incidents or illegal dumping?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Does the site adjoin any contaminated land/previously contaminated land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Details of contamination investigations carried out at the site: The site is not identified in Council's records as being contaminated. A site inspection reveals the site does not have any obvious history of a previous land use that may have caused contamination and there is no specific evidence that indicates the site is contaminated. On this basis, SEPP 55 has no further application. Notwithstanding, a soil assessment report has been submitted in accordance with the Child Care Planning Guideline issued by NSW Department of Planning and Environment. Council's Environmental Health Unit has reviewed the proposal and considered satisfactory subject to imposition of conditions; if the application were to be approved.			

(b) State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

The relevant provisions of the SEPP have been considered in the assessment of the Application.

It is noted that State Environmental Planning Policy (Educational Establishments And Child Care Facilities) 2017 commenced on 1 September 2017. The SEPP applies to any proposals for new schools or child care centres or proposed alterations and additions to existing centres. The relevant provisions of the SEPP have been considered in the assessment of the Application.

A comprehensive assessment and compliance table is attached to this report in Attachment 5, which indicates that there are non-compliances with the SEPP 2017 with regard to site and context, pedestrian access, safety and amenity impacts and provision of shade. Planning assessment of this application identifies concerns with the following design quality principles:

Part 2 – Design quality principles	
Principle 1 – Context	The proposal does not respond appropriately to the context of the site, adjoining properties and the existing development in the vicinity in relation to context, siting, amenity and safety.
Principle 3 – Adaptive learning spaces	The facility does not provide compliant shade structures within the outdoor play areas. Children will be unable to enjoy outdoor activities during all weather conditions, including rainy and warmer weather and this is not considered acceptable.
Principle 6 – Amenity	The design of the centre proposes significant amount of cut and fill and excessive retaining walls along the boundaries. This is further exacerbated by the construction of boundary fencing ranging between 2.1 to 3.4m high which will result in amenity impacts for the children as well as occupants of neighbouring properties.
Principle 7 – Safety	The proposed facility does not provide a safe pedestrian access from the carpark into the building which will result in adverse safety impacts.

In this regard, the above non-compliances are considered unacceptable and have informed the reasons for refusal in the draft Notice of Determination.

Part 3 – Matters for consideration		
Control	Required	Provided
3.1 Site selection and location	For proposed developments in or adjacent to a residential zone, consider the setbacks and siting of buildings within the residential context.	The proposed front setback of 20.9m is inconsistent with the existing streetscape and fails to integrate with the existing setback pattern of the immediate locality. In this regard, the above non-compliance is considered unacceptable.
3.2 Local character, streetscape and the public domain interface	<ul style="list-style-type: none"> The proposed development should contribute to the local area by being designed in character with the locality and existing streetscape. Should reflect the predominant form of surrounding land uses, 	The excessive front setback, comprising a large expanse of hard stand area/parking is considered incompatible with the established low-density residential neighbourhood character. The development proposes an unacceptable streetscape presentation.

	particularly in low density residential areas.	
3.3 Building, orientation, envelope and design	<ul style="list-style-type: none"> The building layout shall be designed to minimise cut and fill Setbacks to the street shall be consistent with the existing character. 	<p>As discussed earlier, the design of the centre proposes a significant amount of cut and fill and excessive retaining walls up to 2m high along the boundaries.</p> <p>The front setback of 20.9m is inconsistent with the established character of the locality.</p>
3.8 Traffic, parking and pedestrian circulation	<ul style="list-style-type: none"> Provide a safe separate pedestrian access from the car park to the facility. Defined pedestrian crossing included within large car parking areas 	The proposed facility does not provide a safe pedestrian access from the carpark into the proposed building which will result in adverse safety impacts for the children.
Part 4 – Applying the National Regulations to development proposals		
4.7 Premises designed to facilitate supervision	A centre-based service must ensure that the rooms and facilities within the premises (including indoor and outdoor activity rooms and play spaces) are designed to facilitate supervision of children at all times, having regard to the need to maintain their rights and dignity.	<p>Inadequate information is provided to demonstrate that adequate supervision of the ground floor outdoor play area will be provided, noting the layout of the play area.</p> <p>However, this could be imposed as condition of consent, should consent be granted.</p>
4.11 Shade	<p>Outdoor play areas should:</p> <ul style="list-style-type: none"> provide shade in the form of trees or built shade structures giving protection from ultraviolet radiation to at least 30 per cent of the outdoor play area. 	The proposed outdoor play areas provides 2 x shade structures with a total area of 94.6sqm resulting in a shortfall of 23.9sqm (equating to a variation of 20.2%).

(a) State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

The provisions of the ISEPP 2007 have been considered in the assessment of the development application.

Clause 45 – Development likely to affect an electricity transmission or distribution network

The development application was referred to Endeavour Energy for comment. Endeavour Energy have advised that the development is supportable in regards to electricity connection and sufficient clearance to existing electricity asset, subject to conditions.

(b) State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The proposal includes removal of some existing trees within the subject site. However, this does not exceed the biodiversity offsets scheme threshold. Therefore, the proposed vegetation removal is considered acceptable. Please refer to the HDCP 2013 compliance table at Attachment 7 for further comment regarding the proposed tree removal.

Regional Environmental Plans

The proposed development is affected by the following Regional Environmental Plans:

(a) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The subject site is identified as being located within the area affected by the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. The proposed development raises no issues as no impact on the catchment is envisaged.

(Note: - the subject site is not identified in the relevant map as 'land within the 'Foreshores and Waterways Area' or 'Wetland Protection zone', is not a 'Strategic Foreshore Site' and does not contain any heritage items. Hence the majority of the SREP is not directly relevant to the proposed development).

Local Environmental Plans

The proposed development is defined as a 'centre based child care facility' under the provisions of Holroyd Local Environmental Plan (LEP) 2013. Centre based child care facilities are a permissible land use with consent under the R2 – Low Density Residential zoning applying to the land under Holroyd LEP 2013.

A comprehensive assessment and compliance table is attached to this report in Attachment 6 which demonstrates the development proposal's compliance with the relevant planning controls that are applicable to the site under the Holroyd LEP 2013.

4.3 Height of buildings 9 metres	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The maximum height of the proposed building is 8.2m, as measured from natural ground level.
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4.4 Floor Space Ratio 0.5:1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Site Area: 1347 m ² Maximum FSR: 0.5:1 Maximum GFA: 673.5m ² Provided: 0.36:1 or 484.2m ²
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The provisions of any proposed instrument that is or has been the subject (EP&A Act s4.15 (1)(a)(ii))

(a) Draft State Environmental Planning Policy (Environment)

The draft SEPP relates to the protection and management of our natural environment with the aim of simplifying the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property. The changes proposed include consolidating the following seven existing SEPPs:

- State Environmental Planning Policy No. 19 – Bushland in Urban Areas
- State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011
- State Environmental Planning Policy No. 50 – Canal Estate Development
- Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment
- Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No.2-1997)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Willandra Lakes Regional Environmental Plan No. 1 – World Heritage Property.

The draft policy will repeal the above existing SEPPs and certain provisions will be transferred directly to the new SEPP, amended and transferred, or repealed due to overlaps with other areas of the NSW planning system.

Changes are also proposed to the Standard Instrument – Principal Local Environmental Plan. Some provisions of the existing policies will be transferred to new Section 117 Local Planning Directions where appropriate.

(b) Draft Cumberland Local Environmental Plan 2020 (Draft CLEP)

The Draft Cumberland Local Environmental Plan 2020 (Draft CLEP) has been prepared by Cumberland Council to provide a single planning framework for the future planning of Cumberland City. The changes proposed seek to harmonise and repeal the three existing LEPs currently applicable to the Cumberland local government area, those being:

- Holroyd Local Environmental Plan 2013,
- Parramatta Local Environmental Plan 2011, and
- Auburn Local Environmental Plan 2010.

The current planning controls for the subject site, as contained within the Holroyd LEP 2013, are not proposed to change under the Draft CLEP.

The provisions of any Development Control Plans (EP&A Act s4.15 (1)(a)(iii))

(a) Holroyd Development Control Plan (HDCP) 2013

The Holroyd DCP 2013 provides guidance for the design and operation of development within Holroyd to achieve the aims and objectives of Holroyd LEP 2013.

A comprehensive HDCP compliance table is attached to this report at Attachment 7. A summary of the DCP non-compliances is provided in the following table.

No.	Clause	Comment	Yes	No	N/A
PART A – GENERAL CONTROLS					
3.5	Access, Maneuvering and Layout				
	Driveways shall be setback a minimum of 1.5m from the side boundary.	The proposed entry driveway along western boundary is setback 940mm which is less than what is required.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	The location of car parking areas shall ensure to minimise their visual impact to the public domain.	The proposal provides extensive hard stand area for parking within the front setback.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	Tree and Landscape Works				
	Development proposals must consider existing trees situated on adjacent properties with adequate setbacks to any works and protection measures.	Council's Tree Management Officer has raised concerns as the Survey Plan and Arborist Report fails to take into consideration the impacts of the proposed easement works on neighbouring trees.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11	Waste Management				
		Council's Waste Management Officer has reviewed the proposal and advised that the waste arrangements are unsatisfactory with regard to the capacity of the bin storage room to accommodate the required bin arrangement in accordance with the waste management plan.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PART B – RESIDENTIAL CONTROLS					

No.	Clause	Comment	Yes	No	N/A
1.5	Landscaping and Open Space				
	The clause requires that hard paved areas shall not cover the entire front setback area.	The proposal provides a large hard stand area for at grade car parking which is inconsistent with the character of the locality.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Adequate access shall be provided to private open space for maintenance	Given the site topography, it is not indicated how the rear outdoor area on the ground floor will be accessed for maintenance.			
1.9	Cut and Fill				
	Cut: max. 1m; max. 0.45m within 0.9m of side/rear boundary	Cut up to 835mm to 930 mm along the north eastern and western boundary respectively, is proposed.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Fill: max. 0.3m within 0.9m of side/rear boundary; ≥0.6m to be contained within the building; if > 0.15m shall occupy max. 50% of the landscaped area.	The proposal provides fill of up to 1.2m along the side boundaries which would result in retaining walls up to 2m high and boundary fencing up to 3.4m high. Such excessive heights create unreasonable amenity impacts on adjoining neighbours.			
2.3	Setbacks				
	Front setback= 6m	A front setback of 20.9m from the building line is proposed which is inconsistent with the existing streetscape. The proposal fails to contribute and integrate with the established setback pattern of the immediate locality. The large hard stand area/parking within the front setback is considered incompatible with the neighbourhood character of low density residential area and streetscape presentation.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PART I– CHILD CARE CENTRE CONTROLS					
1	Size, Density and Location				
	Childcare centre component shall not be located on the upper level	The proposed development provides indoor and outdoor play areas for 0-2 yrs children on the first floor which will result in adverse amenity impacts.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Vehicular access and parking				

No.	Clause	Comment	Yes	No	N/A
	The design shall ensure to provide safe drop off and collection of children and the safe movement.	A safe and secure pedestrian access has not been provided from the carparking spaces into the building, in particular for parking spaces (v1 -v8).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5	Outdoor Spaces				
	Outdoor spaces shall be safe, secure and functional and enable adequate supervision of children at all times.	The development application was referred to Council's Children, Young People and Families section for comment. A member of staff who has raised concern in regards to compliance with the provisions of the Children's Education and Care Services National Regulations and Local Laws, specifically with regard to supervision of the lower ground floor outdoor play area. However, this could be imposed as condition of consent, should consent be granted.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	A minimum transitional area of 4m in width shall be provided between the building and play area.	The first floor outdoor play area fails to provide the required minimum width for sufficient activity zones with access space around them.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7	Fencing				
	Acoustic fences should not be higher than 2m. If a fence higher than 2m is unavoidable it must be contained within the development site with a 1.8m traditional lapped and capped boundary fence and the remaining height to be of thick, transparent perspex to ensure any views are maintained. The fences shall complement the existing character of the streetscape.	The proposal provides acoustic boundary fencing ranging between 2.1m high to 3.4m high. Given that excessive fill with high retaining walls are proposed, the fencing will result in adverse amenity impacts on the adjoining neighbours and children.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

As indicated in the compliance table above, the proposed development does not comply with the provisions of Part A, B and I of the HDCP 2013. Having regard to these departures, the proposed development is not supported.

The provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4 (EP&A Act s4.15(1)(a)(iia))

There is no draft planning agreement associated with the subject Development Application.

The provisions of the Regulations (EP&A Act s4.15 (1)(a)(iv))

The proposed development fails to address the relevant matters arising from the Environmental Planning and Assessment Regulations 2000 (EP&A Reg), including the submission of accurate plans and documentation demonstrating neighbouring properties and existing trees on a Survey Plan and owner's written consent from adjoining property for the proposed stormwater easement.

The Likely Environmental, Social or Economic Impacts (EP&A Act s4.15 (1)(b))

The environmental and cumulative impacts of the proposed development on the natural and built environment are addressed under the Holroyd Development Control Plan section of this report and are considered unsatisfactory.

The suitability of the site for the development (EP&A Act s4.15 (1)(c))

The proposed development is considered unsuitable in the context of the site and surrounding locality.

Submissions made in accordance with the Act or Regulation (EP&A Act s4.15 (1)(d))

Advertised (Council Website) ☒ Mail ☒ Sign ☒ Not Required ☐

In accordance with Part E - Public Participation of the Holroyd DCP 2013, the application was publicly notified to adjoining and opposite owners, a notice was placed in the local press and a notice placed on the site for 14 days from 1 April 2020 to 14 April 2020. The notification was extended for one (1) additional week until 22 April 2020, due to COVID 19 restrictions and request from the neighbours regarding insufficient time to submit their concerns during the notification period. In response, a total of 20 unique submissions including a petition containing 53 signatures and 2 x form letters were received objecting to the proposal.

The issues raised in the public submissions are summarised and commented on as follows:

Issues	Comments
Maximum number of children in R2 zone	Child care centres are permissible with consent within the R2 Low Density Residential zone under the Holroyd Local Environmental Plan (HLEP) 2013. The subject site is zoned R2 and the proposal for a 56 place child care centre is permissible with consent. Further to this, it is noted that State Environmental Planning Policy (Education and Child

	Care Facilities) 2017 overrides DCP provisions including but not limited to location, site selection, distance separation and capacity. Notwithstanding, the proposal is considered to be incompatible with the existing streetscape and established character of the locality as discussed in the body of the report
Acoustic privacy impacts	The subject proposal is accompanied by an Acoustic Report which assesses the noise generated from the proposed development. The submitted acoustic report demonstrates that the proposed centre can be accommodated on the site without noise nuisance to adjoining and surrounding properties, as the noise generated from both indoor and outdoor play activities and mechanical plant can comply with the relevant environmental noise guidelines. Council's Environmental Health Officer has reviewed the report and found it to be acceptable, subject to compliance with the recommendations of the Acoustic Report and imposition of appropriate conditions, should the consent be granted. From an amenity perspective, the proposed heights of the acoustic fencing are considered excessive and are not supported. The application is recommended for refusal.
Visual privacy impacts	<p>The proposed development has been assessed to generally comply with the privacy requirements under the HDCP 2013. The first floor outdoor area provides a rear setback of 7.016m, side setback of 10m along the eastern boundary and 6m along the western side boundary. The entire area is provided with appropriate privacy measures along the rear and the side boundaries in the form of landscape screening and 1.5m high acoustic fence.</p> <p>Further, the first floor windows to the side boundaries are generally provided with a sill height of 1.5m. A condition could have been imposed, should consent be granted; for provision of obscure glazing</p>

	<p>to all first floor windows to a minimum height of 1.5m above finished floor level to maintain privacy, however the application is recommended for refusal.</p> <p>In relation to privacy impacts from the ground floor outdoor play area, up to 2.1m high lapped and capped fence plus 600mm high clear polycarbonate acoustic fencing is proposed to be erected around the rear boundary of the subject external play area.</p> <p>However, Council has noted that the excessive height of the acoustic fencing will result in adverse amenity impacts on the adjoining neighbours and the fencing is not supported.</p>
Operational plan of management	<p>An Operational Plan of Management Plan (OMP) has not been submitted. However, this can be enforced by way of condition, should the consent be granted.</p>
Stormwater concept plan	<p>In relation to drainage, considering the natural topography of the entire street (from east to west), stormwater would naturally be directed from the upstream to the downstream properties. Council's Development Engineering Section has assessed the subject application and requires the stormwater to be drained via creation of a drainage easement of the neighbouring property along the western boundary in accordance with Holroyd DCP 2013. The stormwater plans have been reviewed by Council's Engineering Section and assessed to be generally satisfactory subject to conditions requiring the registration of the required drainage easement prior to the operation of the approval. It is advised that easement creation is a matter for the applicant to obtain the required easement through negotiations with the relevant property owner pursuant to Section 88B/E of the Conveyancing Act 1919. Notwithstanding, the application is recommended for refusal.</p>
Over development of the site	<p>The subject site is zoned R2 Low Density Residential. Child care centres are</p>

	<p>permissible with consent within the R2 zone under the HLEP 2013. Additionally, a 9m height limit is prescribed for the subject site under the HLEP 2013. The maximum building height of the proposal is 8.2m which is compliant with the relevant development standard. Further, the proposed FSR of 0.36:1 does not exceed the maximum FSR of 0.5:1 that applies to housing development in the vicinity and on the subject site. Notwithstanding, the proposed development is considered to be incompatible with the neighbourhood character of low density residential area and streetscape presentation as discussed in the body of the report.</p>
Bulk and scale/ character	<p>The proposed development is considered out of character within the immediate area having regard to unsatisfactory front setback, streetscape presentation and siting as discussed in the report.</p>
Commercial development in residential area	<p>The subject site is zoned R2 Low Density Residential. Child care centres are permissible with consent within the R2 zone under the HLEP 2013.</p>
Traffic and parking	<p>Under the Holroyd Development Control Plan 2013, the required parking rate for child care centres is 1 space per 4 children and 1 space per 2 staff, which equates to total of 18 spaces required for 56 children. This rate has been provided on site, which takes into account staff and visitor parking demands.</p> <p>It is noted that Council's rate of 1 car space per 4 children is consistent with the recently introduced NSW State Government document entitled <i>Child Care Planning Guideline</i>, in which the rate of 1 space per 4 children encompasses the whole centre including all staff.</p> <p>The proposed parking arrangement and swept path have been reviewed by Council's Engineer and considered satisfactory.</p>

	<p>Traffic report accompanying the application has been carried out based on surveys during peak times AM and PM between 6.30am – 10.00am and 2.30pm – 6.30pm on 19 December 2019. Council noted the additional traffic to be generated by the proposal and the findings from the Traffic and Parking Impact Assessment Report. The proposed development is a low trip generator and can be accommodated in the locality without affecting performance of existing street, delays or queues of nearby intersections, and complies with Council's parking requirements.</p> <p>Notwithstanding, the application is recommended for refusal.</p>
Incorrect DA information/Omitting the granny flat on neighbouring property flat on the plans	<p>Council has noted the secondary dwelling on the adjoining property at 1 Haig Street, Wentworthville and it has been considered throughout the assessment of this application. It is acknowledged that the details submitted by the Applicant has not included the secondary dwelling on the adjoining lot.</p>
The outdoor play area for 3-6 years age group is non-compliant with the SEPP and the Guidelines	<p>The proposal provides a minimum of 7sqm per child of unencumbered outdoor play area exclusive of pathway or thoroughfare, car parking area, external storage, laundry, and other spaces not suitable for children such as hedge or dense planting along boundaries, OSD pits, columns, retaining walls, steps and ramps. In this regard, the proposal complies with the requirements of Clause 108 of the Education and Care Services National Regulations and Section 4.9 of the Child Care Guidelines. Refer to compliance table in Attachment 5.</p>
Children safety	<p>The safety of the children has been taken into consideration as part of the assessment. The proposal provides suitable safe and secure fencing to all outdoor areas which is considered satisfactory. However, Council raises concern with regard to safe pedestrian access from the car park into the</p>

	building, and included this as a reason for refusal.
Parking of emergency vehicles and garbage trucks	Whilst it is noted that the proposed development will result in increased traffic within the street, the proposal will not restrict emergency vehicles and garbage trucks from accessing the street considering the proposal provides compliant on site parking.
Insufficient landscape area	Under the Holroyd Development Control Plan 2013, the required landscaped area is 25% of the site area. The proposal provides an appropriate landscaped area of 389.3m ² (28.9%) which is compliant with Holroyd DCP 2013.
Overland flow swale for the OSD water and stormwater impact	The proposed development's drainage system is designed to retain stormwater run-off from site through an underground on-site stormwater detention system to be constructed at the site. This will assist in ensuring that stormwater run-off is managed appropriately without resulting in any ponding within the site and not impacting the children and the adjoining neighbours. The engineering plans have been assessed by Council's Development Engineers' who are satisfied that the proposed stormwater system is in accordance with the requirements listed in the Holroyd Development Control Plan 2013. It is noted that no swale is proposed within the site boundaries.
Property devaluation	Council has not received any documentation to review that there is likely to be a devaluation of the property value of the adjoining properties as a result of the proposed development. Moreover, there is no clear evidence to suggest that new development has negative impacts on property values of adjoining sites.
Asbestos impact	The Preliminary Site Assessment conducted by EI Australia Pty Ltd has been reviewed by Council's Environmental Health Section and considered to be satisfactory subject to imposition of condition requiring submission of Hazardous Material Survey prior to demolition.

	Notwithstanding, the application is recommended for refusal.
Notification period	The application was notified to adjoining properties for a period of fourteen (14) days in accordance with the <i>Environmental Planning and Assessment Act 1979</i> , <i>Environmental Planning and Assessment Regulation 2000</i> and <i>Holroyd Development Control Plan 2013</i> . The notification period was extended for a further seven (7)-day period to afford residents a longer period in which to prepare a submission due to the COVID 19 Pandemic.
Construction related impacts	Council imposes standard conditions of consent requiring any development to be constructed to have minimal impacts on adjoining properties. In any case where construction is not in accordance with the conditions of consent or the approved plans, concerns shall be raised with Council's Compliance Department for further investigation and action. Notwithstanding, this application is recommended for refusal.
Signage	It is advised that signage is not proposed under the subject application as indicated within the applicant's Statement of Environmental Effects.
Oversupply of child care centres	It is noted that <i>State Environmental Planning Policy (Education and Child Care Facilities) 2017</i> prohibits Council from refusing an application based on location or proximity to any existing or proposed child care centres.
Hours of operation	The operating hours identified in the Statement of Environmental Effects indicates that children will be at the centre from 7.00am to 6.00pm, whilst staff will arrive at 6.30am before children, and will stay at the centre until 6.30pm after children leave.

The public interest (EP&A Act s4.15(1)(e))

In view of the foregoing analysis it is considered that the development as proposed would not be consistent with the public interest.

Section 7.12 (Formerly S94A) Fixed Development Consent Levies

This part of the Act relates to the collection of monetary contributions from applicants for use in developing key local infrastructure.

Comments:

The development would require the payment of contributions in accordance with Cumberland Local Infrastructure Contribution Plan.

The calculation is based on 1% levy based on cost of works. In this regard, the fee payable is \$20,153.00. This figure is subject to indexation as per the relevant plan. Notwithstanding, the application is recommended for refusal.

Disclosure of Political Donations and Gifts

The applicant and notification process did not result in any disclosure of Political Donations and Gifts.

CONCLUSION:

The Application has been assessed in accordance with the relevant requirements of the Environmental Planning and Assessment Act 1979, State Environmental Planning Policy No. 55 – Remediation of Land, State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017, Education and Care Services National Regulations, Holroyd Local Environmental Plan 2013 and the Holroyd Development Control Plan 2013 and Draft Cumberland Local Environmental Plan 2020 and is considered to be unsatisfactory.

REPORT RECOMMENDATION:

1. **That Development Application No. DA2020/0145 for Demolition of existing structures and construction of a 56 place child care centre with at-grade car parking on land at 3 & 5 Haig Street WENTWORTHVILLE NSW 2145 be refused for the reasons listed in the attached schedule.**
2. **Persons whom have lodged a submission in respect to the application be notified of the determination of the application.**

ATTACHMENTS

1. Draft Notice of Determination [↓](#)
2. Architectural Plans [↓](#)
3. Landscape Plan [↓](#)
4. Stormwater/Engineering Plans [↓](#)
5. State Environmental Planning Policy (Educational Establishments & Child Care Facilities) 2017 [↓](#)
6. Holroyd Local Environmental Plan 2013 [↓](#)
7. Holroyd Development Control Plan 2013 [↓](#)
8. Child Care Planning Guideline 2017 [↓](#)
9. Acoustic Report and Noise Management Plan [↓](#)
10. Traffic Report [↓](#)
11. Submissions Received [↓](#)

DOCUMENTS
ASSOCIATED WITH
REPORT LPP048/20

Attachment 1
Draft Notice of Determination

**DEVELOPMENT APPLICATION
NOTICE OF DETERMINATION**

Under the *Environmental Planning and Assessment Act, 1979*
(Section 4.18(1))

Development Application No: DA2020/0145

Applicant: Mr R Kota
21 Hudson Street
WENTWORTHVILLE NSW 2145

Property Description: 3 & 5 Haig Street WENTWORTHVILLE NSW 2145, Lot 111
and Lot 112 DP 7383

Development: Demolition of existing structures and construction of a 56 place
child care centre with at-grade car parking

Determination

Pursuant to Sections 4.18(1) of the Act, Council advises that the development application has been determined by:

- **Refusal of Consent** on the grounds specified on the following page(s)

Determination Date: TBA

By: Cumberland Local Planning Panel

Right of Appeal

Sections 8.7 and 8.10 of The Act confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the land and environment court within 6 months of the date of this notice. Section 8.2 of the act allows an applicant to request council to review this determination. The request must be made within 6 months from the date shown on this determination.

Michael Lawani
COORDINATOR MAJOR DEVELOPMENT ASSESSMENT

Date: TBA

In accordance with Section 4.59 of the *Environmental Planning and Assessment Act, 1979*, any person may question the validity of this consent in legal proceedings commenced in the Land and Environment Court within 3 months of the date of publication of the notice.

REASON FOR REFUSAL

1. Failure to demonstrate compliance with State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979), with regard to the following:

Clause 23 – Matters for consideration by consent authorities

- 1.1 The clause requires that 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.

Having regard to the above, the proposed child care does not comply with the provisions of the Child Care Planning Guideline (CCPG) 2017 as listed below.

2. Failure to demonstrate compliance with Child Care Planning Guideline (CCPG) 2017 (pursuant to S.4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979), with regard to the following: -

Part 2 – Design quality principles

- 2.1 The proposed development is not considered to have been designed having regard to the design quality principles, particularly in relation to context, adaptive learning, amenity and safety.

Part 3 – Matters for consideration

- 2.2 The proposed development is not considered to have been designed having regard to site selection and location in accordance with Parts 3.1, 3.2, 3.3, 3.4, 3.5, 3.6 and 3.8 of CCPG 2017, particularly unsatisfactory front setback, siting, amenity impacts, fencing, cut and fill, pedestrian safety, streetscape presentation and incompatible with the character of the locality. At grade parking within the front setback is incompatible with the neighbourhood character of low-density residential area and streetscape presentation.

Part 4 – Applying the National Regulations

- 2.3 The CCPG 2017 requires that not less than 30% of the outdoor play areas is to be provided with shade in the forms of trees or built shade structures. The proposal provides only 23.8% shaded area, which is considered unsatisfactory.

3. Failure to demonstrate compliance with Holroyd Development Control Plan (DCP) 2013, Part A – General Controls (pursuant to S.4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979), with regard to the following:

Clause 3.5 – Access, Manoeuvring and Layout

- 3.1 The location of carparking areas shall ensure to minimise their visual impact to the public domain. The proposal provides a large hard stand area for parking within the front setback, which is considered to be inconsistent with the established character of the locality.

4. Failure to demonstrate compliance with Holroyd Development Control Plan (DCP) 2013, Part B – Residential Controls (pursuant to S.4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979), with regard to the following:

Clause 1.5 – Landscaping and Open Space

- 4.1 The clause requires that hard paved areas shall not cover the entire front setback area. The proposal fails to comply with this requirement and is inconsistent with the character of the locality.
- 4.2 Adequate access shall be provided to private open space for maintenance. Given the site topography, it is not indicated how the rear outdoor area on the ground floor will be accessed for maintenance.

Clause 1.9 - Cut and Fill

- 4.3 A maximum fill of up to 300mm is permitted within 900mm of side or rear boundaries. The proposal provides a fill of up to 1.2m along the side boundaries which would result in retaining walls up to 2m high and boundary fencing up to 3.4m high. Such excessive heights create unreasonable amenity impacts on adjoining neighbours.

Clause 2.3 – Setbacks

- 4.4 The proposed front setback of 20.9m is inconsistent with the existing streetscape and fails to integrate with the established setback pattern of the immediate locality.
5. Failure to demonstrate compliance with Holroyd Development Control Plan (HDGP) 2013, Part I – Child Care Centres Controls (pursuant to S.4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979), with regard to the following:-

Clause 1 – Size, Density and Location

- 5.1 The clause requires that the first floor component of the childcare centre shall only permit office and storage space. However, the proposed development provides indoor and outdoor play areas at the first floor. Given the site topography, this will result in adverse amenity impacts on adjoining neighbours

Clause 2 – Vehicular access and parking

- 5.2 A safe and secure pedestrian access has not been provided from the carparking spaces (v1-v8) into the proposed building.

Clause 5- Outdoor Spaces

- 5.3 A minimum transitional area of 4m in width shall be provided between the building and play area. However, the first-floor outdoor play area fails to provide the required minimum transitional area.

Clause 7- Fencing

- 5.4 This clause requires that the maximum height of the acoustic fence shall be 2m. Due to excessive fill, the overall height of the acoustic fencing will be ranging between 2.1m high to 3.4 high along the boundaries. This will result in adverse amenity impacts on the adjoining neighbours.

Inadequate Information

6. The development application should be refused because there is inadequate information submitted with regard to the following:
- Survey plan shows a drainage easement within the site. Inadequate information is provided to demonstrate that the development is clear of the easement.
 - The survey plan does not include the existing secondary dwelling on the adjoining property 1 Haig Street, Wentworthville. In this regard, Inadequate information is provided to fully assess the impacts of the proposed development on the subject adjoining property.
 - The survey plan does not mark the location of tree/s at the rear of 10 Jordan Street, Wentworthville. In this regard, the impacts of the proposed easement works on the existing tree/s cannot be determined.
 - Inadequate information has been provided to ensure that the bin storage room/s has the capacity to accommodate the bin arrangement in accordance with the waste management plan.
 - An operational plan of management has not been submitted to provide details that how the facility will be managed to minimise impacts on neighbouring properties.
 - Inadequate information has been provided with regard to owner's written consent from adjoining property for the proposed stormwater easement.

Suitability of the site for the proposed development

7. The subject site is not considered suitable for the proposed development due to the inadequacies detailed above (pursuant to s. 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.)

Environmental Impact

8. Due to the deficiencies detailed above, the likely environmental impacts of the proposed development are considered to be unacceptable (section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979).

Public Interest

9. Due to the deficiencies detailed above and submissions received, the approval of the proposed development would be contrary to the public interest (pursuant to s. 4.15(1)(d) and (e) of the Environmental Planning and Assessment Act 1979.)

DOCUMENTS
ASSOCIATED WITH
REPORT LPP048/20

Attachment 2
Architectural Plans

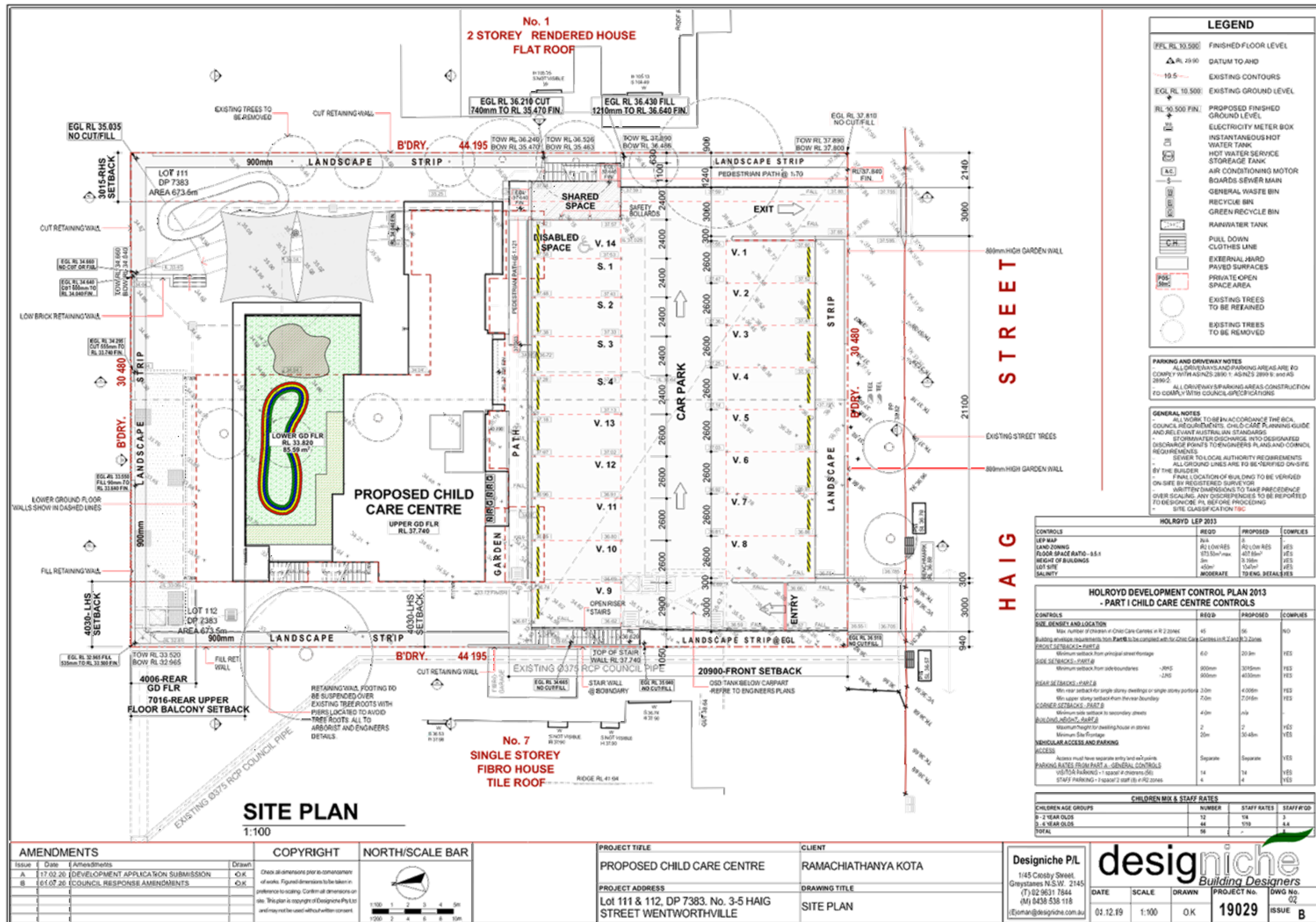
PROPOSED CHILD CARE CENTRE AT Lot 111 & 112, DP 7383. No. 3-5 HAIG STREET, WENTWORTHVILLE NSW2145

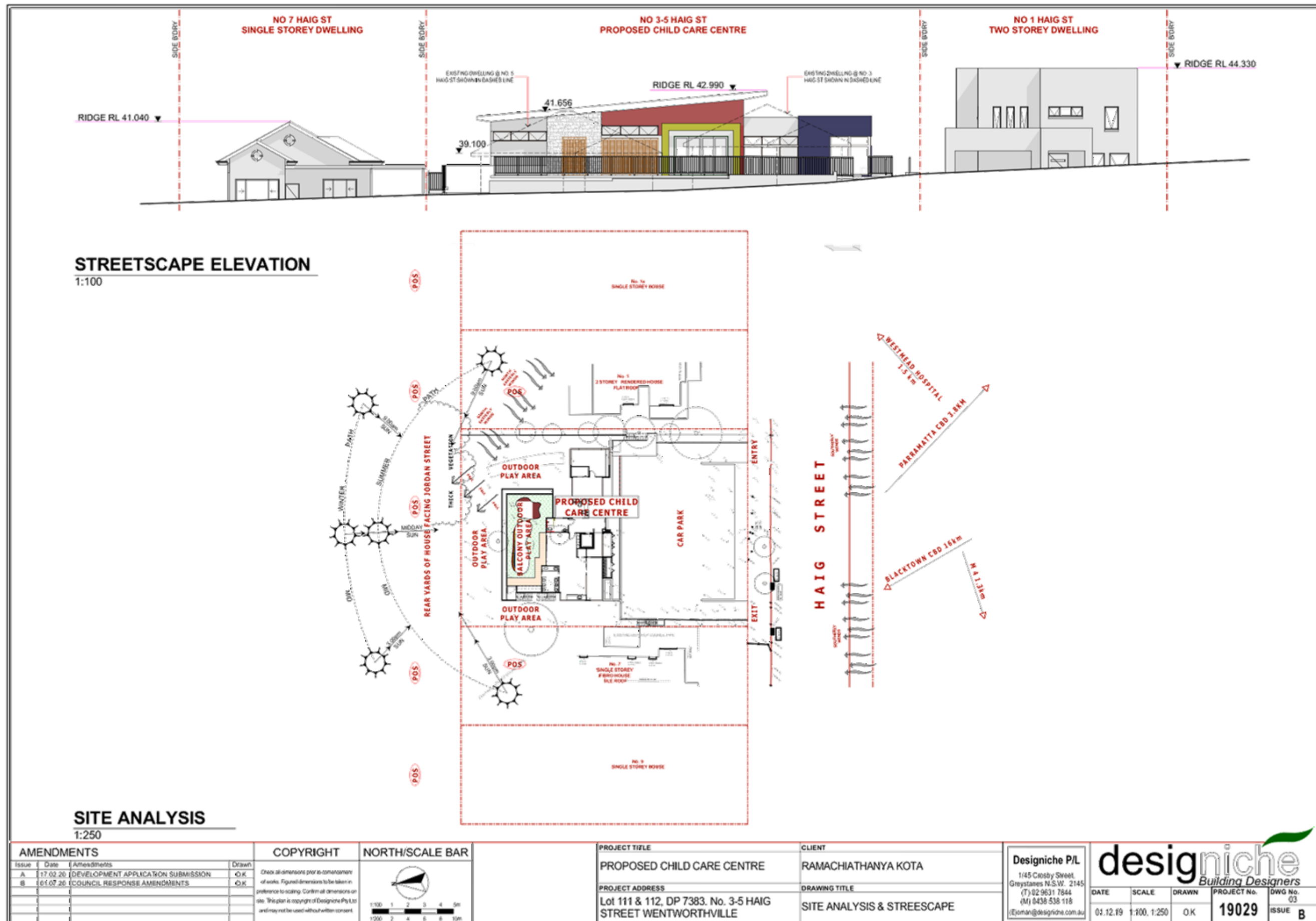


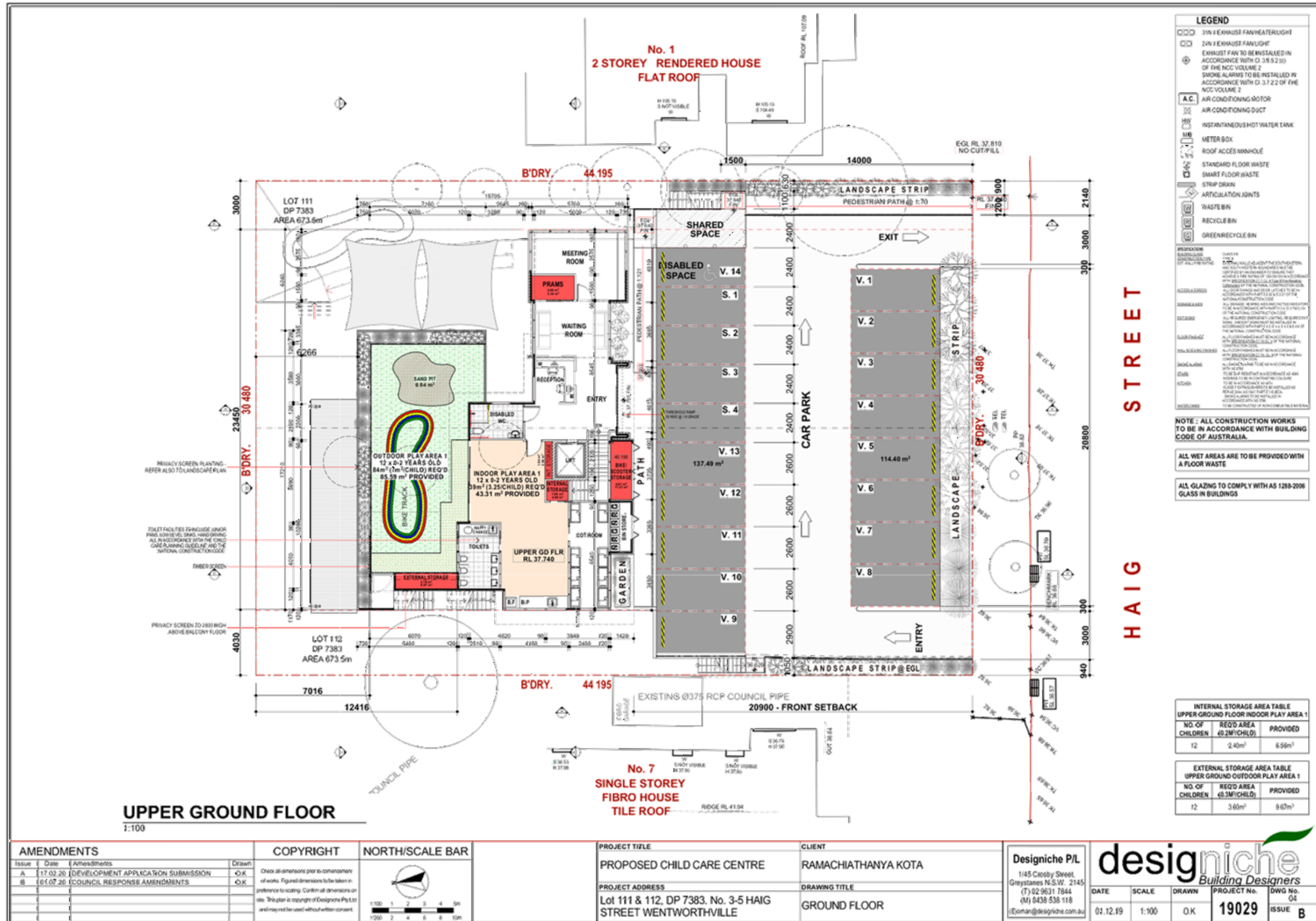
FOR, RAMACHIATHANYA KOTA

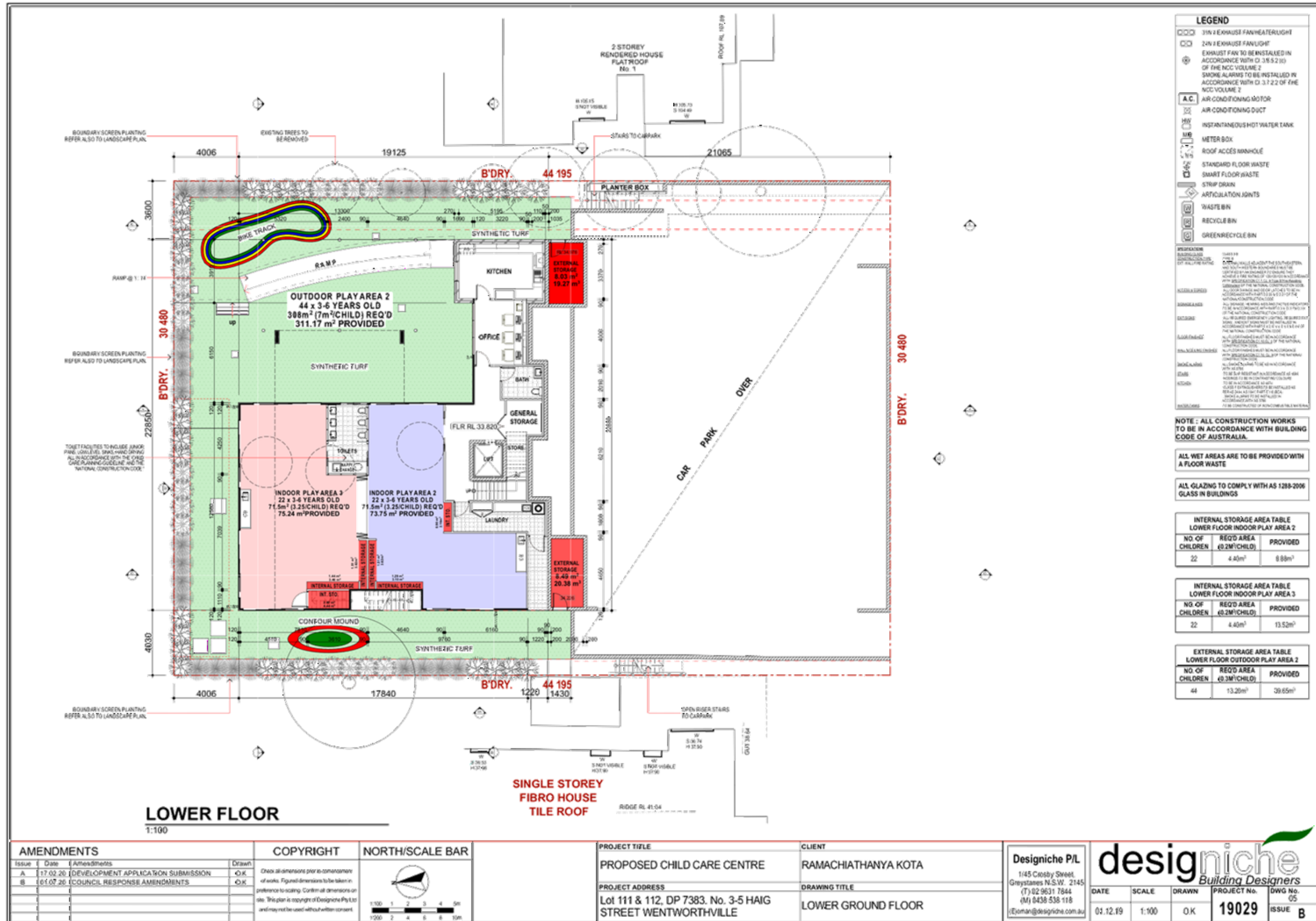
DRAWING SCHEDULE	
Page NO.	Sheet Name
01	COVER PAGE
02	SITE PLAN
03	SITE ANALYSIS & STRESCAPE
04	GROUND FLOOR
05	LOWER GROUND FLOOR
06	ELEVATIONS
07	SECTIONS
08	SECTIONS / FENCE PLAN & SIGN DETAIL
09	FENCE ELEVATIONS
10	SITE MANAGEMENT PLAN
11	SHADOW DIAGRAMS
12	SHADOW DIAGRAMS
13	SHADOW DIAGRAMS

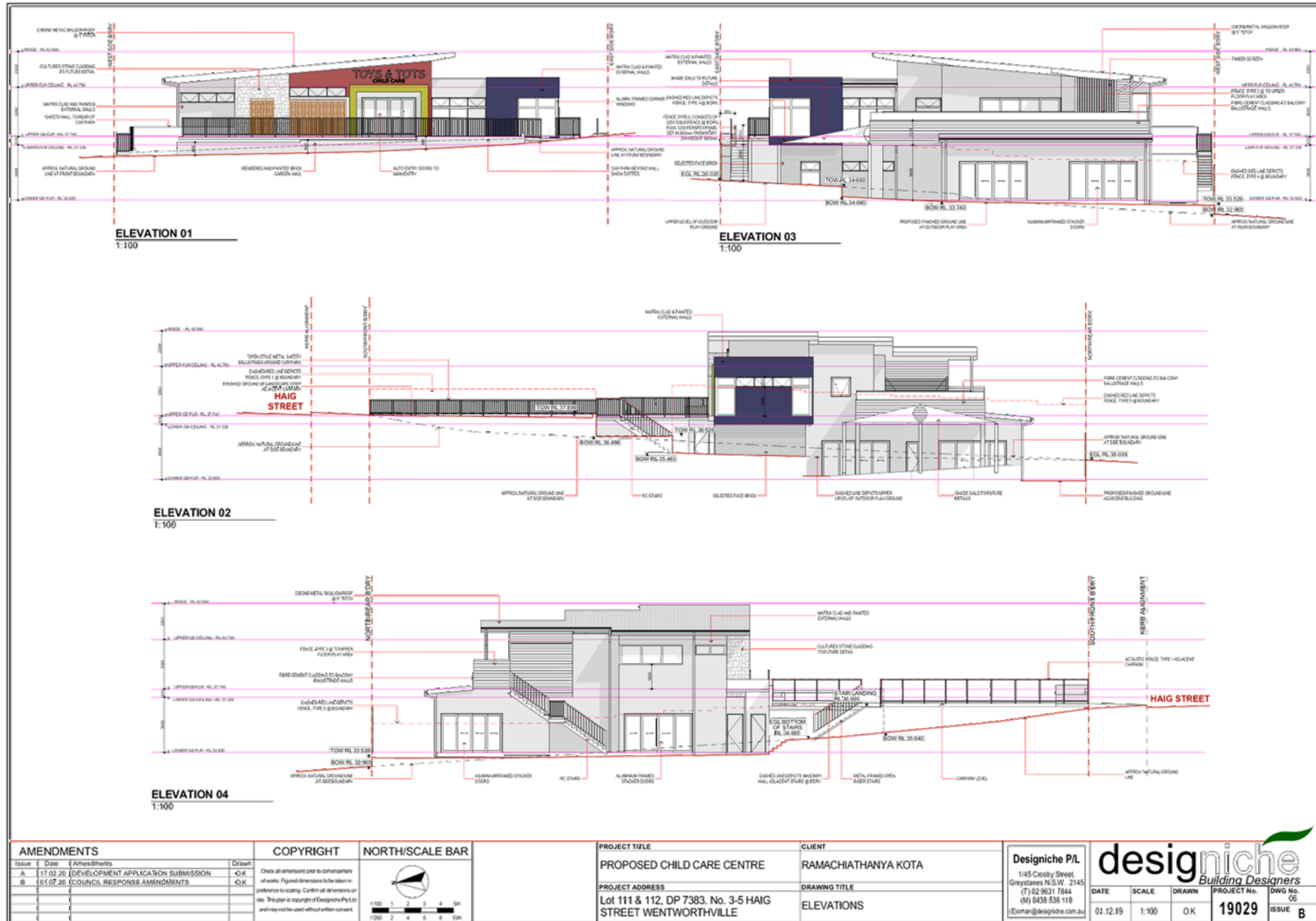
AMENDMENTS				COPYRIGHT		NORTH/SCALE BAR		PROJECT TITLE		CLIENT		<div>Designniche P/L</div> <div>1/45 Crosby Street, Greystanes N.S.W. 2145 (T) 02 9631 7844 (M) 0438 538 118 (E) yoman@designniche.com.au</div>				<div>designniche</div> <div>Building Designers</div>					
Issue	Date	Amendments	Drawn	Check all dimensions prior to commencement of works. Figured dimensions to be taken in preference to scaling. Confirm all dimensions on site. This plan is copyright of Designniche Pty Ltd and may not be used without written consent.				PROPOSED CHILD CARE CENTRE		RAMACHIATHANYA KOTA		DATE		SCALE		DRAWN		PROJECT No.		DWG No.	
A	17.02.20	DEVELOPMENT APPLICATION SUBMISSION	OK					PROJECT ADDRESS		DRAWING TITLE											
B	01.07.20	COUNCIL RESPONSE AMENDMENTS	OK					Lot 111 & 112, DP 7383, No. 3-5 HAIG STREET WENTWORTHVILLE		COVER PAGE		01.12.19				OK		19029		ISSUE B	

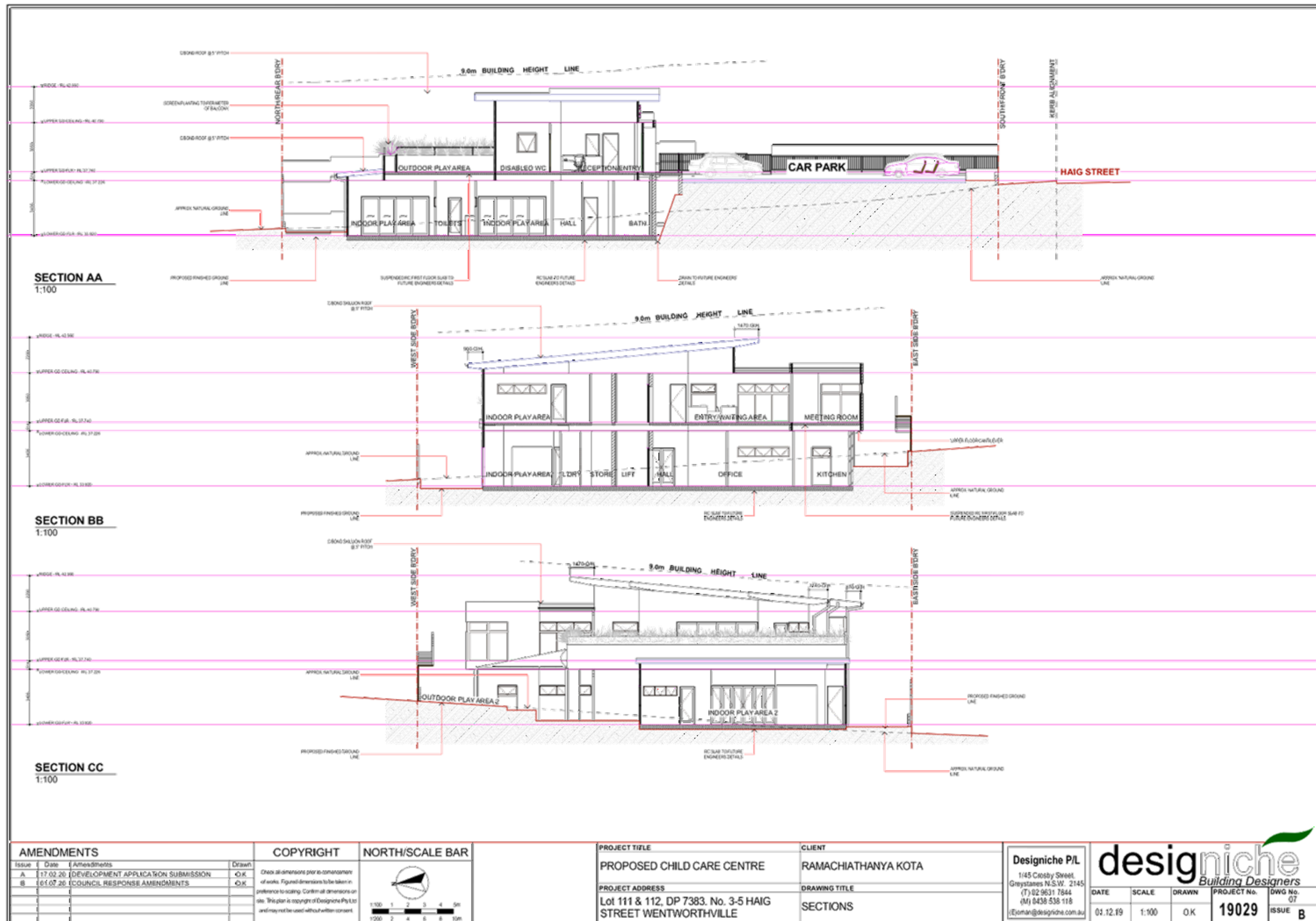


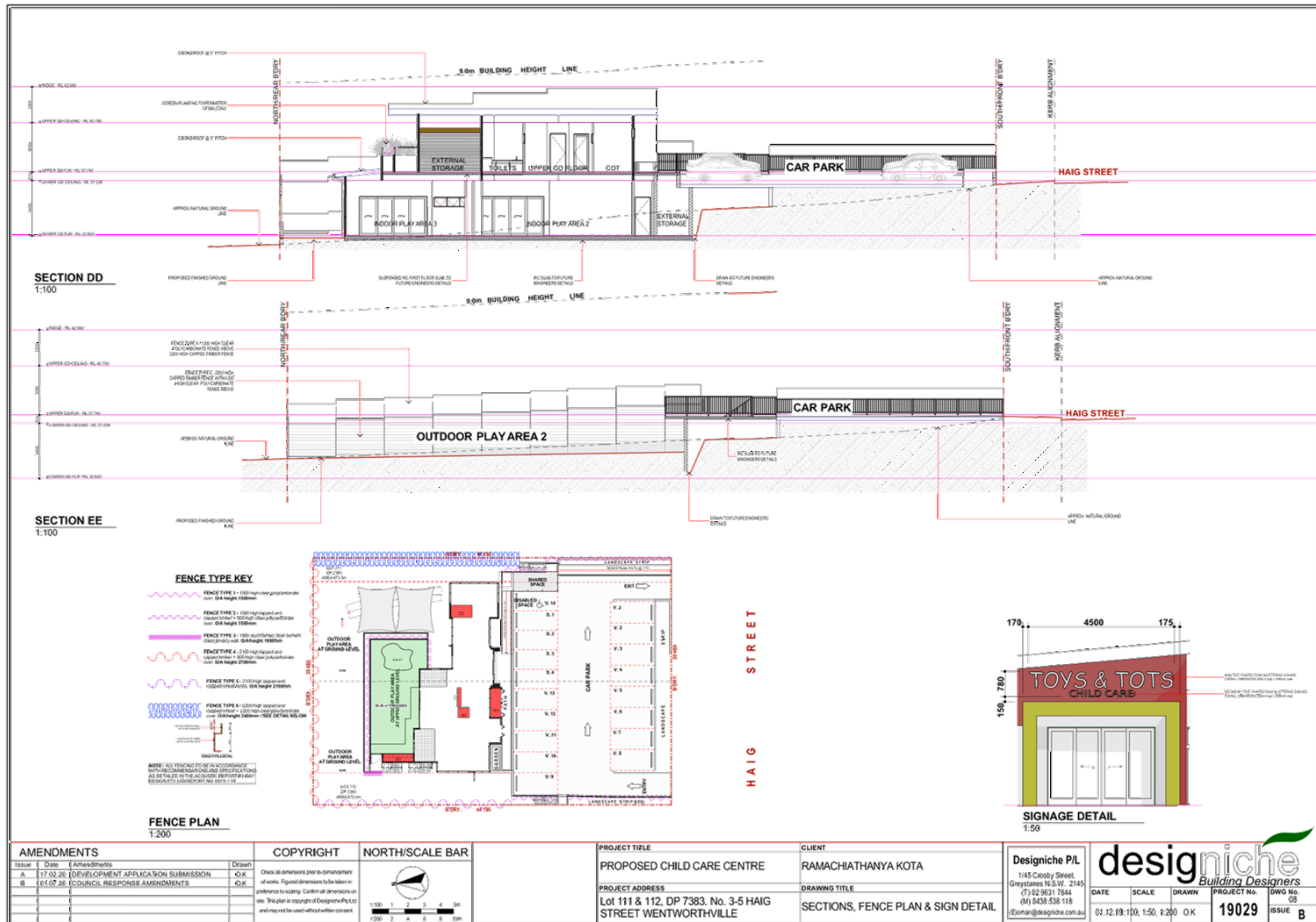


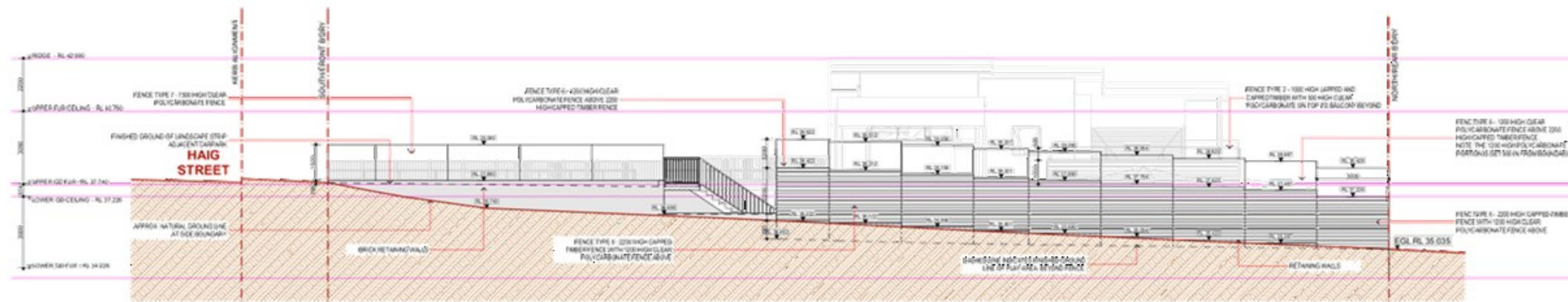




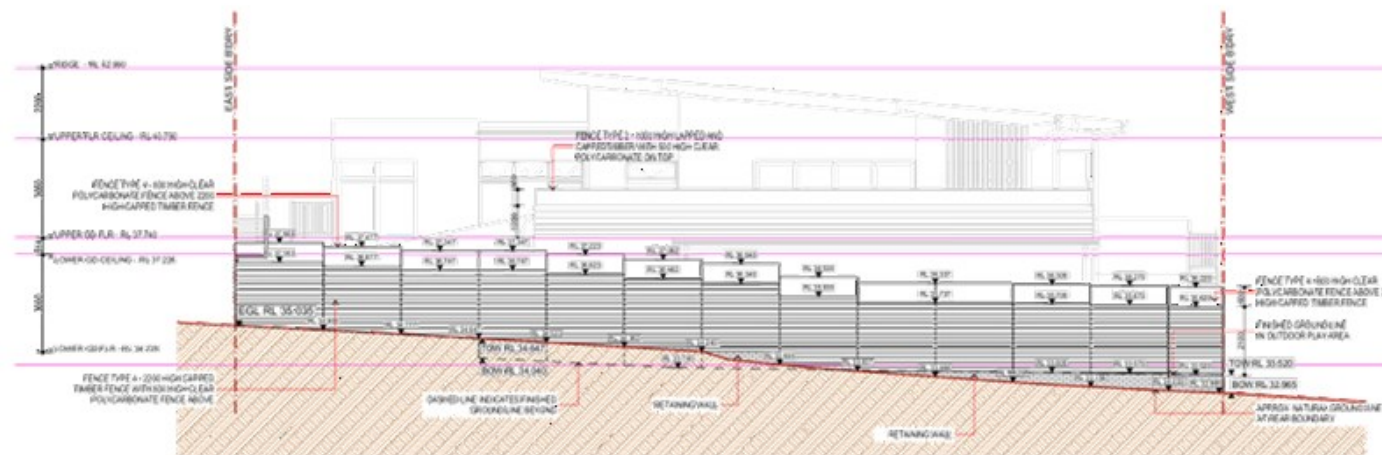




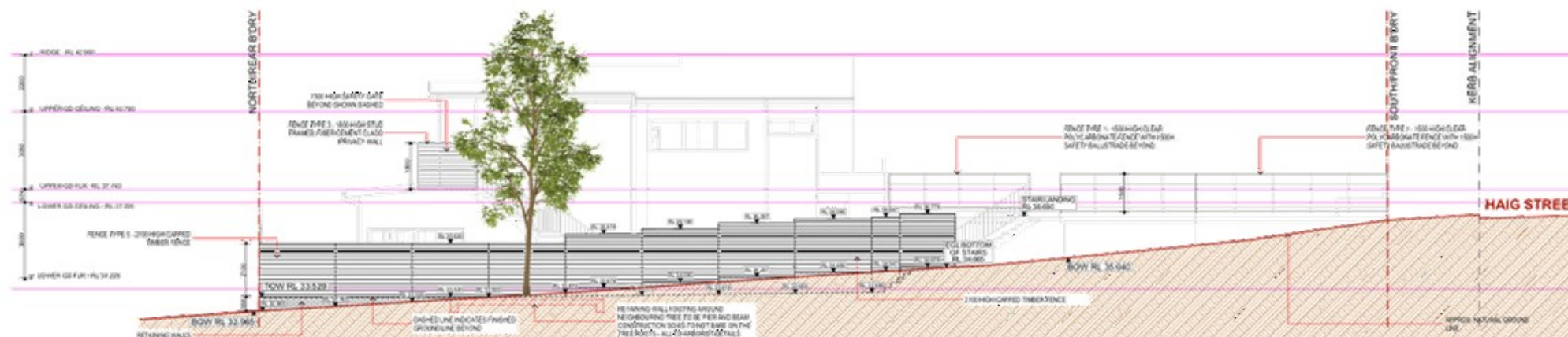




FENCE ELEVATION 02
1:100



FENCE ELEVATION 03
1:100

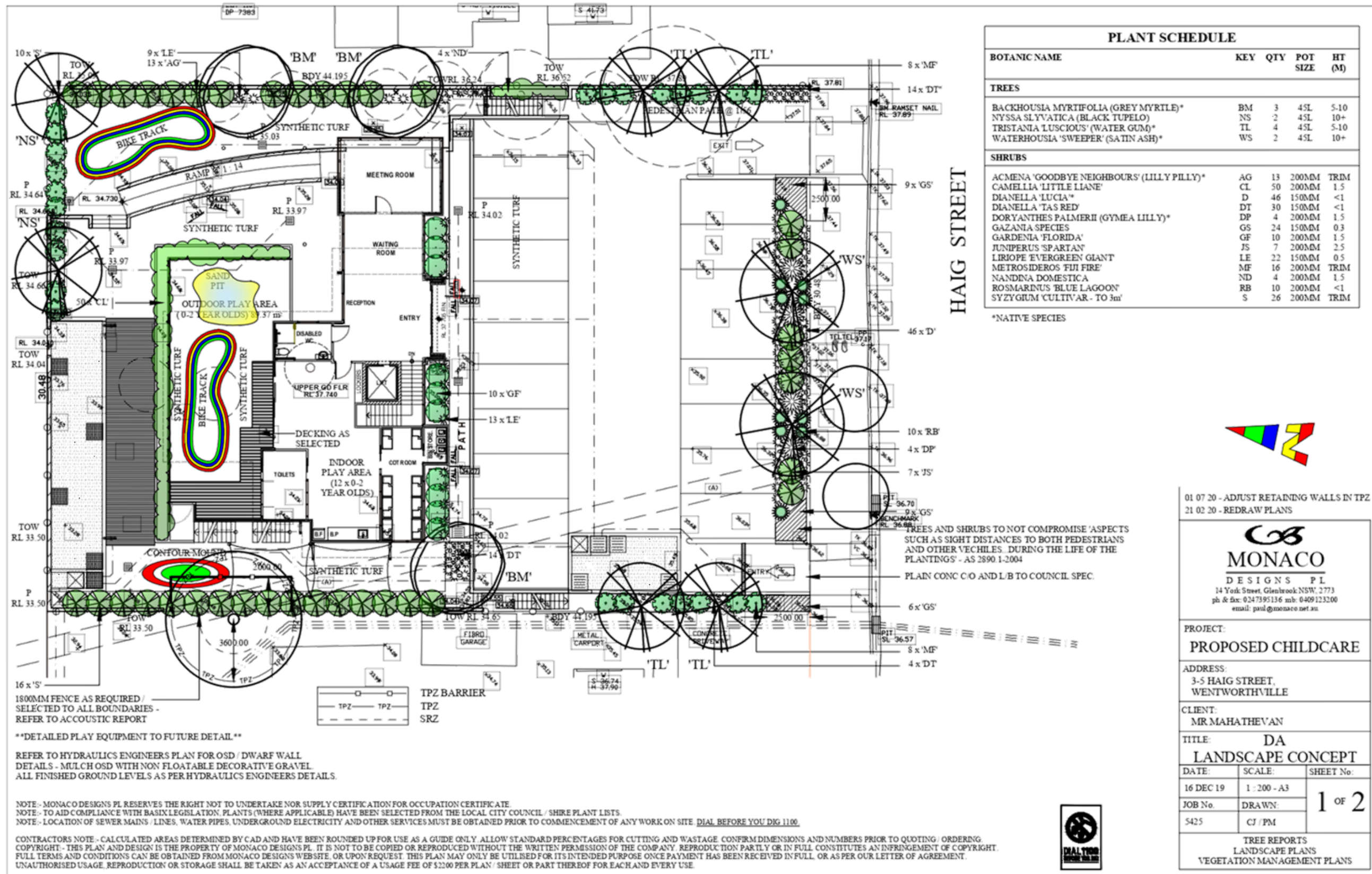


FENCE ELEVATION 04
1:100

AMENDMENTS				COPYRIGHT		NORTH/SCALE BAR		PROJECT TITLE		CLIENT		Designiche P/L						
Issue	Date	Amendments	Drawn	<div>Check all dimensions prior to commencement of works. Figured dimensions to be taken in preference to scaling. Confirm all dimensions on site. This plan is copyright of Designiche Pty Ltd and may not be used without written consent.</div> <div></div>		PROPOSED CHILD CARE CENTRE		RAMACHIATHANYA KOTA		<div>1/45 Crosby Street, Greystanes N.S.W. 2145 (T) 02 9631 7844 (M) 0438 538 118 (E) raman@designiche.com.au</div>								
A	17.02.20	DEVELOPMENT APPLICATION SUBMISSION	O.K.			PROJECT ADDRESS		DRAWING TITLE										
B	01.07.20	COUNCIL RESPONSE AMENDMENTS	O.K.			Lot 111 & 112, DP 7383, No. 3-5 HAIG STREET WENTWORTHVILLE		FENCE ELEVATIONS										
						1:100 0 2 4 6 8 10m						DATE	SCALE	DRAWN	PROJECT No.	DWG No.		
						1:2000 0 2 4 6 8 10m						01.12.19	1:100	O.K.	19029	09		
																ISSUE		B

DOCUMENTS
ASSOCIATED WITH
REPORT LPP048/20

Attachment 3
Landscape Plan



**TYPICAL PLANT SELECTION CRITERIA - AS2301-2015
TREE STOCK FOR LANDSCAPE USE FOR FULL SPEC**

ENSURE GOOD HEALTH AND VIGOUR. ENSURE FREEDOM FROM PESTS, DISEASES AND INJURY.

SPECIMENS SHOULD BE SELF SUPPORTING AT TIME OF PLANTING - STAKING ONLY TO BE USED WHEN NECESSARY - 1 GROWING SEASON MAX.

ENSURE EVIDENCE OF STEM TAPER - (INCREASE IN CALIPER DOWN THE STEM).

PRUNING:-
*ENSURE CLEAN STEM HEIGHT DOES NOT EXCEED 40% OF PLANT HEIGHT.
*ENSURE CUTS ARE AT BRANCH COLLAR ARE CLEAN WITH NO TEARS.

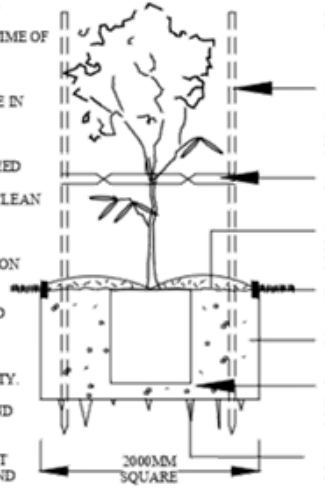
ENSURE APICAL DOMINANCE FOR TREES WITH TYPICAL EXCURRENT FORM - LEADER DEVIATION <15%.

ENSURE GOOD CROWN SYMMETRY AND SOUND STEM FUNCTIONS - NO INCLUDED BARK.

ENSURE SPECIMENS / BATCHES ARE CLEARLY LABELED - NOTING SPECIES CULTIVAR / VARIETY.

ENSURE SPECIMENS ARE FREE OF GIRDLING AND SUCKERING ROOTS.

ENSURE TRUNK POSITION IS WITHIN 10% OF POT CENTRE. IF TREE IS GRAFTED ENSURE SCION AND ROOTSTOCK ARE SOUND.



**45-75L TR TYPICAL PLANTING
(NTS)**

TYPICAL PLANTING CRITERIA

*SEEK ADVICE BEFORE SUBSTITUTING SPECIES
*REPLACEMENTS TO BE MADE WITHIN 12 MONTHS
3 x 40MM HARDWOOD STAKES AS REQUIRED. DON'T PIERCE ROOT BALL.

(NOTE:- ONLY REQUIRED IN WINDY ENVIRONMENTS, VERY SANDY SOIL AND VERY WET CLAY - IF STAKING REQUIRED - REMOVE AS SOON AS PRACTICALLY POSSIBLE).

50MM WIDE JUTE WEBBING - TWIST ONCE AND GAL STAPLE TO OUTSIDE OF STAKE. ENSURE TREE HAS AMPLE MOVEMENT.

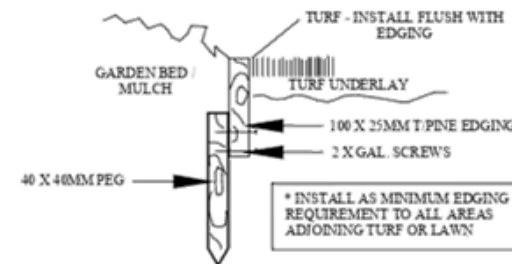
75 - 100MM SELECTED MULCH - DISH AROUND BASE OF TRUNK. TOP OF ROOT BALL TO FINISH FLUSH WITH TOP OF SOIL.

SELECTED EDGING - REFER TO DETAIL.

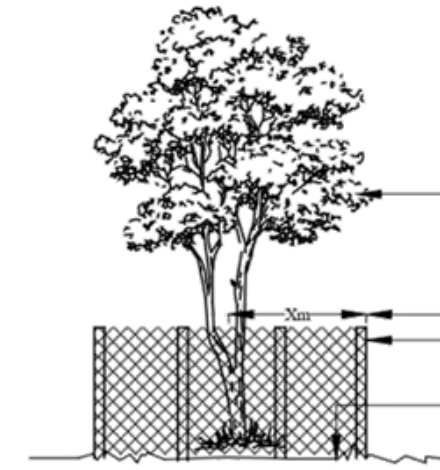
EXCAVATE HOLE AND INCORPORATE SOIL AMENDMENTS TO 30% MAX. IF REQUIRED.

TAMP SOIL GENTLY AROUND AND BENEATH ROOT BALL SO ROOT BALL DOES NOT MOVE - WATER WEEKLY FOR MINIMUM 4 WEEKS TO ESTABLISH.

SCARIFY SUB SOIL AND SIDES TO 100MM MINIMUM IN HEAVY CLAY SOILS. MAY BE REQUIRED TO MOUND PLANT.



**TYPICAL EDGING
(NTS)**



**TYPICAL TREE PROTECTION
DETAIL - (NTS)
(IF NO ARBORIST REPORT REQUIRED)**

REFER TO AS 4970-2009 - 'PROTECTION OF TREES ON DEVELOPMENT SITES'

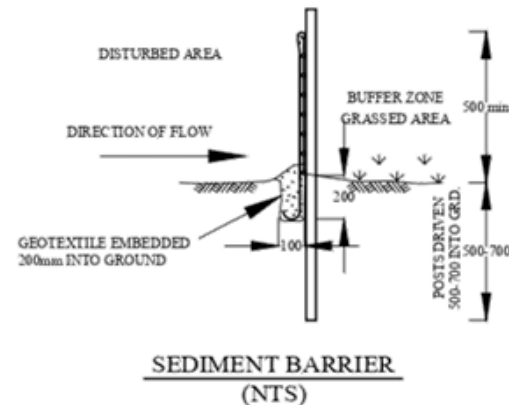
* IRRIGATION WITHIN TPZ AT ARBORIST OR COUNCIL DISCRETION

GENERAL NOTES:-

- * LANDSCAPE CONTRACTOR TO CHECK DA CONDITIONS AND STAMPED LANDSCAPE PLAN BEFORE COMMENCING WORKS TO ENSURE NO ADDITIONS / AMENDMENTS TO PLAN.
- * GARDEN BEDS IN OSD BASIN TO CONSIST OF NON FLOATABLE DECORATIVE GRAVEL.
- * REFER TO HYDRAULICS ENGINEERS PLAN FOR OSD DETAILS / FINAL LEVELS.
- * MULCHED PLANTING BEDS TO BE A MINIMUM DEPTH OF 75MM AS SELECTED.
- * CONTRACTORS RESPONSIBILITY TO CHECK AND ADJUST SOIL pH AS REQUIRED.
- * PROVIDE TIMBER EDGE AS A MINIMUM BENEATH FENCING / GATES TO DEFINE TURF AND GARDEN BEDS / PATHWAYS. EDGING TO BE PROVIDED TO ALL AREAS WHERE DIFFERING MATERIALS MEET, ie TURF / GARDEN, TURF / GRAVEL PATH ETC.
- * WEED MAT BENEATH GRAVEL PATHWAYS REQUIRED TO LIMIT MUD TRACKING.
- * PREMIUM ORGANIC GARDEN MIX TO BE USED.
- * ALL PLANTS TO BE HEALTHY AND VIGOROUS.
- * CONTRACTOR TO MAKE GOOD TURF ON NATURE STRIP POST CONSTRUCTION.
- * DO NOT SCALE ARCHITECTURAL SETOUT FROM LANDSCAPE DRAWING.
- * EXISTING TREE SPREAD APPROXIMATE ONLY. REFER TO TREE REPORT WHEN APPLICABLE.
- * SITE SURVEY PROVIDED BY OTHERS.
- * BUFFALO TURF PREFERRED OVER KIKUYU.

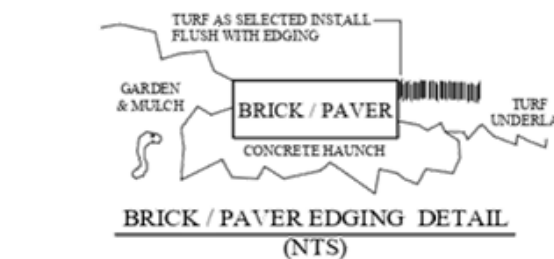
PLANTING AND MAINTENANCE NOTES:-

- * GLAZED OR POLISHED PLANTING HOLES, PARTICULARLY IN CLAY SOILS SHOULD BE AVOIDED. PLANTS TO BE MOUNDED WITHIN THESE SOIL TYPES.
- * PLANTS SHOULD BE PLANTED STRAIGHT, WITH THE TOP OF THE ROOT BALL LEVEL WITH OR SLIGHTLY LOWER THAN THE SOIL SURFACE.
- * PLANTS SHOULD BE WATERED AS SOON AS POSSIBLE AFTER PLANTING.
- * PLANTING SHOULD BE AVOIDED AT THE HEIGHT OF SUMMER (DECEMBER - JANUARY).
- * PLANTS SHOULD BE WATERED AT LEAST WEEKLY FOR SIX WEEKS TO AID ESTABLISHMENT. WATER CRYSTALS MAY BE USED TO REDUCE THE AMOUNT OF WATER REQUIRED.
- * IF A FERTILISER IS TO BE APPLIED, A SLOW RELEASE 8 - 9 MONTH PLANT FOOD PREFERRED.
- * ONLY SPECIES WITHIN THE LANDSCAPE PLAN SHOULD BE PLANTED. PERMISSION SHOULD BE SOUGHT BEFORE ALTERING THE PLANT SPECIES LIST (ON MOST OCCASIONS NURSERIES CAN SUBSTITUTE).
- * STOCK SHOULD BE FREE OF PESTS, DISEASE AND WEEDS AND NOT POT BOUND.
- * REPLACEMENT PLANTS SHOULD BE MADE AVAILABLE FOR ANY LOSSES OF PLANT STOCK THAT MAY OCCUR FOR A MINIMUM 12 MONTH PERIOD.
- * WEEDS SHOULD BE REMOVED ON A FORTNIGHTLY BASIS.
- * PEST OR DISEASE SAMPLES TO THE LOCAL NURSERY FOR IDENTIFICATION AND APPROPRIATE REMEDY.

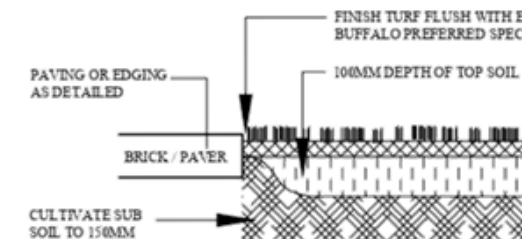


**SEDIMENT BARRIER
(NTS)**

(PROVIDE ON ALL DOWN HILL SLOPES - UNLESS STATED OTHERWISE)



**BRICK / PAVER EDGING DETAIL
(NTS)**



**TURF PREPARATION DETAIL
(NTS)**

01 07 20 - ADJUST RETAINING WALLS IN TPZ
21 02 20 - REDRAW PLANS

MONACO
DESIGNS PL
14 York Street, Glenbrook NSW, 2773
ph & fax: 02 4739 5136 mb: 0409123200
email: paul@monaco.net.au

PROJECT:
PROPOSED CHILDCARE

ADDRESS:
3-5 HAIG STREET,
WENTWORTHVILLE

CLIENT:
MR MAHATHEVAN

TITLE:
LANDSCAPE DETAILS

DATE:	SCALE:	SHEET No:
16 DEC 19	1:200 - A3	2 OF 2
JOB No:	DRAWN:	
5425	P MONACO	

TREE REPORTS
LANDSCAPE PLANS
VEGETATION MANAGEMENT PLANS

NOTE:- MONACO DESIGNS PL RESERVES THE RIGHT NOT TO UNDERTAKE NOR SUPPLY CERTIFICATION FOR OCCUPATION CERTIFICATE.
NOTE:- TO AID COMPLIANCE WITH BASIX LEGISLATION, PLANTS (WHERE APPLICABLE) HAVE BEEN SELECTED FROM THE LOCAL CITY COUNCIL / SHIRE PLANT LISTS.
NOTE:- LOCATION OF SEWER MAINS / LINES, WATER PIPES, UNDERGROUND ELECTRICITY AND OTHER SERVICES MUST BE OBTAINED PRIOR TO COMMENCEMENT OF ANY WORK ON SITE. DEAL BEFORE YOU DIG 1100.

CONTRACTORS NOTE - CALCULATED AREAS DETERMINED BY CAD AND HAVE BEEN ROUNDED UP FOR USE AS A GUIDE ONLY. ALLOW STANDARD PERCENTAGES FOR CUTTING AND WASTAGE. CONFIRM DIMENSIONS AND NUMBERS PRIOR TO QUOTING / ORDERING.
COPYRIGHT - THIS PLAN AND DESIGN IS THE PROPERTY OF MONACO DESIGNS PL. IT IS NOT TO BE COPIED OR REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THE COMPANY. REPRODUCTION PARTLY OR IN FULL CONSTITUTES AN INFRINGEMENT OF COPYRIGHT.
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UNAUTHORISED USAGE, REPRODUCTION OR STORAGE SHALL BE TAKEN AS AN ACCEPTANCE OF A USAGE FEE OF \$2,200 PER PLAN / SHEET OR PART THEREOF FOR EACH AND EVERY USE.

**DOCUMENTS
ASSOCIATED WITH
REPORT LPP048/20**

**Attachment 4
Stormwater/Engineering Plans**

PROPOSED CHILD CARE CENTRE 3-5 HAIG STREET, WENTWORTHVILLE

SHEET INDEX

2693-DA-SW001	TITLE PAGE, NOTES AND DRAINAGE DETAILS DRAWING
2693-DA-SW002	LOWER GROUND LEVEL STORMWATER DRAINAGE LAYOUT AND ON SITE DETENTION DRAWING
2693-DA-SW003	GROUND LEVEL STORMWATER DRAINAGE LAYOUT AND ON SITE DETENTION DRAWING
2693-DA-SW004	OSD SYSTEM 1, OSD TANK SECTIONS AND DETAILS DRAWING
2693-DA-SW005	OSD SYSTEM 2, OSD TANK SECTIONS AND DETAILS DRAWING

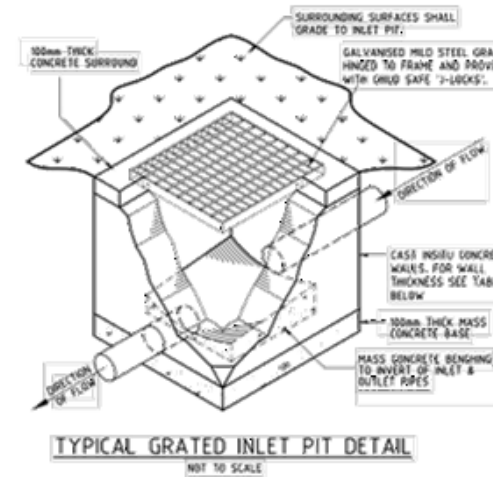
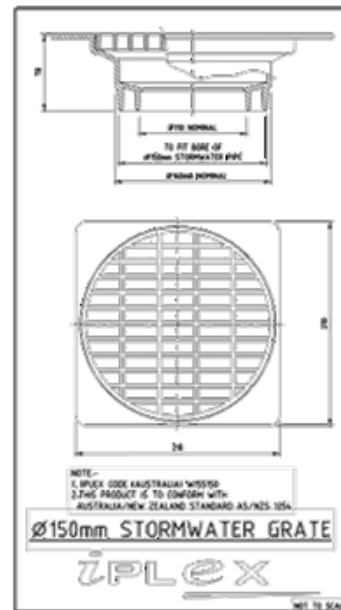
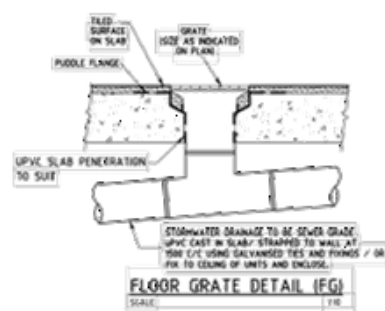
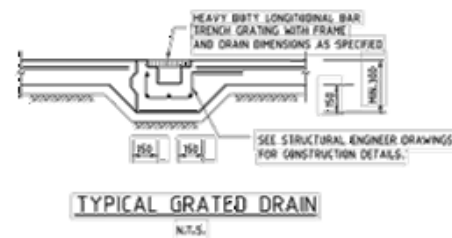
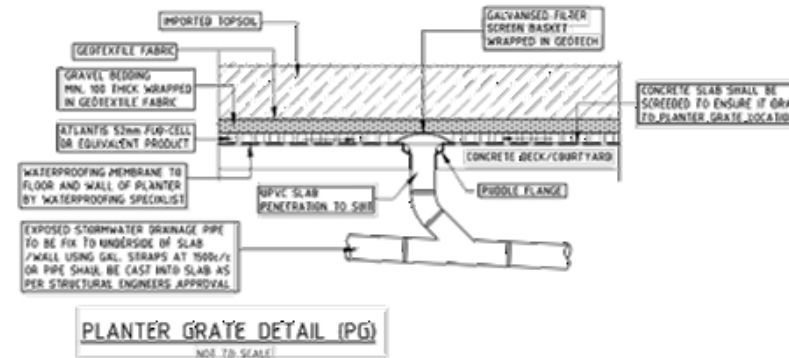


TABLE FOR PIT WALL THICKNESS

PIT DEPTH (mm)	WALL THICKNESS (mm)	REINFORCEMENT
0-1500	150	N12.200 V-H CENTRAL
1500-3000	200	N12.200 V-H CENTRAL

NOTE: PROVIDE ADDITIONAL CORNER BARS N12 @ 200mm CENTERS WHERE WALLS ARE REINFORCED



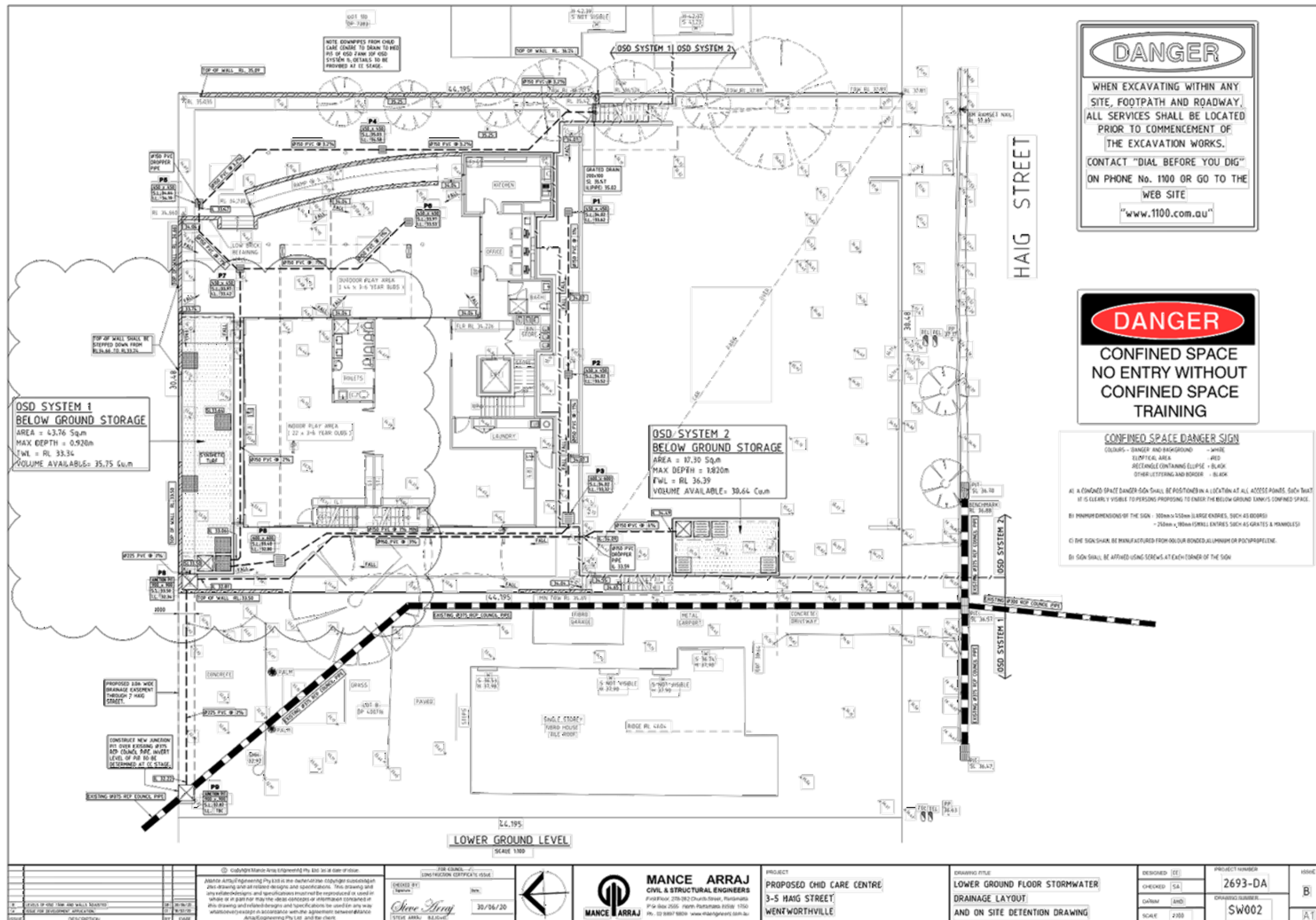
NOTES

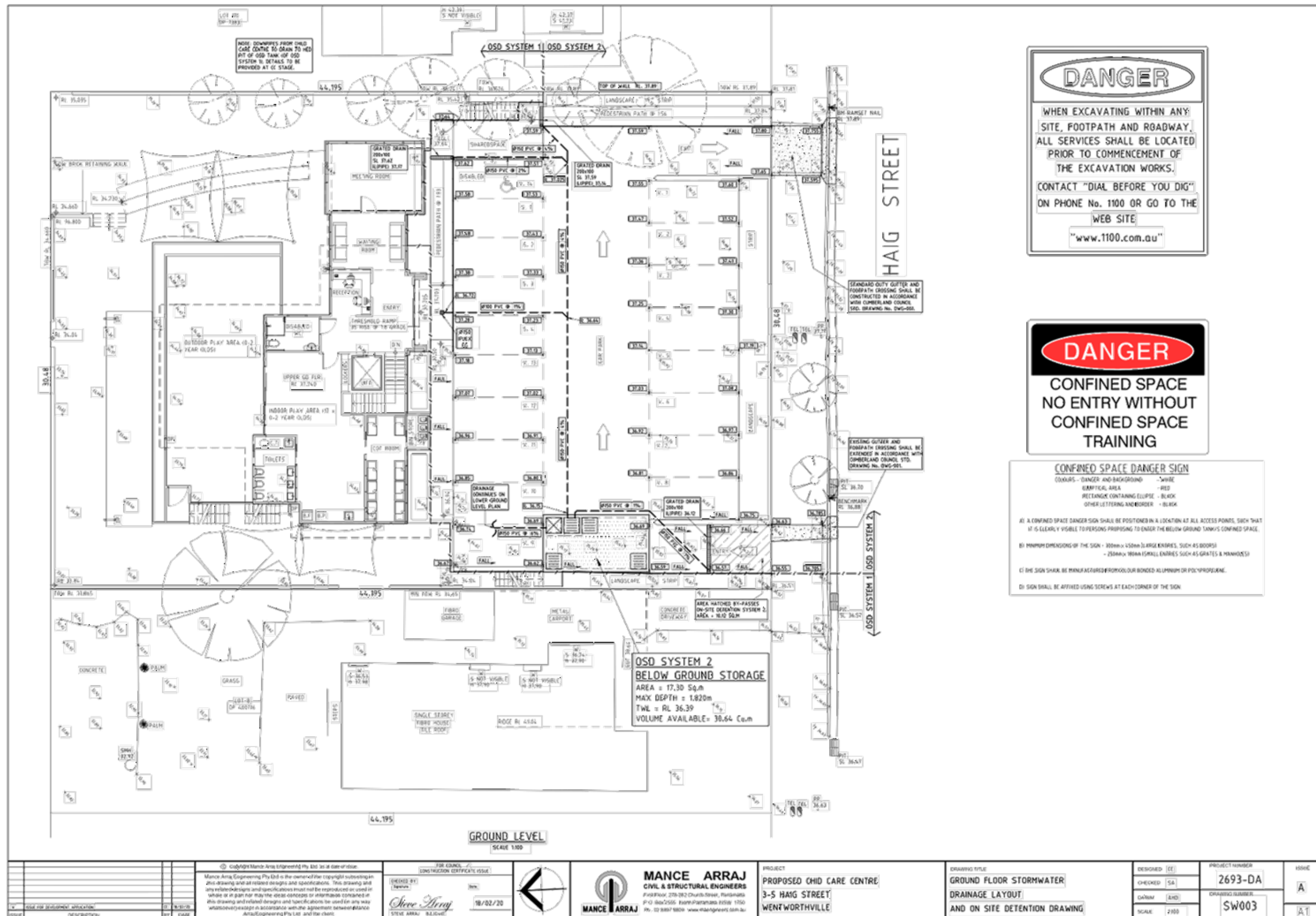
- THE BUILDER/CONTRACTOR SHALL LOCATE ALL EXISTING PUBLIC UTILITY SERVICES WITHIN THE SITE, FOOTPATH AREA AND ROAD RESERVE PRIOR TO THE COMMENCEMENT OF ANY WORKS. ALL LOCATIONS AND LEVELS OF SERVICES SHALL BE REPORTED TO THE STORMWATER ENGINEER PRIOR TO THE COMMENCEMENT OF ANY WORKS TO ENSURE THERE ARE NO OBSTRUCTIONS IN THE LINE OF THE DRAINAGE DISCHARGE PIPES.
- THE BUILDER IS TO VERIFY ALL LEVELS ON SITE PRIOR TO COMMENCING CONSTRUCTION.
- SILT FENCE IS TO BE ERECTED PRIOR TO COMMENCING WORK. FENCE TO BE MAINTAINED IN WORKING ORDER DURING TIME OF CONSTRUCTION.
- W.A.T. DRAWING BY A REGISTERED SURVEYOR IS REQUIRED PRIOR TO CERTIFICATION OF DRAINAGE.
- ALL THE CLEANING EYES (OR INSPECTION EYES) FOR THE UNDERGROUND PIPES HAVE TO BE TAKEN UP TO THE FINISHED GROUND LEVEL FOR EASY IDENTIFICATION AND MAINTENANCE PURPOSES.
- ALL TERRACE FLOOR & PLANTER GRATES TO HAVE FIRE COLLARS FITTED.
- ALL PITS HAVING AN INTERNAL DEPTH THAT EXCEEDS 1.0m SHALL BE PROVIDED WITH GALVANISED STEEL RINGS AT 200mm CENTRES PLACED IN A STAGGERED PATTERN AND SHALL BE IN ACCORDANCE WITH THE AUSTRALIAN STANDARDS AS 1546-1994.
- ALL LEVELS SHALL RELATE TO THE ESTABLISHED BENCH MARK.
- THE BASE OF ALL DRAINAGE PITS SHALL BE BENCHMARKED TO THE INVERT OF THE BURIED PIPE.
- ALL GUTTERS SHALL BE MINIMUM 100 x 75mm AND DOWNPIPES SHALL BE MINIMUM 200 x 75mm UNLESS NOTED OTHERWISE.
- ALL STORMWATER DRAINAGE PIPES SHALL BE A MINIMUM 100mm PVC LAD AT 1% MINIMUM GRADE UNLESS NOTED OTHERWISE ON THE DRAWING. WHERE GROUND COVER OVER THE PIPES IS LESS THAN 300mm THE STORMWATER PIPES SHALL BE SEWER GRADE UPVVC.
- THE BUILDER SHALL ENSURE THAT THE STORMWATER ENGINEERING DRAWINGS CORRESPOND TO THE ARCHITECTURAL, STRUCTURAL AND LANDSCAPE DRAWINGS. IF THERE EXISTS ANY DISCREPANCIES BETWEEN THE DRAWINGS THE BUILDER SHALL REPORT THE DISCREPANCIES TO THE ENGINEER PRIOR TO COMMENCEMENT OF ANY WORKS.
- ALL MULCHING TO BE USED WITHIN THE AREA DESIGNATED AS ON SITE DETENTION STORAGE SHALL BE OF A NON-FLATABLE MATERIAL SUCH AS DECORATIVE RIVER GRAVEL. PINE BARK MULCHING SHALL NOT BE USED WITHIN THE DETENTION STORAGE AREA.
- ALL WORKS WITHIN THE FOOTPATH AREA SHALL BE SUITABLY BARRICADED AND SUPERVISED IN ACCORDANCE WITH A TRAFFIC MANAGEMENT PLAN THAT HAS BEEN PREPARED BY A QUALIFIED AND RTA ACCREDITED TRAFFIC ENGINEER AND APPROVED BY COUNCIL. IT IS THE RESPONSIBILITY OF THE BUILDER OR CONTRACTOR CARRYING OUT THE WORKS WITHIN THE FOOTPATH AREA AND ROAD RESERVE TO OBTAIN THE NECESSARY APPROVED DOCUMENTS AS OUTLINED ABOVE.
- ALL RETAINING WALLS SHALL BE CONSTRUCTED COMPLETELY WITHIN THE PROPERTY BOUNDARY LINES TO DETAILS PREPARED BY THE STRUCTURAL ENGINEER. WALLS FORMING THE ON SITE DETENTION SYSTEM SHALL BE OF MASONRY/BRICK CONSTRUCTION AND SHALL BE WATER TIGHT.
- ALL SUB-SOIL DRAINAGE SHALL BE A MINIMUM OF 100mm AND SHALL BE PROVIDED WITH A FILTER SOCK. THE SUBSOIL DRAINAGE SHALL BE INSTALLED IN ACCORDANCE WITH DETAILS TO BE PROVIDED BY THE LANDSCAPE ARCHITECT.
- PRIOR TO COMMENCING ANY WORKS ON THE SITE, THE BUILDER SHALL ENSURE THAT THE INVERT LEVELS OF WHERE THE SITE'S STORMWATER SYSTEM CONNECTS INTO THE COUNCIL'S STORMWATER SYSTEM MATCHES THE DESIGN LEVELS. ANY DISCREPANCIES SHALL BE REPORTED TO THE DESIGN ENGINEER IMMEDIATELY.

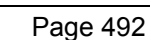
LEGEND

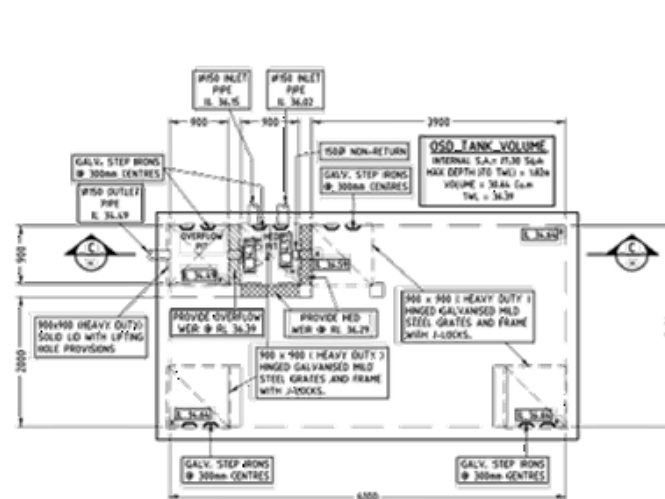
DRAINAGE LINE	---
DRAINAGE LINE (AST) IN CONCRETE SLAB	---
AG. LINE	---
SILT FENCE	---
EXISTING LEVEL	---
DESIGN LEVEL	---
SILT BARRIER AROUND PIT	---
TOP OF WALL R.L. 100.00	---
GRADED TRENCH DRAIN WITH STANDARD GRATING	---
SURFACE INLET PIT WITH HEEL AND WHEEL SAFE GRATING	---
SURFACE INLET PIT WITH STANDARD GRATING	---
SEALED JUNCTION PIT	---
SURFACE INLET PIT WITH HEEL AND WHEEL SAFE GRATING	---
CLEANING EYE (OR INSPECTION EYE)	---
DOWN PIPE	---
SPREADER PIPE	---
PLANTER GRATE	---
DROPPER	---
SPS TRUFLO FLAT GRATE, MODEL NO. T1X100	---
150mm IPLEX FLOOR GRATE	---
150mm FLOOR GRATE	---

DESIGNED: [Signature]	CHECKED: [Signature]	DRAWN: [Signature]	SCALE: 1:100, AS SHOWN	PROJECT: PROPOSED CHILD CARE CENTRE 3-5 HAIG STREET, WENTWORTHVILLE	DRAWING TITLE: TITLE PAGE, NOTES AND DRAINAGE DETAILS DRAWING	PROJECT NUMBER: 2693-DA	ISSUE: A
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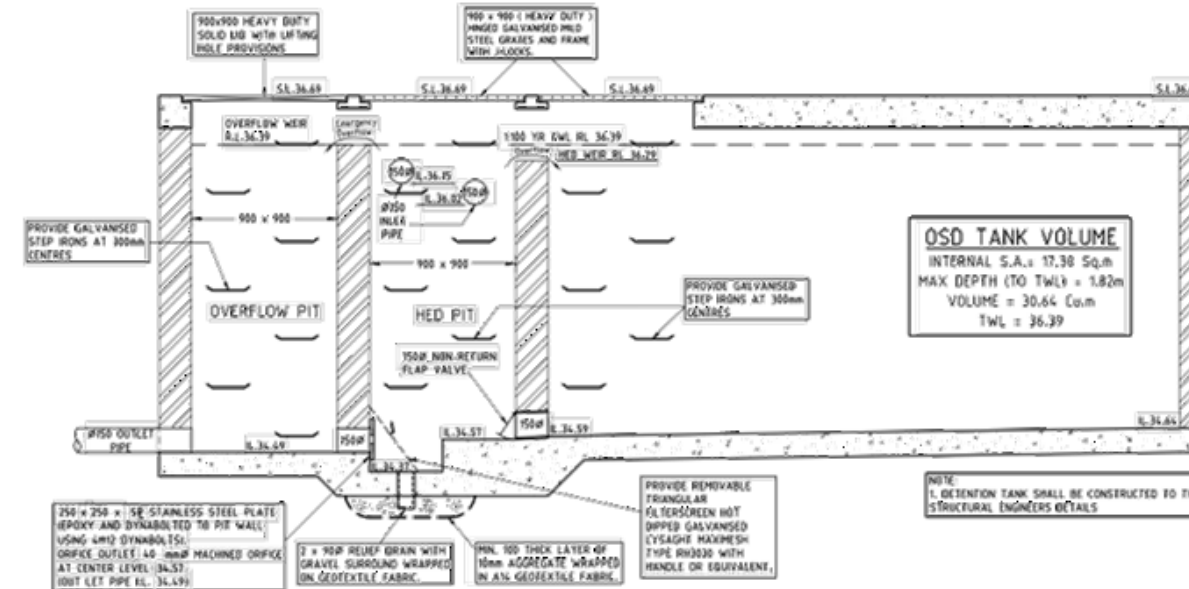




NOTE:
1. DETENTION TANK SHALL BE CONSTRUCTED TO THE
STRUCTURAL ENGINEERS DETAILS

OSD SYSTEM 2 TANK PLAN

SCALE: 1:50



SYSTEM 2 ON SITE DETENTION TANK

SECTION C
SCALE: 1:20



CONFINED SPACE DANGER SIGN

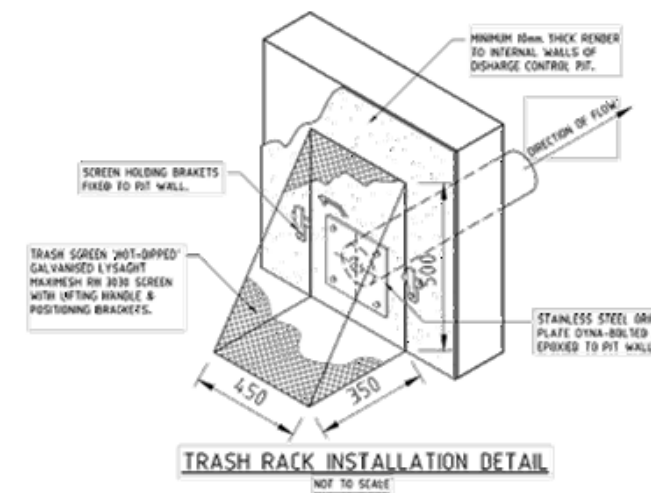
COLORS - DANGER AND BACKGROUND - WHITE
ELLIPSE AREA - RED
RECTANGLE CONTAINING ELLIPSE - BLACK
OTHER LETTERING AND BORDER - BLACK

A) A CONFINED SPACE DANGER SIGN SHALL BE POSITIONED IN A LOCATION AT ALL ACCESS POINTS, SUCH THAT
IT IS CLEARLY VISIBLE TO PERSONS PROPOSING TO ENTER THE BELOW GROUND TANK'S CONFINED SPACE.

B) MINIMUM DIMENSIONS OF THE SIGN - 300mm x 450mm (LARGE ENTRIES, SUCH AS DOORS)
- 250mm x 180mm (SMALL ENTRIES SUCH AS GRATES & MANHOLES)

(THE SIGN SHALL BE MANUFACTURED FROM COLOUR BLENDED ALUMINIUM OR POLYPROPYLENE)

D) SIGN SHALL BE AFFIXED USING SCREWS AT EACH CORNER OF THE SIGN



TRASH RACK INSTALLATION DETAIL

NOT TO SCALE

<p>DESIGNED: [Signature]</p> <p>CHECKED: [Signature]</p> <p>DRAWN: [Signature]</p> <p>SCALE: 1:50</p>	<p>PROJECT: PROPOSED CHD CARE CENTRE 3-5 HAIG STREET WENTWORTHVILLE</p>	<p>DRAWING TITLE: OSD SYSTEM 2 OSD TANK SECTIONS AND DETAILS DRAWING</p>	<p>DESIGNED: [Signature]</p> <p>CHECKED: [Signature]</p> <p>DRAWN: [Signature]</p> <p>SCALE: 1:50</p>	<p>PROJECT NUMBER: 2693-DA</p> <p>DRAWING NUMBER: SW005</p>	<p>ISSUE: A</p>	<p>DATE: 18/02/20</p>
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DOCUMENTS
ASSOCIATED WITH
REPORT LPP048/20

Attachment 5
State Environmental Planning
Policy (Educational
Establishments & Child Care
Facilities) 2017

Attachment 5

State Environmental Planning Policy (Educational Establishments & Child Care Facilities) 2017

The subject Development Application falls under Part 3 of the SEPP, entitled *Early education and care facilities—specific development controls*. An assessment against the relevant clauses of the SEPP is provided in the table below:

Part 3 Early education and care facilities—specific development controls

Standard	Required/Permitted	Provided	Compliance
Notes	<p>Note 1.</p> <p>A service approval is required to operate an early education and care facility that is an education and care service to which the <i>Children (Education and Care Services) National Law (NSW)</i> applies or a State regulated education and care service to which the <i>Children (Education and Care Services) Supplementary Provisions Act 2011</i> applies. Approved services are subject to various operational requirements under that legislation, including requirements for the physical environment of the approved service.</p> <p>Note 2.</p> <p>Complying development controls specifically for school-based child care are provided for in clause 40.</p>	A service approval from the NSW Dept. of Education (DEC) is required to be obtained by the operator.	To condition
22 Centre-based child care facility—concurrence of Regulatory Authority required for certain development	<p>(1) This clause applies to development for the purpose of a centre-based child care facility if:</p> <p>(a) the floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the <i>Education and Care Services National Regulations</i>, or</p> <p>(b) the outdoor space requirements for the building or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those Regulations.</p> <p>(2) The consent authority must not grant development consent to development to which this clause applies except with the concurrence of the Regulatory Authority.</p>	<p>The proposed development complies with Clause 107 of the National Regulations.</p> <p>The proposed development complies with Clause 108 of the National Regulations.</p> <p>Noted</p>	<p>Yes</p> <p>Yes</p> <p>Noted</p>
23 Centre-based child care	Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take	Refer to assessment contained at Attachment 8	Refer Attachment 8

facility—matters for consideration by consent authorities	into consideration any applicable provisions of the <i>Child Care Planning Guideline</i> , in relation to the proposed development.		
24 Centre-based child care facility in Zone IN1 or IN2—additional matters for consideration by consent authorities	N/A	N/A	N/A
25 Centre-based child care facility—non-discretionary development standards	<p>(1) The object of this clause is to identify development standards for particular matters relating to a centre-based child care facility that, if complied with, prevent the consent authority from requiring more onerous standards for those matters.</p> <p>(2) The following are non-discretionary development standards for the purposes of section 79C (2) and (3) of the Act in relation to the carrying out of development for the purposes of a centre-based child care facility:</p> <p>(a) location—the development may be located at any distance from an existing or proposed early education and care facility,</p> <p>(b) indoor or outdoor space</p> <p>(i) for development to which regulation 107 (indoor unencumbered space requirements) or 108 (outdoor unencumbered space requirements) of the <i>Education and Care Services National Regulations</i> applies—the unencumbered area of indoor space and the unencumbered area of outdoor space for the development complies with the requirements of those regulations, or</p> <p>(ii) for development to which clause 28 (unencumbered indoor space and useable outdoor play space) of the <i>Children (Education and</i></p>	<p>Noted</p> <p>The proposed development complies with Clause 107 of the National Regulations.</p> <p>The proposed development comply with Clause 108 of the National Regulations.</p>	<p>Noted</p> <p>Yes</p> <p>Yes</p>

	<p><i>Care Services) Supplementary Provisions Regulation 2012 applies—the development complies with the indoor space requirements or the useable outdoor play space requirements in that clause,</i></p> <p>(c) site area and site dimensions—the development may be located on a site of any size and have any length of street frontage or any allotment depth,</p> <p>(d) colour of building materials or shade structures—the development may be of any colour or colour scheme unless it is a State or local heritage item or in a heritage conservation area.</p> <p>(3) To remove doubt, this clause does not prevent a consent authority from:</p> <p>(a) refusing a development application in relation to a matter not specified in subclause (2), or</p> <p>(b) granting development consent even though any standard specified in subclause (2) is not complied with.</p>	<p>Noted</p> <p>Noted- subject site is not a heritage item or in a heritage conservation area.</p> <p>Noted</p>	<p>Noted</p> <p>Noted</p>
<p>26</p> <p>Centre-based child care facility—development control plans</p>	<p>(1) A provision of a development control plan that specifies a requirement, standard or control in relation to any of the following matters (including by reference to ages, age ratios, groupings, numbers or the like, of children) does not apply to development for the purpose of a centre-based child care facility:</p> <p>(a) operational or management plans or arrangements (including hours of operation),</p> <p>(b) demonstrated need or demand for child care services,</p> <p>(c) proximity of facility to other early education and care facilities,</p> <p>(d) any matter relating to development for the purpose of a centre-based child care facility contained in:</p> <p>(i) the design principles set out in Part 2 of the <i>Child Care Planning Guideline</i>, or</p>	<p>Noted</p>	<p>Noted</p>

	<p>(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).</p> <p>(2) This clause applies regardless of when the development control plan was made.</p>		
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Consideration of the relevant requirements of the Child Care Planning Guideline is provided at Attachment 8 to this report.

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Attachment 6
Holroyd Local Environmental Plan
2013

Attachment 6- Holroyd Local Environmental Plan 2013 Compliance Table

The proposed development is defined as a 'centre – based child care facility' under the provisions of Holroyd LEP 2013. Child care facilities are a permissible land use with consent under the R2 – Low Density Residential zoning applying to the land under Holroyd LEP 2013.

A summary of the relevant provisions applicable to the Application is provided in the following table.

Clause	Yes	No	N/A	Comment
Land use table				
Zone R2 Low Density Residential				
1 Objectives of zone <ul style="list-style-type: none"> 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 allow residents to carry out a range of activities from their homes while maintaining neighbourhood amenity 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed centre based child care facility is consistent with the objectives of the zone as it provides a service that meets the day to day needs of residents.
3 Permissible Uses/Development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A centre based child care facility is a permissible form of development within the R2 – Low Density Residential Zone, and requires the consent of Council.
2.7 Demolition requires consent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Demolition is sought and approved as part of the original consent.
4.3 Height of buildings 9 metres	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The maximum height of the proposed building is 8.2m, as measured from natural ground level.
4.4 Floor Space Ratio 0.5:1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Site Area: 1347 m ² Maximum FSR: 0.5:1 Maximum GFA: 673.5m ² Provided: 0.36:1 - 484.2m ²
4.6 Exceptions to development standards	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A

Clause	Yes	No	N/A	Comment
5.10 Heritage Conservation <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The land does not contain a heritage item and is not subject to an interim heritage order.</p> <p>The site is not located within or proximity to a heritage conservation area.</p>
6.2 Earthworks (3) Before granting development consent for earthworks, the consent authority must consider the following matters: (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality of the development, (b) the effect of the development on the likely future use or redevelopment of the land, (c) the quality of the fill or the soil to be excavated, or both, (d) the effect of the development on the existing and likely amenity of adjoining properties, (e) the source of any fill material and the destination of any excavated material, (f) the likelihood of disturbing relics, (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area, (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed earthworks will not have a detrimental effect on existing drainage patterns or soil stability. The proposal will not affect the amenity of adjoining properties. The proposal is satisfactory subject to compliance with standard conditions.</p>
6.4 Flood planning (2) This clause applies to land at or below the flood planning level. (3) Development consent must not be granted to development on land to which this clause applies unless the	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The site is not affected by flooding.</p>

Clause	Yes	No	N/A	Comment
<p>consent authority is satisfied that the development:</p> <p>(a) is compatible with the flood hazard of the land, and</p> <p>(b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(c) incorporates appropriate measures to manage risk to life from flood, and</p> <p>(d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and</p> <p>(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.</p>				
6.7 Stormwater management	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed stormwater management system is satisfactory subject to conditions.
6.8 Salinity Consult the Salinity Map accompanying HLEP 2013	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The site is identified as having a moderate salinity potential.</p> <p>Appropriate conditions have been imposed accordingly.</p>

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Attachment 7
Holroyd Development Control
Plan 2013

Attachment 7– Holroyd Development Control Plan 2013

The relevant objectives and provisions of Holroyd Development Control Plan 2013 have been considered in the following assessment table:

No.	Clause	Comment	Yes	No	N/A
PART A – GENERAL CONTROLS					
2	Roads and Access				
2.4	Access: Vehicular Crossings, Splay Corners, Kerb & Guttering				
	VC to be reconstructed if in poor condition, damaged or design doesn't comply.	Existing VC to be demolished and a new two VCs (separate entry and exit) are to be constructed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Avoid services/facilities in road reserve, existing trees, pedestrian crossing, pram ramps etc.	There are no services that would be affected by the proposed driveway.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Corner sites VC to be min. 6m from the tangent point.	Not Applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Corner sites require 3m x 3m (residential) and 4m x 4m (commercial) splay corner to be dedicated.	Not Applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.7	Road Widening	Not Applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	Car Parking				
3.1	Minimum Parking Spaces				
	1 per 4 children & 1 per two employees. CCC: 1 per 4 children, 1 per two employees. No of children – 56 / 4 = 14 No. of employees = 8/2 = 4 Total Required: 18	Provided: 18 parking spaces on site provided The application was referred to Council's Engineer, who raised no objections.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.3	Car Parking, Dimensions & Gradient				
	- Min. clear length 5.5m (5.4m AS2890.1-2004). - Min. clear width 2.4m for open space; 3m for between walls. - Min. clearance height 2.3m.	The application was referred to Council's Traffic Engineer, who raised no objections.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.5	Access, Maneuvering and Layout				
	Driveways shall be setback a minimum of 1.5m from the side boundary.	The proposed entry driveway is 940mm from the side boundary which is less than what is required. Refer to discussion in the body of the report.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.6	Parking for the Disabled				
	2 spaces per 100 spaces up to 400, and 1 per 100 thereafter, or part thereof.	1 accessible car parking space is provided.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	Tree and Landscape Works				
		Council's Tree Management Officer has raised concerns as the Survey Plan and Arborist Report fails to take into consideration the impacts of the proposed easement works on neighbouring trees.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
5	Biodiversity	The land is not environmentally sensitive land and is not zoned E2 Environmental Conservation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.1	Retaining Walls	High retaining walls upto 2m are proposed along the boundaries with acoustic fencing proposed on top resulting in an overall height of the boundary fencing upto 3.4m. This excessive height create unreasonable amenity impacts on adjoining neighbours. Refer to discussion in the body of the report.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6.3	Erosion and Sediment Control Plan	The applicant has submitted an erosion and sediment control plan which is satisfactory.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	Stormwater Management	The application was referred to Council's Development Engineer, who raised no objection, subject to conditions; should the consent have been granted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8	Flood Prone Land	Site is not flood affected.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9	Managing External Road Noise and Vibration	The site is not affected by road or rail noise.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10	Safety and Security	The design is considered to be satisfactory from a safety and security perspective. Design provides for passive surveillance with clear sightlines between public domain and proposed building entrances.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	Waste Management	The development application was referred to Council's Waste Management Officer for comment who has raised concern with regard to the ongoing management of waste as inadequate information has been provided to ensure that the bin storage room/s has the capacity to accommodate the bin arrangement in accordance with the waste management plan. In addition, concern was also raised with regard to the location of cot room adjacent to the proposed bin room.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PART B – RESIDENTIAL CONTROLS					
1	GENERAL RESIDENTIAL CONTROLS				
1.1	Building Materials	Acceptable materials and finishes proposed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.2	Fences	The proposal provides acoustic boundary fencing ranging between 2.1m high to 3.4m high. Given that excessive fill with high retaining walls are proposed, the fencing will result in adverse amenity impacts on the adjoining neighbours and children.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1.3	Views	The proposed development does not impede existing views currently enjoyed by surrounding properties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
1.4	Visual Privacy	Visual privacy is generally considered to be maintained to an acceptable level.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.5	Landscape Area Min. 25% = 336.75m ²	389.3m ² (28.9%)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Max. 50% of provided landscaped area shall be forward of the front building line	Less than 50% of the required landscaping is provided forward of the building line.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Only hard paved areas for driveways/pathways to be in front setback area. Not to cover entire area.	At grade parking is provided within the front setback area in the form of large hard stand area. Refer to discussion in the body of the report.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1.6	Safety & Security	Safety and security has been maintained to an acceptable level.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.8	Sunlight Access	Adequate solar access is maintained to the child care centre & surrounding dwellings. The shadow diagrams indicate that the eastern or western adjoining dwellings would not be unreasonably affected.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.9	Cut and Fill Cut: max. 1m; max. 0.45m within 0.9m of side/rear boundary	Cut up to 835mm to 930 mm along the north eastern and western boundary respectively, is proposed.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Fill: max. 0.3m within 0.9m of side/rear boundary; ≥0.6m to be contained within the building; if > 0.15m shall occupy max. 50% of the landscaped area	The proposal provides fill of up to 1.2m along the side boundaries which would result in retaining walls up to 2m high and boundary fencing up to 3.4m high. Such excessive heights create unreasonable amenity impacts on adjoining neighbours.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1.11	Vehicular Access and Driveways	2 x 3m wide driveway proposed. The application was referred to Council's Engineering section, who raised no objections.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.2	Site Coverage Max. 60% of the site area	298.7sqm (22.2%)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.3	Setbacks - Principal St: 6m (articulation zone max. 25% of the building width and 1.5m in length) - Side: 0.9m - Rear: 3m to single storey component; 7m to 2 storey component	Front: 20.9m from the building line. A front setback of 20.9m from the building line is proposed which is inconsistent with the existing streetscape. The proposal fails to contribute and integrate with the established setback pattern of the immediate locality. The large hard stand area/parking within the front setback is considered incompatible with the neighbourhood character of low density residential area and streetscape presentation. <u>Upper Ground Floor</u> East : 3m West: 4.03m Rear: 12.416m <u>Lower Ground Floor:</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
		East : 3.6m West: 4.03m Rear: 4.06m			
2.4	Building Height Max. 2 storey and 9m; if single storey max. 7m (this also applies to attics) Min. 2.4m floor to ceiling height	8.2m total building height Lower ground floor: 3.4m floor to ceiling height. Upper ground floor: 3.05m floor to ceiling height.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Building Appearance Design: Have regard to the size/shape/orientation of lot; style not to be in strong visual contrast to locality Comment on streetscape Bulk and scale: Max. 10m blank wall on first floor side; min. 1m wide indent. Front Facade: • Front door and a window of a habitable room on the ground floor to face Principal Street. Corner lot: Address Secondary Street with windows, architectural features, surveillance	As discussed earlier, at grade parking within the front setback is incompatible with the neighbourhood character of low density residential area and streetscape presentation. Satisfactory presentation, the front door faces the principal street.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Part E – Public Participation					
	Notification Requirements	The proposal was publicly exhibited for a period of 14 days between 17 August 2018 and 31 August 2018. In response, one petition with 6 signatures was received. The grounds of objections raised in the submissions have been addressed elsewhere in this report .	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PART I – CHILDCARE CENTRES					
SIZE, DENSITY AND LOCATION					
No.	Clause	Comment	Yes	No	N/A
1	SIZE AND DENSITY				
	Any proposed Child Care Centres in R2 zones should be limited in size to accommodate not more than forty-five (45) children. Capacities of child care centres located in other zones will be assessed on the merits of each application. Development in residential zones shall have an appropriate size, scale, bulk, etc sympathetic to the	R2 zone – 56 children are proposed. However, this control is not applicable anymore as have been overridden by the SEPP. Refer to the assessment under SEPP. As discussed earlier, the proposed building is inconsistent with the locality.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
	<p>surrounding residential development.</p> <p>The general design requirements for Child Care Centres located within R2 and R3 zones, should comply with the standards outlined in Part B of this DCP relating to one and two storey residential development.</p> <p>Note: If the proposed child care centre has a common boundary with an existing child care centre, the applicant must demonstrate that the new centre is not an addition to the existing centre by way of illustrating that the centre cannot be combined at a later stage.</p> <p>If the proposed child care centre is to be located in a building consisting of more than one level, the child care centre component must be located on the ground floor of the buildings with office and storage space permitted on the upper level.</p> <p>The minimum site frontage for a child care centre is 20 metres.</p>	<p>There are no child care centres located on the adjoining lots.</p> <p>The upper ground floor is proposed to be used for the child care component which is non compliant.</p> <p>The site has a frontage of 30.48m to Haig Street.</p>			
LOCATION					
	<p>The site must not be 300m from hazardous industries, LP gas sites, mobile telephone base stations and towers, and safe from any other environmental health hazards, such as high lead levels, chemical spraying in rural areas, or proximity to cooling tower drift in high rise building areas.</p> <p>Child care centres should not be located having frontage to any road, which in the opinion of Council, is unsuitable for the establishment of a child care centre having regard to:-</p> <p>(a) prevailing traffic conditions;</p>	<p>The subject site is located in a low density residential area and is surrounded by single and two storey detached residential developments within a 300m radius.</p> <p>An environmental site and locality analysis has not been undertaken, however, all development within the 300m radius is residential, and in this regard, it is considered that there are no hazardous land uses within this locality.</p> <p>The site / road is not listed within Appendix 1 or 2 of Part I of the HDCP 2013.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
	<p>(b) pedestrian and traffic safety; and</p> <p>(c) the likely impact of development on the flow of traffic on the surrounding street system.</p> <p>In this regard child care centres should not be located having frontage to an arterial or sub-arterial road (see Appendix 1 to Part I of HDCP 2013).</p> <p>As a general guide the roads identified in Appendix 2 are also considered by Council to be generally unsuitable for the establishment of child care centres, without special consideration firstly being given to the prevailing traffic conditions. All applications are to be supported by a Traffic and Parking Report prepared by a suitably qualified person addressing the above issues to Council's satisfaction.</p>	<p>The subject site fronts Haig Street which is identified as a local road, in this location.</p> <p>The proposed development was accompanied by a traffic and parking study which has been reviewed and deemed acceptable by Council's Engineering department.</p>			
2	VEHICULAR ACCESS AND PARKING				
	ACCESS				
	<p>Separate entry and exit driveways shall be provided where safe and convenient on street parking is not otherwise available, to Council's satisfaction, for the setting down and picking up of children. The design of such driveways shall ensure that inbound and outbound vehicles are separated and that vehicles enter and leave the site in a forward direction.</p> <p>Applications for Child Care Centres will not be favourably considered where the site has frontage to an arterial road, sub-arterial road or where the development would be contrary to the environmental capacity of the street or contrary to the traffic movement on the surrounding street system.</p> <p>All applications are to be supported by a Traffic and Parking Report prepared by a</p>	<p>The proposed development provides separate entry and exit access.</p> <p>The site does not have a frontage to an arterial or sub-arterial road.</p> <p>Council's Engineer has assessed the proposal, who raised no objections.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
	suitably qualified person addressing the above issues to Council's satisfaction.				
PARKING					
	<p>Long stay staff parking must be distinguished from the short stay visitor parking by suitable signage and/or marking. Both must be provided in a convenient location to allow for safe dropping off and picking up of children.</p> <p>Consideration may be given to reducing on-site requirements for short stay parent and visitor parking only if convenient and safe on-street parking is otherwise available. This is providing that the use of such parking does not excessively impact upon the amenity of the adjacent area.</p> <p>All staff parking shall be provided on-site in any event.</p> <p>To eliminate the possibility of frontages and access ways containing expanses of plain cement, decorative pavement treatment shall be provided to all driveways and parking areas. That is, the use of decorative paving materials such as exposed aggregate or pattern stamped and coloured concrete and paving bricks. Plain cement or coloured cement will not be accepted for driveways and parking areas for aesthetic and amenity purposes.</p>	<p>Suitable signage could be conditioned with regard to the demarcation between short and long stay parking.</p> <p>The development is compliant with regard to the minimum number of parking spaces to be provided.</p> <p>Driveway finishes could be conditioned, should the consent have been granted.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ACOUSTIC AND VISUAL PRIVACY					
	<p>An acoustic assessment must be completed by a suitably qualified person.</p> <p>A Noise Management Plan shall accompany the development application.</p> <p>Noise abatement measures are to be undertaken to ensure that inside noise levels do not</p>	<p>An acoustic assessment in support of the proposal accompanies the DA and has been assessed by Council's EHU and is considered Satisfactory subject to conditions.</p> <p>A noise management plan was not submitted. However, the acoustic report addresses management measures to reduce noise within the indoor and outdoor play areas. This is considered adequate from a</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
	<p>exceed 40dB(A) (Leq 24). Assessments should take background noise levels into account</p> <p>A landscape buffer with suitable screening plants and a minimum width of 1 metre shall be provided along the side and rear boundaries of the development to help minimise overlooking.</p>	<p>noise management perspective.</p> <p>Visual privacy of the adjoining property has generally been maintained to an acceptable level as discussed earlier in the report.</p> <p>Appropriate landscape planting is provided surrounding the rear play area.</p>			
4	INDOOR SPACES				
	<p>Where achievable, windows of indoor play areas are to be located with a northern orientation and should receive at least three hours of sunlight between the hours of 9am and 3pm on June 21.</p> <p>For locations where a northern orientation for indoor play areas is not achievable, they should be located where they will receive a minimum of 3 hours of sunlight, where possible</p>	<p>All indoor play spaces are provided with good access to direct sunlight.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	OUTDOOR SPACES				
	<p>a) Located away from the main entrance of the child care centre, car parking areas or vehicle circulation areas;</p> <p>b) Integrated with indoor space and provide direct and easy access between those two areas;</p> <p>c) Of a design and layout to enable clear lines of sight to all areas of the outdoor space to allow direct staff supervision from other areas of the child care centre;</p> <p>d) Located away from existing and potential noise and environmental health sources;</p> <p>e) If the child care centre is located in a predominantly residential area, outdoor spaces are to be located away from the living/bedroom windows of surrounding dwellings;</p> <p>f) Inaccessible from public areas outside of the child care centre, except in the case of an emergency evacuation or centre deliveries such as sand</p>	<p>a) The outdoor play areas are located away from the main entrance to the childcare centre, car parking areas and vehicle circulation areas,</p> <p>b) The indoor spaces lead onto the outdoor play area which provides a transitional space between the two areas.</p> <p>c) Council's Children, Youth and Families Section has reviewed the proposal and concern has been raised with regard to inadequate supervision of the ground floor outdoor play area, noting the layout of the play area.</p> <p>d) The rear outdoor area is located away from existing and potential sensitive sources as it is located at the rear of the site.</p> <p>e) The outdoor areas are located away from the bedrooms/living area of surrounding dwellings, and any potential noise impacts will be mitigated by way of recommendations made within the acoustic report and conditions of consent.</p> <p>f) The proposed rear outdoor area is inaccessible from public areas outside of the child care centre.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
	<p>replacement; g) Located away from areas where objects can be projected down onto play areas; and h) Adequately fenced on all sides</p> <p><u>Transitional Areas</u> a) A transitional area between the building and the play area supporting space for both indoor and outdoor activities is to be provided. It is space additionally required for the building and the playground and may only be included as either the outdoor or indoor space requirement, not both. It may comprise of a verandah; b) The roof area of the transitional area must be a minimum of 4 meters in width to ensure sufficient activity zones with access space around them; c) The transitional area must be designed in a manner that offers protection from unfavourable weather conditions, including strong winds and rainfall; d) The transitional area must be designed in a manner that utilises natural temperature controlling measures, including cross ventilation.</p>	<p>h) The outdoor play area is adequately fenced.</p> <p>a. A transitional area in the form of an external deck has been proposed. However the first floor transitional area does not comply with the minimum width.</p>			
6	LANDSCAPING				
	<p>A detailed landscape plan prepared by a suitably qualified landscape professional should be submitted with all development applications for child care centres and should demonstrate the following: a) Separation of outdoor space into active quiet areas; b) Proposed planting, with a variety of trees and plants to be used which create visual interest for children, and can provide shading where appropriate; c) Locations of play equipment; d) Separation of outdoor space according to age ranges, including the locations of lower fencing or other structures</p>	<p>A landscape plan was submitted in support of the DA and is considered satisfactory.</p> <p>Separation of outdoor space according to age range is included in the landscape plan.</p> <p>The landscape plan includes details of all equipment proposed. The landscape plan shows a variety of ground surfaces.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

No.	Clause	Comment	Yes	No	N/A
	which divide the outdoor spaces; and e) Outdoor spaces which include a variety of surfaces such as grass, soft porous paving and the like				
7	FENCING				
	Outdoor space is required to be fenced on all sides with a height of at least 1.8m. Acoustic fences should not be higher than 2m. If a fence higher than 2m is unavoidable it must be contained within the development site with a 1.8m traditional lapped and capped boundary fence and the remaining height to be of thick, transparent perspex to ensure any views are maintained.	The proposal provides acoustic boundary fencing ranging between 2.1m high to 3.4m high. Given that excessive fill with high retaining walls are proposed, the fencing will result in adverse amenity impacts on the adjoining neighbours and children.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8	FIRE SAFETY AND EMERGENCIES				
	An evacuation plan complying with AS3745-2002 Emergency Control Organisation and Procedures for Buildings, Structures and Workplaces shall be submitted as part of the Development Application	An evacuation plan submitted. Satisfactory.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	ACCESSIBILITY				
	All new child care centres, building conversions and additions to existing premises shall comply with the minimum access requirements outlined in Part D3 of the Building Code of Australia and AS 1428.1 Design for Access and Mobility – General Requirements for Access – New Building Work. Details are to be included on plans to be submitted with the application for development consent.	An accessibility report was submitted in support of the application. It is recommended that a standard condition of consent be imposed upon any development consent that requires compliance with the BCA and Australian Standards.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DOCUMENTS
ASSOCIATED WITH
REPORT LPP048/20

Attachment 8
Child Care Planning Guideline
2017

Attachment 8 – Child care Planning Guideline 2017

The Guideline establishes the assessment framework to deliver consistent planning outcomes and design quality for centre-based child care facilities in NSW. Consent Authorities must consider Parts 2, 3 & 4 of the Guideline.

An assessment against Parts 2, 3 & 4 of the Guideline is provided in the tables below:

Part 2 – Design quality principles

The design quality principles establish the broad design context guide of all new proposals for child care facilities, regardless of whether they are stand alone, part of a mixed-use development, modifications or retrofits of existing buildings or seeking to occupy premises without incurring new building works.

Good design is integral to creating sustainable and liveable communities. There is growing appreciation of the significant role that good design can play in education with increasing evidence that learning outcomes are closely related to the quality of learning environments.

Factors such as air quality, ventilation, natural lighting, thermal comfort and acoustic performance have been shown to have a profound impact on learning, engagement, social interactions and competencies. They also contribute to wellbeing through creating a sense of belonging, self-esteem and confidence.

Comment:

The 7 design quality principles have been considered in Part 3 below, entitled Matters for consideration, which provide specific design controls and criteria to support the overarching design quality principles.

The proposed development is not considered to have been designed having regard to the 7 design quality principles as discussed elsewhere in the report.

Part 3 Matters for consideration

The considerations give guidance to applicants on how to design a high-quality proposal that takes account of its surroundings and any potential environmental impacts the development may cause and to be mindful of potential impacts that may arise from existing uses and conditions within a locality.

The matters support the design principles and must be considered by the consent authority when assessing a DA for a child care facility. Child care facilities can be developed in a broad range of locations and need to be flexible in how they respond to the requirements and challenges this brings.

Criteria	Comments	Compliance		
3.1 Site selection and location		Yes	No	N/A
For proposed developments in or adjacent to a residential zone, consider:				
<ul style="list-style-type: none">the acoustic and privacy impacts of the proposed development on the residential properties	Acoustic report submitted. Refer to discussion provided under attachment 7. Visual privacy of the adjoining property has generally been maintained to an acceptable level as discussed earlier in the report.			
<ul style="list-style-type: none">the setbacks and siting of buildings within the residential context	The setbacks and siting of the building is not considered to be reasonable.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<ul style="list-style-type: none"> • traffic and parking impacts of the proposal on residential amenity. 	Traffic and parking report submitted. Refer to discussion provided under Attachment 7.			
3.2 Local character, streetscape and the public domain interface				
The proposed development should:				
<ul style="list-style-type: none"> • contribute to the local area by being designed in character with the locality and existing streetscape • reflect the predominant form of surrounding land uses, particularly in low density residential areas • use landscaping to positively contribute to the streetscape and neighbouring amenity. • integrate car parking into the building and site landscaping design in residential areas. 	<p>The excessive front setback, comprising a large expanse of hard stand area/parking is considered incompatible with the established low-density residential neighbourhood character. The development proposes an unacceptable streetscape presentation.</p> <p>Refer to discussion in the body of the report.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<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 	<p>Suitable fencing provided for children safety.</p> <p>The centre provides a satisfactory level of passive surveillance to Haig Street.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.3 Building orientation, envelope and design				
<ul style="list-style-type: none"> • Orient a development on a site and design the building layout to ensure visual privacy and minimise potential noise and overlooking impacts on neighbours. • optimise solar access to internal and external play areas • minimise cut and fill 	<p>The design of the proposal is generally considered to maintain both acoustic and visual privacy.</p> <p>Solar access to indoor and outdoor space is optimised.</p> <p>As discussed earlier, the design of the centre proposes a significant amount of cut and fill and excessive retaining walls upto 2m high along the boundaries.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<ul style="list-style-type: none"> building height should be consistent with other buildings in the locality building height should respond to the scale and character of the street setbacks should allow for adequate privacy for neighbours and children at the proposed child care facility setbacks should provide adequate access for building maintenance setbacks to the street should be consistent with the existing character 	<p>The height of the building is two storeys and consistent with the surrounding locality.</p> <p>The setbacks comply with the DCP controls for child care centres, and are considered satisfactory.</p> <p>Adequate access for landscape maintenance to the rear outdoor play area has not been provided.</p> <p>The proposed building is setback further than the prevailing front setback. Refer to earlier discussion under DCP compliance table.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Accessible design can be achieved by:</p> <ul style="list-style-type: none"> linking all key areas of the site by level or ramped pathways that are accessible to prams and wheelchairs, including between all car parking areas and the main building entry 	<p>All areas of the site are accessible through the use of lifts and ramps.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.4 Landscaping				
<ul style="list-style-type: none"> Appropriate planting should be provided along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space. <p>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>Appropriate landscaping is provided.</p> <p>The outdoor space complies with the minimum requirements (exclusive of any boundary screen planting).</p> <p>The location of car parking to service the child care centre is forward of the building, screened by landscaping. However is not considered to be compatible with the streetscape as discussed earlier.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.5 Visual and acoustic privacy				
<p>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>The design of the centre maintains privacy to and from the site.</p> <p>Landscape buffer provided.</p>			
<p>A new development, or development that includes alterations to more than 50 per cent of the existing floor area, and is located adjacent to residential accommodation should:</p> <ul style="list-style-type: none"> • provide an acoustic fence along any boundary where the adjoining property contains a residential use. (An acoustic fence is one that is a solid, gap free fence). • ensure that mechanical plant or equipment is screened by solid, gap free material and constructed to reduce noise levels e.g. acoustic fence, building, or enclosure. <p>A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters:</p> <ul style="list-style-type: none"> • identify an appropriate noise level for a child care facility located in residential and other zones • determine an appropriate background noise level for outdoor play areas during times they are proposed to be in use • determine the appropriate height of any acoustic fence to enable the noise criteria to be met. 	<p>Acoustic report submitted which recommends the installation of acoustic fencing.</p> <p>Acoustic report submitted.</p> <p>Projected noise levels identified.</p> <p>Background noise levels identified.</p> <p>Heights of acoustic fences recommended. However, the excessive height of the fencing is not considered satisfactory.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.6 Noise and air pollution				
<p>An acoustic report should identify appropriate noise levels for sleeping areas and other non play areas and examine impacts and noise attenuation measures where a child care facility is proposed in any of the following locations:</p> <ul style="list-style-type: none"> • on industrial zoned land • where the ANEF contour is between 20 and 25, consistent with AS 2021 – 2000 • along a railway or mass transit corridor, as defined by <i>State Environmental Planning Policy (Infrastructure) 2007</i> • on a major or busy road • other land that is impacted by substantial external noise. 	<p>Acoustic report submitted. The site is not affected by external noise or vibration.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Locate child care facilities on sites which avoid or minimise the potential impact of external sources of air pollution such as major roads and industrial development	The site is not located adjacent to a major road and is not affected by air pollution.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.7 Hours of operation				
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.	The core operating hours for the centre are maintained to between 7.00am and 6.00pm with staff shoulder times of 6:30am to 6:30pm.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.8 Traffic, parking and pedestrian circulation				
<ul style="list-style-type: none"> 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. 	Parking complies with the Holroyd DCP 2013.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>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>Alternative vehicular access should be provided where child care facilities are on sites fronting:</p> <ul style="list-style-type: none"> a classified road 	<p>A traffic and parking report has been submitted which has indicated that the proposed development is a low trip generator and can be accommodated in the locality without affecting performance, delays or queues of nearby intersections, and complies with Council's parking requirements.</p> <p>Furthermore, Council's Engineer has reviewed the proposal, and raised no objections.</p> <p>Not applicable.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>The following design solutions may be incorporated into a development to help provide a safe pedestrian environment:</p> <ul style="list-style-type: none"> separate pedestrian access from the car park to the facility delivery and loading areas located away from the main pedestrian access to the building and in clearly designated, separate facilities 	<p>The proposed facility does not provide a safe pedestrian access from the carpark into the proposed building which will result in adverse safety impacts for the children.</p> <p>The proposed facility does not include a loading area.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<ul style="list-style-type: none"> vehicles can enter and leave the site in a forward direction. 	Vehicles can enter and exit the site in a forward direction.			
Car parking design should:				
<ul style="list-style-type: none"> include a child safe fence to separate car parking areas from the building entrance and play areas provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards include wheelchair and pram accessible parking. 	<p>The proposed facility does not provide a safe pedestrian access from the carpark into the proposed building which will result in adverse safety impacts for the children as discussed in the report.</p> <p>Provided</p> <p>Provided</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Part 4 – Applying the National Regulations to development proposals				
4.1 Indoor space requirements				
(Regulation 107)	Required:	Provided		
Min. 3.25sqm of unencumbered indoor space (Regulation 107)	56 x 3.25sqm = 182sqm	187sqm		
Storage:			<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Min. 0.3m³ per child of external storage 	56 x 0.3m³ = 16.8m³	45.3m³		<input type="checkbox"/>
<ul style="list-style-type: none"> Min. 0.2m³ per child of internal storage 	56 x 0.2m³ = 11.2m³	22.4m³		
4.2 Laundry and hygiene facilities				
(Regulation 106)	Internal laundry provided on the lower ground floor.			
On-site laundry facilities should contain:			<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> a washer or washers capable of dealing with the heavy requirements of the centre a dryer laundry sinks adequate storage for soiled items prior to cleaning. 			<input type="checkbox"/>	<input type="checkbox"/>
4.3 Toilet and hygiene facilities				
(Regulation 109)				
Toilet and hygiene facilities should be designed to maintain the amenity and dignity of the occupants. Design considerations could include:			<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> junior toilet pans, low level sinks and hand drying facilities for children 	Provided		<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> a sink and handwashing facilities in all bathrooms for adults 	Provided			

<ul style="list-style-type: none"> • direct access from both activity rooms and outdoor play areas • windows into bathrooms and cubicles without doors to allow supervision by staff • external windows in locations that prevent observation from neighbouring properties or from side boundaries 	<p>Provided</p> <p>Provided</p> <p>Provided</p>			
4.4 Ventilation and natural light (Regulation 110)				
<p>Services must be well ventilated, have adequate natural light, and be maintained at a temperature that ensures the safety and wellbeing of children.</p> <p>Child care facilities must comply with the light and ventilation and minimum ceiling height requirements of the National Construction Code. Ceiling height requirements may be affected by the capacity of the facility.</p> <p>Designers should aim to minimise the need for artificial lighting during the day, especially in circumstances where room depth exceeds ceiling height by 2.5 times. It is recommended that ceiling heights be proportional to the room size, which can be achieved using raked ceilings and exposed trusses, creating a sense of space and visual interest.</p>	<p>All play areas are provided with sufficient direct and indirect daylighting and both are provided with natural cross-ventilation</p> <p>Condition for compliance with NCC / BCA has been imposed.</p> <p>All the rooms provide satisfactory layout in terms of size, ventilation and natural light.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.5 Administrative space (Regulation 111)				
<p>A service must provide adequate area or areas for the purposes of conducting the administrative functions of the service, consulting with parents of children and conducting private conversations.</p>	<p>Provided</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.6 Nappy change facilities (Regulation 112)				
<p>Child care facilities must provide for children who wear nappies, including appropriate hygienic facilities for nappy changing and bathing. All nappy changing facilities should be designed and located in an area that prevents unsupervised access by children.</p>	<p>Provided</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Child care facilities must also comply with the requirements for nappy changing and bathing facilities that are contained in the National Construction Code .	Conditions imposed on original consent seeking compliance with the BCA.			
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.	Toilet facilities allow for supervision. However, inadequate information is provided to demonstrate that adequate supervision of the ground floor outdoor play area will be provided, noting the layout of the play area.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Child care facilities must also comply with any requirements regarding the ability to facilitate supervision that are contained in the National Construction Code .	This could be imposed as condition of consent, should consent be granted.			
4.8 Emergency and evacuation procedures				
(Regulation 97 & 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. 	Information provided.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.9 Outdoor space requirements				
(Regulation 108)				
Min. 7sqm of unencumbered outdoor space per child. 56 x 7sqm = 392sqm Where a covered space such as a verandah is to be included in outdoor space it should: <ul style="list-style-type: none"> • be open on at least one third of its perimeter 	394.9sqm provided, excluding landscaped buffer. The rear covered play areas are open > 1/3 of the perimeter. Min. clear height of 2.1m.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<ul style="list-style-type: none"> have a clear height of 2.1 metres have a wall height of less than 1.4 metres where a wall with an opening forms the perimeter have adequate flooring and roofing be designed to provide adequate protection from the elements 	<p>N/A</p> <p>Adequate flooring achievable.</p> <p>Shelter provided.</p>			
4.10 Natural environment				
(Regulation 113)				
The approved provider of a centre-based service must ensure that the outdoor spaces allow children to explore and experience the natural environment.	Achievable	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.11 Shade				
(Regulation 114)				
Controlled exposure to daylight for limited periods is essential as sunlight provides vitamin D which promotes healthy muscles, bones and overall wellbeing. Outdoor play areas should be provided with controlled solar access throughout the year.				
Outdoor play areas should:				
<ul style="list-style-type: none"> have year-round solar access to at least 30 per cent of the ground area, with no more than 60 per cent of the outdoor space covered. provide shade in the form of trees or built shade structures giving protection from ultraviolet radiation to at least 30 per cent of the outdoor play area have evenly distributed shade structures over different activity spaces. 	<p>The proposed outdoor play areas provides 2 x shade structures with a total area of 94.6sqm resulting in a shortfall of 23.9sqm (equating to a variation of 20.2%).</p> <p>The rear outdoor area faces due north, east and west to optimise solar access.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	The proposal provides acoustic boundary fencing ranging between 2.1m high to 3.4m high. Given that excessive fill with high retaining walls are proposed, the fencing will result in adverse amenity impacts on the adjoining neighbours and children.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4.13 Soil Assessment				
(Regulation 25)				
To ensure consistency between the development consent and the service approval application, a soil assessment should be undertaken as part of the development application process.	A Phase 1 Preliminary Site Investigation has been prepared.			
Where children will have access to soil the regulatory authority requires a preliminary investigation of the soil.	Council's EHU has assessed the report and considered the findings and recommendations satisfactory.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DOCUMENTS
ASSOCIATED WITH
REPORT LPP048/20

Attachment 9
Acoustic Report and Noise
Management Plan



Environmental Noise Impact Assessment

Proposed Child Care Centre

3-5 Haig Street, Wentworthville, NSW

REPORT No
6915-1.1R Rev B

DATE ISSUED
24 February 2020

Prepared For:
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Environmental Noise Impact Assessment

Revision History

Report	Date	Prepared	Checked	Comment
Draft	12/02/2020	Alexander Mendoza	Stephen Gauld	
Final	13/02/2020	Alexander Mendoza	Stephen Gauld	
Rev A	13/02/2020	Alexander Mendoza	Stephen Gauld	
Rev B	24/02/2020	Alexander Mendoza	Stephen Gauld	

Document R\6915-1.1R Rev B, 31 pages plus attachments

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Recommendations made in this report are intended to resolve acoustical problems only. No claims of expertise in other areas are made and no liability is accepted in respect of design or construction for issues falling outside the specialist field of acoustical engineering including but not limited to structural, fire, thermal, architectural buildability, fit for purpose, waterproofing or other aspects of building construction. Supplementary professional advice should be sought in respect of these issues.

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Environmental Noise Impact Assessment

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1.0 EXECUTIVE SUMMARY

A new child care centre (the Centre) is proposed to be constructed at 3-5 Haig Street, Wentworthville, NSW. The proposal involves the demolition of two existing single storey residential dwellings and construction of a new two storey building with a ground level car park.

The proposal includes two outdoor play areas and three indoor play areas with associated offices, kitchen and laundry facilities.

The ground level car park will have capacity for 18 vehicles. Nine of these spaces are dedicated for staff vehicles and nine spaces are dedicated to visitors.

The Centre will have a total capacity for 56 children comprising:

- 0-2 years old – 12 children; and
- 2-3 years old – 22 children; and
- 3-5 years old – 22 children; and

The proposed hours of operation for the Centre are:

- Monday to Friday: 7:00 am – 6:00 pm.

Bounding the Centre to the east, west and north are single and two storey residential dwellings with more single storey residential dwellings also on the opposite side of Haig Street to the south.

The various receptor locations nearby that may be affected by noise generating facets of the Centre are as follows:

- Children playing both outside and inside;
- Traffic generated by the development; and
- Mechanical plant serving the Centre.

Cumberland Council requires an acoustic assessment to accompany the development application to demonstrate that the noise impact from the Centre will not adversely affect the acoustic amenity of nearby premises.

Acceptable noise limits have been derived from the Association of Australasian Acoustical Consultants *Guideline for Child Care Centres Acoustic Assessment* (the Guideline) and the Environmental Protection Authority's (EPA) *Noise Policy for Industry* (NPI) and *Road Noise Policy* (RNP).

Noise levels from the Centre's activities have been modelled to the nearest existing residential premises. Recommendations are made in Section 8 of this report to reduce the noise emission to within the acceptable limits as established in Section 5.



2.0 CONSULTING BRIEF

Day Design Pty Ltd was engaged by Mr Ramachaithanya Kota to assess the potential environmental noise impact from a proposed Child Care Centre to be constructed at 3-5 Haig Street, Wentworthville, NSW. This commission involves the following:

Scope of Work:

- Inspect the site and environs
- Measure the background noise levels at critical locations and times
- Establish acceptable noise level criterion
- Prepare a site plan identifying the development and nearby noise sensitive locations
- Quantify noise emissions from the proposed Child Care Centre
- Calculate the level of noise emission, taking into account building envelope transmission loss, screen walls and distance attenuation
- Provide recommendations for noise control (if necessary)
- Prepare an Environmental Noise Impact Report.



3.0 SITE AND DEVELOPMENT DESCRIPTION

3.1 Site Description

The site is located on the north side of Haig Street, on land zoned *R2; Low Density Residential* under the Holroyd Local Environmental Plan (LEP) 2013.

Bounding the Centre to the east, west and north are single and two storey residential dwellings with more single storey residential dwellings also on the opposite side of Haig Street to the south.

The nearest noise sensitive receptors are shown in Figure 1 and in Table 1.

Table 1 Noise Sensitive Receptors

Receptor and Type	Address	Direction From Site	Building type
R1 – Residential	7 Haig Street	West	Single Storey
R2 – Residential	8 Jordan Street	North	Single Storey
R3 – Residential	1 Haig Street	East	Two Storey
R4 – Residential	4 Haig Street	South	Single Storey

3.2 Development Description

The proposal includes two outdoor play areas and three indoor play areas with associated offices, kitchen and laundry facilities.

The ground level car park will have capacity for 18 vehicles. Nine of these spaces are dedicated for staff vehicles and nine spaces are dedicated to visitors.

Air conditioning and an internal lift are proposed to serve the Centre.

The proposed hours of operation for the Centre are 7:00 am – 6:00 pm, Monday to Friday.





Figure 1 Site Layout, 3-5 Haig Street, Wentworthville, NSW.



4.0 MEASURED NOISE LEVELS

4.1 Long Term Noise Monitoring

The L_{90} background noise level is a statistical measure of the sound pressure level that is exceeded for 90% of the measurement period (typically 15 minutes).

The Rating Background Level (RBL) is defined by the NSW EPA as the median value of the (lower) tenth percentile of L_{90} ambient background noise levels for day, evening or night periods, measured over a number of days during the proposed days and times of operation.

The background noise level should be measured at a location representative of the potentially affected receptors, in the absence of any noise sources that may be associated with the proposed development.

Two environmental noise loggers were placed nearby the subject site at 1A Haig Street, Wentworthville, to measure the existing background noise levels in the area. One logger was placed in the rear yard at Location 'A', as shown in Figure 1, 1.5 metres above ground level. One logger was placed in the rear yard at Location 'B', as shown in Figure 1, 1.5 metres above first floor level.

The loggers gathered noise data between Tuesday 4 February and Tuesday 11 February 2020. Details of instrumentation used during the noise surveys can be seen in the attached Appendix A.



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The results of the background noise survey at the logger position is shown in the attached Appendix B and Table 2. While the Centre is not proposed to operate during the evening and night time periods, noise levels during these times are shown to provide a complete overview of the acoustic environment.

Table 2 Ambient Background Levels – Long Term Noise Monitoring

Location	Time Period	L ₉₀ Rating Background Level - dBA	Existing L _{eq} Noise Levels - dBA
Location 'A'- 1A Haig Street, Rear Yard, Ground Floor Level	Shoulder Period (6:30 am – 7 am)	39	N/A
	Day (7 am to 6 pm)	36	49
	<i>Evening (6 pm to 10 pm)</i>	<i>35</i>	<i>55</i>
	<i>Night (10 pm to 7 am)</i>	<i>36</i>	<i>44</i>
Location 'A'- 1A Haig Street, Rear Yard, First Floor Level	Shoulder Period (6:30 am – 7 am)	45	N/A
	Day (7 am to 6 pm)	42	56
	<i>Evening (6 pm to 10 pm)</i>	<i>41</i>	<i>52</i>
	<i>Night (10 pm to 7 am)</i>	<i>39</i>	<i>53</i>

Meteorological conditions during the measurement surveys typically consisted of clear skies with temperatures ranging from 16°C to 26°C. Some rainfall was recorded during the measurement period, however periods of rain affected data has been removed from the RBL calculations. Most rain affected data was recorded outside of the proposed operating hours. As such, noise level measurements were considered reliable and considered to be representative of the background noise levels at all nearby receptor locations for typical daily operation of the proposal.



5.0 NOISE CRITERIA

5.1 AAAC Noise Criteria

5.1.1 Outdoor Play Areas

In May 2008, the Association of Australasian Acoustical Consultants (AAAC) first published the *Guideline for Child Care Centre Acoustic Assessment*. Version 2 of the guideline was published in October 2013 to assist both AAAC members and local Councils to assess the noise impact from proposed child care centres both accurately and fairly (see www.aaac.org.au).

It is common practice for councils to follow the recommendations of the EPA and require a noise criterion of background +5 dB at residential receptor locations for noise impact from sources such as mechanical plant, which may operate over a prolonged period of time.

However, children do not generally play outdoors for long periods of time, and as the duration of time for children playing outside is reduced, the overall noise annoyance reduces. Therefore, it is reasonable to allow a higher level of noise impact for a shorter duration. The AAAC document states that a total time limit of 2 hours of outdoor play per day (e.g. 1 hour in the morning and 1 hour in the afternoon) should allow an additional 5 dB noise impact.

Up to 2 hours (total) per day – The $L_{eq, 15min}$ noise level emitted from the outdoor play area shall not exceed the background noise level by more than 10 dB at the assessment location.

More than 2 hours per day – The $L_{eq, 15min}$ noise level emitted from the outdoor play area shall not exceed the background noise level by more than 5 dB at the assessment location.

5.1.2 Indoor Play Areas and Car Park

The $L_{eq, 15min}$ noise level emitted from the cumulative noise impact of children playing indoors, mechanical plant and traffic on the site shall not exceed the background noise level by more than 5 dB at the residential assessment location.

5.1.3 External Noise Impact

The noise level $L_{eq, 1 hour}$ from road, rail traffic or industry at any location within the outdoor play or activity area during the hours when the Centre is operating shall not exceed 55 dBA.

The noise level $L_{eq, 1 hour}$ from road, rail traffic or industry at any location within the indoor play or sleeping area during the hours when the Centre is operating shall not exceed 40 dBA.



5.2 NSW DoPE –Child Care Planning Guide

The NSW Department of Planning and Environment (DoPE) published the Child Care Planning Guideline (CCPG) in August 2017 as a supplement to the State Environmental Planning Policy (SEPP) (Educational Establishments and Child Care Facilities) 2017.

The SEPP states that

“a consent authority must take into consideration this Guideline (CCPG) when assessing a development application (DA) for a centre-based child care facility.”

The SEPP also determines that the Guideline

“will take precedence over a Development Control Plan (DCP), with some exceptions, where the two overlap in relation to a child care facility.”

The Guideline was introduced to

‘assist industry to deliver early childhood education facilities that are of the highest standards’ and ‘to align NSW planning controls with the National Quality Framework for early education and care, creating more certainty for developers and operators seeking service approval’.

Section 3, Matters for Consideration, Subsection 3.5 Visual and acoustic privacy, contains the following for consideration:

‘Objective: To minimise the impact of child care facilities on the acoustic privacy of neighboring residential developments.

C23

A new development, or development that includes alterations to more than 50 percent of the existing floor area, and is adjacent to residential accommodation should:

- *Provide an acoustic fence along any boundary where the adjoining property contains a residential use (An acoustic fence is one that is a solid, gap free fence)*
- *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.*

C24

A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters:

- *Identify an appropriate noise level for a child care facility located in residential and other zones;*
- *Determine an appropriate background noise level for outdoor play area 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.’*



Subsection 3.6 Noise and air pollution, contains the following for consideration:

'Objective: To ensure that outside levels on the facility are minimized to acceptable levels.'

C25

Adopt design solutions to minimise the impacts of noise, such as:

- *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.*

5.3 NSW Environment Protection Authority

5.3.1 Sleep Disturbance

Given the proposed operating hours of the Centre (7 am to 6 pm), it follows that a number of staff will arrive prior to 7 am. As such, the potential for sleep disturbance, from maximum noise level events from vehicles arriving during the shoulder period of 6:30 am and 7 am, has been considered.

The Noise Policy for Industry provides the following guidance (NPI, Section 2.5) for setting appropriate trigger levels for sleep disturbance:

'Sleep disturbance is considered to be both awakenings and disturbance to sleep stages. Where the subject development/premises night-time noise levels at a residential location exceed:

- *$L_{Aeq,15min}$ 40 dB(A) or the prevailing RBL plus 5 dB, whichever is the greater, and/or*
- *L_{AFmax} 52 dB(A) or the prevailing RBL plus 15 dB, whichever is the greater,*

a detailed maximum noise level event assessment should be undertaken.

The detailed assessment should cover the maximum noise level, the extent to which the maximum noise level exceeds the rating background noise level, and the number of times this happens during the night-time period. Some guidance on possible impact is contained in the review of research results in the NSW Road Noise Policy.



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Other factors that may be important in assessing the extent of impacts on sleep include:

- *How often the high noise events will occur;*
- *The distribution of likely events across the night-time period and the existing ambient maximum events in the absence of the subject development;*
- *Whether there are times of day when there is a clear change in the noise environment (such as during early-morning shoulder periods);*
- *Current scientific literature available at the time of the assessment regarding the impact of maximum noise level events at night.*

Maximum noise level event assessments should be based on the L_{AFmax} descriptor on an event basis under 'fast' time response. The detailed assessment should consider all feasible and reasonable noise mitigation measures with a goal of achieving the above trigger levels.

The detailed assessment should consider all feasible and reasonable noise mitigation measures with a goal of achieving the above trigger levels.

Additionally, Section 5.4 of the NSW Road Noise Policy provides the following advice with regard to sleep disturbance:

From the research on sleep disturbance to date it can be concluded that:

- *Maximum internal noise levels below 50 – 55 dBA are unlikely to awaken people from sleep;*
- *One or two noise events per night, with maximum internal levels of 65 – 70 dBA are not likely to affect health and wellbeing significantly.*



5.4 Road Traffic Noise Criteria

The NSW Road Noise Policy (RNP), in Section 2.3.1, sets out road traffic noise assessment criteria for residential and non-residential land uses in Tables 3 and 4 of the policy. The information in those tables is extracted and reproduced in Table 3.

Table 3 Road Traffic Noise Assessment Criteria - Residential

Road Category	Type of project/land use	Assessment Criteria - dB(A)	
		Day (7 am – 10 pm)	Night (10 pm – 7 am)
Local roads	1. Existing residences affected by additional traffic on existing local roads generated by land use developments	L _{Aeq} , (1 hour) 55dB (external)	L _{Aeq} , (1 hour) 50dB (external)

The noise criterion in Table 3 above is to be assessed at 1 metre from the nearest affected façade, as outlined in Table 7 of the RNP.



5.5 Project Specific Noise Criteria

The measured background noise levels have been used to establish the most stringent noise criteria at each receptor location as follows:

5.5.1 Residential Receptors

Within rear yards and residential facades at ground floor level:

- $(36 + 5 =) 41 \text{ dBA } L_{eq, 15 \text{ minute}}$ for outdoor play and the cumulative impact of all other noise sources including car park, mechanical plant and indoor play areas.

At residential facades at first floor level:

- $(42 + 5 =) 47 \text{ dBA } L_{eq, 15 \text{ minute}}$ for outdoor play and the cumulative impact of all other noise sources including car park, mechanical plant and indoor play areas.

Compliance with the residential noise criteria is assessed at 1 metre from the façade of the receptor or outside the most affected first floor window.

5.5.2 Sleep Disturbance

Consideration has been given to sleep disturbance caused by noise generated by vehicles of staff arriving prior to 7 am.

Within rear yards and residential facades at ground floor level:

- $(39 + 15 =) 54 \text{ dBA } L_{Amax}$ at ground floor level between 6.30 am and 7 am.

At first floor residential facades:

- $(45 + 15 =) 60 \text{ dBA } L_{Amax}$ at first floor level between 6.30 am and 7 am.

For all residential premises:

- **50 – 55 dBA L_{Amax}** internal level between 6.30 am and 7 am (staff arriving).

5.5.3 On-Road Traffic Noise Criterion

The following criterion will be applied for residential and non-residential receptors for additional on – road traffic noise generated by the use of the Centre:

- **55 dBA (external) $L_{eq, 1 \text{ hour}}$** 1 metre from the nearest residential façade between 7 am and 10 pm.



5.5.4 External Noise Within Indoor Play and Sleeping Areas

The following criterion will be applied within any point of any indoor area within the Centre for external noise intrusion:

- **35 dBA** (internal) $L_{eq, 1 \text{ hour}}$ within rooms primarily used for sleeping, when in use.
- **40 dBA** (internal) $L_{eq, 1 \text{ hour}}$ within any other room, when in use.

5.5.5 External Noise Within Outdoor Play Areas

The following criterion will be applied within any point of any outdoor play area within the Centre for external noise intrusion:

- **55 dBA** $L_{eq, 1 \text{ hour}}$ when in use.



6.0 CHILD CARE CENTRE NOISE EMISSION

The noise impacts from noise generated by the Centre have been assessed at the nearby noise sensitive areas from as follows:

- Up to 56 children playing both outside and inside;
- Traffic generated by the use of the Centre; and
- Mechanical plant.

We have assessed the noise impact at ground floor level at 3 metres inside the adjacent property boundary and first floor level at the nearest affected façade of the receptor locations, as shown in Table 1, from children's activities occurring within the outdoor and indoor play areas, mechanical plant and car park.

We have considered the noise impact at each of the residential receptor locations, as outlined in Table 1. Noise modeling is based on preliminary architectural drawings prepared by Designiche Pty Ltd, dated 1 December 2019, as shown in Appendix C.

All distances used in noise calculations are approximate and are based on individual noise generating facets within the Centre, as shown in Appendix C, to the assessment location at each receptor. All residential receptor locations listed in Table 1, at which noise levels have been assessed, are representative of all adjacent residential receptors in the immediate area. Compliance at these nearest representative locations will ensure compliance at every other adjacent receptor.

6.1 Indoor and Outdoor Play Areas

Day Design Pty Ltd has previously measured and quantified the $L_{eq} (15 \text{ min})$ sound level of children at a number of different child care centres. From this data we have been able to determine an L_{eq} sound power level (SWL) per child.

The AAAC has presented a range of A-weighted SWL's per child in its '*Guideline for Child Care Centre Acoustic Assessment*'. The logarithmic average of the full range of A-weighted SWL's for children has been used to represent the noise emission from a typical group of mixed aged children engaged in free play. It should also be noted that from previous experience, where passive/quiet activities are engaged in by children, the noise generated by children is generally 10 dB lower than active play.



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The sound power levels for each group are presented in Table 4 and used in this assessment.

Table 4 Children at Play Indoor and Outdoor $L_{eq,15 \text{ min}}$ Sound Power Levels

Number and Age of Children	Sound Power Levels (dB) at Octave Band Centre Frequencies (Hz)								
	dBA	63	125	250	500	1k	2k	4k	8k
10 children, 0 to 2 years	79	55	61	67	72	75	72	68	64
10 children, 2 to 3 years	85	61	67	73	79	81	78	74	70
10 children, 3 to 5 years	88	65	71	76	82	85	81	77	73

6.2 Car Park Noise Emission

Based on the RTA's 'Guide to Traffic Generating Developments' prediction of 0.8 peak (morning 7 am – 9 am) vehicle trips per child for Child Care Centres (Long-day care), we have assumed, as a worst case scenario, a flow of cars equivalent to 45 trips in 1 hour arriving or leaving the car park in the morning peak. This is equivalent to 11 vehicle trips in a 15 minute period.

The SEL and L_{Amax} sound power level and spectra of vehicle noise is shown in Table 5. These levels are based on previous measurements by Day Design.

For the assessment of sleep disturbance, we have assumed that staff vehicles will arrive at the Child Care Centre between 6:30 am and 7:00 am, enter the car park from Haig Street and park in the designated staff parking spaces within the ground level car park.

For the assessment of vehicular activity from within the car park area we have assumed vehicles will travel at a rate of 10km/h. For additional noise generated by on-road traffic, we have assumed vehicles will travel at a rate of 30km/h as they approach or leave the Centre.

Table 5 Sound Power Levels of Car Park Noise

Description	Sound Power Levels (dB) at Octave Band Centre Frequencies (Hz)								
	dBA	63	125	250	500	1k	2k	4k	8k
SEL sound power level of car drive-by at approximately 10 km/h	82	86	82	78	77	78	73	70	64
SEL sound power level of car drive-by at approximately 30 km/h	87	93	86	84	82	83	76	69	63
L_{Amax} of car turning into driveway	92	98	92	90	88	88	83	80	76



Environmental Noise Impact Assessment

6.3 Mechanical Plant

At the time of preparing this noise impact assessment report, specific models of air conditioning plant and lift motor had not been selected. To determine the levels of noise at each residential receptor, sound power levels from a generic outdoor condenser unit and lift motor have been used.

It is anticipated that air conditioning units will be installed to serve the Centre with outdoor condenser units to be installed on the lower ground level on the western façade of the building as shown in the ground floor plan (Sheet № 19029-01) attached as Appendix C.

The lift motor is anticipated to be installed within the subfloor.

Sound power levels used in the calculation of the noise contribution from the mechanical plant are shown in Table 6.

Table 6 Leq, 15 min Sound Power Level – Mechanical Plant

Description	Sound Power Levels (dB) at Octave Band Centre Frequencies (Hz)								
	dBA	63	125	250	500	1k	2k	4k	8k
Typical Outdoor Condenser Unit ¹	74	82	82	72	72	67	60	62	53
Hydraulic Lift Motor ²	63	59	61	55	59	58	56	52	48

¹ Spectral sound power level based on Daikin VRV IV S – RXYMQ3AV4A, 9kW outdoor condenser unit.

² Spectral sound power level based on a residential lift system previously measured by Day Design.



7.0 CALCULATED NOISE LEVEL AT RECEPTOR LOCATIONS

Knowing the sound power level of a noise source (See Tables 4 to 6), the sound pressure level (as measured with a sound level meter) can be calculated at a remote location using suitable formulae to account for distance losses, sound barriers, etc.

The following noise level calculations are shown for the ground and first floor levels at the nearest residential dwellings. The calculated noise level at the receptor locations from the various noise producing facets of the Centre are shown in Tables 7 to 9.

7.1 Cumulative Noise Level –Indoor Play, Car Park and Mechanical Plant

Calculations assume all 56 children are playing inside and are distributed evenly throughout the indoor play areas with windows and doors partially open when the Centre is in use. Calculations also assume that 1.8 metre high boundary fences are in place surrounding the lower ground level outdoor play area and 1.8 metre high fences surround the ground floor outdoor play area and car park area.

As specific items of mechanical plant have not yet been selected, noise level calculations for mechanical plant assume the sound power levels shown in Table 6.

Cumulative noise levels at ground floor (GF) and first floor (FF) levels for indoor play, car park use and mechanical plant are shown in Tables 7 and 8.

Table 7 Cumulative $L_{eq, 15 \text{ minute}}$ Noise Levels - Indoor Play, Car Park and Mechanical Plant (R1 – R2)

Receptor Location	Calculated Noise Level $L_{eq, 15 \text{ min}}$	Noise Criterion $L_{eq, 15 \text{ min}}$	Compliance (Yes/No)
R1 – Residence (East)			
- Indoor play areas	GF - 47 dBA		
- Car park	GF - 33 dBA		
- Mechanical plant	GF - 32 dBA		
Cumulative Noise Level	GF - 48 dBA	GF - 41 dBA	No + 7 dB
R2 – Residence (North)			
- Indoor play areas	GF - 46 dBA		
- Car park	GF - <10 dBA		
- Mechanical plant	GF - 27 dBA		
Cumulative Noise Level	GF - 46 dBA	GF - 41 dBA	No + 5 dB



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Table 8 Cumulative $L_{eq, 15 \text{ minute}}$ Noise Levels - Indoor Play, Car Park and Mechanical Plant (R3 – R4)

Receptor Location	Calculated Noise Level $L_{eq, 15 \text{ min}}$	Noise Criterion $L_{eq, 15 \text{ min}}$	Compliance (Yes/No)
R3 – Residence (East)			
- Indoor play areas	GF - 46 dBA FF - 52 dBA		
- Car park	GF - 28 dBA FF - 35 dBA		
- Mechanical plant	GF - <20 dBA FF - <20 dBA		
Cumulative Noise Level	GF - 46 dBA	GF - 41 dBA	No + 5 dB
	FF - 52 dBA	FF - 47 dBA	No + 5 dB
R4 – Residence (South)			
- Indoor play areas	GF - 29 dBA		
- Car park	GF - 32 dBA		
- Mechanical plant	GF - <20 dBA		
Cumulative Noise Level	GF - 34 dBA	GF - 41 dBA	Yes

The calculated cumulative L_{eq} levels of noise from the Child Care Centre at each receptor location are summarised in Tables 7 and 8. With the aforementioned assumptions, it can be seen that the cumulative noise levels from the operation of the Centre may potentially exceed the noise criteria at 'R1', 'R2' and 'R3'. The noise criterion is met at receptor location 'R4'.



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7.2 Outdoor Play Areas

The calculated $L_{eq, 15 \text{ min}}$ noise levels from activity in the outdoor play area at each receptor are shown in Table 9 at ground (GF) and first floor (FF) levels. Using AAAC sound power levels for children, as established in Table 6, the calculated noise levels at each receptor location was determined by evenly distributing all 56 children into groups at separate locations across the outdoor play areas, as can be seen in Appendix C.

Calculations also assume that 1.8 metre boundary fences are in place along the boundaries of the ground floor outdoor play area and 1.5 metre high boundary fences are in place along the boundaries of the first floor outdoor play area.

Table 9 Calculated L_{eq} Noise Levels - Outdoor Play

Receptor Location	Calculated Noise Level $L_{eq, 15 \text{ min}}$	Noise Criterion $L_{eq, 15 \text{ min}}$	Compliance (Yes/No)
R1 – West, within rear yard – GF	GF - 51 dBA	GF - 41 dBA	No + 10 dB
R2 – North, within rear yard – GF	GF - 51 dBA	GF - 41 dBA	No + 10 dB
R3 – East, at nearest affected points, GF and FF	GF - 52 dBA	GF - 41 dBA	No + 11 dB
	FF - 63 dBA	FF - 47 dBA	No + 16 dB
R4 – South, within front yard – GF	GF - 26 dBA	GF - 41 dBA	Yes

The calculated $L_{eq, 15 \text{ minute}}$ levels of noise from children playing outdoors are summarised in Table 9 at the receptor locations. The calculated levels of noise from children's activities within the lower ground and ground level outdoor play areas may potentially exceed the noise criteria at 'R1', 'R2' and 'R3'. The noise criterion is met at receptor location 'R4'.



Environmental Noise Impact Assessment

7.3 Sleep Disturbance

It is proposed that the Centre will accept children from 7 am. A number of staff will arrive and park within the basement car park, prior to 7 am to prepare for the arrival of the children, with more staff and parents arriving after 7 am.

The calculated L_{Amax} noise levels at the most affected point within the nearest residential receptor locations are shown in Table 10. Calculations assume that standard 1.5 metre high boundary fences are in place on the east and west boundaries of the car park area.

Table 10 Calculated L_{Amax} Noise Levels – Sleep Disturbance

Receptor Location	Calculated Noise Level L_{Amax}	Noise Criterion L_{Amax}	Compliance (Yes/No)
R1 – West, at nearest window – GF	GF - 53 dBA	54 dBA	Yes
R3 – East, at nearest window – GF, FF	GF - 53 dBA	54 dBA	Yes
	FF - 60 dBA	60 dBA	Yes
R4 – South, at nearest window – GF	GF - 53 dBA	54 dBA	Yes

It can be seen from Table 10 that the L_{Amax} noise level at all residential receptor locations is below the sleep disturbance noise criterion established in Section 5 and is therefore acceptable.

7.4 On – Road Traffic

The external $L_{eq, 1 \text{ hour}}$ traffic noise levels at the residential receptor locations associated with additional on – road traffic throughout the day have been calculated. Calculations assume additional traffic will be travelling on Haig Street. $L_{eq, 1 \text{ hour}}$ noise levels at receptor location 'R1', 'R3' and 'R4' are shown in Table 11.

Given that 'R1', 'R3' and 'R4' are the closest and most exposed to additional traffic generated from the Centre, it is reasonable to assume that compliance at these two locations will ensure compliance at all other locations nearby. Calculations consider distance attenuation only.

Table 11 Calculated $L_{eq, 1 \text{ hour}}$ Noise Levels - Additional On – Road Traffic

Receptor Location	Calculated Noise Level $L_{eq, 1 \text{ hour}}$	Noise Criterion $L_{eq, 1 \text{ hour}}$	Compliance (Yes/No)
R1 – At nearest façade – GF	37 dBA	55 dBA	Yes
R3 – At nearest façade – GF	37 dBA	55 dBA	Yes
R4 – At nearest façade – GF	37 dBA	55 dBA	Yes



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The calculated external $L_{eq, 1 \text{ hour}}$ noise levels of noise from additional on-road traffic at the nearest residential locations are well below the noise criteria established in Section 5 and is therefore acceptable.

7.5 External Traffic Noise Within Outdoor Play Areas

Given that traffic noise at the site is predominantly low volume local traffic, we do not anticipate that the level of noise generated by local traffic at the site to be of any significance. However, for completeness of this assessment, the external $L_{eq, 1 \text{ hour}}$ road traffic noise levels have been calculated to the nearest affected point within the outdoor play area on the ground floor level and are shown in Table 12. Calculations assume attenuation due to associated shielding from fencing, buildings and distance. Given the increased distance and additional shielding, compliance with the noise criterion within the ground floor outdoor play area ensures compliance within the lower ground floor outdoor play area.

Table 12 Calculated $L_{eq, 1 \text{ hour}}$ Road Traffic Noise Levels – Outdoor Play Areas

Receptor Location	Calculated Noise Level $L_{eq, 1 \text{ hour}}$	Noise Criterion $L_{eq, 1 \text{ hour}}$	Compliance (Yes/No)
Outdoor Play Area	30 dBA	55 dBA	Yes

The calculated external levels of road traffic noise within the ground floor outdoor play area are well below the noise criteria in Section 5 and is therefore acceptable.

7.6 External Noise Within Indoor Play and Sleeping Areas

Given that traffic noise at the site is predominantly low-volume local traffic, we do not anticipate that the level of noise generated by traffic at the site to be of any significance. However, for completeness of this assessment, the internal $L_{eq, 1 \text{ hour}}$ road traffic noise level within the cot room (most exposed to road noise) has been calculated to be as shown in Table 13. Compliance within the cot room ensures compliance within each other indoor area (for sleeping or indoor play), given the increased distance from the road and shielding from the building façade.

Calculations assume that standard construction has been used throughout and standard glazing thicknesses has been used for windows and glazed doors.

Table 13 Calculated $L_{eq, 1 \text{ hour}}$ Road Traffic Noise Levels – Cor Room

Receptor Location	Calculated Noise Level $L_{eq, 1 \text{ hour}}$	Noise Criterion $L_{eq, 1 \text{ hour}}$	Compliance (Yes/No)
Cot Room	27 dBA	40 dBA	Yes

It can be seen that the calculated internal levels of road traffic noise are below the noise criteria established in Section 5 and is therefore acceptable.



8.0 NOISE CONTROL RECOMMENDATIONS

8.1 Management Plan

We recommend the Child Care Centre's management implement a Noise Management Plan that should include, but not be limited to the following:

- Ensuring all staff and parents are provided with a copy of the Centre's Noise Management Plan and its implications for them during their time at the Centre.
- Neighbours should be provided with the name and contact details of the Centre Director, and the invitation to contact that person at any time the Centre is operating.
- Staff arriving prior to 7 am should park in the car park.
- All external windows and doors to the indoor play areas shall remain closed during active play activities, such as singing or during the use of amplified music.
- All other external windows and sliding doors to all indoor play areas may remain open as required during passive play activities, such as block play, arts and crafts, reading stories etc.
- Ensuring a sufficient number of educators are provided to supervise children's outside play to discourage unnecessarily loud activities.
- Facilitating children's small group play when outside and encouraging educators to engage in children's play and facilitate friendships between children.
- Crying children should be comforted as quickly as possible and moved indoors.
- Construct a 'Quiet Play Area' on the eastern side of the lower ground floor Outdoor Play Area as shown in Appendix C. This area must only be used for passive play activities such as block play, arts and crafts, reading stories etc.

Children may engage in active play within the various outdoor play areas on the ground and first floor levels without restriction, as follows:

- Up to 12 children, 0-2 years old, within the ground floor Outdoor Play Area at any time, all day **AND**
- Up to 15 children, 2-3 years old, within the lower ground floor Outdoor Play Area at any time, all day, At least 7 of these children shall be located in the 'Quiet Play Area' **OR**
- Up to 10 children, 3-5 years old, within the Outdoor Play Area at any time, all day. At least 5 of these children shall be located in the 'Quiet Play Area'.

Staff to child ratios shall be maintained in accordance with the requirements stipulated in the National Quality Framework (NQF).



8.2 Sound Barrier Fences

The sound barrier fences, as shown in Appendix C, should be constructed from an impervious material such as masonry, lapped-and-capped timber, clear polycarbonate, toughened glass, a proprietary modular system or a combination, free from holes or gaps.

We recommend that the use of Colorbond or sheet metal fencing be avoided in areas where the fence may be impacted with balls and other items during outdoor play activities. Fence heights shall be constructed in accordance with the following:

- Construct a sound barrier fence along the west boundaries of the lower ground floor outdoor play area to a minimum height of 2.1 metres above ground level, as shown in Appendix C.
- Construct a sound barrier fence along the north boundaries of the lower ground floor outdoor play area to a minimum height of 2.7 metres above ground level, as shown in Appendix C.
- Construct a sound barrier fence set in 900mm from the east boundary to a minimum height of 3.4 metres above the ground level at the boundary, as shown in Appendix C.
- Construct a sound barrier fence along the boundaries of the ground floor Outdoor Play Area and at the ground level car parking area to a minimum height of 1.5 metres above the ground level, as shown in Appendix C.

8.3 Mechanical Plant

Outdoor air conditioning condenser units are proposed for the Centre and our calculations assume that units will be installed at lower ground floor level on the western façade, as shown in Appendix C. In this location, we recommend that the maximum total sound power level of external condenser units is 74 dBA or less.

Rooms are to be ventilated to the standards set out in clause F4.5 of the Building Code of Australia and Australian Standards AS1668.2:1991.

8.4 Landscaping

Landscaping between the noise source and the receptors, in the form of trees and tall shrubs that provide visual screening of the noise source, will not reduce noise levels appreciably. However, they tend to make intrusive noise psychologically less offensive.

8.5 Construction Disclaimer

Recommendations made in this report are intended to resolve acoustical problems only. We make no claims of expertise in other areas of building construction and therefore the recommended noise controls should be implemented into the building design in consultation with other specialists to ensure they meet the structural, fire, thermal or other aspects of building construction.

We encourage clients to check with us before using materials or equipment that are alternative to those specified in our Acoustical Report.



Environmental Noise Impact Assessment

9.0 CALCULATED NOISE LEVELS – AFTER NOISE CONTROLS

9.1 Cumulative Noise Levels After Noise Controls

Once the noise control recommendations in Section 8 are incorporated into the design and management practices of the Centre, the cumulative sound pressure levels at the adjacent residential receptor 'R1' is calculated to be as shown in Table 14.

Table 14 Cumulative Leq, 15 minute Noise Levels - Indoor Play, Car Park and Mechanical Plant (R1 – R3)

Receptor Location	Calculated Noise Level Leq, 15 min	Noise Criterion Leq, 15 min	Compliance (Yes/No)
R1 – Residence (East)			
- Indoor play areas	GF - 22 dBA		
- Car park	GF - 27 dBA		
- Mechanical plant	GF - 29 dBA		
Cumulative Noise Level	GF - 31 dBA	GF - 41 dBA	Yes
R2 – Residence (North)			
- Indoor play areas	GF - 22 dBA		
- Car park	GF - <10 dBA		
- Mechanical plant	GF - 19 dBA		
Cumulative Noise Level	GF - 24 dBA	GF - 41 dBA	Yes
R3 – Residence (East)			
- Indoor play areas	GF - 22 dBA		
	FF - 25 dBA		
- Car park	GF - 30 dBA		
	FF - 36 dBA		
- Mechanical plant	GF - <20 dBA		
	FF - <20 dBA		
Cumulative Noise Level	GF - 30 dBA	GF - 41 dBA	Yes
	FF - 36 dBA	FF - 47 dBA	Yes

It can be seen that once noise controls are incorporated as recommended in Section 8, cumulative noise levels at all receptor locations will comply with the noise criteria at each residential receptor location, as established in Section 5 of this report, and will therefore be considered acceptable.



9.2 Outdoor Play After Noise Controls

Once the noise control recommendations in Section 8 are incorporated into the design and management practices of the Centre, the cumulative sound pressure levels at the adjacent residential receptor 'R1' – 'R3' is calculated to be as shown in Table 15.

Table 15 Calculated $L_{eq, 15 \text{ minute}}$ Noise Levels for Outdoor Play After Noise Controls

Receptor Location	Calculated Noise Level $L_{eq, 15 \text{ min}}$	Noise Criterion $L_{eq, 15 \text{ min}}$	Compliance (Yes/No)
R1 – West, within rear yard – GF	GF - 41 dBA	GF - 41 dBA	Yes
R2 – North, within rear yard – GF	GF - 41 dBA	GF - 41 dBA	Yes
R3 – East, at nearest affected points, GF and FF	GF - 40 dBA	GF - 41 dBA	Yes
	FF - 47 dBA	FF - 47 dBA	Yes

It can be seen that once noise controls are incorporated as recommended in Section 8, the level of noise at all receptor locations will comply with the noise criteria at each residential receptor location, as established in Section 5 of this report, and will therefore be considered acceptable.



10.0 CONCLUSION

Day Design Pty Ltd was engaged by Mr Ramachaithanya Kota to assess the potential environmental noise impact from a proposed Child Care Centre to be constructed at 3-5 Haig Street, Wentworthville, NSW.

Measurements and calculations show that, provided the noise control recommendations made in Section 8 of this report are implemented, the level of noise emitted by the proposed Child Care Centre at 3-5 Haig Street, Wentworthville, NSW, will meet the acceptable noise level requirements of the Association of Australasian Acoustical Consultants *Guideline for Child Care Centres Acoustic Assessment* and the Environmental Protection Authority's *Noise Policy for Industry* and *Road Noise Policy*, as detailed in Section 5 of this report, and is considered acceptable.



Alexander Mendoza, MDesSc (Audio and Acoustics), MAAS

Acoustical Consultant

for and on behalf of Day Design Pty Ltd

AAAC MEMBERSHIP

Day Design Pty Ltd is a member company of the Association of Australasian Acoustical Consultants, and the work herein reported has been performed in accordance with the terms of membership.

APPENDICES

Appendix A – Instrumentation

Appendix B – Ambient Noise Survey

Appendix C – Architectural Drawings & Sound Barrier Fence Heights

AC108-1 to 4 – Glossary of Acoustical Terms



Mr Ramachaithanya Kota

Environmental Noise Impact Assessment

Appendix A

NOISE SURVEY INSTRUMENTATION

Noise level measurements and analysis in this report were made with instrumentation as follows:

Table A1 Noise Survey Instrumentation

Description	Model No	Serial No
Infobyte Noise Logger (Type 2)	iM4	106
Condenser Microphone 0.5" diameter	MK 250	106
Infobyte Noise Logger (Type 2)	iM4	118
Condenser Microphone 0.5" diameter	MK 250	118

An environmental noise logger is used to continuously monitor ambient noise levels and provide information on the statistical distribution of noise during an extended period of time. The Infobyte Noise Monitor iM4 (#106 & #118) is a Type 2 precision environmental noise monitor meeting all the applicable requirements of AS1259 for an integrating-averaging sound level meter.

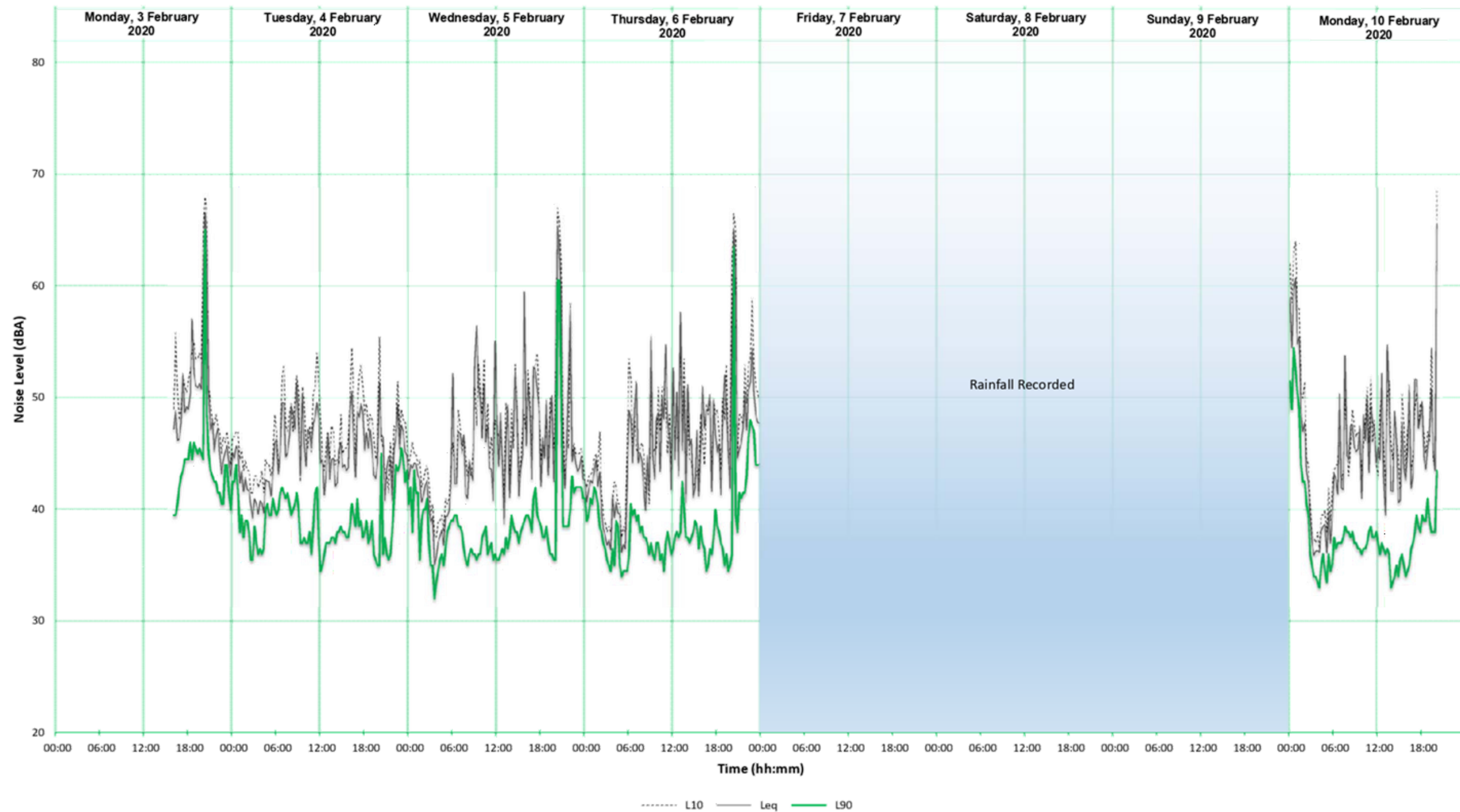
All instrument systems had been laboratory calibrated using instrumentation traceable to Australian National Standards and certified within the last two years thus conforming to Australian Standards. The measurement system was also field calibrated prior to and after noise surveys. Calibration drift was found to be less than 1 dB during unattended measurements. No adjustments for instrument drift during the measurement period were warranted.



AMBIENT NOISE SURVEY

6915-1
Appendix B

Located at Ground Floor Level - 1A Haig Street, Wentworthville, NSW



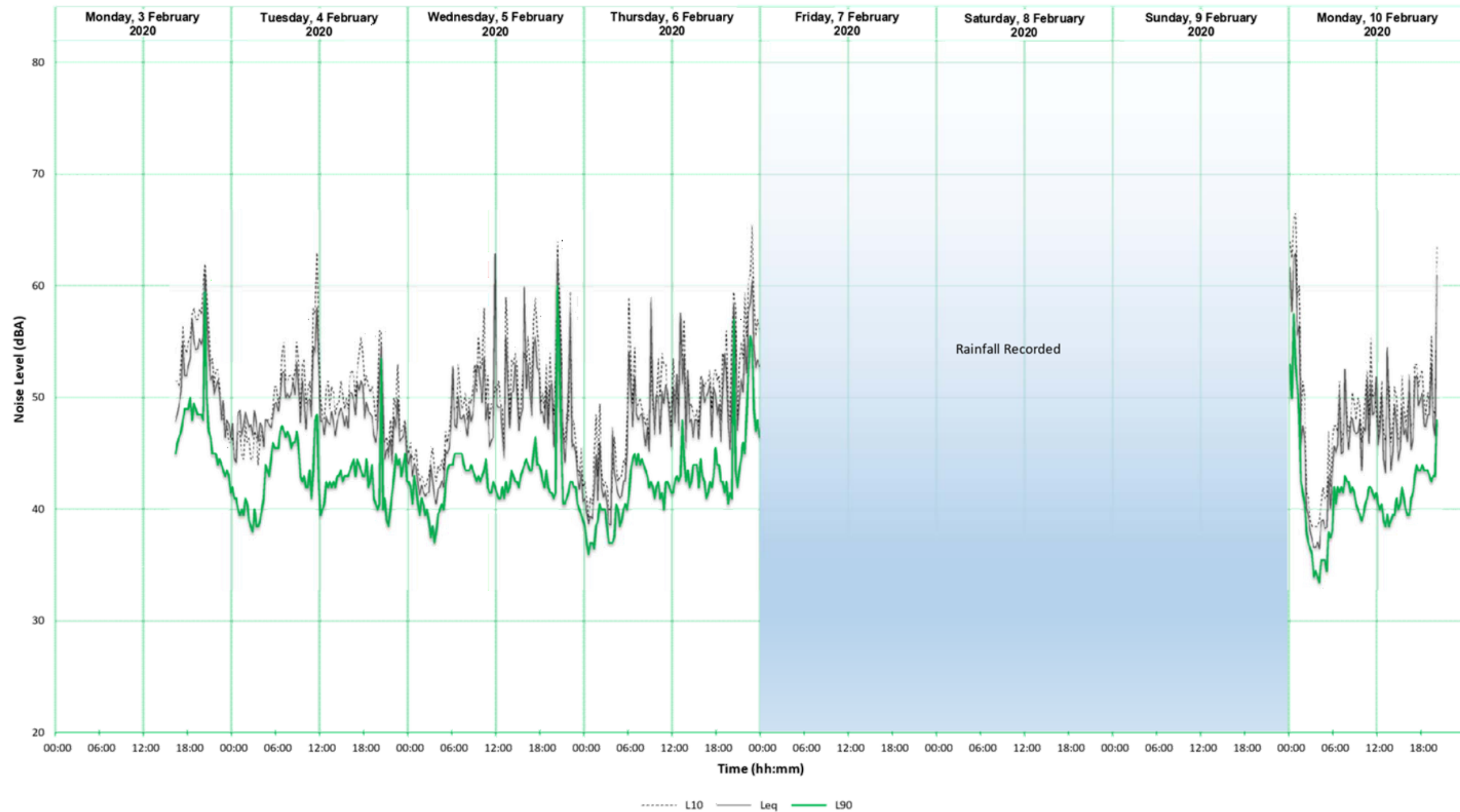
DAY DESIGN PTY LTD



AMBIENT NOISE SURVEY

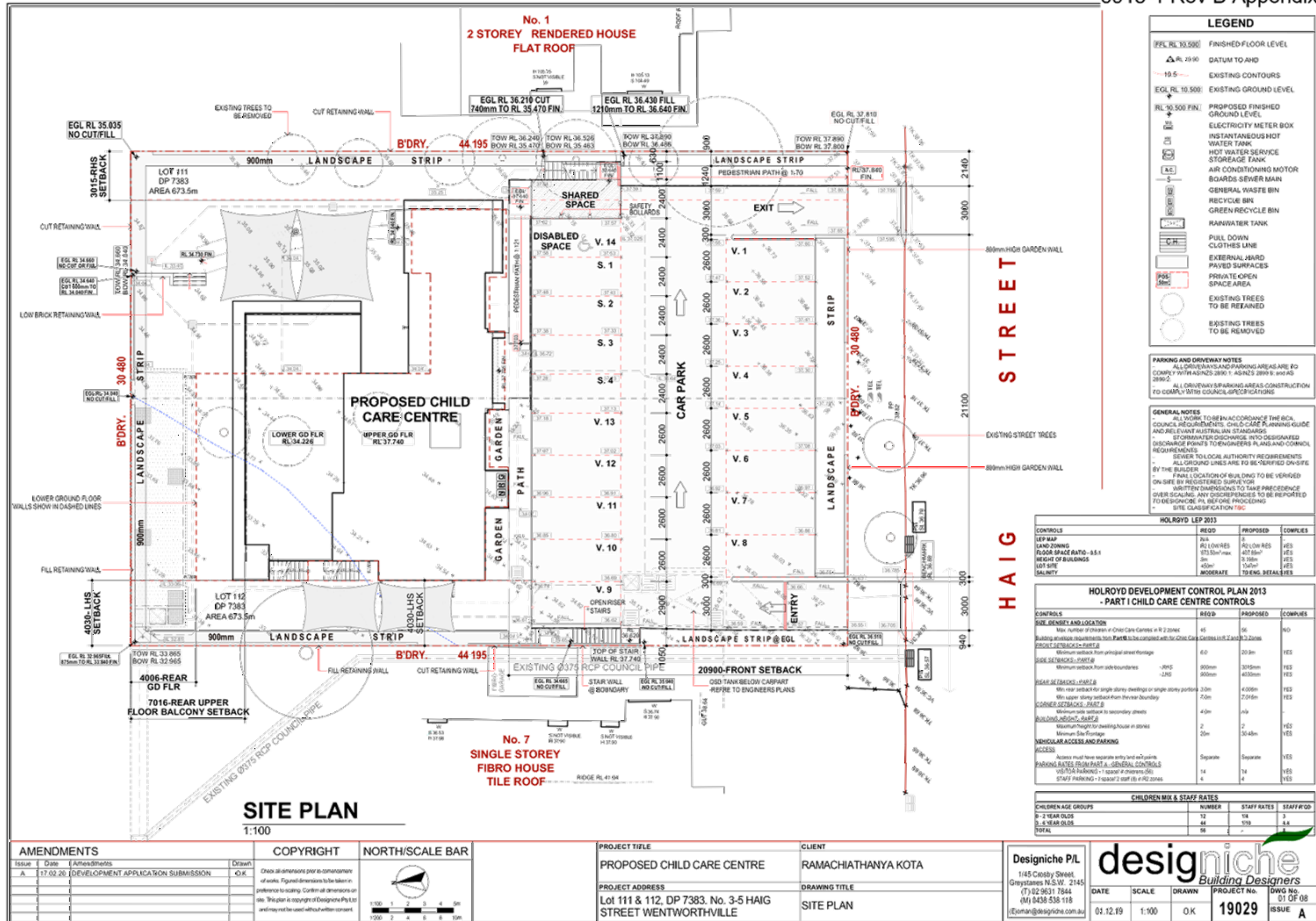
6915-1
Appendix B

Located at First Floor Level - 1A Haig Street, Wentworthville, NSW



DAY DESIGN PTY LTD

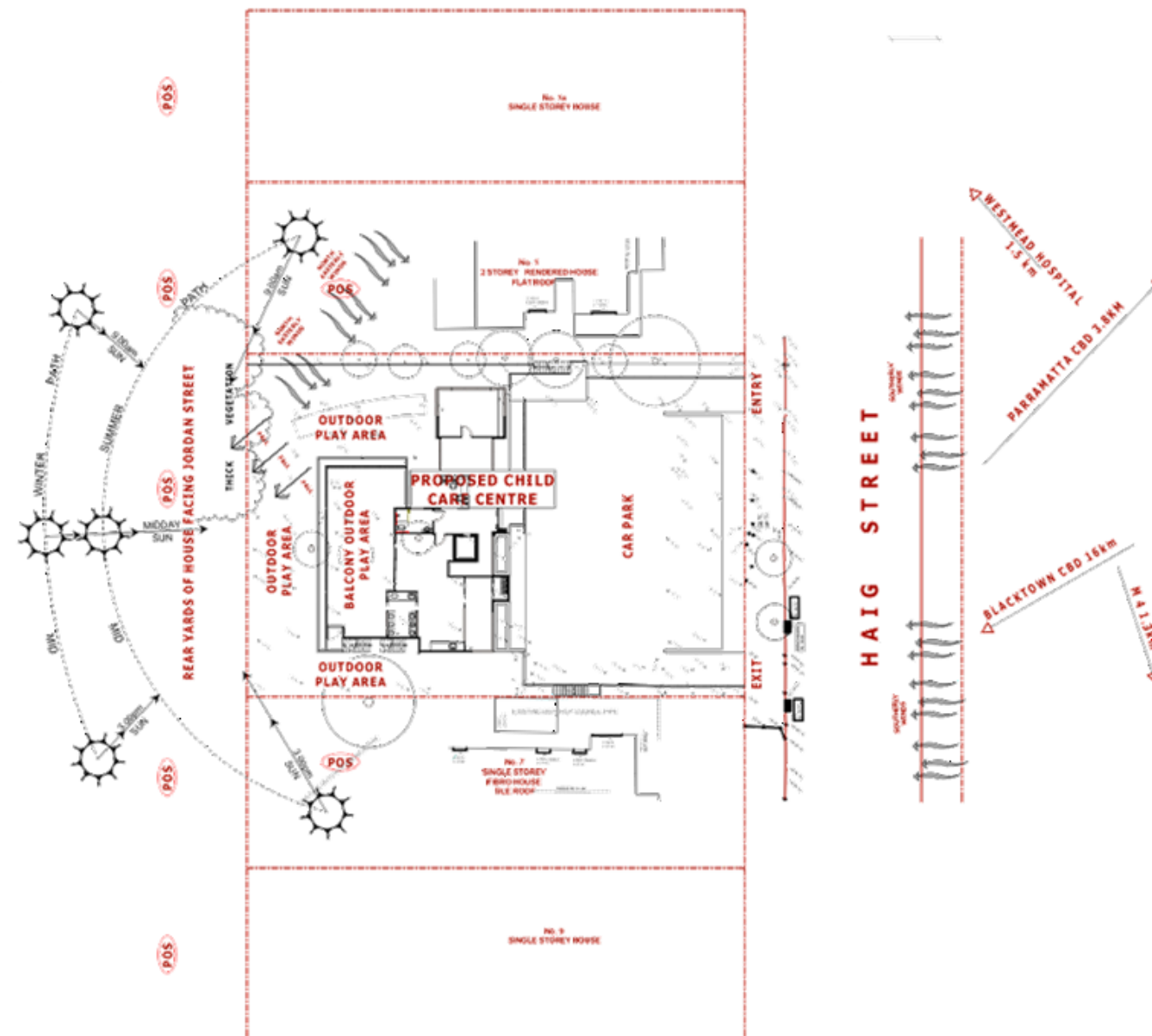






STREETSCAPE ELEVATION

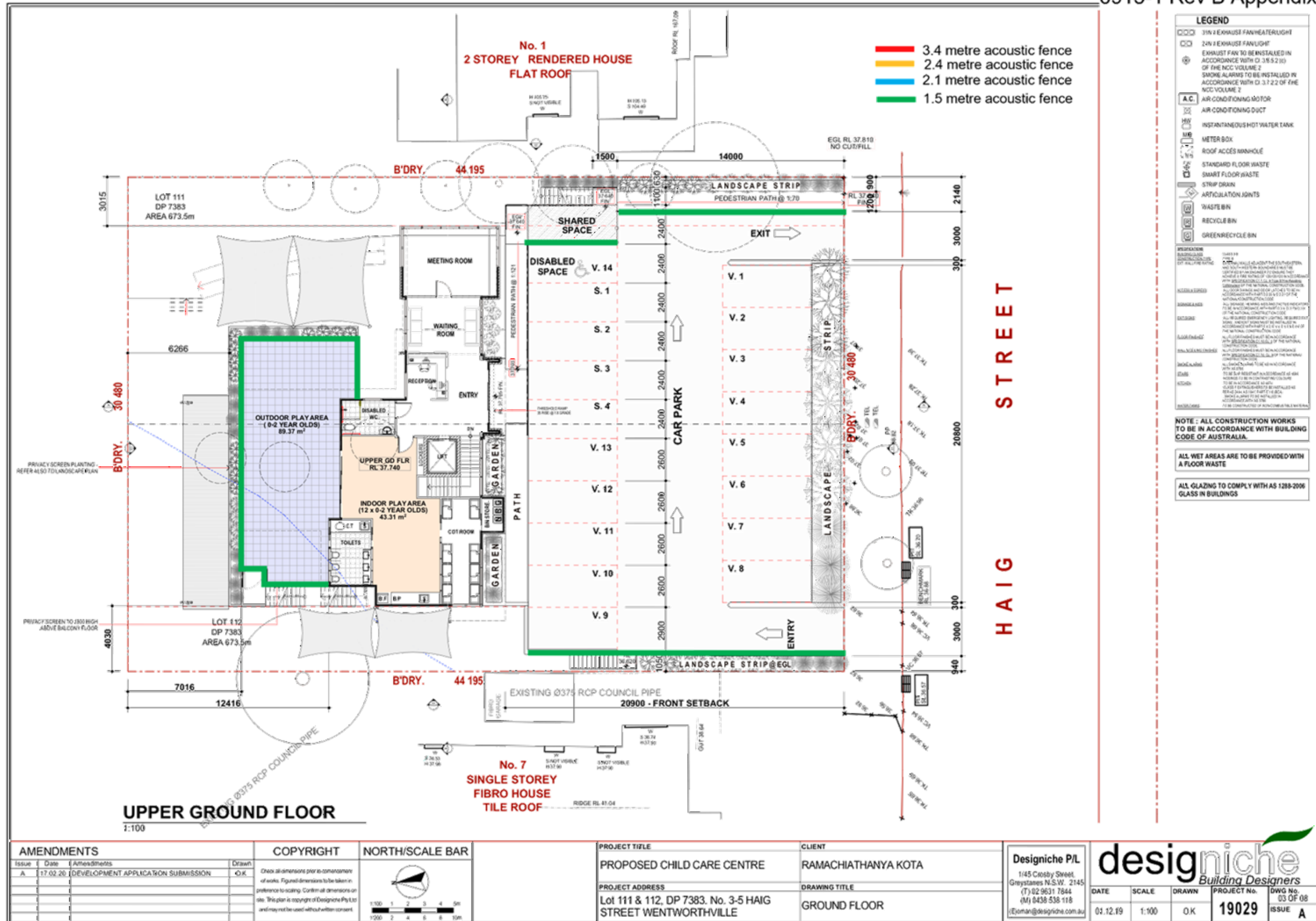
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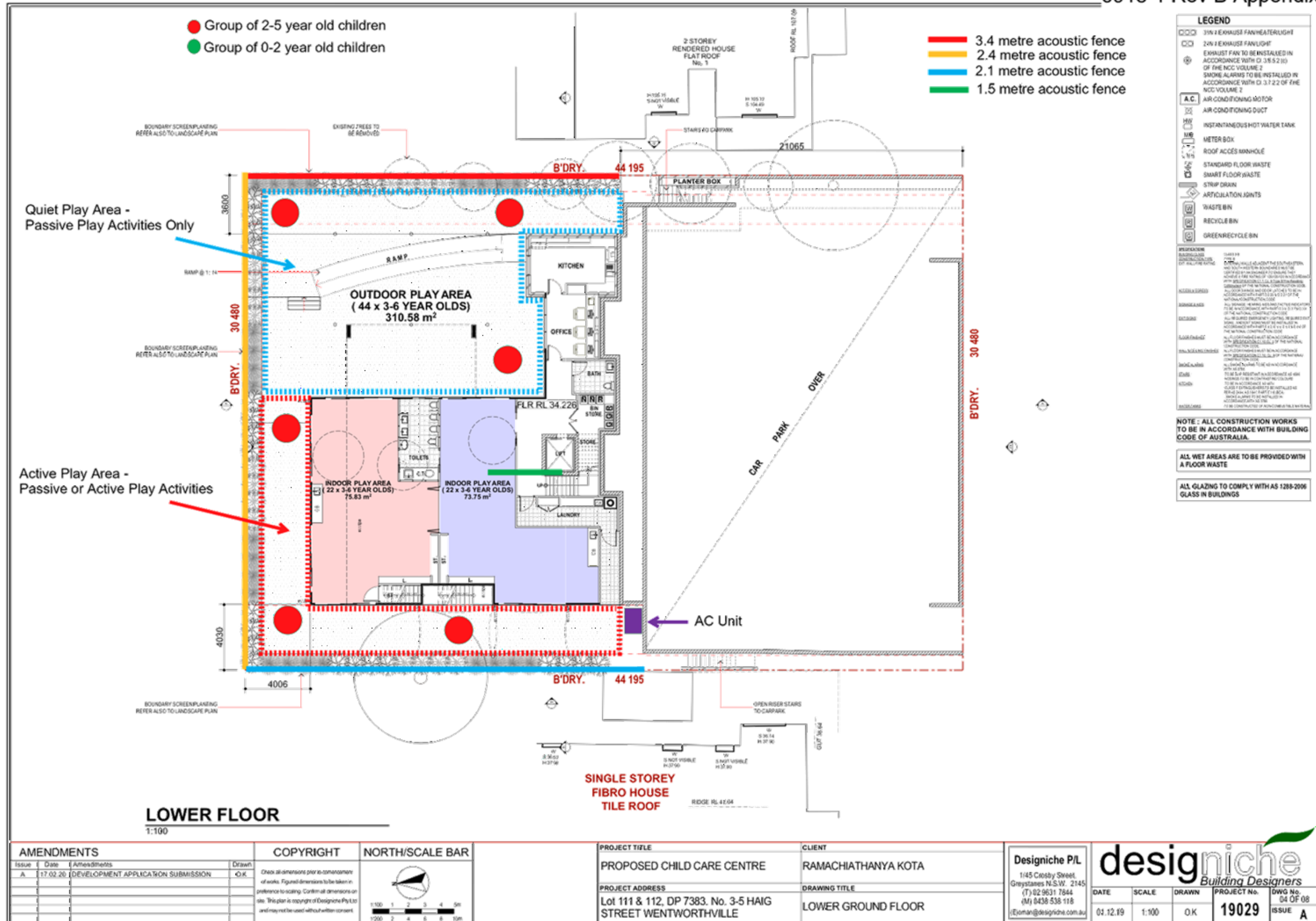


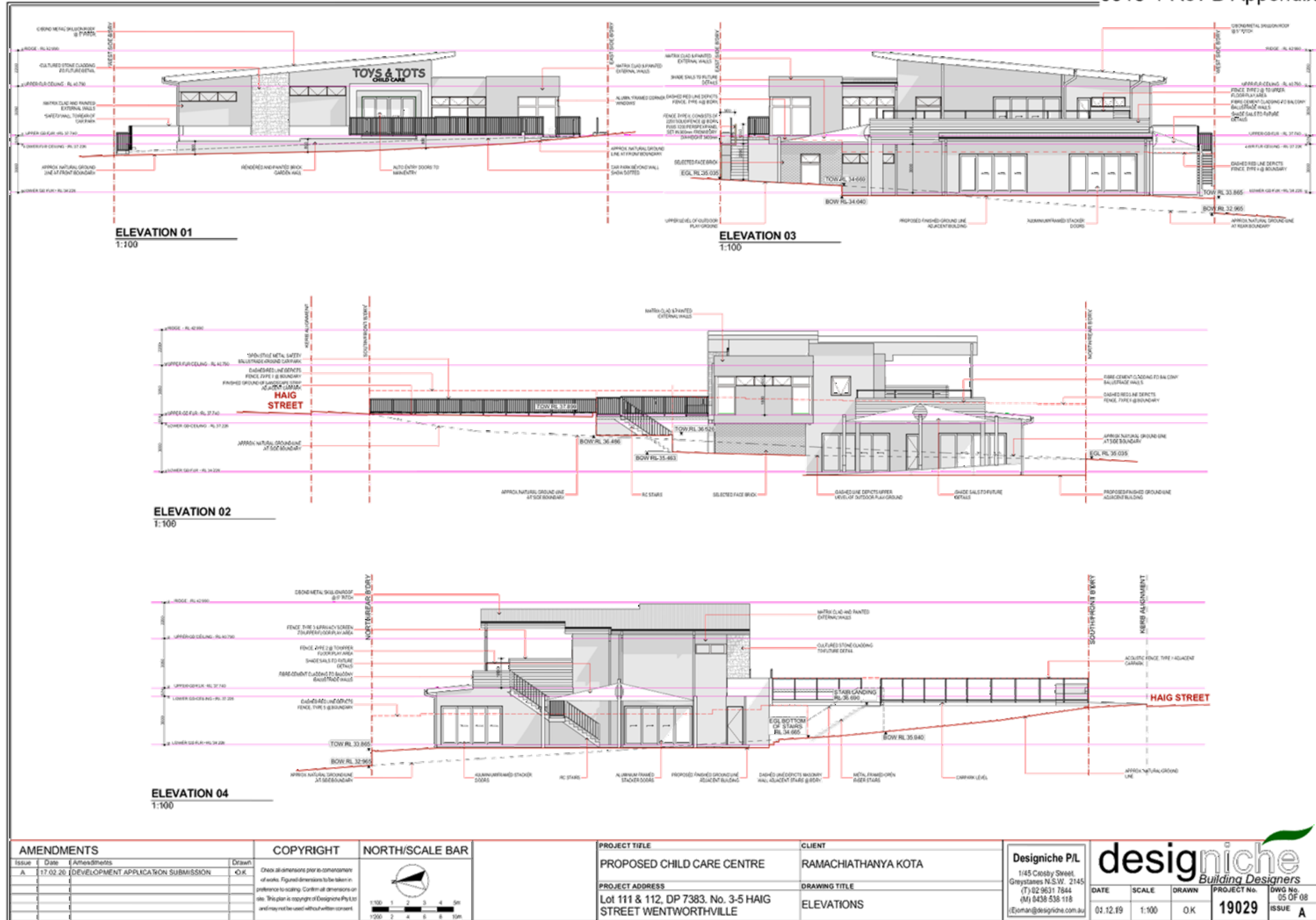
SITE ANALYSIS

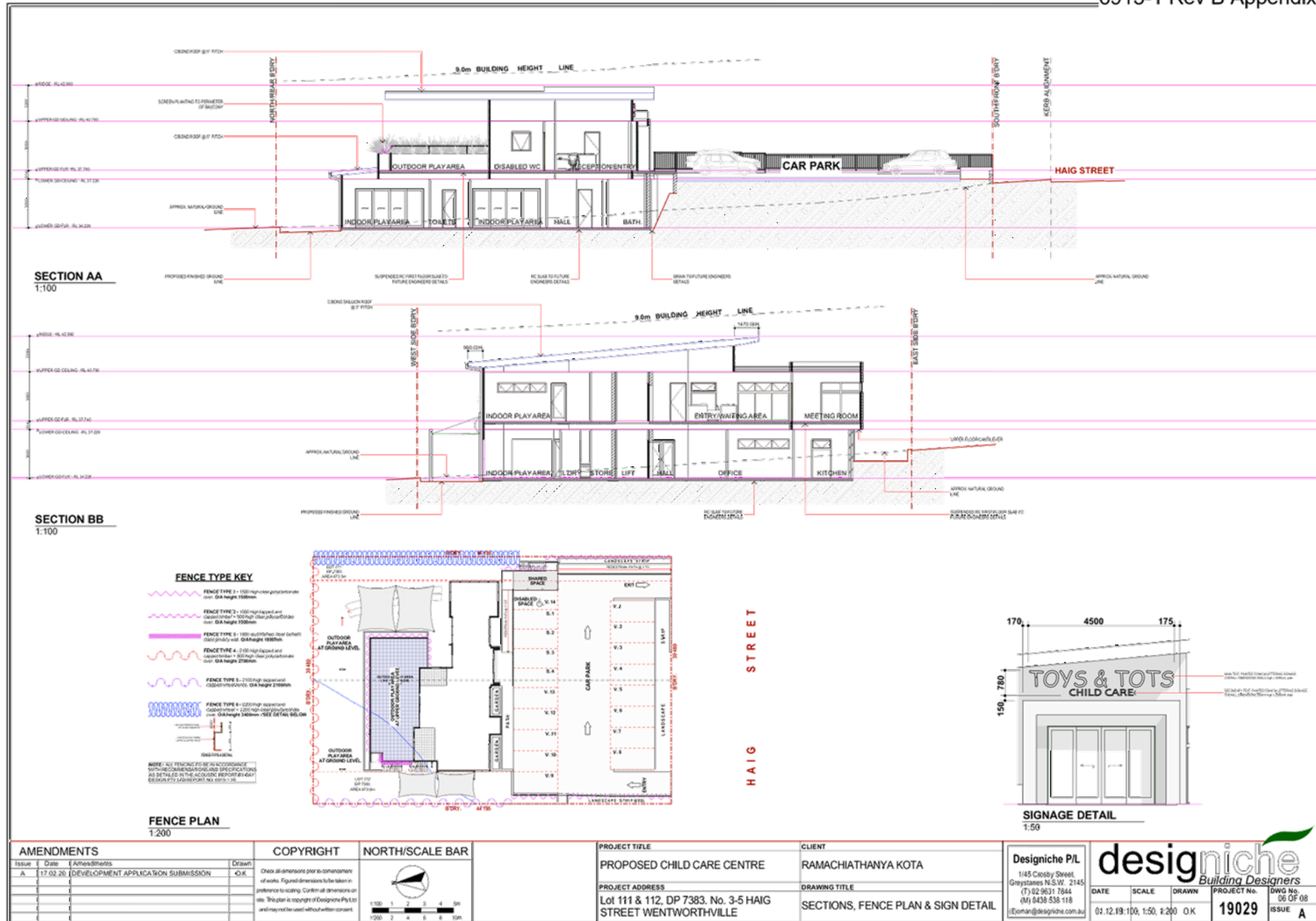
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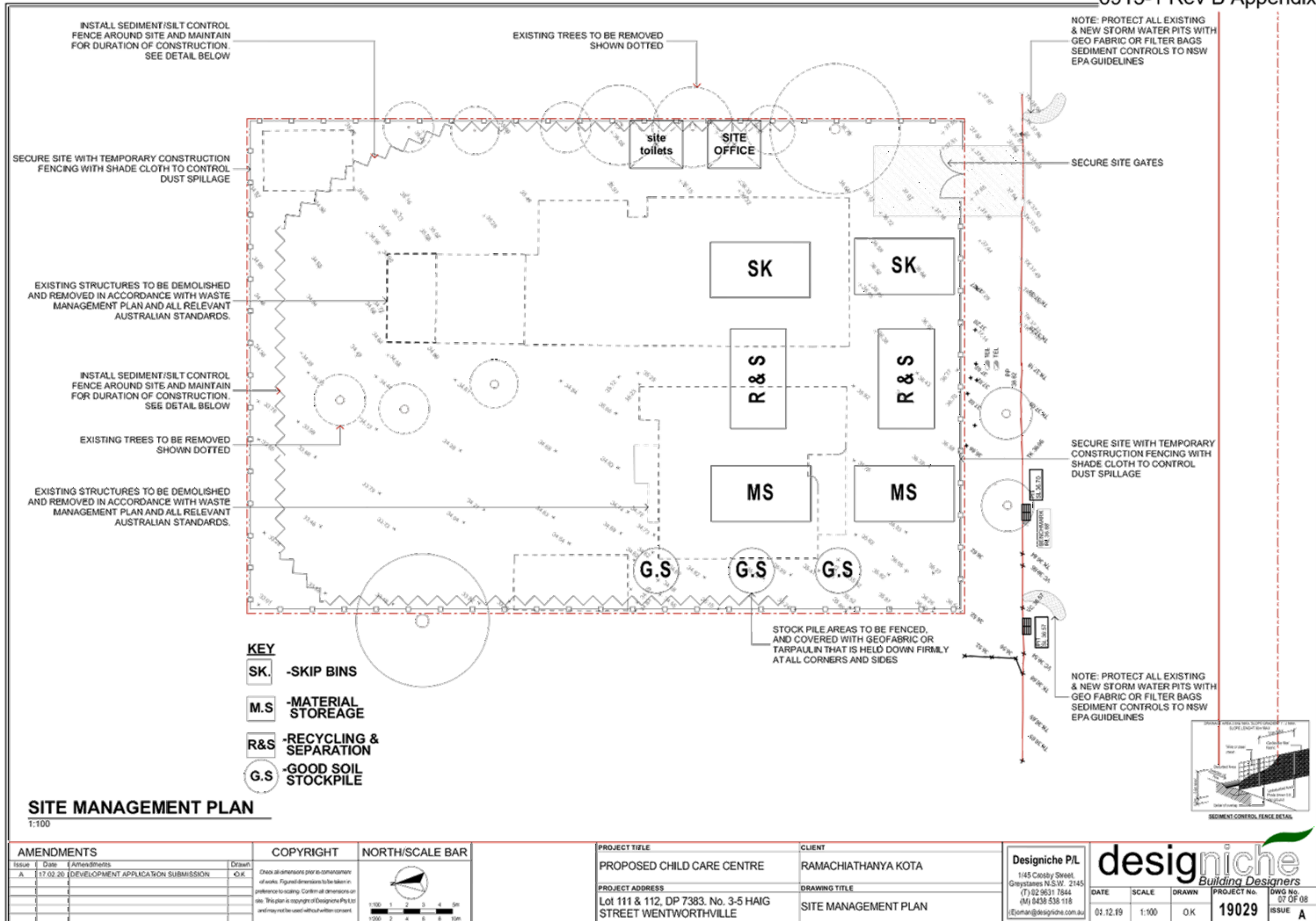
AMENDMENTS				COPYRIGHT	NORTH/SCALE BAR	PROJECT TITLE		CLIENT		<div>Designiche P/L 1/45 Crosby Street, Greystanes N.S.W. 2145 (T) 02 9631 7844 (M) 0438 538 118 (E) yoman@designiche.com.au</div> <div>designiche Building Designers</div>						
Issue	Date	Amendments	Drawn			PROPOSED CHILD CARE CENTRE		RAMACHIATHANYA KOTA		DATE SCALE DRAWN PROJECT No. DWG No.						
A	17.02.20	DEVELOPMENT APPLICATION SUBMISSION	O.K.			Check all dimensions prior to commencing of works. Figure dimensions to be taken in preference to scaling. Confirm all dimensions on site. This plan is copyright of Designiche Pty Ltd and may not be used without written consent.		PROJECT ADDRESS		DRAWING TITLE		01.12.19 1:100, 1:250 O.K. 19029 02 OF 08				
								Lot 111 & 112, DP 7383, No. 3-5 HAIG STREET WENTWORTHVILLE		SITE ANALYSIS & STREESCAPE		ISSUE A				











GLOSSARY OF ACOUSTICAL TERMS

AC108

Sheet 1 of 4

ACOUSTICAL – Pertaining to the science of sound, including the generation, propagation, effects and control of both noise and vibration.

AMBIENT NOISE – The ambient noise level at a particular location is the overall environmental noise level caused by all noise sources in the area, both near and far, including road traffic, factories, wind in the trees, birds, insects, animals, etc.

AUDIBLE – means that a sound can be heard. However, there are a wide range of audibility grades, varying from “barely audible” to “just audible”, “clearly audible” and “prominent”. Chapter 83 of the NSW Environment Protection Authority – Environmental Noise Control Manual (1985) states:

“noise from a particular source might be offensive if it is clearly audible, distinct from the prevailing background noise and of a volume or character that a reasonable person would be conscious of the intrusion and find it annoying or disruptive”.

It follows that the word “audible” in an environmental noise context means “clearly audible”.

BACKGROUND NOISE LEVEL – Silence does not exist in the natural or the built-environment, only varying degrees of noise. The Background Noise Level is the average minimum dBA level of noise measured in the absence of the noise under investigation and any other short-term noises such as those caused by cicadas, lawnmowers, etc. It is quantified by the L_{A90} or the dBA noise level that is exceeded for 90 % of the measurement period (usually 15 minutes).

- **Assessment Background Level (ABL)** is the single figure background level representing each assessment period – day, evening and night (ie three assessment background levels are determined for each 24hr period of the monitoring period). Determination of the assessment background level is by calculating the tenth percentile (the lowest tenth percent value) of the background levels (L_{A90}) for each period (refer: NSW Industrial Noise Policy, 2000).
- **Rating Background Level (RBL)** as specified by the Environment Protection Authority is the overall single figure (L_{A90}) background noise level representing an assessment period (day, evening or night) over a monitoring period of (normally) three to seven days.

The RBL for an assessment period is the median of the daily lowest tenth percentile of L_{90} background noise levels.

If the measured background noise level is less than 30 dBA, then the Rating Background Level (RBL) is considered to be 30 dBA.

DECIBEL – The human ear has a vast sound-sensitivity range of over a thousand billion to one. The decibel is a logarithmic unit that allows this same range to be compressed into a somewhat more comprehensible range of 0 to 120 dB. The decibel is ten times the logarithm of the ratio of a sound level to a reference sound level. See also Sound Pressure Level and Sound Power Level.

Decibel noise levels cannot be added arithmetically since they are logarithmic numbers. If one machine is generating a noise level of 50 dBA, and another similar machine is placed beside it, the level will increase to 53 dBA, not 100 dBA. Ten similar machines placed side by side increase the sound level by 10 dBA, and one hundred machines increase the sound level by 20 dBA.

dBA – The human ear is less sensitive to low frequency sound than high frequency sound. We are most sensitive to high frequency sounds, such as a child’s scream. Sound level meters have an inbuilt weighting network, termed the dBA scale, that approximates the human loudness response at quiet sound levels (roughly approximates the 40 phon equal loudness contour).



GLOSSARY OF ACOUSTICAL TERMS

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However, the dBA sound level provides a poor indication of loudness for sounds that are dominated by low frequency components (below 250 Hz). If the difference between the "C" weighted and the "A" weighted sound level is 15 dB or more, then the NSW Industrial Noise Policy recommends a 5 dBA penalty be applied to the measured dBA level.

dB – The dB scale of a sound level meter is similar to the dBA scale defined above, except that at high sound intensity levels, the human ear frequency response is more linear. The dB scale approximates the 100 phon equal loudness contour.

EQUIVALENT CONTINUOUS NOISE LEVEL, L_{Aeq} – Many noises, such as road traffic or construction noise, vary continually in level over a period of time. More sophisticated sound level meters have an integrating electronic device inbuilt, which average the A weighted sound pressure levels over a period of time and then display the energy average or L_{Aeq} sound level. Because the decibel scale is a logarithmic ratio the higher noise levels have far more sound energy, and therefore the L_{Aeq} level tends to indicate an average which is strongly influenced by short term, high level noise events. Many studies show that human reaction to level-varying sounds tends to relate closely to the L_{Aeq} noise level.

FREE FIELD – This is a sound field not subject to significant reflection of acoustical energy. A free field over a reflecting plane is usually outdoors with the noise source resting on hard flat ground, and not closer than 6 metres to any large flat object such as a fence or wall; or inside an anechoic chamber.

FREQUENCY – The number of oscillations or cycles of a wave motion per unit time, the SI unit being the Hertz, or one cycle per second.

IMPACT ISOLATION CLASS (IIC) – The American Society for Testing and Materials (ASTM) has specified that the IIC of a floor/ceiling system shall be determined by operating an ISO 140 Standard Tapping Machine on the floor and measuring the noise generated in the room below. The IIC is a number found by fitting a reference curve to the measured octave band levels and then deducting the sound pressure level at 500 Hz from 110 decibels. Thus the higher the IIC, the better the impact sound isolation.

IMPACT SOUND INSULATION ($L_{nT,w}$) – Australian Standard AS ISO 717.2 – 2004 has specified that the Impact Sound Insulation of a floor/ceiling system be quantified by operating an ISO 140 Standard Tapping Machine on the floor and measuring the noise generated in the room below. The Weighted Standardised Impact Sound Pressure Level ($L_{nT,w}$) is the sound pressure level at 500 Hz for a reference curve fitted to the measured octave band levels. Thus the lower $L_{nT,w}$ the better the impact sound insulation.

IMPULSE NOISE – An impulse noise is typified by a sudden rise time and a rapid sound decay, such as a hammer blow, rifle shot or balloon burst.

INTRUSIVE NOISE LEVEL, L_{Aeq} – The level of noise from a factory, place of entertainment, etc. in NSW is assessed on the basis of the average maximum noise level, or the L_{Aeq} (15 min). This is the energy average A weighted noise level measured over any 15 minute period.

LOUDNESS – The degree to which a sound is audible to a listener is termed the loudness. The human ear perceives a 10 dBA noise level increase as a doubling of loudness and a 20 dBA noise increase as a quadrupling of the loudness.



GLOSSARY OF ACOUSTICAL TERMS

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MAXIMUM NOISE LEVEL, L_{Amax} – The rms maximum sound pressure level measured on the "A" scale of a sound level meter during a noise survey is the L_{Amax} noise level. It may be measured using either the Fast or Slow response time of the meter. This should be stated.

NOISE RATING NUMBERS – A set of empirically developed equal loudness curves has been adopted as Australian Standard AS1469-1983. These curves allow the loudness of a noise to be described with a single NR number. The Noise Rating number is that curve which touches the highest level on the measured spectrum of the subject noise. For broadband noise such as fans and engines, the NR number often equals the dBA level minus five.

NOISE – Noise is unwanted sound. Sound is wave motion within matter, be it gaseous, liquid or solid. "Noise includes sound and vibration".

NOISE REDUCTION COEFFICIENT – See: "Sound Absorption Coefficient".

OFFENSIVE NOISE - (Reference: Dictionary of the Protection of the Environment Operations Act 1997). *"Offensive Noise means noise:*

- (a) *that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:*
 - (i) *is harmful to (or likely to be harmful to) a person who is outside the premise from which it is emitted, or*
 - (ii) *interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or*
- (b) *that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances prescribed by the regulations."*

PINK NOISE – Pink noise is a broadband noise with an equal amount of energy in each octave or third octave band width. Because of this, Pink Noise has more energy at the lower frequencies than White Noise and is used widely for Sound Transmission Loss testing.

REVERBERATION TIME, T_{60} – The time in seconds, after a sound signal has ceased, for the sound level inside a room to decay by 60 dB. The first 5 dB decay is often ignored, because of fluctuations that occur while reverberant sound conditions are being established in the room. The decay time for the next 30 dB is measured and the result doubled to determine the T_{60} . The Early Decay Time (EDT) is the slope of the decay curve in the first 10 dB normalised to 60 dB.

SOUND ABSORPTION COEFFICIENT, α – α Sound is absorbed in porous materials by the viscous conversion of sound energy to heat energy as the sound waves pass through it. Sound is similarly absorbed by the flexural bending of internally damped panels. The fraction of incident energy that is absorbed is termed the Sound Absorption Coefficient, α . An absorption coefficient of 0.9 indicates that 90 % of the incident sound energy is absorbed. The average α from 250 to 2000 Hz is termed the Noise Reduction Coefficient (NRC).

SOUND ATTENUATION – If an enclosure is placed around a machine, or a silencer is fitted to a duct, the noise emission is reduced or attenuated. An enclosure that attenuates the noise level by 30 dBA, reduces the sound energy by one thousand times.

SOUND EXPOSURE LEVEL (SEL) – The total sound energy of a single noise event condensed into a one second duration or in other words it is an L_{eq} (1 sec).



GLOSSARY OF ACOUSTICAL TERMS

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SOUND PRESSURE LEVEL, L_p – The level of sound measured on a sound level meter and expressed in decibels, dB, dBA, dBC, etc. $L_p = 20 \times \log (P/P_0) \dots \text{dB}$

where P is the rms sound pressure in Pascal and P_0 is a reference sound pressure of 20 μPa .
 L_p varies with distance from a noise source.

SOUND POWER LEVEL, L_w – The Sound Power Level of a noise source is an absolute that does not vary with distance or with a different acoustic environment.

$L_w = L_p + 10 \log A \dots \text{dB, re: } 1\text{pW}$,

where A is the measurement noise-emission area in square metres in a free field.

SOUND TRANSMISSION CLASS (STC) – An internationally standardised method of rating the sound transmission loss of partition walls to indicate the decibels of noise reduction of a human voice from one side to the other. (Refer: Australian Standard AS1276 – 1979)

SOUND TRANSMISSION LOSS – The amount in decibels by which a random sound is reduced as it passes through a sound barrier. A method for the measurement of airborne Sound Transmission Loss of a building partition is given in Australian Standard AS1191 - 2002.

STATISTICAL EXCEEDENCE SOUND LEVELS, L_{A90} , L_{A10} , L_{A1} , etc – Noise which varies in level over a specific period of time (usually 15 minutes) may be quantified in terms of various statistical descriptors:

The L_{A90} is the dBA level exceeded for 90 % of the time. In NSW the L_{A90} is measured over periods of 15 minutes, and is used to describe the average minimum or background noise level.

The L_{A10} is the dBA level that is exceeded for 10 % of the time. In NSW the L_{A10} measured over a period of 10 to 15 minutes. It was until recently used to describe the average maximum noise level, but has largely been replaced by the L_{Aeq} for describing level-varying noise.

The L_{A1} is the dBA level that is exceeded for 1 % of the time. In NSW the L_{A1} may be used for describing short-term noise levels such as could cause sleep arousal during the night.

STEADY NOISE – Noise, which varies in level by 6 dBA or less, over the period of interest with the time-weighting set to “Fast”, is considered to be “steady”. (Refer AS 1055.1 1997)

WEIGHTED SOUND REDUCTION INDEX, R_w – This is a single number rating of the airborne sound insulation of a wall, partition or ceiling. The sound reduction is normally measured over a frequency range of 100 to 3,150 Hertz and averaged in accordance with ISO standard weighting curves (Refer AS/NZS 1276.1:1999).

Internal partition wall $R_w + C$ ratings are frequency weighted to simulate insulation from human voice noise. The $R_w + C$ is always similar in value to the STC rating value. External walls, doors and windows may be $R_w + C_{tr}$ rated to simulate insulation from road traffic noise. This is normally a lower number than the STC rating value.

WHITE NOISE – White noise is broadband random noise whose spectral density is constant across its entire frequency range. The sound power is the same for equal bandwidths from low to high frequencies. Because the higher frequency octave bands cover a wider spectrum, white noise has more energy at the higher frequencies and sounds like a hiss.



DOCUMENTS
ASSOCIATED WITH
REPORT LPP048/20

Attachment 10
Traffic Report



PO Box 215 Bondi NSW 2026 | ph.: +61 2 9332 2024 | fax.: +61 2 9332 2022 | mob.: +61 (0)4 1497 8067 | email: o.s@tefconsult.com.au | www.tefconsult.com.au

**TRAFFIC AND PARKING IMPACTS REPORT
FOR A DEVELOPMENT APPLICATION
FOR A PROPOSED CHILD CARE CENTRE
AT Nos. 3-5 HAIG STREET, WENTWORTHVILLE NSW 2145**

Property address	3-5 Haig Street, Wentworthville NSW 2145
Client	Oscar George Projects
Prepared by	O. Sannikov, MEngSc (Traffic Engineering), MIEAust, PEng, FAITPM
Date	24/02/2020
Job No.	19114
Report No.	19114 Rep 01

Item	Report
Site location	<ul style="list-style-type: none"> Refer to Figure 1.
Existing land use	<ul style="list-style-type: none"> Two (2) single storey residential dwellings
Proposed development	<ul style="list-style-type: none"> Child care centre <ul style="list-style-type: none"> 56 children places 8 staff Ground level car park <ul style="list-style-type: none"> 18 car parking spaces <ul style="list-style-type: none"> Including one (1) space for people with disabilities

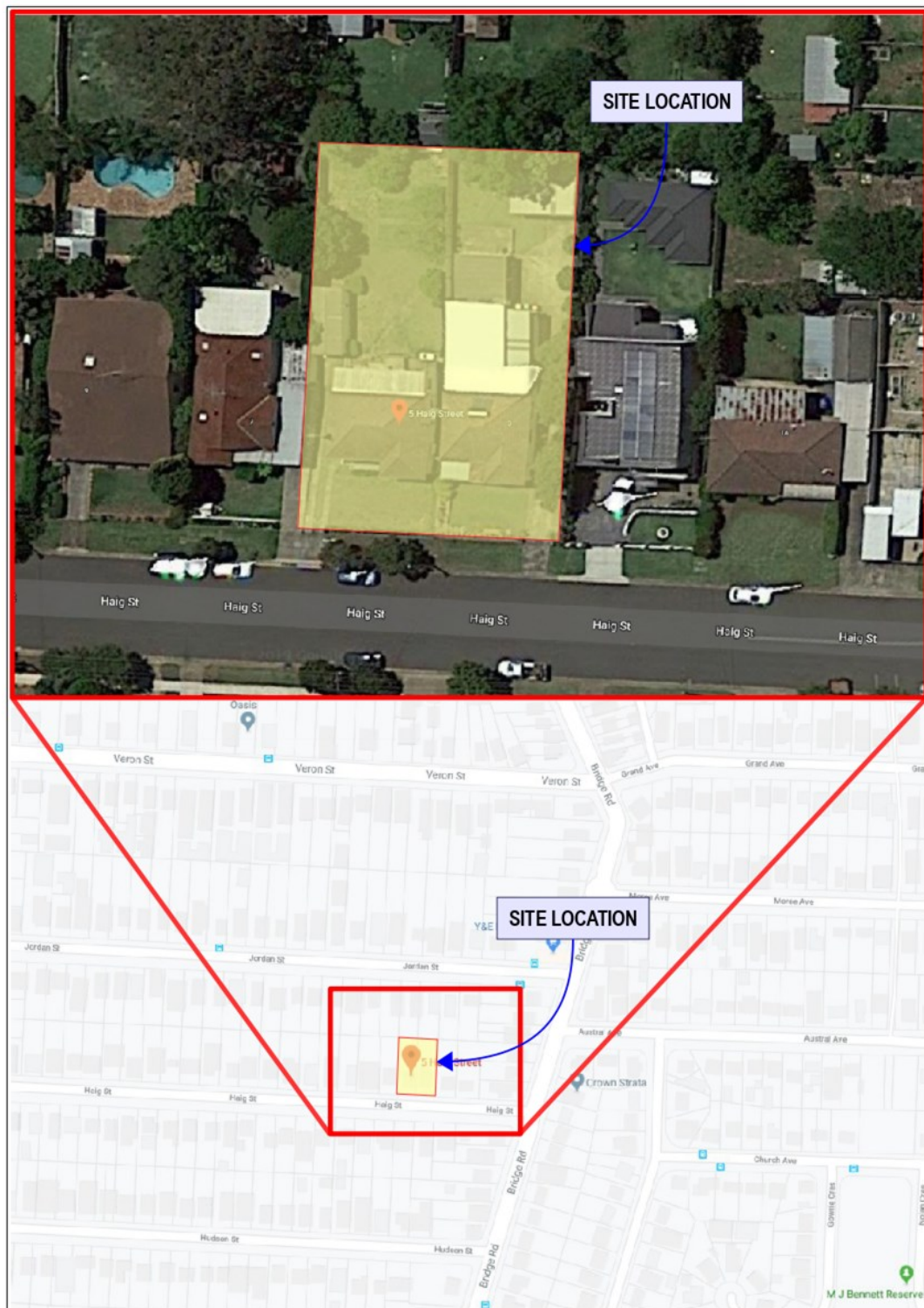


Figure 1. Site location.

Item	Report
Street characteristics	Existing traffic and parking situation
	<ul style="list-style-type: none"> Refer to Figure 2. The key roads surrounding the proposed development are described below. <ul style="list-style-type: none"> Haig Street <ul style="list-style-type: none"> Local road 2 travel lanes and parking opportunities on both sides Bridge Road <ul style="list-style-type: none"> Local collector road 2 travel lanes and parking opportunities on both sides Lytton Street <ul style="list-style-type: none"> Local road 2 travel lanes and parking opportunities on both sides Jordan Street <ul style="list-style-type: none"> Local road 2 travel lanes and parking opportunities on both sides Hudson Street <ul style="list-style-type: none"> Local road 2 travel lanes and parking opportunities on both sides Other streets in the surrounding area are local/local collector roads. Street conditions are typical for a residential area, with low to moderate traffic volumes. <ul style="list-style-type: none"> General speed limit is 50 km/h on local streets around the site.
Public Transport	
Bus	<ul style="list-style-type: none"> There are two (2) bus stops within close walking distance. The closest bus stop is approximately 230 m from the site and services bus route 705. The other bus stop is approximately 270 m from the site and services bus route 700. Refer to Figure 3. <ul style="list-style-type: none"> Bus route 705 <ul style="list-style-type: none"> Parramatta to Blacktown via Seven Hills <ul style="list-style-type: none"> 5 services operate during the morning peak. 6 services operate during the afternoon peak. Blacktown to Parramatta via Seven Hills <ul style="list-style-type: none"> 6 services operate during the morning peak. 6 services operate during the afternoon peak. Bus route 700 <ul style="list-style-type: none"> Parramatta to Blacktown <ul style="list-style-type: none"> 10 services operate during the morning peak. 13 services operate during the afternoon peak. Blacktown to Parramatta <ul style="list-style-type: none"> 11 services operate during the morning peak. 11 services operate during the afternoon peak. The morning peak was considered to be between 6:30 a.m. and 9:30 a.m. and the afternoon peak was considered to be between 3:30 p.m. and 6:30 p.m.
Train	<ul style="list-style-type: none"> There is a train station approximately 1.2 kilometres from the site. Refer to Figure 3. <ul style="list-style-type: none"> Services the T1 North Shore Line & Western Line Services the T5 Cumberland Line



Figure 2. Street characteristics.



Figure 3. Public transport.



Item	Report
	Surveys and survey results
Parking survey	<ul style="list-style-type: none"> A parking demand survey was conducted on Thursday 19 December 2019 (morning and afternoon) during the typical periods of children drop-off and pick-up. <ul style="list-style-type: none"> The morning survey was between 6:30 a.m. and 10:00 a.m. The afternoon survey was between 2:30 p.m. and 6:30 p.m. Refer to Figure 4 for survey locations <ul style="list-style-type: none"> Areas in red represent convenient walking distances of up to 150 metres from the site. Areas in blue represent close walking distances of approximately 150 to 250 metres from the site.
Survey results	<ul style="list-style-type: none"> Refer to Tables 1a and 1b for survey results. Areas 1a-3c (within 150 metres walking distance). <ul style="list-style-type: none"> The morning peak occurred at 09:30 a.m. The afternoon peak occurred at 3:00 p.m. and at 4:45 p.m. The survey results indicated that there were at least 43 spaces vacant throughout the day (to a maximum of 54) in the survey area during the times of operation of the proposed child care centre. Areas 4a-10 (between 150 to 250 metres walking distance). <ul style="list-style-type: none"> The morning peak occurred at 06:30 a.m. The afternoon peak occurred at 6:00 p.m. The survey results indicated that there were at least 43 spaces vacant throughout the day (to a maximum of 56) in the survey area during the times of operation of the proposed child care centre. There are ample parking opportunities within walking distance from the site.

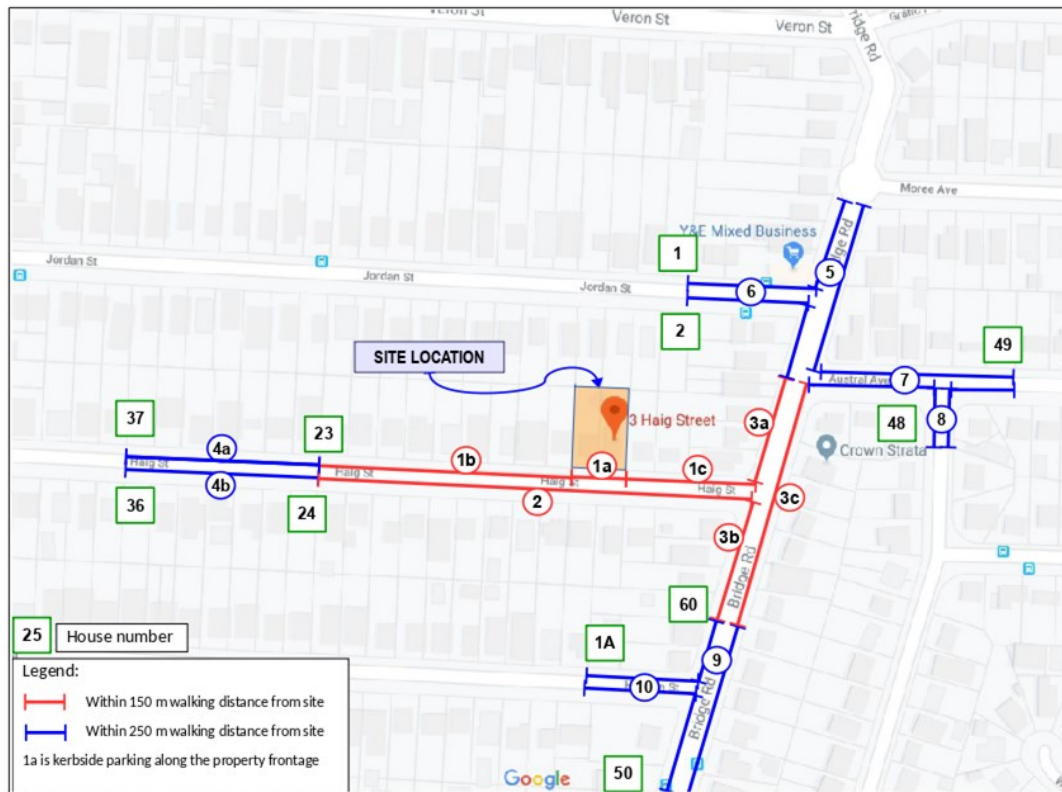


Figure 4. Parking demand survey locations.



Table 1a. Parking demand survey results.

Thursday	Number of parked cars																	
19/12/19	Parking Location														Total			
Time	1a	1b	1c	2	3a	3b	3c	4a	4b	5	6	7	8	9	10	1a-3c	4a-10	All
6:30	0	1	0	6	3	2	6	4	8	5	3	2	No parking	1	2	18	25	43
6:45	0	1	0	7	2	3	5	4	8	5	3	1		1	2	18	24	42
7:00	0	1	0	7	2	3	5	3	8	5	3	1		1	2	18	23	41
7:15	0	0	0	8	2	3	5	4	8	5	3	1		1	2	18	24	42
7:30	0	1	0	8	3	3	5	4	6	5	3	1		1	2	20	22	42
7:45	0	1	0	9	3	3	4	3	6	5	3	1		1	2	20	21	41
8:00	0	1	0	8	3	3	4	3	7	5	3	1		2	2	19	23	42
8:15	0	1	0	8	3	3	4	3	7	2	3	1		2	2	19	20	39
8:30	0	3	0	8	3	3	4	3	7	2	3	1		1	1	21	18	39
8:45	0	3	0	8	3	3	4	3	8	2	4	1		1	1	21	20	41
9:00	0	3	0	8	3	3	4	3	8	2	4	1	1	0	21	19	40	
9:15	0	3	0	9	3	4	5	3	8	2	4	1	1	0	24	19	43	
9:30	0	3	0	10	3	5	7	3	8	2	4	1	1	2	28	21	49	
10:00	0	3	0	8	4	5	6	1	6	2	4	0	1	2	26	16	42	
No of spaces	1	17	5	28	5	6	9	9	11	12	8	11	NP	11	8	71	70	141

Thursday	Number of parked cars																	
19/12/19	Parking Location														Total			
Time	1a	1b	1c	2	3a	3b	3c	4a	4b	5	6	7	8	9	10	1a-3c	4a-10	All
6:30	1	16	5	22	2	4	3	5	3	7	5	9	No parking	10	6	53	45	98
6:45	1	16	5	21	3	3	4	5	3	7	5	10		10	6	53	46	99
7:00	1	16	5	21	3	3	4	6	3	7	5	10		10	6	53	47	100
7:15	1	17	5	20	3	3	4	5	3	7	5	10		10	6	53	46	99
7:30	1	16	5	20	2	3	4	5	5	7	5	10		10	6	51	48	99
7:45	1	16	5	19	2	3	5	6	5	7	5	10		10	6	51	49	100
8:00	1	16	5	20	2	3	5	6	4	7	5	10		9	6	52	47	99
8:15	1	16	5	20	2	3	5	6	4	10	5	10		9	6	52	50	102
8:30	1	14	5	20	2	3	5	6	4	10	5	10		10	7	50	52	102
8:45	1	14	5	20	2	3	5	6	3	10	4	10		10	7	50	50	100
9:00	1	14	5	20	2	3	5	6	3	10	4	10	10	8	50	51	101	
9:15	1	14	5	19	2	2	4	6	3	10	4	10	10	8	47	51	98	
9:30	1	14	5	18	2	1	2	6	3	10	4	10	10	6	43	49	92	
10:00	1	14	5	20	1	1	3	8	5	10	4	11	10	6	45	54	99	

Table 1b. Parking demand survey results (continued).

Thursday	Number of parked cars															
19/12/19	Parking Location													Total		
Time	1a	1b	1c	2	3a	3b	3c	4a	4b	5	6	7	8	9	10	All
14:30	0	4	0	6	3	3	4	3	4	3	2	1		1	0	34
15:00	0	5	0	7	4	3	3	3	5	3	2	1		1	0	37
15:15	0	5	0	7	3	3	3	3	5	4	4	1		1	2	41
15:30	0	5	0	7	3	3	3	3	4	4	4	1		1	3	41
15:45	0	5	0	7	3	3	3	3	4	4	4	1		1	3	41
16:00	0	5	0	7	3	3	3	3	4	4	4	1		1	3	41
16:15	0	5	0	7	3	3	3	3	4	4	4	1		1	3	41
16:30	0	5	0	7	3	3	3	3	4	4	4	1		1	3	41
16:45	0	5	0	7	3	3	4	4	4	6	3	1		2	3	45
17:00	0	5	0	6	3	3	4	4	3	7	3	1		2	2	43
17:15	0	4	0	6	3	2	4	4	3	7	3	1		2	2	41
17:30	0	3	0	7	3	2	5	4	4	7	3	1		2	2	43
17:45	0	2	0	7	2	2	5	4	4	7	3	1		2	2	41
18:00	0	3	0	5	3	1	5	4	5	7	3	1		4	3	44
18:15	0	4	0	5	3	1	4	4	5	7	2	1		4	3	43
18:30	0	3	0	8	4	1	4	4	5	5	2	1		4	3	44
No of spaces	1	17	5	28	5	6	9	9	11	12	8	11	NP	11	8	141

Thursday	Number of parked cars															
19/12/19	Parking Location													Total		
Time	1a	1b	1c	2	3a	3b	3c	4a	4b	5	6	7	8	9	10	All
14:30	1	13	5	22	2	3	5	6	7	9	6	10		10	8	107
15:00	1	12	5	21	1	3	6	6	6	9	6	10		10	8	104
15:15	1	12	5	21	2	3	6	6	6	8	4	10		10	6	100
15:30	1	12	5	21	2	3	6	6	7	8	4	10		10	5	100
15:45	1	12	5	21	2	3	6	6	7	8	4	10		10	5	100
16:00	1	12	5	21	2	3	6	6	7	8	4	10		10	5	100
16:15	1	12	5	21	2	3	6	6	7	8	4	10		10	5	100
16:30	1	12	5	21	2	3	6	6	7	8	4	10		10	5	100
16:45	1	12	5	21	2	3	5	5	7	6	5	10		9	5	96
17:00	1	12	5	22	2	3	5	5	8	5	5	10		9	6	98
17:15	1	13	5	22	2	4	5	5	8	5	5	10		9	6	100
17:30	1	14	5	21	2	4	4	5	7	5	5	10		9	6	98
17:45	1	15	5	21	3	4	4	5	7	5	5	10		9	6	100
18:00	1	14	5	23	2	5	4	5	6	5	5	10		7	5	97
18:15	1	13	5	23	2	5	5	5	6	5	6	10		7	5	98
18:30	1	14	5	20	1	5	5	5	6	7	6	10		7	5	97



Item	Report																							
Intersection traffic volume counts	Traffic counts																							
	Location / type of control	Haig Street / Lytton Street (T-intersection with Give Way control)																						
		Haig Street / Bridge Road (T-intersection with Give Way control)																						
	Date / Day of the week	Thursday 19 December 2019 (AM and PM)																						
	Time period (AM)	06:00 to 10:30; the morning peak hour occurred between 7:30 a.m. and 8:30 a.m.																						
	Time period (PM)	14:00 to 19:00; the afternoon peak hour occurred between 4:15 p.m. and 5:15 p.m.																						
	<ul style="list-style-type: none">Refer to Figures 5a and 5b.																							
Intersection operation	<ul style="list-style-type: none">SIDRA Intersection 8.0 software was used to check the intersection performance at the following intersections. Results of the SIDRA modelling determined that:<ul style="list-style-type: none">Haig Street / Lytton Street operates at a good Level of Service (LoS A) in the morning and afternoon peak hours.Haig Street / Bridge Road operates at a good Level of Service (LoS A) in the morning and afternoon peak hours.Refer to the RMS definition for LoS.																							
	Level of service criteria for intersections																							
	<table><tr><th>Level of Service</th><th>Average Delay per Vehicle (secs/veh)</th><th>Traffic Signals, Roundabout</th><th>Give Way & Stop Signs</th></tr><tr><td>A</td><td>< 14</td><td>Good operation</td><td>Good operation</td></tr><tr><td>B</td><td>15 to 28</td><td>Good with acceptable delays & spare capacity</td><td>Acceptable delays & spare capacity</td></tr><tr><td>C</td><td>29 to 42</td><td>Satisfactory</td><td>Satisfactory, but accident study required</td></tr><tr><td>D</td><td>43 to 56</td><td>Operating near capacity</td><td>Near capacity & accident study required</td></tr><tr><td>E</td><td>57 to 70</td><td>At capacity; at signals, incidents will cause excessive delays; Roundabouts require other control mode</td><td>At capacity, requires other control mode</td></tr></table>	Level of Service	Average Delay per Vehicle (secs/veh)	Traffic Signals, Roundabout	Give Way & Stop Signs	A	< 14	Good operation	Good operation	B	15 to 28	Good with acceptable delays & spare capacity	Acceptable delays & spare capacity	C	29 to 42	Satisfactory	Satisfactory, but accident study required	D	43 to 56	Operating near capacity	Near capacity & accident study required	E	57 to 70	At capacity; at signals, incidents will cause excessive delays; Roundabouts require other control mode
Level of Service	Average Delay per Vehicle (secs/veh)	Traffic Signals, Roundabout	Give Way & Stop Signs																					
A	< 14	Good operation	Good operation																					
B	15 to 28	Good with acceptable delays & spare capacity	Acceptable delays & spare capacity																					
C	29 to 42	Satisfactory	Satisfactory, but accident study required																					
D	43 to 56	Operating near capacity	Near capacity & accident study required																					
E	57 to 70	At capacity; at signals, incidents will cause excessive delays; Roundabouts require other control mode	At capacity, requires other control mode																					



Figure 5a. Existing traffic volumes - morning peak.



Figure 5b. Existing traffic volumes - afternoon peak.

Item	Report																								
Planning control document	<ul style="list-style-type: none"> Cumberland Council <ul style="list-style-type: none"> Holroyd Development Control Plan 2013 <ul style="list-style-type: none"> Part A – General Controls Part I – Child Care Centre Controls 																								
	<table> <tr> <th>Requirement</th><th>Compliance</th></tr> <tr> <td colspan="2">Part A – General Controls</td></tr> <tr> <td colspan="2">Section 2. Roads and Access</td></tr> <tr> <td colspan="2">2.4. Vehicular Crossings, Splay Corners & Kerb and Guttering</td></tr> <tr> <td>C1. Construct all works in accordance with Council's Vehicular Crossing Policy.</td><td>Capable of compliance at the Construction Certification stage</td></tr> <tr> <td>C2. Construct a plain concrete (not patterned or coloured) vehicle crossing at each vehicle entrance/exit to the property, to specifications found in Council's Vehicular Crossing Policy.</td><td>Capable of compliance at the Construction Certification stage</td></tr> <tr> <td>C3. Where a vehicular crossing exists and is in poor condition or is damaged during construction/ demolition or does not comply with Council requirements, Council require it to be fully reconstructed at no cost to Council. Where levels are changed as a result of development, the developer shall reconstruct the adjacent road pavement to suit the new levels.</td><td>Noted</td></tr> <tr> <td>C4. Fully reinstate the road shoulder adjoining newly constructed vehicular crossings to the satisfaction and/or requirements of Council's Engineer.</td><td>Capable of compliance at the Construction Certification stage</td></tr> <tr> <td>C5. For safety reasons, access to a property from a public road must clearly avoid items such as sewer vents, service poles, existing trees, street construction, light standards, telecommunications areas, storm water pits, pedestrian crossings, pram ramps and the like, transformer units and the like which may be located in the foot way area, unless the applicant is able to make arrangements for the relocation of equipment not owned by Council at no expense to Council.</td><td>Complies</td></tr> <tr> <td>C6. Maintain pedestrian safety by minimising potential pedestrian and vehicular conflicts through: <ul style="list-style-type: none"> Limiting the width and number of vehicle access points, ensuring clear site lines at pedestrian and vehicle crossings, utilising traffic calming devices, and separating and clearly distinguishing between pedestrian and vehicular access ways. </td><td> <p>Two (2) vehicle access points (one way entry and one way exit) are proposed. Satisfactory.</p> <p>Complies</p> <p>Not applicable</p> <p>Complies</p> </td></tr> <tr> <td>C7. Ensure adequate separation distances between vehicular entries and street intersections. For corner allotments, vehicular crossings must be no closer than 6 metres from the tangent point of the kerb at the intersection.</td><td>Complies</td></tr> <tr> <td>C8. Optimise the opportunities for active street</td><td></td></tr> </table>	Requirement	Compliance	Part A – General Controls		Section 2. Roads and Access		2.4. Vehicular Crossings, Splay Corners & Kerb and Guttering		C1. Construct all works in accordance with Council's Vehicular Crossing Policy.	Capable of compliance at the Construction Certification stage	C2. Construct a plain concrete (not patterned or coloured) vehicle crossing at each vehicle entrance/exit to the property, to specifications found in Council's Vehicular Crossing Policy.	Capable of compliance at the Construction Certification stage	C3. Where a vehicular crossing exists and is in poor condition or is damaged during construction/ demolition or does not comply with Council requirements, Council require it to be fully reconstructed at no cost to Council. Where levels are changed as a result of development, the developer shall reconstruct the adjacent road pavement to suit the new levels.	Noted	C4. Fully reinstate the road shoulder adjoining newly constructed vehicular crossings to the satisfaction and/or requirements of Council's Engineer.	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Requirement	Compliance																								
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C7. Ensure adequate separation distances between vehicular entries and street intersections. For corner allotments, vehicular crossings must be no closer than 6 metres from the tangent point of the kerb at the intersection.	Complies																								
C8. Optimise the opportunities for active street																									



Item	Report
	Requirement Compliance
	frontages and street scape design by: <ul style="list-style-type: none"> making vehicle access points as narrow as possible Complies consolidating vehicle access within sites under single body corporate ownership Complies locating car park entry and access from secondary streets and lanes. Complies
C9. Where not already provided, splay corners are to be dedicated in road reserves at intersections as follows:	Not applicable <ul style="list-style-type: none"> Commercial subdivision 4m x 4m Industrial subdivision 6m x 6m Residential Subdivision 3m x 3m.
C10. As a condition of consent with all development applications, construct kerb, guttering and associated works along the street frontage(s) where no kerb and guttering currently exist.	Complies
C11. For development in R3, R4 and business zones, reconstruction of kerb and gutter where it is in poor condition will be required.	Not applicable
C12. Where kerb and guttering are damaged during construction/demolition, Council requires them to be fully reconstructed in accordance with Council's Engineer's requirements and at no cost to Council.	Noted
C13. Where kerb and gutter levels are changed as a result of development, the developer shall reconstruct the adjacent road pavement to suit the new levels. Council will require lodgement of a cash bond or a bank guarantee against satisfactory completion of these works. The amount of such bond will be determined at the development application stage and paid prior to the release of the construction certificate.	Capable of compliance at the Construction Certification stage
Note: Existing foot paving, kerb, gutter and the like is considered to be in "poor condition" where at least one of the following is observed:	Noted <ul style="list-style-type: none"> The existing shows signs of failure with exposed (visible) aggregate within the concrete, cracking and/or level difference that creates or has potential to create a trip hazard; The kerb and gutter has rotated (tilted) and/or levels have changed which can result in storm water ponding within the gutter; The existing footpath, kerb and gutter are not in accordance with Council's current standard, e.g. 150 kerb with monolithic gutter; The cross fall of the adjoining roadway is excessive. Generally 3% to 5% is considered acceptable within urban areas. Adjustment of the kerb and gutter level is necessary to reduce the cross fall, providing adequate vehicle ingress and egress and reduce the

Item	Report
	Requirement Compliance
	<p>potential for a standard vehicle to scrape, and consideration of storm water requirements;</p> <ul style="list-style-type: none"> Excavation and installation of electrical conduit is required as part of the development within the footpath area in accordance with the relevant authority requirements; Removal of existing redundant vehicular crossings and construction of new vehicular crossings in different locations as part of the development. This will result in new and old sections which may be difficult to construct, can create a poor finish to the project, result in higher maintenance costs and can be difficult to construct without impacting on the adjoining existing asset.
	<p>2.5. Concrete Footpath Paving & Underground Ducts</p>
	<p>C1. For all new development within R3, R4 and business zones, construct a concrete footpath of a minimum 1.2m width and associated works along the street frontage(s) and in specific locations consist of the following widths:</p> <ul style="list-style-type: none"> R3 Medium Density Residential zone – 1.2 metres R4 High Density Residential zone – 1.5 metres Business zones (except where a contribution towards public domain improvements is required) – 2.5 metres
	<p>Note: Existing concrete footpaths which are in poor condition or were damaged during construction/demolition are to be fully reconstructed in accordance with Council's Engineer's requirements at no cost to Council. Council will require lodgement of a cash bond or a bank guarantee against satisfactory completion of these works. The amount of such bond will be determined at the development application stage and paid prior to the release of the construction certificate</p>
	<p>Note: Make satisfactory arrangements with the relevant electricity supply authority for the installation of underground ducts in the footpath area, prior to the construction of any concrete works on the footpath.</p>
	<p>2.6. Kerb (Pram) Ramps</p>
	<p>C1. In the case of new corner developments in business zones (except where a contribution towards public domain improvements is required), the construction of kerb ramp/s and associated works at road intersections is required.</p>
	<p>Note: Existing kerb (pram) ramps which are in poor condition or were damaged during construction/demolition are to be fully</p>



Item	Report														
	<table><tr><th>Requirement</th><th>Compliance</th></tr><tr><td>reconstructed in accordance with Council's Engineer's requirements at no cost to Council</td><td></td></tr><tr><td>C2. Where kerb and guttering levels are proposed to change, the developer shall reconstruct the adjacent road pavement to suit the new levels.</td><td>Not applicable</td></tr><tr><td>Note: Council will require lodgement of a cash bond or a bank guarantee against satisfactory completion of these works. The amount of such bond will be determined at the development application stage and paid prior to the release of the construction certificate.</td><td>Noted</td></tr></table>	Requirement	Compliance	reconstructed in accordance with Council's Engineer's requirements at no cost to Council		C2. Where kerb and guttering levels are proposed to change, the developer shall reconstruct the adjacent road pavement to suit the new levels.	Not applicable	Note: Council will require lodgement of a cash bond or a bank guarantee against satisfactory completion of these works. The amount of such bond will be determined at the development application stage and paid prior to the release of the construction certificate.	Noted						
Requirement	Compliance														
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C2. Where kerb and guttering levels are proposed to change, the developer shall reconstruct the adjacent road pavement to suit the new levels.	Not applicable														
Note: Council will require lodgement of a cash bond or a bank guarantee against satisfactory completion of these works. The amount of such bond will be determined at the development application stage and paid prior to the release of the construction certificate.	Noted														
	<p>Section 3. Car Parking</p> <p>3.1. Minimum Parking Spaces</p> <p>C1. Parking spaces shall be provided in compliance with Council's minimum car parking spaces requirements as set out in Table 3.1.</p> <table><tr><th colspan="4">Community Uses</th></tr><tr><th>Use</th><th>Measure</th><th>Minimum Spaces Required</th><th>Maximum Spaces Required</th></tr><tr><td rowspan="2">Child Care Centres/Kindergartens/After school care facilities</td><td>per children</td><td>1 per four</td><td rowspan="2">n/a</td></tr><tr><td>per employee (only required for child care centres located in the R2 zone)</td><td>1 per two</td></tr></table>	Community Uses				Use	Measure	Minimum Spaces Required	Maximum Spaces Required	Child Care Centres/Kindergartens/After school care facilities	per children	1 per four	n/a	per employee (only required for child care centres located in the R2 zone)	1 per two
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	<p>It is noted that the DCP rate of 1 space per 2 staff members and 1 space per 4 children yields a much higher car parking requirement when compared to the car parking rate of 1 space per 4 children set out in RMS (2002) Guide to Traffic Generating Developments.</p> <p>The aforementioned rate set out in RMS (2002) Guide to Traffic Generating Developments is more commonly used throughout Sydney LGAs as it is based on the results of RMS statistical analysis of real survey data.</p> <p>Based on the rate of 1 space per 4 children, the total car parking required is 56/4 = 14 spaces, resulting in a surplus of 4 car parking spaces.</p> <p>It is also noted that there are substantial parking opportunities on street. Surveys conducted by TEF indicate that there were at least 43 spaces vacant throughout the day (to a maximum of 54) within 150 metres walking distance from the site location. There were at least 43 spaces vacant throughout the day (to a maximum of 56) across all other locations within 250 metres walking distance.</p>														

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<ul style="list-style-type: none"> State Environmental Planning Policy 59 may apply in some instances. Site specific parking rates as indicated in Part G may apply. Where circumstances warrant, such as for Major Parking Generators for example, Council may seek higher standards. If applicants are of the opinion that in the circumstances of the proposed development, the full car parking requirement is not necessary, or will not be required when the use of the building commences, Council may reduce the requirement for parking or may defer the provision of some of the car parking. In the latter case, Council may permit a portion of the car parking area to be used for an alternative purpose or may require the area to be landscaped. Holroyd Local Environmental Plan 2013 may apply in relation to parking rates for Heritage Items. All calculations for parking rates shall be rounded up. Controls permitted S94 contributions for future public parking do not apply until a S94 plan permits such contributions. 									
3.2. Parking Design Guidelines									
External Appearance									
C1. Use setbacks from the front facade and landscaping to soften the impact of car parking structure or areas. Unpaved car parking will not be permitted.	Complies								
Alterations and Additions	Not applicable								
Changes of Use	Not applicable								
New Buildings									
C5. New buildings shall be assessed in terms of the total parking requirement specified under this Plan. Do not calculate parking	Complies								

Item	Report																																						
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For applications involving major traffic generating development, such as major retail development, new hotels and licensed clubs, certain recreational uses, etc. the applicant will have to justify to Council the amount of car parking which should be provided. All such uses, identified by Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007, are potentially intensive generators of car parking, and parking for the disabled. Accordingly, the level of parking generation may vary substantially. The Council will therefore require the preparation of an appropriate study or survey</td><td>Not applicable</td></tr> <tr> <td>Previous Provisions of Parking Spaces</td><td></td></tr> <tr> <td>C9. Where a provision of car parking has previously been made in respect of a particular property, such provision may be taken into account when assessing the parking requirement for any redevelopment of that land.</td><td>Noted</td></tr> <tr> <td>3.3. Dimensions and Gradients</td><td></td></tr> <tr> <td>Dimensions for Car Parking Spaces</td><td></td></tr> <tr> <td>C1. A minimum parking space length of 5.5 metres applies; however longer spaces are required for parallel parking. This applies to both enclosed and open car parking spaces.</td><td>Complies with AS/NZS 2890.1:2004</td></tr> <tr> <td>C2. 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	Aisle Widths for Open Car Parks not containing Garages										
C5. For 90 Degree Parking	Complies with AS/NZS 2890.1:2004										
	<table> <tr> <th>Space Width Metres (m)</th><th>Aisle Width Metres (m)</th></tr> <tr> <td>2.4</td><td>7.2</td></tr> <tr> <td>2.5</td><td>6.7</td></tr> <tr> <td>2.6</td><td>6.3</td></tr> <tr> <td>2.7</td><td>5.8</td></tr> </table>	Space Width Metres (m)	Aisle Width Metres (m)	2.4	7.2	2.5	6.7	2.6	6.3	2.7	5.8
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2.4	7.2										
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C6. For undercover parking consisting of garages or lockable spaces, the minimum aisle width shall be 7.0 metres.	Not applicable										
Angle Parking	Not applicable										
Parallel Parking	Not applicable										
Motor Cycling Parking	Not applicable										
Gradients for Parking Floors											
C10. Provide up to the maximum gradients for parking spaces and floors as follows. All gradients must be consistent with Australian Standard AS2890.1 – 2004 (Off Street Parking.), and in the case of any inconsistency with the figures below the Standard applies:	Complies with AS/NZS 2890.1:2004										
	<table> <tr> <td>at 90 degrees to the angle of parking</td><td>1:16 (6.25%)</td></tr> <tr> <td>parallel to the angle of parking</td><td>1:20 (5.0%)</td></tr> <tr> <td>parking spaces for the disabled - in either direction</td><td>1:40 (2.5%)</td></tr> </table>	at 90 degrees to the angle of parking	1:16 (6.25%)	parallel to the angle of parking	1:20 (5.0%)	parking spaces for the disabled - in either direction	1:40 (2.5%)				
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	Gradients for Ramps and Driveways										
C11. Provide Gradients for Ramps and Driveways as follows:	Complies with AS/NZS 2890.1:2004										
a) Maximum gradient of 1:6 (17%).											
b) Intermediate gradients are required for changes of gradient greater than 1:8 (12.5%). (For the maximum 1:6 gradient an intermediate gradient of 1:10 (10%) for 2.0 metres in length would be required).											
c) Gradients adjacent to entry/exit points to be a maximum of 1:20 (5%) for the first 6 metres inside the property boundary, but for long term parking up to 25 spaces with no goods vehicles usage, this may be reduced to a maximum of 1:10 (10%) for 3											



Item	Report								
	<p>Requirement</p> <p>metres.</p> <p>d) Where ramps and driveways are also intended to be used as part of an access route for people with disabilities from parking spaces to the premises or street, gradients are to be of a maximum of 1:14, designed in accordance with AS 1428, Parts 1 & 2.</p> <p>Compliance</p> <p>Complies with AS/NZS 2890.1:2004</p>								
	<p>Straight Ramps</p> <p>C12. Provide the minimum dimensions for straight ramps (kerb to kerb) as follows:</p> <table> <tr> <td>one way ramps</td><td>3.5m</td></tr> <tr> <td>two way ramps</td><td>6.5m</td></tr> <tr> <td>Separator width (where provided)</td><td>0.6m</td></tr> <tr> <td>Minimum clearance from kerb to obstruction (wall column)</td><td>0.3m</td></tr> </table>	one way ramps	3.5m	two way ramps	6.5m	Separator width (where provided)	0.6m	Minimum clearance from kerb to obstruction (wall column)	0.3m
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Separator width (where provided)	0.6m								
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	<p>Curved Ramps</p> <p>Not applicable</p>								
	<p>3.4. Site Works</p> <p>Drainage, Light, & Ventilation</p> <p>C1. In all car parking areas, provide adequate drainage of surface water to Council's storm water system, to prevent flooding of adjoining property or public footpaths. In this regard, confer with the Council's Development Engineer in the case of open car parks, and the Building Surveyor for parking within buildings. To be addressed by others</p> <p>C2. Where a car park is excavated, make provision for the drainage of runoff and seepage, and where necessary, obtain an easement over adjacent properties to facilitate this. To be addressed by others</p> <p>C3. Obtain consent, to Council's satisfaction, from downstream property owners where the easement is to be created. Consent shall be via proof of the adjoining owner's consent submitted with the development application, and will be required prior to the issue of the Development Consent. To be addressed by others</p> <p>Note: Section 6 of this Part details further drainage and storm water requirements. Noted</p> <p>C4. Ensure covered or enclosed car parks have adequate provision for lighting and ventilation, preferably by natural means. Not applicable</p> <p>a) Lighting must be sufficient to allow a person to see into the back seat of a parked car.</p> <p>b) Artificial lighting must be vandal resistant.</p> <p>c) Council may require the provision of artificial lighting and ventilation where necessary.</p> <p>d) Mechanical ventilation systems shall be installed for car parks in accordance with BCA and AS 1668 requirements.</p> <p>e) Ensure mechanical ventilation of car parks minimises noise impacts in accordance with the Protection of the</p>								



Item	Report								
	<p>Requirement</p> <p>Environment Operations Act 1997. To this end, an acoustic report may be required by Council.</p> <p>Compliance</p> <p>To be addressed by others</p> <p>Not applicable</p> <p>Landscaping of open car parks</p> <p>Car Wash Space provision</p> <p>3.5. Access, Manoeuvring and Layout</p> <p>Internal Roadways</p> <p>C1. The minimum width for internal roadways that access internal parking areas/structures depends on the number of parking spaces and service bays served. Provide minimum widths for two-way traffic as detailed below:</p> <table> <tr> <td>3-10 spaces</td><td>4.0m - 6.0m*</td></tr> <tr> <td>11-25 spaces length not exceeding 40 metres</td><td>4.5m - 6.5m</td></tr> <tr> <td>26-50 spaces or 0-25 spaces + service bay</td><td>5.0m - 7.0m</td></tr> <tr> <td>Over 50 spaces or 25 spaces + service bay</td><td>6.0m - 8.0m</td></tr> </table> <p>Note:</p> <ul style="list-style-type: none"> * Consideration will be given to increasing the higher widths where high levels of heavy vehicle usage are anticipated within a development or where the development fronts an arterial or sub-arterial road. * In the case of residential developments of 3-10 spaces, the width for internal roadways is between 3m (plus 1m side boundary setback), and 6.0m (plus 1m side boundary setback). <p>C2. Passing bays shall be located every 30 metres from long driveways servicing 4 or more dwellings.</p> <p>General Layout</p> <p>C3. Design car parking areas to expedite vehicle circulation by adopting a simple layout and by minimising congestion points and the possibility of conflicting vehicle movements.</p> <p>C4. Ensure that all vehicles using the car park can conveniently enter and leave the site in a forward direction.</p> <p>C5. Within larger, short term car parks, adopt a one-way circulation pattern.</p> <p>C6. Dead-end aisles shall not service more than 12 spaces unless a turnaround facility is provided. A manoeuvring lay back is required at the end of dead-end aisles to facilitate access to the end car spaces.</p> <p>C7. Locate and design driveways to avoid the following:</p> <ul style="list-style-type: none"> a) being located opposite other existing access ways with significant vehicle usage; Complies b) restricted sight distances; Complies c) on-street queuing; and Complies d) being located within 6m of an intersection. Complies <p>Note: Consideration may be given to the provision of car parking facilities on another adjacent parcel of land if the applicant can provide a secure guarantee that such parking will be available at all times during the</p>	3-10 spaces	4.0m - 6.0m*	11-25 spaces length not exceeding 40 metres	4.5m - 6.5m	26-50 spaces or 0-25 spaces + service bay	5.0m - 7.0m	Over 50 spaces or 25 spaces + service bay	6.0m - 8.0m
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Item	Report
	<p>Requirement</p> <p>provided.</p> <p>Note: Where there is any doubt as to the suitability of manoeuvring areas, Council will assess proposed road designs based upon swept turning paths of appropriate vehicles as defined by the Roads and Maritime Service's 'Guide to Traffic Generating Developments' and 'Road Design Manual'.</p> <p>Compliance</p> <p>Noted</p>
	<p>Clearances</p> <p>C17. The minimum permitted clear headroom within car parking areas is 2.3 metres, or as per 2.5 metres for parking spaces for the disabled. Unlimited headroom is provided. Complies</p> <p>C18. Clearance heights for each category of commercial vehicles shall be in accordance with AS2890.2. Not applicable</p> <p>C19. Ensure that the provision of pipes, ducts and sprinkler systems within the car park does not compromise minimum clearances. Not applicable</p> <p>C20. In casual parking areas, install flexible clearance striker bars at entry points. Not applicable</p> <p>Pedestrian Circulation</p> <p>C21. Locate car parking spaces to not obstruct pedestrian access to the premises or major pedestrian routes. Within large car parks, give consideration to provision of segregated routes for major pedestrian movements. Complies</p> <p>Speed Humps Not applicable</p> <p>Line marking and Signposting</p> <p>C24. Line mark all car parking spaces clearly. Where customer or visitor parking is provided, indicate the location of these spaces with signposting. Complies</p> <p>C25. Where a one-way circulation pattern is adopted, indicate the direction of flow by signposting and arrow markings on the surface of aisles and driveways. Segregated entries and exits are to be signposted to that effect. Complies</p> <p>C26. In large car parks, indicate the means of egress by directional signs. Complies</p> <p>C27. Signpost parking spaces for the disabled in accordance with the Australian Standard AS 1741.11 and AS 2890.1. Complies with AS/NZS 2890.6:2009</p> <p>Note: Show the location of signs on application plans. Complies</p> <p>3.6. Parking for the Disabled</p> <p>C1. Provide parking for the disabled at the rate of 2 spaces per 100 visitors or customer spaces up to 400 spaces, and 1 per 100 thereafter, or part thereof. Ensure compliance with Table D3.5 (Car parking spaces for people with a disability) of the Disability (Access to Premises – Buildings) Standards 2009 Act, and AS/NZS 2890. 6 – Off-street car parking for people with disabilities. Provided overleaf.</p>



Item	Report
	Requirement Compliance
	Car parking required for people with disabilities Car parking proposed for people with disabilities
	<p>There are a total of 14 visitor spaces.</p> <ul style="list-style-type: none"> 2 x (14/100) = 0.3, say 1 space <p>C2. Council may seek additional parking for the disabled where it is of the opinion that the development, either due to its nature or context, will generate a greater demand for disabled parking spaces than the above rates. For example, adequate parking for the disabled should be provided to service developments likely to have a high level of patronage by people with disabilities, such as hospitals, medical centres, housing for older people or people with a disability, etc.</p> <p>C3. Parking for Self-contained dwellings and "hostels" for aged and disabled persons, and Residential Care Facilities must comply with requirements of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. See Section 3.1 of this Part of the DCP.</p> <p>C4. Disabled Parking spaces shall be located in accordance with AS 2890.6:</p> <ul style="list-style-type: none"> a) as close as possible to the entrance(s) of subject premises, b) on a maximum floor gradient of 1:40 (2.5%), c) with ramp access to the premises provided at a maximum gradient of 1:14, and d) be signposted using standard signage in accordance with Australian Standards AS 1741.11 and AS 2890.1. <p>C5. For Health consulting rooms in residential areas, provide at least 1 surgery space as parking for the disabled, subject to consideration under C2 above;</p> <p>C6. For Medical Centres provide sufficient parking for the disabled, above the minimum standard elsewhere (of 2 spaces per 100 visitor or customer spaces up to 400 spaces, and 1 per 100 thereafter, or part thereof);</p> <p>C7. Provide a minimum clearance height of 2.5 metres for parking for the disabled;</p> <p>C8. Provide a minimum clear headroom within car parking areas of 2.5 metres for parking spaces for the disabled; and</p> <p>C9. The width shall be in accordance with AS2890.6-2009.</p> <p>Note:</p> <ul style="list-style-type: none"> Detail the location of parking for the disabled on application plans. Specific parking requirements for disabled persons are found elsewhere in this Part of the DCP under Section 3.1 above.
	<p>One (1) space for people with disabilities is proposed.</p> <p>Complies</p> <p>Noted</p> <p>Not applicable</p> <p>Complies</p> <p>Complies with AS/NZS 2890.6:2009</p> <p>Complies with AS/NZS 2890.6:2009</p> <p>Complies with AS/NZS 2890.6:2009</p> <p>Not applicable</p> <p>Not applicable</p> <p>Unlimited headroom is provided.</p> <p>Complies</p> <p>Unlimited headroom is provided.</p> <p>Complies</p> <p>Complies with AS/NZS 2890.6:2009</p> <p>Complies</p> <p>Noted</p>



Item	Report																														
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Where a proposal is referred to either the local or regional traffic committee, applicants should provide appropriate traffic studies prepared by a suitably qualified Traffic Engineer.</td><td>Noted</td></tr> <tr> <td colspan="2">Part I – Child Care Centre Controls</td></tr> <tr> <td colspan="2">Section 2. Vehicular Access and Parking</td></tr> <tr> <td colspan="2">Access</td></tr> <tr> <td>C1. Separate entries and exits to the site shall be provided. The design of such driveways shall ensure that inbound and outbound vehicles are separated and that vehicles enter and leave the site in a forward direction.</td><td>Complies</td></tr> <tr> <td>C2. No pedestrian or vehicular access is to be provided from an arterial road, sub-arterial road or where the development would be contrary to the environmental capacity of the street or contrary to the traffic movement on the surrounding street system.</td><td>Complies</td></tr> <tr> <td>C3. All applications are to be supported by a Traffic and Parking Report prepared by a suitably qualified person addressing the above issues to Council's satisfaction.</td><td>Complies</td></tr> <tr> <td colspan="2">Parking</td></tr> <tr> <td>C4. Long stay staff parking must be distinguished from the short stay visitor parking by suitable signage and/or marking. Both must be provided in a convenient location to allow for safe dropping off and picking up of children.</td><td>Complies</td></tr> <tr> <td>C5. Consideration may be given to reducing on-site requirements for short stay parent and visitor parking only if convenient and safe on-street parking is otherwise available. This is providing that the use of such parking does not excessively impact upon the amenity of the adjacent area.</td><td> <p>The proposed development complies in terms of car parking provision.</p> <p>In addition, there are ample on-street parking opportunities near the site.</p> <ul style="list-style-type: none"> Refer to previous section 'Surveys and survey results' for results and further discussion. </td></tr> <tr> <td>C6. All staff parking shall be provided on-site in any event.</td><td>Complies</td></tr> <tr> <td>C7. To eliminate the possibility of frontages and access ways containing expanses of plain cement, decorative pavement treatment shall be provided to all driveways and parking areas.</td><td>Capable of compliance at the Construction Certification stage</td></tr> </table>	Requirement	Compliance	3.7. 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Item	Report	
	Requirement	Compliance
	That is, the use of decorative paving materials such as exposed aggregate or pattern stamped and coloured concrete and paving bricks. Plain cement or coloured cement will not be accepted for driveways and parking areas for aesthetic and amenity purposes.	

Item	Report
	Traffic impacts
Traffic generation	<ul style="list-style-type: none"> • Base traffic generation rates <ul style="list-style-type: none"> ◦ From RMS (2002) Guide to Traffic Generating Developments <ul style="list-style-type: none"> ▪ Updated statistics from TDT 2013 / 04a
	<ul style="list-style-type: none"> • Existing traffic generation <ul style="list-style-type: none"> ◦ Two dwelling houses (Peak hour vehicle trips = 0.99 per dwelling) <ul style="list-style-type: none"> • $0.99 \times 2 = 1.98$, say 2 trips during the peak hour
	<ul style="list-style-type: none"> • Traffic generated by the proposed development <ul style="list-style-type: none"> ◦ Child care centres (long-day care) <ul style="list-style-type: none"> ▪ Morning peak <ul style="list-style-type: none"> • 0.8 vehicle trips / child <ul style="list-style-type: none"> ◦ $0.8 \times 56 = 44.8$, say 45 trips (in and out) <ul style="list-style-type: none"> ▪ Assume 80% of staff driving (with 80% of staff arriving in the morning peak) <ul style="list-style-type: none"> • $8 \times 0.8 \times 0.8 = 5.1$, say 5 trips in ▪ Equal parent trips in and out <ul style="list-style-type: none"> • $(44.8 - 5.1) / 2 = 19.8$, say 20 trips in and 20 trips out ◦ 25 trips in and 20 trips out ▪ Afternoon peak <ul style="list-style-type: none"> • 0.7 vehicle trips per child <ul style="list-style-type: none"> ◦ $0.7 \times 56 = 39.2$, say 39 trips (in and out) <ul style="list-style-type: none"> ▪ 80% of staff driving (with 70% of staff leaving in the afternoon peak peak) <ul style="list-style-type: none"> • $8 \times 0.8 \times 0.7 = 4.5$, say 5 trips out ▪ Equal parent trips in and out <ul style="list-style-type: none"> • $(39.2 - 4.5) / 2 = 17.4$, say 17 trips in and 17 trips out ◦ 17 trips in and 22 trips out
	<ul style="list-style-type: none"> • Additional traffic generated by proposed development <ul style="list-style-type: none"> ◦ Morning peak <ul style="list-style-type: none"> ▪ $25 - 2 = 23$ additional trips in ▪ $20 - 2 = 18$ additional trips out ◦ Afternoon peak <ul style="list-style-type: none"> ▪ $17 - 2 = 15$ additional trips in ▪ $22 - 2 = 20$ additional trips out
Traffic distribution	<ul style="list-style-type: none"> • Trip generation and attraction is assumed to be equal in all directions, with trip distribution taking into account the surrounding street network, connections and turn restrictions. <ul style="list-style-type: none"> ◦ Refer to Figures 6a and 6b.

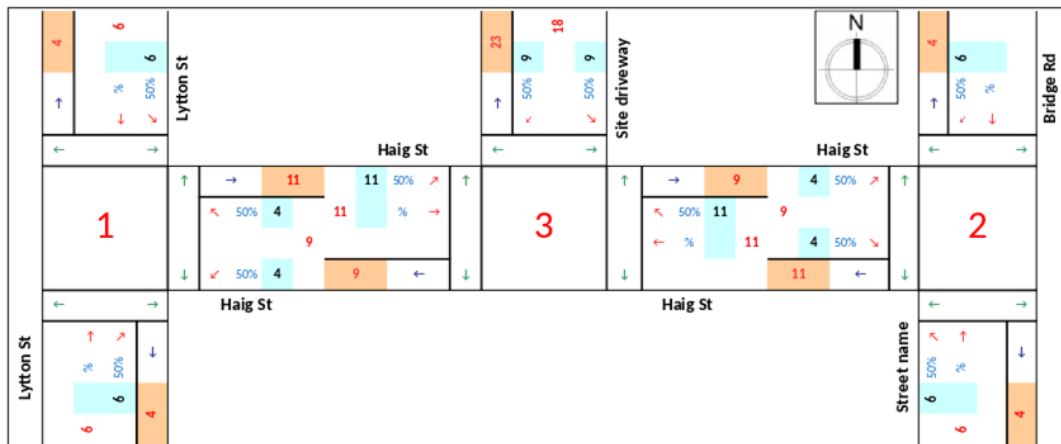


Figure 6a. Distribution of additional traffic volumes - morning peak.

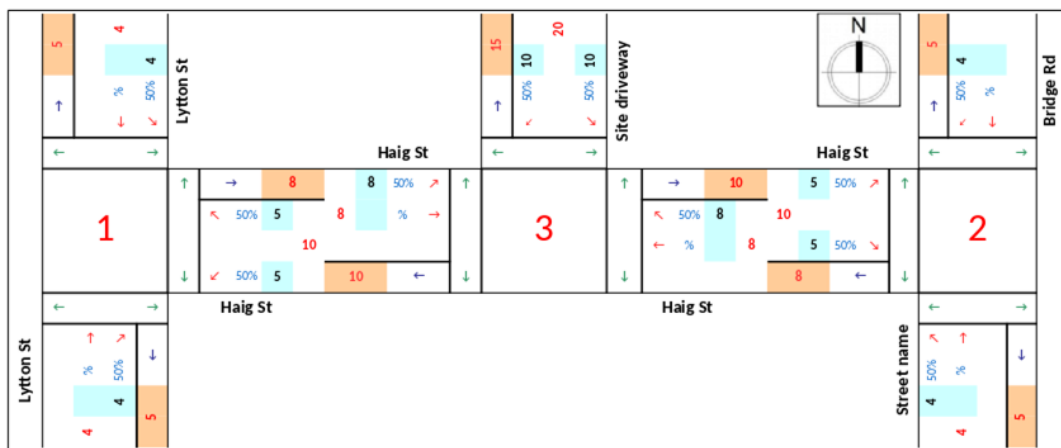


Figure 6b. Distribution of additional traffic volumes - afternoon peak.

**SIDRA
modelling**

- **Impact on intersection operation**

- The operation of the street network under additional traffic loading was modelled at the following intersections. The results indicated the following:

- Haig Street / Lytton Street remained the same, LoS A for both the morning and afternoon peak hours.
- Haig Street / Bridge Road remained the same, LoS A for both the morning and afternoon peak hours.
- New site driveway / Haig Street operates at a good Level of Service (LoS A) in the morning and afternoon peak hours.

- Refer to **Table 2**.

Safety

- Accident statistics from RMS NSW indicate only one (1) crash in 5 years (out of control crash on the intersection). This is a very minor level, similar to or lower than at other intersections in the vicinity of the site. Safety risks are very low and do not preclude a child care centre at the proposed location.

- Refer to **Figure 7**.

- It is also important to note that the proposed access to the site is not on the main road and is 80 m from the Haig Street/Bridge Road intersection.

Conclusion

- Additional traffic generation will have no negative impacts on the existing road network operation nor on road safety.

Table 2. SIDRA modelling results.

No	Intersection	Existing									
		AM					PM				
		AVD	LOS	DS	Queue (m)	Movement	AVD	LOS	DS	Queue (m)	Movement
1	Haig St - Lytton St	5.9	A	0.01	0.3	HS WB R	5.9	A	0.01	0.2	HS WB R
2	Haig St - Bridge Rd	9.8	A	0.04	1	HS EB R	11.1	A	0.03	0.7	HS EB R

No	Intersection	Future									
		AM					PM				
		AVD	LOS	DS	Queue (m)	Movement	AVD	LOS	DS	Queue (m)	Movement
1	Haig St - Lytton St	6.0	A	0.02	0.5	HS WB R	5.9	A	0.02	0.4	HS WB R
2	Haig St - Bridge Rd	9.3	A	0.05	1.2	HS EB R	10.9	A	0.04	1	HS EB R
3	Site driveway - Haig St	5.5	A	0.02	0	HS EB L	5.5	A	0.02	0	HS EB L

Legend:

HS	Haig St	EB	Eastbound
BR	Bridge Rd	WB	Westbound
LS	Lytton St	NB	Northbound
SD	Site driveway	SB	Southbound
		T	Through movement
		R	Right hand turn
		L	Left hand turn

Level of service criteria for intersections			
Level of Service	Average Delay per Vehicle (secs/veh)	Traffic Signals, Roundabout	Give Way & Stop Signs
A	< 14	Good operation	Good operation
B	15 to 24	Good with acceptable delays & spare capacity	Acceptable delays & spare capacity
C	25 to 42	Satisfactory	Satisfactory, but accident study required
D	43 to 56	Operating near capacity	Near capacity & accident study required
F	57 to 70	At capacity; at signals, incidents will cause excessive delays; Roundabouts require other control mode	At capacity, requires other control mode

Source: RTA (2002) Guide to Traffic Generating Developments

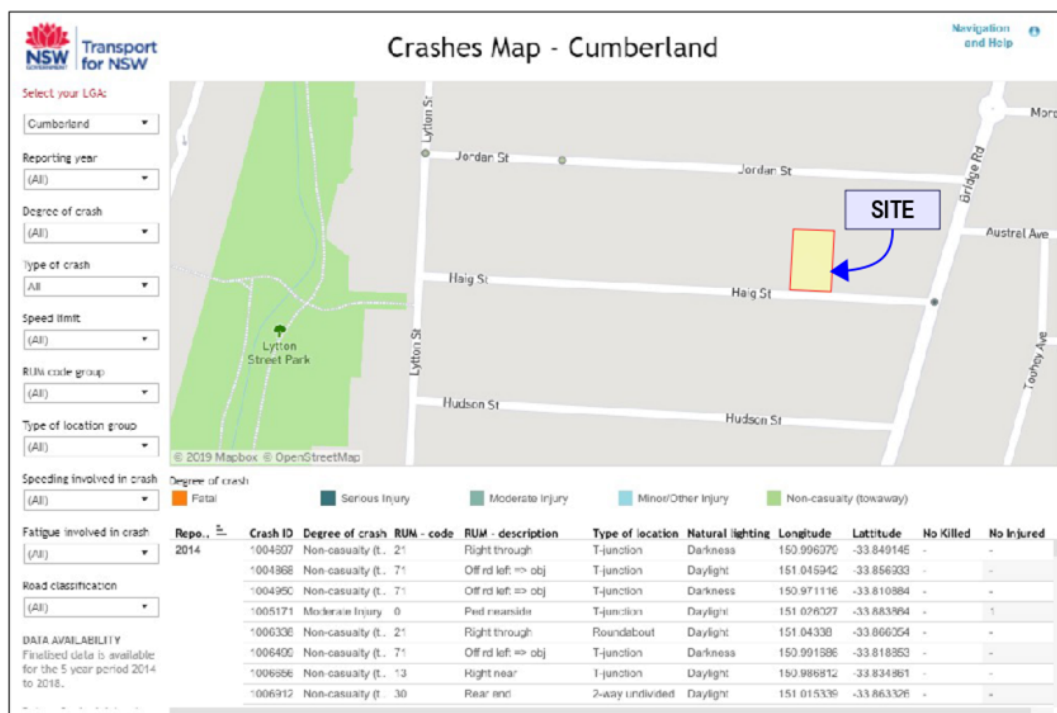
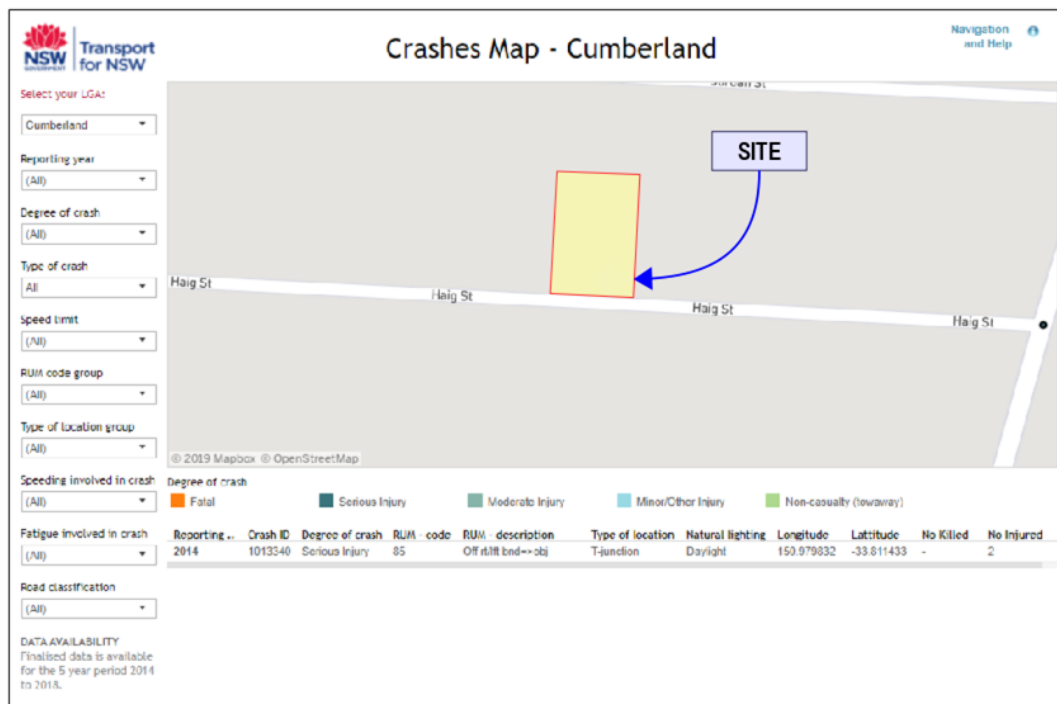


Figure 7. Crashes map - near the site and in the area.



Conclusions

- Proposed parking provision
 - Complies with the Council's Development Control Plan requirements.
 - In addition, more than sufficient parking opportunities exist in the surrounding streets.
- Traffic impacts
 - The additional traffic from the proposed development will have no detrimental impacts on the street network operation
- Design of access, car parking and servicing facilities
 - Complies with the relevant Standards
- The proposed development is supportable on traffic and parking grounds.



Oleg I. Sannikov
Director
MEngSc (Traffic Engineering)
MIEAust, PEng
FAITPM

**References:**

Holroyd Development Control Plan (DCP) 2013

RMS (2002) Guide to Traffic Generating Developments

AS/NZS 2890.1:2004: Parking Facilities – Off-street car parking

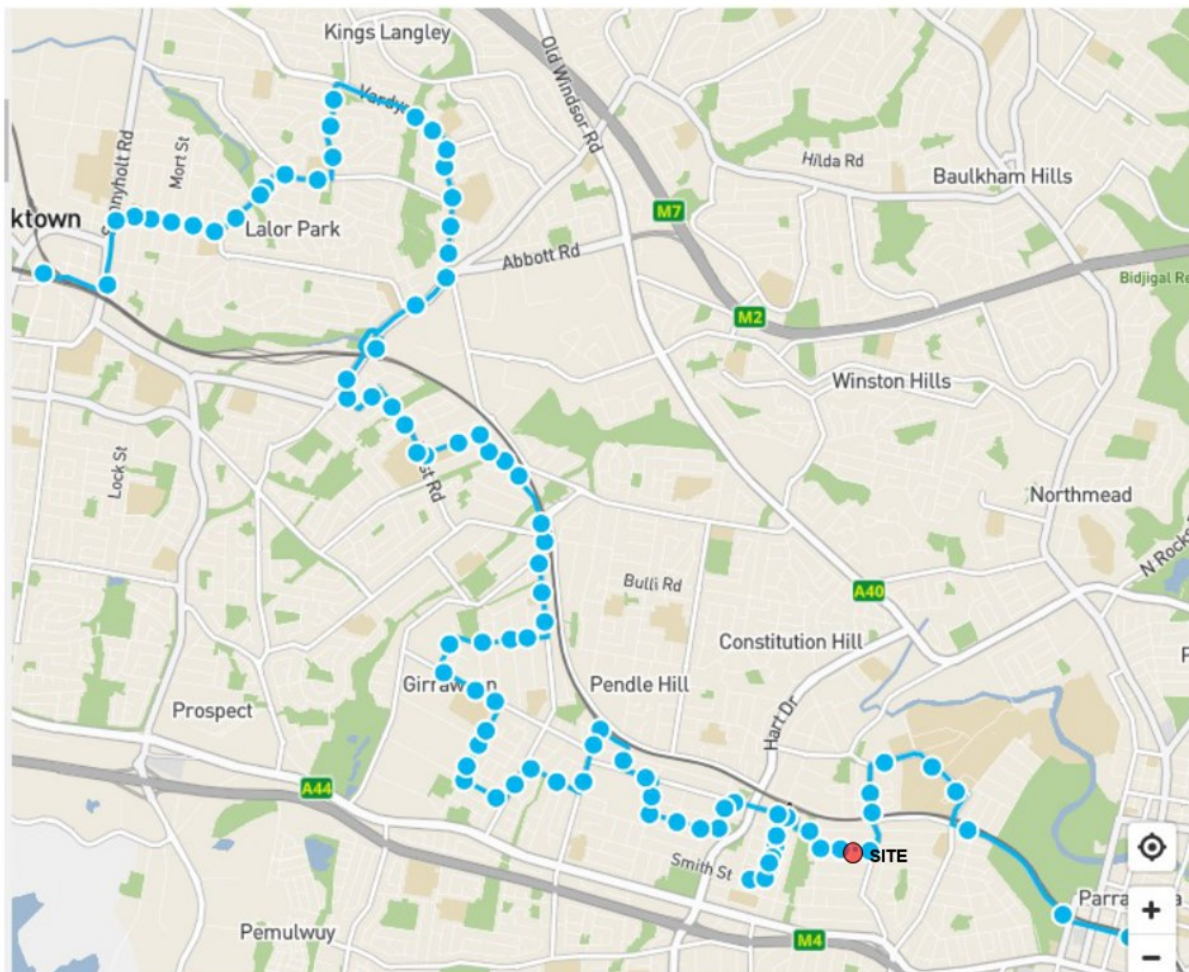
AS/NZS 2890.6:2009: Parking Facilities – Off-street parking for people with disabilities



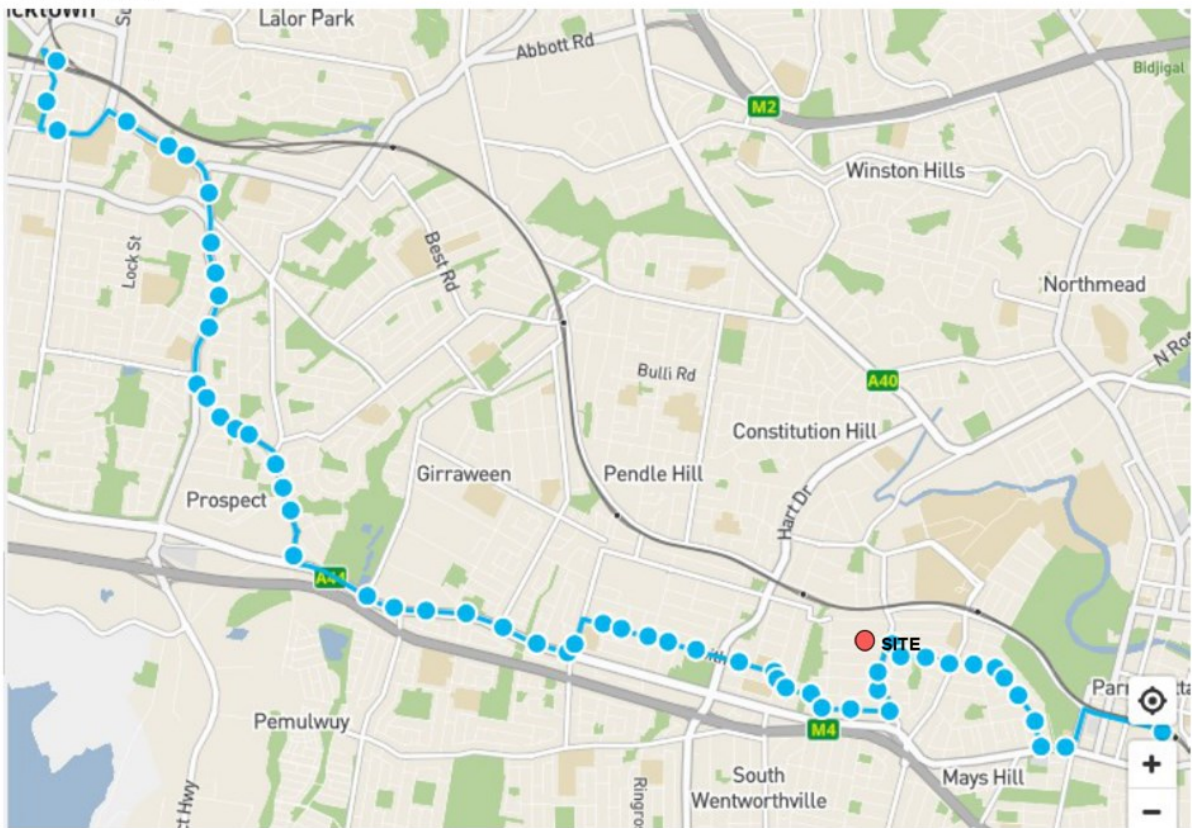
Appendix

Bus and train routes
Results of SIDRA modelling
Car park design checks and vehicle turning diagrams

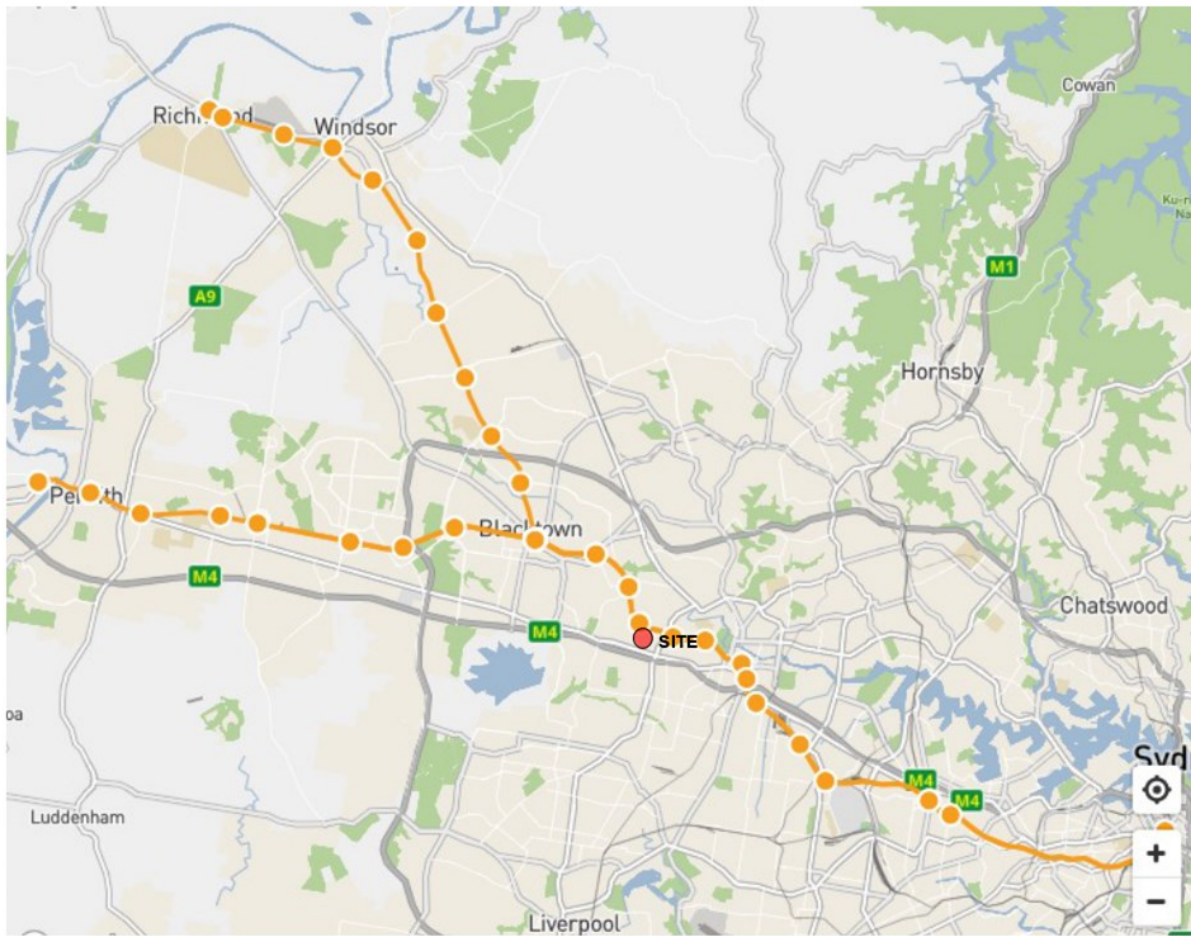
Bus Route 705



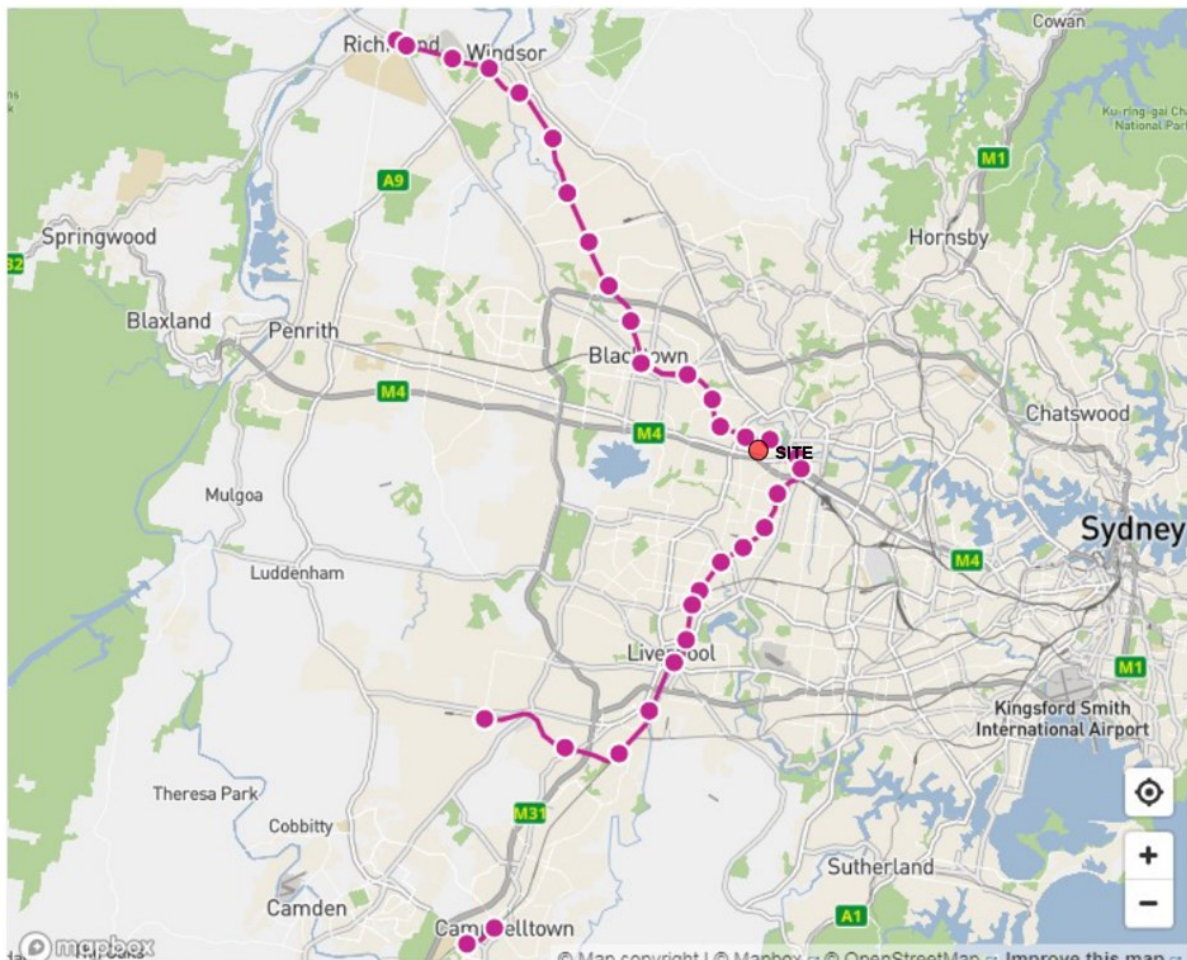
Bus Route 700



Train Route T1



Train Route T5



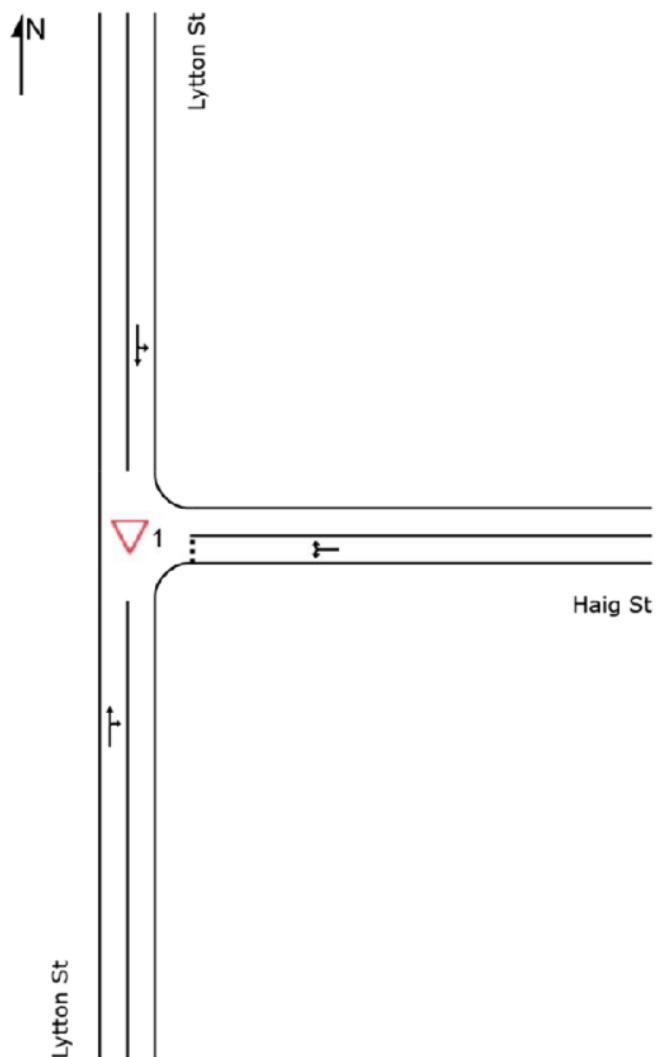
SITE LAYOUT

▽ Site: 1 [Haig St/Lytton St Ex AM]

Haig St/Lytton St

Site Category: (None)

Giveaway / Yield (Two-Way)



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 Organisation: TEF Consulting | Created: Monday, 13 January 2020 6:13:26 PM
 Project: D:\Dropbox_TEF Office\Dropbox__DB current TEF projects_NR\19114 - 3-5 Haig St Wentworthville - Oscar George Projects
 \19114_modelling\19114 sidra\13-15 Haig Street, Wentworthville.sip8

MOVEMENT SUMMARY

▽ Site: 1 [Haig St/Lytton St Ex AM]

Haig St/Lytton St

Site Category: (None)

Giveaway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
South: Lytton St												
2	T1	80	0.0	0.054	0.0	LOS A	0.1	0.9	0.07	0.12	0.07	57.2
3	R2	21	0.0	0.054	5.6	LOS A	0.1	0.9	0.07	0.12	0.07	54.8
Approach		101	0.0	0.054	1.2	NA	0.1	0.9	0.07	0.12	0.07	56.6
East: Haig St												
4	L2	7	0.0	0.012	5.7	LOS A	0.0	0.3	0.12	0.56	0.12	50.4
6	R2	8	0.0	0.012	5.9	LOS A	0.0	0.3	0.12	0.56	0.12	50.1
Approach		16	0.0	0.012	5.8	LOS A	0.0	0.3	0.12	0.56	0.12	50.2
North: Lytton St												
7	L2	14	0.0	0.030	5.5	LOS A	0.0	0.0	0.00	0.14	0.00	56.0
8	T1	43	0.0	0.030	0.0	LOS A	0.0	0.0	0.00	0.14	0.00	57.4
Approach		57	0.0	0.030	1.3	NA	0.0	0.0	0.00	0.14	0.00	56.9
All Vehicles		174	0.0	0.054	1.7	NA	0.1	0.9	0.05	0.17	0.05	55.9

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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19114_modelling\19114 sidra\13-15 Haig Street, Wentworthville.sip8

MOVEMENT SUMMARY

▽ Site: 1 [Haig St/Lytton St Fu AM]

Haig St/Lytton St
Site Category: (None)
Giveaway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
South: Lytton St												
2	T1	80	0.0	0.058	0.1	LOS A	0.2	1.1	0.08	0.15	0.08	56.6
3	R2	27	0.0	0.058	5.6	LOS A	0.2	1.1	0.08	0.15	0.08	54.4
Approach		107	0.0	0.058	1.5	NA	0.2	1.1	0.08	0.15	0.08	55.9
East: Haig St												
4	L2	12	0.0	0.019	5.7	LOS A	0.1	0.5	0.12	0.56	0.12	50.4
6	R2	13	0.0	0.019	6.0	LOS A	0.1	0.5	0.12	0.56	0.12	50.1
Approach		24	0.0	0.019	5.8	LOS A	0.1	0.5	0.12	0.56	0.12	50.2
North: Lytton St												
7	L2	20	0.0	0.033	5.5	LOS A	0.0	0.0	0.00	0.19	0.00	55.4
8	T1	43	0.0	0.033	0.0	LOS A	0.0	0.0	0.00	0.19	0.00	56.6
Approach		63	0.0	0.033	1.8	NA	0.0	0.0	0.00	0.19	0.00	56.1
All Vehicles		195	0.0	0.058	2.1	NA	0.2	1.1	0.06	0.21	0.06	55.0

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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19114_modelling\19114 sidra\13-15 Haig Street, Wentworthville.sip8

MOVEMENT SUMMARY

▽ Site: 1 [Haig St/Lytton St Ex PM]

Haig St/Lytton St

Site Category: (None)

Giveaway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
South: Lytton St												
2	T1	64	0.0	0.039	0.0	LOS A	0.1	0.4	0.05	0.08	0.05	58.2
3	R2	9	0.0	0.039	5.7	LOS A	0.1	0.4	0.05	0.08	0.05	55.4
Approach		74	0.0	0.039	0.8	NA	0.1	0.4	0.05	0.08	0.05	57.7
East: Haig St												
4	L2	11	0.0	0.008	5.7	LOS A	0.0	0.2	0.15	0.54	0.15	50.2
6	R2	1	0.0	0.008	5.9	LOS A	0.0	0.2	0.15	0.54	0.15	50.0
Approach		12	0.0	0.008	5.7	LOS A	0.0	0.2	0.15	0.54	0.15	50.2
North: Lytton St												
7	L2	11	10.0	0.041	5.7	LOS A	0.0	0.0	0.00	0.08	0.00	56.1
8	T1	67	1.6	0.041	0.0	LOS A	0.0	0.0	0.00	0.08	0.00	58.6
Approach		78	2.7	0.041	0.8	NA	0.0	0.0	0.00	0.08	0.00	58.1
All Vehicles		163	1.3	0.041	1.1	NA	0.1	0.4	0.03	0.11	0.03	57.1

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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MOVEMENT SUMMARY

▽ Site: 1 [Haig St/Lytton St Fu PM]

Haig St/Lytton St

Site Category: (None)

Giveaway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
South: Lytton St												
2	T1	64	0.0	0.041	0.1	LOS A	0.1	0.6	0.07	0.10	0.07	57.5
3	R2	14	0.0	0.041	5.7	LOS A	0.1	0.6	0.07	0.10	0.07	55.0
Approach		78	0.0	0.041	1.0	NA	0.1	0.6	0.07	0.10	0.07	56.9
East: Haig St												
4	L2	16	0.0	0.016	5.7	LOS A	0.1	0.4	0.15	0.55	0.15	50.2
6	R2	6	0.0	0.016	5.9	LOS A	0.1	0.4	0.15	0.55	0.15	50.0
Approach		22	0.0	0.016	5.8	LOS A	0.1	0.4	0.15	0.55	0.15	50.2
North: Lytton St												
7	L2	15	7.1	0.043	5.6	LOS A	0.0	0.0	0.00	0.11	0.00	56.0
8	T1	67	1.6	0.043	0.0	LOS A	0.0	0.0	0.00	0.11	0.00	58.1
Approach		82	2.6	0.043	1.0	NA	0.0	0.0	0.00	0.11	0.00	57.6
All Vehicles		182	1.2	0.043	1.6	NA	0.1	0.6	0.05	0.16	0.05	56.0

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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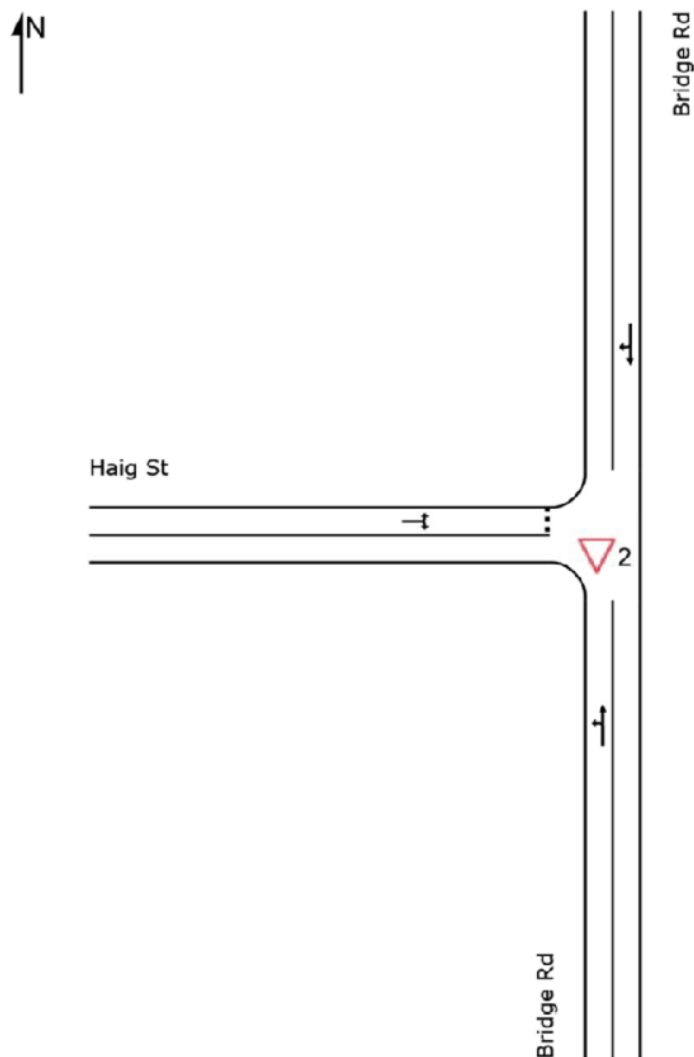
SITE LAYOUT

▽ Site: 2 [Haig St/Bridge Rd Ex AM]

Haig St/Bridge Rd

Site Category: (None)

Giveaway / Yield (Two-Way)



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MOVEMENT SUMMARY

▽ Site: 2 [Haig St/Bridge Rd Ex AM]

Haig St/Bridge Rd
Site Category: (None)
Giveaway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
South: Bridge Rd												
1	L2	5	20.0	0.177	5.8	LOS A	0.0	0.0	0.00	0.01	0.00	57.1
2	T1	335	1.6	0.177	0.0	LOS A	0.0	0.0	0.00	0.01	0.00	59.9
Approach		340	1.9	0.177	0.1	NA	0.0	0.0	0.00	0.01	0.00	59.9
North: Bridge Rd												
8	T1	296	0.0	0.172	0.2	LOS A	0.2	1.7	0.08	0.03	0.08	59.5
9	R2	16	53.3	0.172	8.5	LOS A	0.2	1.7	0.08	0.03	0.08	54.3
Approach		312	2.7	0.172	0.7	NA	0.2	1.7	0.08	0.03	0.08	59.3
West: Haig St												
10	L2	35	3.0	0.037	6.7	LOS A	0.1	1.0	0.40	0.61	0.40	51.8
12	R2	4	25.0	0.037	9.8	LOS A	0.1	1.0	0.40	0.61	0.40	50.3
Approach		39	5.4	0.037	7.1	LOS A	0.1	1.0	0.40	0.61	0.40	51.6
All Vehicles		691	2.4	0.177	0.7	NA	0.2	1.7	0.06	0.05	0.06	59.1

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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MOVEMENT SUMMARY

▽ Site: 2 [Haig St/Bridge Rd Fu AM]

Haig St/Bridge Rd
Site Category: (None)
Giveaway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
South: Bridge Rd												
1	L2	12	9.1	0.180	5.7	LOS A	0.0	0.0	0.00	0.02	0.00	57.6
2	T1	335	1.6	0.180	0.0	LOS A	0.0	0.0	0.00	0.02	0.00	59.8
Approach		346	1.8	0.180	0.2	NA	0.0	0.0	0.00	0.02	0.00	59.7
North: Bridge Rd												
8	T1	296	0.0	0.177	0.3	LOS A	0.3	2.1	0.10	0.04	0.10	59.3
9	R2	22	38.1	0.177	8.1	LOS A	0.3	2.1	0.10	0.04	0.10	54.9
Approach		318	2.6	0.177	0.8	NA	0.3	2.1	0.10	0.04	0.10	59.0
West: Haig St												
10	L2	39	2.7	0.047	6.7	LOS A	0.2	1.2	0.40	0.63	0.40	51.8
12	R2	8	12.5	0.047	9.3	LOS A	0.2	1.2	0.40	0.63	0.40	50.8
Approach		47	4.4	0.047	7.2	LOS A	0.2	1.2	0.40	0.63	0.40	51.6
All Vehicles		712	2.4	0.180	0.9	NA	0.3	2.1	0.07	0.07	0.07	58.8

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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MOVEMENT SUMMARY

▽ Site: 2 [Haig St/Bridge Rd Ex PM]

Haig St/Bridge Rd
Site Category: (None)
Giveaway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
South: Bridge Rd												
1	L2	2	0.0	0.159	5.6	LOS A	0.0	0.0	0.00	0.00	0.00	58.2
2	T1	302	2.8	0.159	0.0	LOS A	0.0	0.0	0.00	0.00	0.00	59.9
Approach		304	2.8	0.159	0.1	NA	0.0	0.0	0.00	0.00	0.00	59.9
North: Bridge Rd												
8	T1	523	2.2	0.279	0.0	LOS A	0.1	0.6	0.02	0.01	0.02	59.8
9	R2	8	0.0	0.279	6.9	LOS A	0.1	0.6	0.02	0.01	0.02	57.4
Approach		532	2.2	0.279	0.1	NA	0.1	0.6	0.02	0.01	0.02	59.8
West: Haig St												
10	L2	14	0.0	0.029	6.5	LOS A	0.1	0.7	0.43	0.64	0.43	51.1
12	R2	8	12.5	0.029	11.1	LOS A	0.1	0.7	0.43	0.64	0.43	50.0
Approach		22	4.8	0.029	8.3	LOS A	0.1	0.7	0.43	0.64	0.43	50.7
All Vehicles		858	2.5	0.279	0.3	NA	0.1	0.7	0.02	0.02	0.02	59.6

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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19114_modelling\19114 sidra\13-15 Haig Street, Wentworthville.sip8

MOVEMENT SUMMARY

▽ Site: 2 [Haig St/Bridge Rd Fu PM]

Haig St/Bridge Rd
Site Category: (None)
Giveaway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
South: Bridge Rd												
1	L2	6	0.0	0.161	5.6	LOS A	0.0	0.0	0.00	0.01	0.00	58.1
2	T1	302	2.8	0.161	0.0	LOS A	0.0	0.0	0.00	0.01	0.00	59.9
Approach		308	2.7	0.161	0.1	NA	0.0	0.0	0.00	0.01	0.00	59.8
North: Bridge Rd												
8	T1	523	2.2	0.282	0.1	LOS A	0.1	0.9	0.03	0.01	0.03	59.7
9	R2	13	0.0	0.282	6.9	LOS A	0.1	0.9	0.03	0.01	0.03	57.3
Approach		536	2.2	0.282	0.2	NA	0.1	0.9	0.03	0.01	0.03	59.7
West: Haig St												
10	L2	19	0.0	0.044	6.5	LOS A	0.1	1.0	0.43	0.67	0.43	51.0
12	R2	14	7.7	0.044	10.9	LOS A	0.1	1.0	0.43	0.67	0.43	50.2
Approach		33	3.2	0.044	8.4	LOS A	0.1	1.0	0.43	0.67	0.43	50.7
All Vehicles		877	2.4	0.282	0.5	NA	0.1	1.0	0.03	0.04	0.03	59.4

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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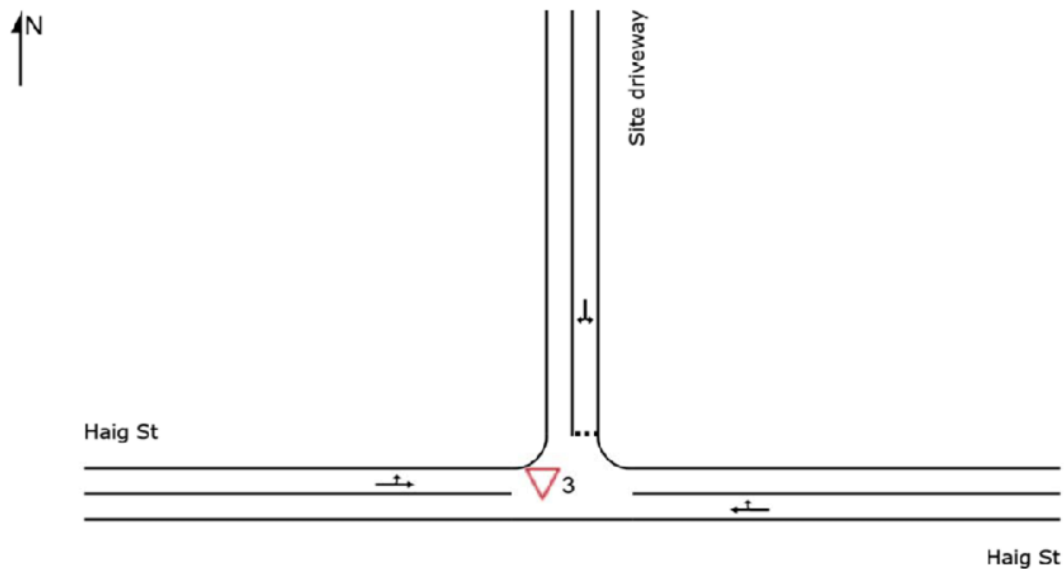
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SITE LAYOUT

▽ Site: 3 [Site driveway/Haig St Fu AM]

Site driveway/Haig St
Site Category: (None)
Giveway / Yield (Two-Way)



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MOVEMENT SUMMARY

▽ Site: 3 [Site driveway/Haig St Fu AM]

Site driveway/Haig St
Site Category: (None)
Giveaway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
East: Haig St												
5	T1	13	8.3	0.014	0.1	LOS A	0.1	0.4	0.11	0.27	0.11	54.1
6	R2	12	0.0	0.014	5.4	LOS A	0.1	0.4	0.11	0.27	0.11	36.2
Approach		24	4.3	0.014	2.6	NA	0.1	0.4	0.11	0.27	0.11	49.8
North: Site driveway												
7	L2	9	0.0	0.014	2.4	LOS A	0.0	0.3	0.11	0.47	0.11	33.9
9	R2	9	0.0	0.014	2.2	LOS A	0.0	0.3	0.11	0.47	0.11	50.0
Approach		19	0.0	0.014	2.3	LOS A	0.0	0.3	0.11	0.47	0.11	45.3
West: Haig St												
10	L2	12	0.0	0.024	5.5	LOS A	0.0	0.0	0.00	0.15	0.00	45.6
11	T1	35	0.0	0.024	0.0	LOS A	0.0	0.0	0.00	0.15	0.00	57.2
Approach		46	0.0	0.024	1.4	NA	0.0	0.0	0.00	0.15	0.00	54.2
All Vehicles		89	1.2	0.024	1.9	NA	0.1	0.4	0.05	0.25	0.05	51.7

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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19114_modelling\19114 sidra\13-15 Haig Street, Wentworthville.sip8

MOVEMENT SUMMARY

▽ Site: 3 [Site driveway/Haig St Fu PM]

Site driveway/Haig St
Site Category: (None)
Giveaway / Yield (Two-Way)

Movement Performance - Vehicles												
Mov ID	Turn	Demand Total veh/h	Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate	Aver. No. Cycles	Average Speed km/h
East: Haig St												
5	T1	11	0.0	0.010	0.0	LOS A	0.0	0.3	0.08	0.26	0.08	54.8
6	R2	8	0.0	0.010	5.4	LOS A	0.0	0.3	0.08	0.26	0.08	37.7
Approach		19	0.0	0.010	2.4	NA	0.0	0.3	0.08	0.26	0.08	51.2
North: Site driveway												
7	L2	11	0.0	0.015	2.3	LOS A	0.1	0.4	0.08	0.47	0.08	34.1
9	R2	11	0.0	0.015	2.1	LOS A	0.1	0.4	0.08	0.47	0.08	50.1
Approach		21	0.0	0.015	2.2	LOS A	0.1	0.4	0.08	0.47	0.08	45.5
West: Haig St												
10	L2	8	0.0	0.015	5.5	LOS A	0.0	0.0	0.00	0.18	0.00	45.2
11	T1	20	5.3	0.015	0.0	LOS A	0.0	0.0	0.00	0.18	0.00	56.6
Approach		28	3.7	0.015	1.6	NA	0.0	0.0	0.00	0.18	0.00	53.1
All Vehicles		68	1.5	0.015	2.0	NA	0.1	0.4	0.04	0.29	0.04	50.7

Site Level of Service (LOS) Method: Delay (RTA NSW). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

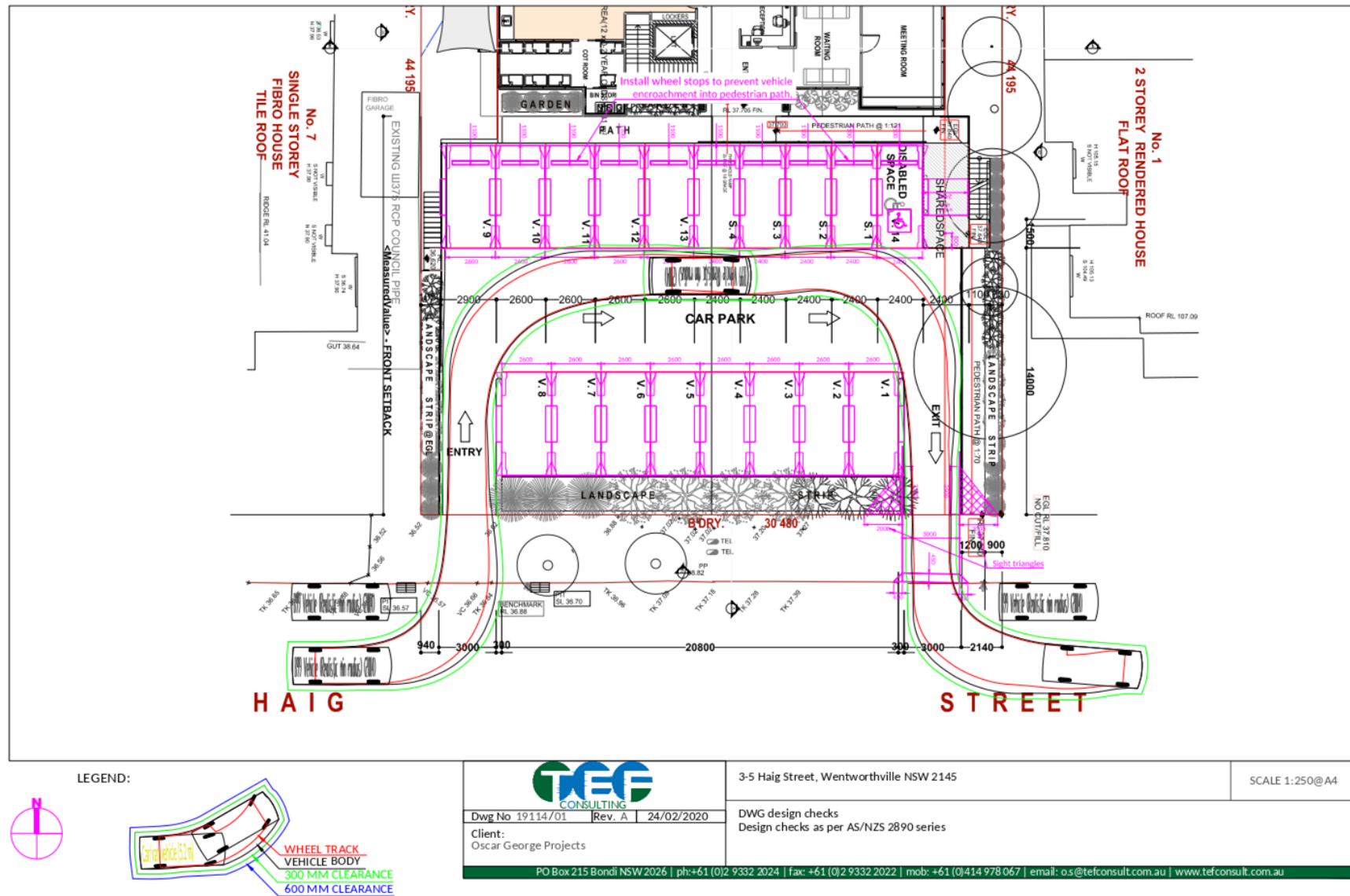
Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

SIDRA INTERSECTION 8.0 | Copyright © 2000-2018 Akcelik and Associates Pty Ltd | sidrasolutions.com

Organisation: TEF Consulting | Processed: Tuesday, 21 January 2020 6:26:46 PM

Project: D:\Dropbox_TEF Office\Dropbox__DB current TEF projects_NR\19114 - 3-5 Haig St Wentworthville - Oscar George Projects
19114_modelling\19114 sidra\13-15 Haig Street, Wentworthville.sip8



DOCUMENTS
ASSOCIATED WITH
REPORT LPP048/20

Attachment 11
Submissions Received

CHILD CARE CENTRE

Dear Sir / Madam

I wish to lodge a submission for my opposition for the proposal of a child care centre to be built in Haig Street at the above proposed address. If the proposal goes ahead this will cause additional traffic flow in the area which will cause chaos and it will be noisy compared to the quiet street that it is now. Also with the proposed child care, land values in the area will dramatically drop. Haig Street has been a quiet and settled street over all these years and to have a centre in the area will disrupt and change the area. So for these reasons I wish to object to the proposal of the centre being built, and I would like Haig Street to remain unchanged.

Cumberland Council
16 Memorial Avenue
Merrylands NSW 2160

Delivered by email
10th April 2020

**Ref: Formal Objection the Children Care Center of the Development Application DA2020/0145,
56 place childrens and 18 car parking space, 3-5 Haig St Wentworthville 2145**
Dear Sir/Madam,

on the same street, we wish to formally
Object the Children Care Center of the Development Application DA2020/0145 as noted in public noticed April 1st, 2020. Approval of the Development Application in its current form would prioritize the financial and commercial benefit of the applicant's principal over the safety and amenity of existing and future local residents, as well as potential patrons of the proposed 56 place Child Care Centre and 18 car space in this street.
Our community residents strongly request that the council **refuse and/or reject the DA2020/0145 application** for developer financial interest only.

According to specialist of Noise and Sound Services Mr Ken Scannell and Matthew Harwood,

*"The ideal location for a childcare center is one where there are large amounts open space on all sides of the proposed outdoor play area, especially R2 Zone residential area.
From an acoustical point of view, the worst-case scenario for a childcare center is therefore one situated on a small plot where there are eight neighboring boundaries, a very quiet residential street and requirement for a large number of children over 20 +. Therefore, the worst-case described above for a childcare center is case of the proposed development property 3-5 Haig St Wentworthville 2145, DA2020/0145".
(Ref: report "Carrying out noise assessment for proposed childcare facilities")*

Our specific concern and objection points against DA2020/0145 are as follows:

- * Proposed development property is eight neighboring boundaries and has the most inappropriate environmental conditions for the Child Care Center.
- * Proposed development does take into account the serious impact of local resident live.
- * Proposed development does not complies with *Child Care Centre Controls, Holroyd Development Control Plan 2013 and Holroyd DCP 2013*
- * Proposed development is only aimed at developer financial interest, not for the local resident community.

Therefore, we strongly request to refuse and/or reject the applicant of the DA2020/0145.

(Our community strongly requests that all decisions on this proposed development DA 2020/0145 be made to the CLPP and handled by the CLPP, not by council delegate's authority.)

We attach the describe objection of our specific impact concern. (Ref: Attachment describe of our objections)

Ref: Attachment Describe of Our Objections:

Our objection is made on the following bases:

1. The inconsistency of this application *in its current form* with the NSW Government Childcare Planning Guideline dated August 2017 (<https://www.planning.nsw.gov.au/policy-and-legislation/-/media/423AAA128F1C4B519836C2243625C027.ashx>) ("Guideline"), and
2. Child Care Centre Controls, Holroyd Development Control Plan 2013
3. Association of Australasian Acoustical Consultants Guideline for Child Care Centre Acoustic Assessment Version 2.0
4. Cumberland Council Development consent DA2018/283/1 and DA2018/284/1
5. Report "Carrying out noise assessment for proposed childcare facilities"
6. CLPP Agenda and Development Assessment ELP014/19, March 27th 2019
7. DA M2018/283/2 lodgement documents and plans on Cumberland council portal site
8. CLPP Agenda & Minutes Report and Development Consent CCC of 22 Austral Ave Westmead ,DA2018/283/1
9. CLPP Agenda & Minutes Report and Development Consent CCC of 15 Hyacinth St Greystanes ,DA2018/284/1

This is why we request for a council decision to reject or refuse the Children Care Center of the Development Application DA2020/0145 as follows our concerns.

1. **Does not comply with Holroyd DCP 2013 regarding of maximum 45 children at R2 zone.**
The 56 children requested by developer exceed the maximum allowable 45 children specified in the Holroyd DCP 2013 R2 zone. Therefore this is not complying with Holroyd DCP 2013.
2. **Does not comply with Holroyd Plans: Omit granny flat from all the plans**

1 Haig Street has a granny flat (flat 1 Haig Street) at the back, and the surveyor plan has completely ignored it. This impacts the 70+ couple living there as all the plans and reports show that there is a play area right next to the flat. Noise is a big concern for them, as it impacts their current medical condition, and the play area can cause a lot of noise. The plans have omitted the granny flat causing much concerns towards the elderly couple.
Please refer to the medical reports.
3. **Does not take into account the safe and encumbered outdoor ground play space of the proposed 56 children.**
(Regulation 108 SEPP 2017 and part 4.9 the Guideline).
Ref: Picture #2 Actual safe and encumbered outdoor ground play space 89m2 only

The encumbered outdoor play area of the actual available 3-6 ages is not 310.58m2 as proposed and is calculated at just **89 m2 only**. Therefore, according to the encumbered outdoor play size rule, the actual allowable 3-6 age is not 44 and is **up to 25 children only**. (Encumbered outdoor play size, 7m2 per children rule).
We request to solve this concern: reduce to 25 children 3-6 ages and 12 children 0-2 ages, total 37 children or less

And the high location of the outdoor play area of 0-2 age has serious impact problems with respect to amenity of adjoining residents.
First, if a child crashes over outdoor playground, there are serious safety issues, such as injury or death.
Second, due to its high location of outdoor playground, there is a serious noise problem for the surrounding adjoining residents due to noise that goes beyond the acoustic fence.

Third, due to the high position causes a serious privacy violation of the surrounding adjoining residents.

We request to solve this concern: relocate to lower ground for 0-2 age outdoor playground

4. Concerns are raised regarding how emergency vehicles or garbage trucks will access and travel via Haig St when cars are parked on both sides of the road.

It is outlined that Haig St can only accommodate one vehicle going up or down the street if cars are parked on both sides of the road.

Therefore front of proposed child care centre must be required a **'no stopping' parking restriction** to the frontage of the proposed development site 3-5 Haig St. (Same condition 25 as Development consent DA2018/284/1, 15 Hyacinth St Greystanes for Child Care Center)

Ref: Picture #3 Elect "No Stopping" sign to the frontage of the proposed development site 3-5 Haig St

5. Does not comply with Holroyd DCP 2013 for the landscape area of less variation

The landscape area variation is far shorter than the development code plan, so it does not comply the landscape area variation with the DCP2013.

Ref: Picture #4 Landscape area of less variation

6. Does not comply with Holroyd DCP 2013 for overland flow swale for the OSD storm water

For the safe unencumbered play space, the child safety fence must be installed in the vicinity of the OSD Swale Drain /Wet-Dry Creek channel. And we strongly oppose requests for the developer financial interest for increasing children without considering Children safety.

Also, as you can see in *Picture #5 OVERLAND FLOW SWALE*, natural storm rain water flows in lower outdoor play area from east side fence. This requires the installation of storm water drain swale on the East, West and North fence boundaries so that contaminated rain water does not enter the outdoor play area. If this is not taken into account, **the outdoor play area is contaminated with dirty rain water**, which has a negative effect on children's health.

Ref: Picture #5 Overland flow swale for the OSD storm water

7. Specific our impact concerns are detailed below and attachments papers:

*** Child Safety impact**

For the safe unencumbered play space, the child safety fence must be installed in the vicinity of the OSD Swale Drain /Wet-Dry Creek channel. And we strongly oppose requests for the developer financial interest for increasing children without considering Children safety.

Also, as you can see in *Picture #5 OVERLAND FLOW SWALE*, natural storm rain water flows in lower outdoor play area from east side fence. This requires the installation of storm water drain swale on the East, West and North fence boundaries so that dirty rain water does not enter the outdoor play area. If this is not taken into account, **the outdoor play area is contaminated with dirty rain water**, which has a negative effect on children's health.

*** Traffic & Car parking impact**

The street is narrow especially when cars are parked on both sides of the road. The traffic impacts are further exacerbated with the proposed increase in children placement 56.

The provision of car parking is impractical for a child care centre having regard to minimum widths of car parking spaces provided. It is noted that the car parking spaces comply with the Australian Standard, however, the width of the proposed car parking spaces do not provide for comfortable or convenient spacing for parents to manoeuvre children in and out of vehicles. It is considered that as a result, parents

will be more inclined to park on the street which would lead to parents parking on Haig Street, and not using the parking for convenience.

Concerns are raised regarding how emergency vehicles or garbage trucks will access and travel via Haig Street when cars are parked on both sides of the road. It is outlined that Haig Street can only accommodate one vehicle going up or down the street if cars are parked on both sides of the road. Therefore we request to elect a **'no stopping' parking restriction** to the frontage of the provision development site 3-5 Haig Street.

(Same condition 25 as Development consent DA2018/284/1, 15 Hyacinth St Greystanes for Child Care Center)

*** Noise impact**

Due to the increase in 56 children by proposed DA2020/0145, the proposed child care center will be an increasing noise nuisance to surrounding properties. Concerns are raised regarding how noise from traffic flows during peak times will be controlled and are increased noise from outdoor play area by 56 children.

The use of acoustic barriers and design, such as screen fencing or planting as noise buffers for external noise sources or transmission of noise from the child care centre to surrounding properties.

We request to solve this concern: install maximum **2.4m solid barrier fence plus an angled cantilevered top** to the total required height to reduce the noise influence of all adjoining residents.

***Overlook Privacy Impact**

Top level of proposed building will overlook adjoining resident properties and deprive the residents of their privacy. **(Especially overlook from all ground floor room windows)**

We request to solve this concern: install **all invisible windows and reduce window height**.

Ref: Picture #6 Overlook privacy impact of all adjoining residents of East, West and North Side

*** Streetscape Impact**

The proposed child care is not suitable within Haig Street having regard to the local character of the street, having regard to the additional noise, traffic and parking impacts.

This will be the first non-residential development in the street and does not reflect the quiet nature of the suburban street. The proposed development is considered to be against The Childcare Planning Guideline as it does not "respond and enhance the qualities and identity of the area, including adjacent sites, streetscapes and neighbourhood".

The introduction of a non-residential development within a mid-block suburban street does not respect and reflect **the local heritage** and nature of Haig Street and is contrary to the Childcare Planning Guidelines.

Especially, **"TOYS & TOTS Child Care"** sign on the front building is a very ugly and does not respect and reflect the local heritage and nature of Haig Street and is contrary to the Childcare Planning Guidelines. We request to uninstall any business sign on the proposed building.

*** Property Value Impact**

Having a non-residential development on Haig Street will reduce property values significantly as it does not fit in the nature and landscape of the street. **The proposal is considered to be for commercial activity and does not benefit the community or reflect the local character of the community.** We are concerned that multiple impacts will result in high premium street value down and also affect house value down. Also, we do not agree with the Council planner's irresponsible and baseless assessment report that there is no impact on property value down due to the Child Care Centre.

Attention: If the council planner cannot agree to our property value concern, it must be required to present the evidence of disagree opinion by council planner self when CLPP meeting.

*** Contamination Soil Impact**

Objective C2: To ensure that the site selected for a proposed child care facility is suitable for the use.

The Guideline includes the following matters for consideration:

"There are no potential environmental contaminants on the land, in the building or the general proximity, and whether hazardous materials remediation is needed"

Education and Care Services National Regulations,

Subclause (d) of regulation 25 requires an assessment of soil at a proposed site, and in some cases, sites already in use for such purpose as part of an application for service approval.

With every service application one of the following is required:

- * A soil assessment for the site of the proposed education and care service premises*

Currently, the proposed development land contains an asbestos fibro wall in houses that was built more than 50 years old with fibro walls.

However, the proposed the waste management report omitted description of the existence of asbestos. The existence of asbestos would have serious children's health and safety ramifications on outdoor ground play area.

In particular, the asbestos fibro wall house have corroded for the past 50 plus years, which would have likely severely contaminated the land through rainwater for a long period.

Therefore, a survey of the contamination of the proposed property land must be conducted, and the developer must be asked to re-submit all relevant DA submission requirements documents, waste management reports, Statement of Environmental Effects, etc...

Attention: If council planner do not take any reasonable efforts against this matter, we will hold all parties involved accountable for negligence and take all necessary actions.

Ref: Picture #7 Omitted Asbestos/Fibro on Waste Management Plan

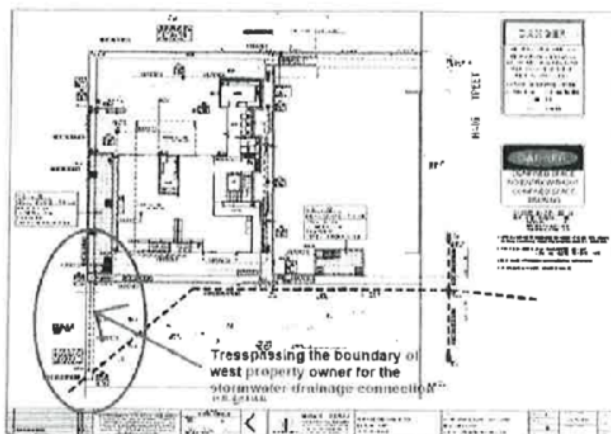
8. we would like request to include the following conditions in the council draft DA consent for the CLPP meeting.

- * Refuse and/or reject approval of DA2020/0145*
- * Maximum 37 children, 12 children 0-2 ages, 15 children 3-4 ages and 10 children 5-6 ages, 7 teachers*
- * Car parking space Total 16: 11 visitors, 4 staffs, 1 disability*
- Total parking Allocate at least 11 visitor car parking space, 4 children / car, 2 staff / car and 1 disability*
- * Operational Management Plan (OMP) prior to issue of CLPP meeting date and upload on council petal site*
- * A soil assessment (Contamination) report to council prior to the issue of construction certificate*
- * Operation hour between 7am to 6pm, Monday to Friday on weekdays. Strict to operate on weekend and public holiday*
- * Air conditioning and mechanism running during operation hour only. Strict to operate on weekend and public holiday*
- * Support for neighbouring Buildings during construction*
- * Acoustic report within 3 months after occupied Child Care Centre*
- * Noise management*

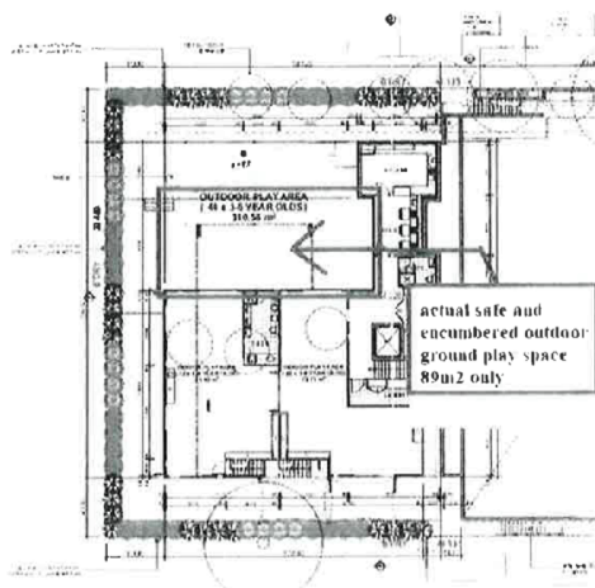
- *Outdoor play area*
- *Operation plant and equipment*
- *In event of council receiving complaint*
- *Noise and vibration of Air condition, strict operation between 6.00pm and 7.00am on weekdays and on weekend and public holiday*
- * *Roller Door must be open always during operation hour between 7 am to 6 pm to reduce noise for adjoining neighbor*
- * *Operation Management Plan (OMP)*
 - *Must submit to council approval prior to CLPP meeting and upload on council portal site)*
 - *The plan shall detail how the child care center will be managed to minimize impacts on adjoining neighbor (on-street parking, noise, privacy etc...)*
 - *Outdoor play hour plan (Strict maximum 1 hours per day between 10 am and 12 pm)*

***** End *****

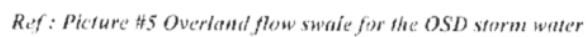
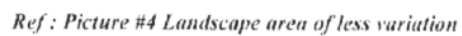
Picture #1 : Trespassing the boundary of west property owner for the storm water drainage connection

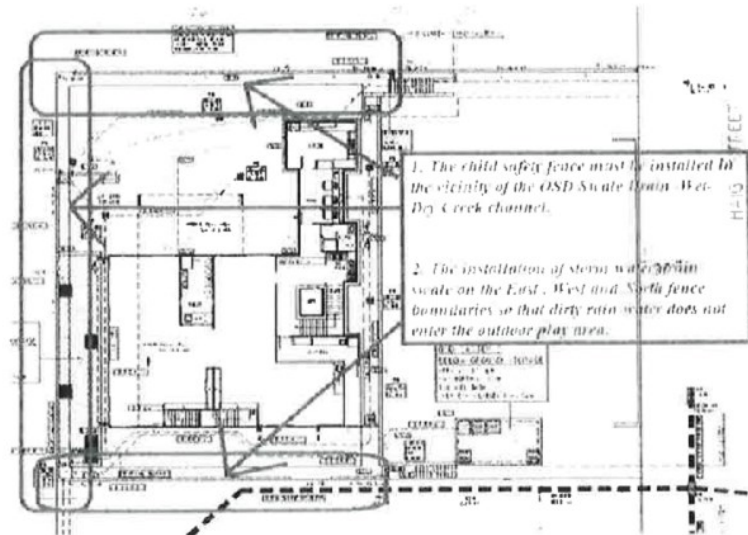


Ref : Picture #2 Actual safe and encumbered outdoor ground play space 89m2 only

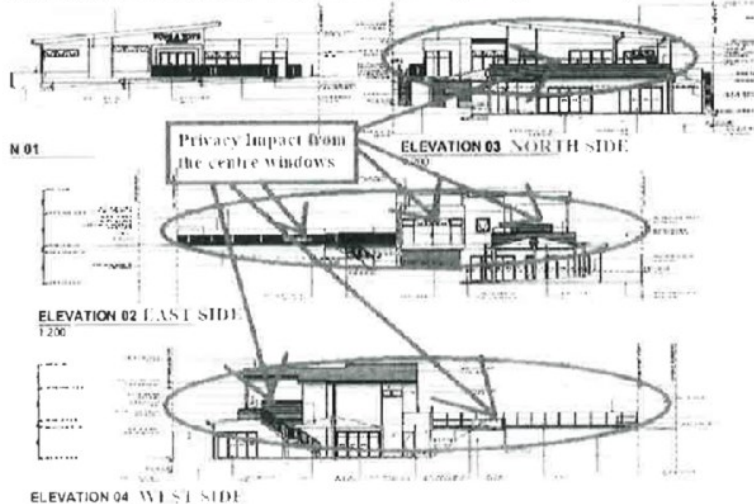


Picture #3 Elect "No Stopping" sign to the frontage of the proposed development site 3-5 Haig St

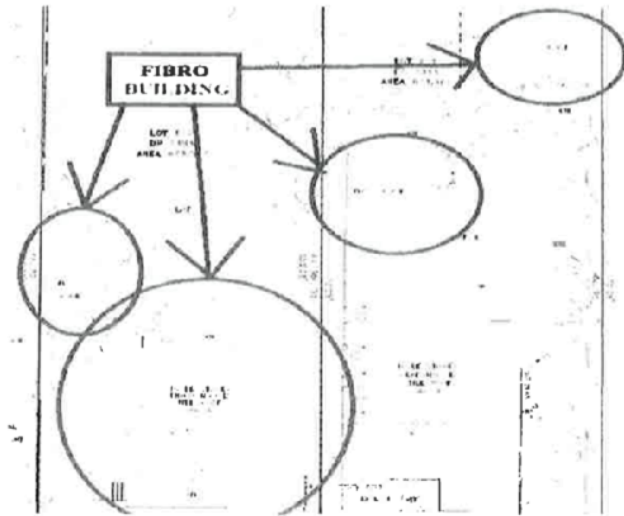




Ref: Picture #6 Overlook privacy impact of all adjoining residents of East, West and North Side



Ref: Picture #7 Omitted Asbestos/Fibro on Waste Management Plan



21 April 2020

Nighat Aamir
Senior Development Planner
Cumberland Council

Property: 3 - 5 Haig Street, Wentworthville, NSW, 2145
Lot and DP: Lots 111 and 112 of DP 7383
Reference: DA 2020/0145
Proposal: Demolition of existing structures and construction of a 56 place childcare centre with at grade car parking and associated signage

Dear Mrs. Aamir,

This letter is a submission in reference to the development application DA2020/0145 for the Demolition of existing structures and construction of a 56 place childcare centre with at grade car parking and associated signage at Nos.3 – 5 Haig Street, Wentworthville.

The submission is in reference to the insufficient assessment and detail of the proposal on the immediate adjoining properties, at No.1 Haig Street and number 7 Haig Street. The submission is also accompanied by a petition of signatures by landowners within the immediate vicinity of the subject site in response to the likely impact upon the streetscape and loss of neighbourhood amenity resulting from the proposed development.

The application in its current form does not demonstrate that the proposal will not have any further adverse impacts on the existing established residential precinct in terms of noise, traffic, privacy and overall environmental amenity as discussed within this submission.

Maximum capacity of Child care centres in R2 zone:

- Pursuant to Control C1, of Part I of the Holroyd Development Control Plan 2013:
"A child care centre proposed in an R2 Low Density Residential zone is limited in size to accommodate not more than forty-five (45) children. Capacities of child care centres located in other zones will be assessed on the merits of each application."

The proposal involves the construction of a fifty six (56) place child care centre within R2 (Low density residential) zoned land, a surplus of eleven (11) additional places within the proposed facility. The proposal therefore does not comply with the said development control and will subsequently result in cumulative amenity impacts such as loss of acoustic privacy by way of increased children numbers, probable increased staffing numbers, which will result in increased vehicular ingress and egress to the subject site and therefore increased vehicular movement within Haig Street during peak drop off and pick up times during the day. It is therefore suggested that the application be amended to be brought to compliance with the abovementioned development control.

Acoustic privacy Impacts

- The proposal in its current form is likely to impart negative acoustic impacts upon the private open spaces of the immediate adjoining residential lots, especially upon the secondary dwelling to the rear of 1 Haig Street. The occupants of the secondary dwelling are two elderly members of the community, one with whom is diagnosed with a permanent and progressive condition of Parkinson's disease. Please refer to Appendix 2 for a detailed statements from a Clinical NSW Health specialist dated 18th February 2020. Attention is therefore drawn to the unenclosed east facing upper ground floor play area, which in its current form, will enable acoustic impacts from the site to traverse and impact upon the adjacent secondary dwelling. To this end, acoustic attenuation measures are recommended to be implemented to preserve the acoustic amenity of the elderly occupants of the secondary dwelling at 1 Haig Street.

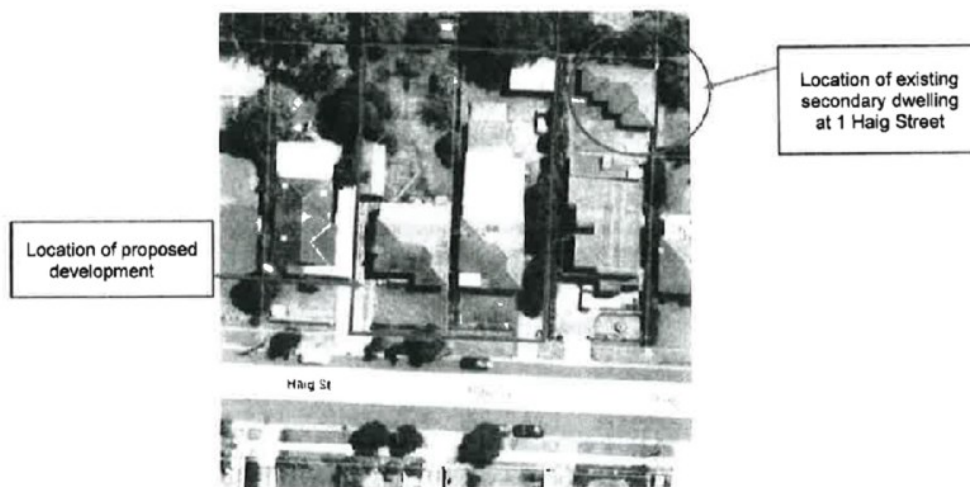


Figure1. Aerial image of development site and adjoining lots.
Source: Nearmaps, dated 20th April 2020

Visual Privacy Impacts

- The proposal in its current form will impart negative visual privacy impact upon the northern, eastern and western properties namely: 1 Haig Street, 7 Haig Street, 4,6,8 and 10 Jordan Street. The proposed location of the upper ground floor play area does not propose any visual privacy attenuation structures and therefore acts as an elevated platform above the private open spaces of the abovementioned properties. It is recommended that visual privacy measures be proposed to preserve and mitigate overlooking into the private open spaces of the immediate adjoining residential lots.



Figure3. Aerial image of development site and contextual surrounds.
Source: *Nearmaps*, dated 20th April 2020

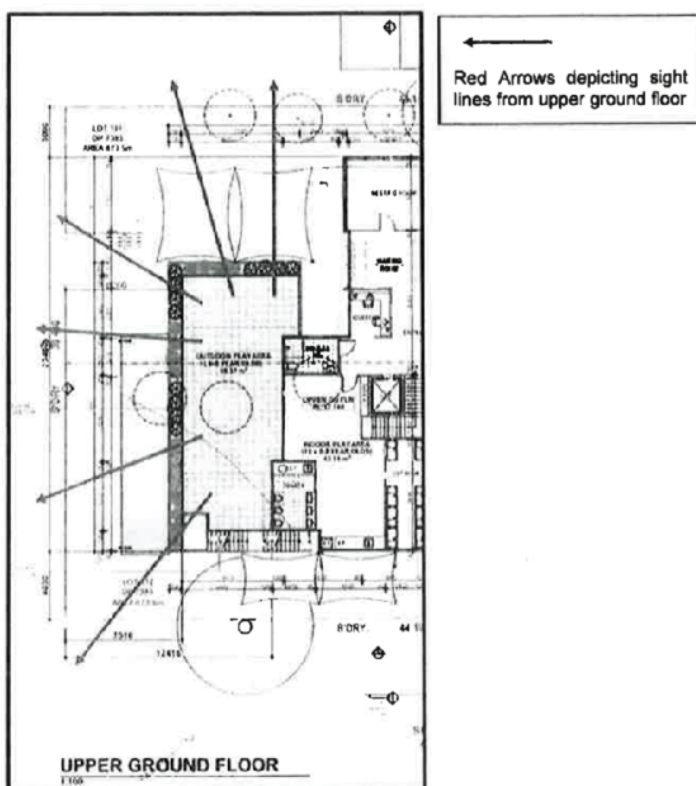


Figure2. Snippet of upper ground floor plan demonstrating potential impact upon adjoining private open spaces.

Source: Cumberland Council DA Tracker

Original work by: *Designniche building designers*

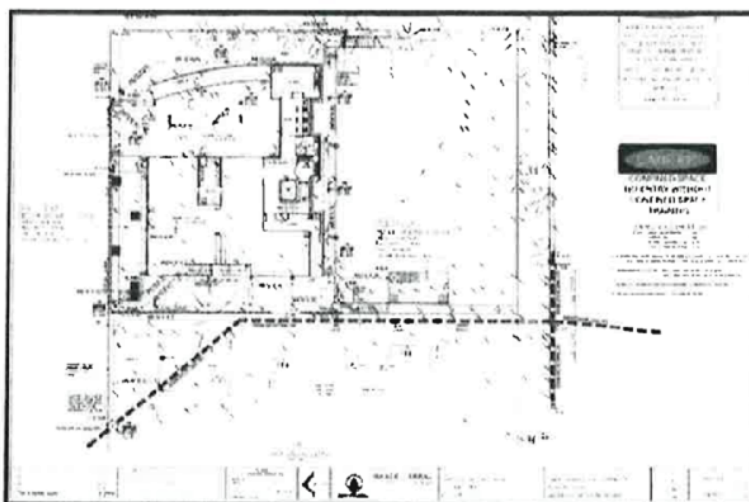
Operational Plan of Management

- Pursuant to the Cumberland City Council DA Checklist (Major Development) A plan of management must always accompany a childcare centre facility at its lodgement phase.

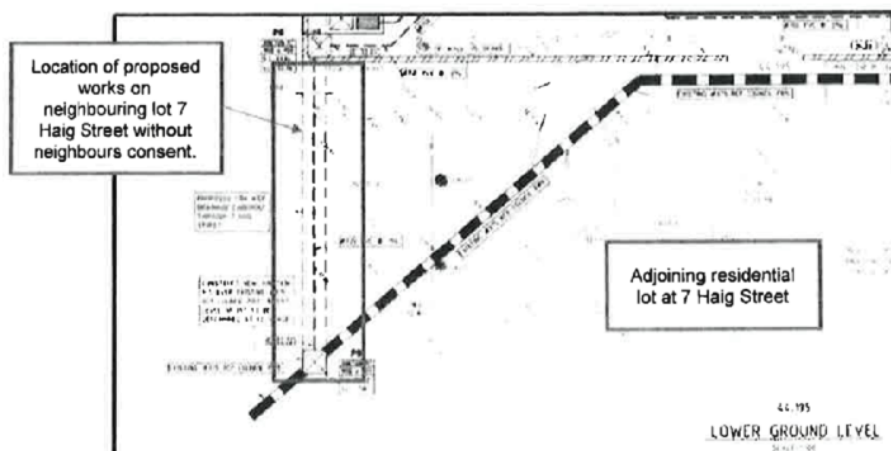
Whilst recommendations have been supplied in Section 8.0 of the submitted Environmental Noise Impact Assessment (Acoustic) Report by *Day Design Pty Ltd* dated 24 February 2020, a Plan of Management committing to the prescribed Noise Control Recommendations has not been provided by the applicant as stated above. It is therefore suggested that the applicant submit a Plan of Management to accompany the application which demonstrates appropriate daily operations, procedures and intent to commit to the management of the premises. The Plan of management is suggested to include, but not limited to:

- A Schedule of proposed daily routines and the use of the proposed outdoor play areas;
- A plan for the management of children in outdoor care, and;
- Childcare centre activities.

Stormwater Concept plan



Snippet of proposed stormwater plan prepared by *Mance ARRAJ Civil & Structural Engineers*.
Source: Cumberland Council DA Tracker
Cited: 9th April 2020



Snippet of proposed stormwater plan prepared by *Mence ARRAJ Civil & Structural Engineers*.
Source: Cumberland Council DA Tracker
Cited: 9th April 2020

Pursuant to Schedule 1 of the *Environmental Planning and Assessment Regulation 2000* (Regulations), specifically clause 1(i) referenced below, consent of the landowners of 7 Haig Street is required to accompany DA 2020/0145 refer below:

- (i) "evidence that the owner of the land on which the development is to be carried out consents to the application, but only if the application is made by a person other than the owner and the owner's consent is required by this Regulation."

The proposed stormwater plan above involves the construction of a 1m wide stormwater easement to the rear of 7 Haig Street. At the time of submitting this submission, the landowner at 7 Haig Street had not provided their consent, nor had they been engaged in any discourse by the applicant or developer. To this end, the proposal in its current form is in breach of the abovementioned clause. To this end, the stormwater concept plan is recommended to be amended to be retained wholly within the subject site of No's 3 – 5 Haig Street. Alternatively, the applicant is mandated by the Regulations to obtain evidence of landowner's consent from 7 Haig Street.

In conclusion, the proposal in its current form does not adequately assess the impacts of the proposal on the surrounding dwellings and their private open spaces. The proposal should be amended to assess the immediate impacts on the predominate context surrounding the proposed child care centre and recognise that it will cause detrimental impacts upon the existing established residential precinct.

Appendix 1 – Petition of signatures of adjoining occupants and landowners.

Appendix 2 – Evidence of records of inhabitants at the Secondary dwelling towards the rear of 1 Haig Street, Wentworthville

Disclaimer:

Local Approval does not claim ownership rights to any of the referenced documents within this report. Official use or duplication of the referenced plans must be obtained via permission of Cumberland Council and/ or the rightful owner. The use of referenced documents and plans within this submission report is strictly for illustrative purposes only.

4th April 2020

Jai Shankar

Co-Ordinator Development Advisory

Cumberland City Council

**RE: Proposed Development of No3 Haig Street, Wentworthville NSW 2145 Lot 111 DP 7386 and
No5 Haig Street, Wentworthville NSW 2145 Lot No 112 DP 7383 – DA2020/0145 (hereafter DA)**

We wish to advise you that we are affected by this DA on that basis we intend to object to the DA.

Our ground for the objection includes: among other things

- Out of character (residential area) as it is not zoned for commercial use
- Too close to intersection (traffic congestion)
- Street congestion / parking
- Private commotion
- Loss of security / privacy
- Shift workers within close proximity
- 20 other operating day cares within the area
- Aged Residence within the vicinity
- Bridge Road Residence already using Haig Street for parking

Being a resident of Haig Street for 24 years, I have watched the area build up and have observed an increase of congestion in certain streets. Having received the council's notification dated 24th March 2020, I believe this time frame for response is inadequate due to federal and state government frame work for COVID19. I believe I have significant support in the street (ie residents in the street / elderly without email access) to object to the DA and on that basis, we are aiming to make a joint submission relating to this matter as soon as possible.

Please confirm

**Re 3 Haig Street Wentworthville and 5 Haig Street Wentworthville 2145
DA2020/0145**

I would like Council to know that as a resident of Haig Street Wentworthville I **STRONGLY OPPOSE** this proposal of a 56 place child care centre with car parking and associated signage in Haig Street Wentworthville and urge council **not to provide planning approval**.

My objections and concerns with this proposal after viewing and reading the DA proposal include the following:

The choice of site is highly unsuitable. Haig Street is one of the best streets in Wentworthville and zoned R2 Low Density Residential. This proposed child care centre is a commercial business for profit. Haig Street and the surrounding streets in the locality are characterised by residential homes. This proposal represents a densely commercial intrusion and destruction of a residential environment. Sixty four people plus in one location is NOT low density. The proposal is NEITHER compatible with neighbouring land use nor appropriate.

In the Cumberland Council area there are 8 Long day Care centres which are operated by Council. There are also 19 plus privately owned / run Long Day Care Centres, Child Care Centres, Early Childhood Centres, Family Day Care facilities, Kindergartens and Pre Schools within the Wentworthville, South Wentworthville, Westmead, Pendle Hill and Toongabbie areas. These privately run centres all had existing vacancies for each age category when I phoned them. The area is already well serviced with an existing supply of Child Care Centres and facilities. A proposed child care centre in Haig Street Wentworthville is unnecessary and at odds with the location.

The scale of this 56 place child care centre proposal and the site development is dense and excessive from viewing the plans. It appears to be extremely high in elevation and imposing on nearby homes. A second storey outdoor play area appears to overlook backyards and will impinge on the privacy of those residents living there.

The proposed commercial structure is excessive and overbearing in appearance from all angles including the existing streetscape. There will be a major visual impact on the local amenity. Haig Street is not a suitable or appropriate location.

This proposal will have a significant impact on traffic, considerably increasing the daily volume of vehicle movements on Haig Street in particular. There would potentially be 128 and possibly more extra vehicle movements per day in the early morning, throughout the day and late afternoon. Haig Street is becoming increasingly busy with traffic as motorists use local streets to avoid traffic snarls. I believe it is Council's intention to try and keep traffic on main roads and not residential streets which should be for local use. Introducing a significant increase in traffic volume into Haig Street will create a main thoroughfare and destroy the local residential street system. In the process this will create negative traffic flow issues, traffic hazards and risk to other car users and residents. It is a common

complaint around schools and child care facilities that parents are not the most careful and considerate drivers.

With parking proposed for 18 cars (staff and visitors – the composition of which demonstrates discrepancies in reports included in the DA proposal) and the centre with operational hours of 6:30am to 6:30pm Monday to Friday residents will be detrimentally affected by noise from the site, woken very early by traffic movement, vehicles being parked as staff arrive to commence their shift, the opening and closing of car doors throughout the morning and afternoon.

On street parking will very quickly become an issue for residents as staff, parents and visitors will need to utilise on street parking throughout the day. This increased on street parking represents a safety issue to residents moving around their neighbourhood, restricting street visibility from driveways and having driveways parked over.

Continual noise from a large number of children entering and exiting the proposed centre and playing outdoors along with increased traffic movements will negatively impact the quiet nature of our environment.

Public transport is not within easy access to enable parents to walk to and from the proposed facility and the bus transport is not adequate enough to provide parents with timeframes to meet other connections and reach working commitments.

Residents also are concerned that this proposed development will devalue properties in Haig Street, create issues with the ongoing energy supply and decrease water pressure.

It would appear no regard has been given to the residents of Haig Street Wentworthville, many of whom have lived here for over 25 years and all are very happy living in Haig Street. The detrimental impact of this proposal is on many levels including visual amenity, effects on residential amenity, site development density, environmental effects, traffic generation, noise and disturbance from the centre, safety, the quality of lifestyle for residents and their well-being.

Our quiet, well-appointed residential street and surrounds will be **forever impacted in a negative fashion** if this commercial business for profit proposal goes ahead.

I urge Cumberland City Council to consider the objections from residents and **not approve** the proposal DA2020/0145.

I request my personal information be suppressed under Section 58 of the "PPIP Act". I have not made a political donation or gift.

To the planning committee - Cumberland City Council,

I am writing to you regarding the development proposal for a 56 place childcare centre at 3-5 Haig Street Wentworthville.

I would like to lodge a strong objection to this proposal. In doing so I would like to inform you of the prevailing sentiments of the residents and council rate payers of this street. Put simply we do not want a commercial property on our otherwise quiet residential street. This is for many reasons:

- The increase in traffic will be significant. Our street is a quiet residential street with minimal through traffic. There are often school children who walk to school during the day very comfortably to Westmead Public and Wentworthville Public. A 56 place childcare centre will significantly increase congestion on the street and we fear for the ramifications of this increase in traffic for the safety of motorists and pedestrians. The turn from Haig street onto Bridge Road is already difficult during peak times, and this increase will make it even more congested and hazardous.
- **The whole street is particularly concerned about the impact of the traffic on the elderly population on this street. We are a close knit community and we look out for each other. In this email I am sharing their sentiments with you, particularly as many of our elderly do not have access to email. They are concerned about how difficult it will be for them to take their cars out to go and do their activities of daily living. We as a neighborhood are concerned for their independence.**
- The street is currently a quiet residential street. We do not wish to have the noise disturbances of the childcare centre. Quite a few residents - myself included are healthcare workers. We work in local hospitals and medical centres and we do shifts at different times of the day and night. We are already looking at a very difficult time with COVID-19. The last thing we need right now is disturbed sleep due to the construction and operation of a large scale childcare centre. We wish to maintain the peace and tranquility of this street. Many of us chose this street for our residence because of it's close proximity and tranquility to our places of work (Westmead Hospital and otherwise).
- We feel it will disrupt the sense of community and unity we have. It is rare in this age to find areas where neighbours still know and look out for each other. We are one such street. It is not unusual to walk along the street and get a chance to wave and stop to have a quick chat to almost all residents of the street. This has been particularly important during our times of crisis such as COVID 19 and we are very thankful of that support we have from one another. The construction of such a commercial building will ruin this sense of community. We feel it is the duty of the council to maintain such spirit to strengthen Cumberland has a community, rather than erode it for some misplaced sense of commercial gain. I cannot more emphatically emphasize how opposed we are to this erosion of the community we have built on this street.

We, the residents of this street are all of the same opinion. We have commenced collecting signatures for a petition, and would like to be informed of any relevant council hearings we can attend to further lodge our objection in person.

Should you require any further clarifications on anything I have written please do not hesitate to contact me.

Kind regards,

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Should you require any further clarifications on anything I have written please do not hesitate to contact me.

Kind regards,

To whom it may concern,

***ACCORDING TO PPIP ACT I WISH MY PERSONAL INFORMATION TO BE
SUPPRESSED***

I am a long residing resident of Haig street in Wentworthville and am proud to be a resident of Cumberland council. However, I was extremely disheartened when I was made aware, through a neighbour, of a **proposal for a new childcare-centre on 3-5 Haig street**. The proposed childcare centre to be built on 3-5 Haig street is destroying the long lasting climate and culture of our street. To further expand on this issue below are the reasons why I feel so strongly about this:

- All the houses on our street have a high degree of uniformity which forms the community and identity of our street, however the new site disrupts this. **Each house on this street has equal and identical plot and features which are not being upheld** by this new development and this does nothing but diminish the identity of our street.
- More closely, I have been residing on this street for many years and as a Cumberland council law abider when we built our house **we followed the strict yet logical rules of the council**. In fact, we were forced to await the approval of our neighbours in terms of the configuration of our windows and even the colour of our roof-tiles. Yet, this is **not the case with this new proposal**, despite the fact that this a commercial site and my own property is residential. **Where is the equity that we expected from our most trusted council?** Why is our voice not being heard?
- Our **street (Haig street) is renowned for its quite residential nature that paints the picture of urban Australia**. The unique culture of our street is something my neighbours and myself hold close to our hearts and sets us apart from the bustling streets a few metres away (e.g Dunmore or Fullagar street). Yet, the **proposed commercial building disrupts this calm and tranquil street as it will increase traffic flow**. Is it not **reasonable to place the childcare centre at a more suitable location nearby such as Dunmore or Fullagar street**, which is already a residential/commercial area that is safe and appropriate for a site of this nature. In fact, Dunmore street already has a childcare centre and this proves how such streets are more suitable for a childcare centre. More so, it is **almost impossible to find a childcare centre in a quiet and hushed street** such as Haig street. Would you not agree?

Cumberland council is known for the way it preserves our unique Australian heritage through its buildings. As a council you have ensured that there are streets which truly encapsulate the quintessential Australian landscape which we are all more than proud to be a part of. We are also extremely glad to belong to a council that puts great importance and value in their locals' opinions.

Therefore, we strongly object the proposal for the new child care centre planned to be built on 3-5 Haig street, due to its profound impact on the existing residents of Haig street.

Subject: Submission form for property development

Hi , I been trying for a while now to find submission form for DA2020/0145 in haig st wentworthville and the site keeps coming up blank not easy to access it. I'd like to disapprove of such a building to a quiet street.

14 April 2020

Dear Sir/Madam

RE: Development Approval - Child Care Centre 3 & 5 Haig Street Wentworthville

Thank you for taking the time to review this letter during these unprecedented times where everyone is facing a number of difficult challenges in relation to COVID-19.

We are strongly opposed to the development application of a child care centre for 56 children on 3 & 5 Haig Street Wentworthville 2145. Like many of our neighbours on this street, we bought our lovely home and moved here 18 months ago in anticipation of a quiet retirement. Residents on Haig street have enjoyed this quiet and peaceful setting for many years with some residents having lived here for nearly 80 years. This child care centre threatens the livelihood of many of these families who used their life savings and paid significant premiums during the Sydney property boom to secure a prime spot on this street.

The proposed child care centre is in an R2 residential area and on an extremely quiet street, which is inconsistent with the planning guidelines issued by the NSW government under the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (SEPP) - <https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/child-care-planning-guideline-2017-08.pdf>.

These guidelines in section C3 state that it is extremely important to consider the following in relation to the location of child care centres:

- impact on residential amenity which is particularly significant in more suburban areas;
- child care facilities are appropriately located near compatible and community focal points including schools and other educational establishments, parks, community facilities, places of public worship, employment areas, town centres, business districts and shops; and
- facilities are close to public transport links and areas with pedestrian connectivity to the local community

The proposed development at 3 & 5 Haig Street fails to fulfill any of the above requirements.

In addition to this, the environmental report submitted as part of the development proposal contains information that is not factually correct. We kindly ask the council to please review the plans and reports associated with the application as these are inconsistent with government legislation and should render the application invalid.

The environmental report states that "Westmead Public School is approximately 650m to the east and Wentworthville train station is approximately 700m from the site. A total of 5 existing child care centres are located within a 1km radius of the site" which is a clear misrepresentation of the facts. Westmead public school is 1km away and Wentworthville Station is 1.2km from the proposed site. Other child care centres in the area comply with section C3 of the NSW planning guidelines and these facilities are not located on quiet residential areas bordering houses on each side. In fact all the local child care centres are near the Wentworthville town in close proximity to the station, schools and businesses. Areas near the Wentworthville town are a more logical, appropriate and practical location for a busy child care centre and trading business. The proposal fails to outline the granny flat located on 1 Haig Street. As per the site plan the left hand side driveway is 940mm from the boundary as opposed to 1500mm for a business. As flagged by the independent town planner, the application for 56 children is non-compliant with the 45 child limit outlined by the Cumberland Council and should be amended. These inaccuracies are just some examples of the mistakes

(P)

I now learn of a Child Care Centre for 54 Bridge Rd, not more than 100 metres from the proposed Child Care Centre mentioned below; it makes the Haig St. DA even more ridiculous.

Development Application 2020/0145

It has come to our attention that the properties 3 doors away from us at 3-5 Haig St. is the subject of an application to develop the site as a child care centre, with a capacity of 56 children.

While we, along with other long term residents, parents and grandparents in Haig St. might understand the desire of some for a facility such as this, we cannot accept that a facility of this kind is suitable in any form in a street such as ours; that is Haig St. is essentially quiet & communal as can be verified by several real estate agents who rate it among the top 3 streets in Wentworthville. The disruption that the number of vehicles coming and going, loading and unloading of so many children twice a day at least is of great concern since we know from experience of a neighbours small home classes how dangerous this gets; and don't think for one minute that vehicle drop off/pickup is carried out safely; it isn't.

We have lived here for over 30 years, and I know there are families closer to the proposed child care centre than we are and who have been here longer than we have and will be feeling extremely let down by the Council, not only if this development proceeds, but that it is even possible that the zoning here should allow for it.

1

Furthermore, the manner in which we 'noticed' this application is really wholly unacceptable. This proposal impacts on more than just those who happen to notice the signage, and the time given to respond is simply insufficient, and gives no credence to the current coronavirus environment in allowing for neighbourhood discussion, as critical as it is.

For the council to even consider this application in this street is extremely disappointing, and should be seriously re-considered, and rejected.

Dear Jai Shankar

I have received the paperwork from Council with regard to the above proposed Development.

I have very serious concerns regarding this development and strongly oppose the final approval.

I live directly behind No. 5 Haig Street and would be the most affected by this if it went ahead. I have lived here for 30 years and seen a lot of development happen in this area, My husband and I also ran a survey practise in Wentworthville for 40 years and understand the procedures related to a development.

Firstly I have great concern for my level of privacy and noise. The above ground playground will be across my entire back fence as is the indoor play area which will be only 4 metres from my rear fence as well. Also this development would look completely into my backyard. The natural level of my block being RL 32.97 at the rear and the Proposed Retaining Wall RL 33.865 whilst the FFL 34.22 so that places the FFL 1.25 metres above my yard at the rear and about 0.7 metres above my outdoor area. To me this will have a huge impact on my privacy in my own home.

My next concern is the flow of stormwater. We have had a problem since No.1 Haig Street was built when there is heavy rainfall. The water is like a river running under my home, into the next 2 properties No. 10 & 12 Jordan Street where we are all inundated with water. My home is an old Californian Bungalow weatherboard cottage on brick piers so this is a grave concern with what its doing to the stability of these piers. The development is to be built up, so that any overland flow from upstream properties would be diverted around the property and exacerbate the problem that me and my neighbours already face with water flowing onto our properties. According to Council's stormwater policy the drainage system is meant to cater for any overland flow that enters their property and not divert and concentrate the flows onto neighbouring properties.

With regard to the traffic control plan, there has been a huge number of units built in Veron Street with no planning for the additional parking for all these units, especially with Veron Street having all the road changes made to it. This has had an affect on parking in Jordan Street so to add additional traffic and parking that can spill into Jordan Street will further add to the existing problem. At times I cannot get a park within 100 metres from my own home.

I feel that this type of development should be in a commercial or industrial area, not interrupting lives in our residential areas.

Regards

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I feel that this type of development should be in a commercial or industrial area, not interrupting lives in our residential areas.

Regards

Dear Council,

**Objection to the childcare centre proposal (DA2020/0145) at 3, 5 Haig Street
Wentworthville.**

Jordan Street, Haig Street, Hudson Street and Killeen Street, Fullagar Street are some of the streets which have highly residential outlook. The characteristic of these are tree lined streets and that the lots are neat and equal size frontage with old and new houses. The houses generally located with 8 – 10 m front set back from the council boundary. This box shaped suburban is tucked away from busy Wentworthville and Westmead town centres. People looking for quiet streets to walk, driving instructors looking for Quiet Street for teaching their students often tend to use our streets.

Now out of the blue, there is a proposal to build a child care centre in this quiet street. This will eliminate the current characteristic of this street forever.

General control of the childcare centres must be next to “community focal points”, such as shopping centres, libraries, parks, schools or sporting grounds. So this location is not suitable for this commercial in nature business.

This child care centre will introduce non-local traffic into this residential street. When someone enters into the street and see that the car park of 18 cars will be an eyesore if this is approved.

There are plenty of childcare centres in mixed business and residential streets like Dunmore Street Wentworthville, Darcy Road Wentworthville, and Station Street Wentworthville etc.

We need the council would support the social needs of every one who lives in the Haig street.

So we earnestly request the council to reject the childcare centre proposal in the Haig Street.

We write regarding the proposed development as the owner of 6 Jordan Street, Wentworthville, the property that adjoins the rear of No 3 Haig Street.

Having reviewed the Plan we would like to object to the building of the child care centre. It is clear that the centre will be a commercial arrangement with a two story height that will create a significant level of noise for not only our property, but the adjoining properties. In addition to the noise levels, given the slope of the block the centre will look direct into the rear yard of our home impacting on the privacy that we currently retain. Of course the privacy and noise aspect is exacerbated given the proposed development goes across 3 and 5 Haig Street and by its very nature is large, and is catering for a large number of children. The other negative aspect is the proposed property is only 4 metres from the rear boundary fence impacting negatively on both noise and privacy.

The drainage of storm water is also of concern. It is well known the natural slope of the blocks in Haig Street flow to Jordan Street.

Given the nature of the building it would be naturally expected that storm flows will flow into our block and further given the natural fall on the blocks.

Also of concern as the actual amenity of the land use. The area is residential and has been for a significant period of time. We ourselves have owned the home since 1987. Whilst it is acknowledged that there may be renewal with the demolition and rebuilding of residential homes this is something that is expected. The demolition however of homes to be replaced with a business development, especially one that changes the very nature of the residential area is objectionable. Should the proposed development be approved then it will exacerbate the traffic movements, parking, congestion and the like which effectively changes the nature of the neighborhood and locality something we do not consider is acceptable.

In accordance with all the grounds mentioned we object to the property being changed in terms of its use, and the proposed development as it presently exists.

Regards

Dear Jai Shankar,

Re: Proposed development of No 3 Haig Street, Wentworthville NSW 2145 Lot 111 DP 7386 and No 5 Haig Street, Wentworthville NSW 2145 Lot 112 DP 7383 – DA2020/0145 (hereafter DA)

We wish to advise you that we are affected by this DA and on that basis we intend to object to the DA. Our ground for objection includes, among other things:

- Character amenity;
- Traffic congestion;
- Lack of car parking;
- Loss of privacy; and
- Residential noise.

Having received the council's notification today (i.e. letter dated 24 March 2020) and further, discussed this matter with a number of residents in the street today, we believe we have significant support in the street (i.e. of those residents in the street) to object to the DA and on that basis we are aiming to make a joint submission relating to this matter as soon as possible (this includes any legal advice we may require jointly and severally). However, having regard to the COVID-19 situation we require adequate time to chat among the residents and consider the options available. We wish to seek 2 months of extension to lodge the objection by 1 June 2020.

Consistent with the COVID-19 social distancing framework outlined by the Federal Government and State Government we believe that the time requested to lodge the submission is reasonable and adequate (noting that other regulators in the country have also amended their lodgement times and processes in general – this includes the courts) and we are not aware of reasons as to why it should not be granted.

Please confirm.

Dear Sir/Madam,

I wish to lodge my objection to DA2020/0145. Having viewed the submitted DA documentation, my strenuous objection to the proposal is based on the following grounds:

1. The proposed development conflicts with the aesthetics of the residential neighbourhood and is not suited to the quiet residential street, being more akin to a commercial development. This is reinforced by the proposed signage screaming across the main entry which is a blot on the wider neighbourhood;
2. The proposed use, while permitted under R2 zoning with consent, is not in keeping with the quiet neighbourhood, which consists of detached residential houses;
3. The acoustic impact of this proposal on surrounding properties cannot be over stated. Expected increases in noise levels will be of more significance due to the low level of activity in the peaceful street. Should this proposal proceed, neighbouring residents will have to endure foreign noise within their own residences having detrimental impacts on their health and quality of life;
4. While modelling and analysis suggest no impact to traffic operation, there will be a significant increase in traffic trips to the proposed centre which will increase overall traffic volume, and impact quality of life to those residing in the quiet street. There are a large number of elderly residents who had established themselves in the area long ago. Further, the use of typical traffic generation rates is inaccurate and outdated, which results in underestimated traffic volumes. The number of trips would in reality be significantly higher than that estimated in the traffic report submitted in support of the DA.

I trust that you will consider these points careful, in determining that this proposal is rejected. Thanking you in advance for your consideration.

Kind regards,

(2)

Voicing my strong objection to the proposal for a 56 place child care facility to be added to Haig st Wentworthville.

One property is too much, but Two properties being allocated to this is an affront to our pleasant and quiet st. Parking issues, through traffic for parents, staff, suppliers. 112 cars per day in our street and that's not even accounting for the staff and suppliers! Increased noise, less privacy. It will completely distort the tranquility of our street. There is no appeal to adding another facility in a area which already enjoys an abundance of other similar facilities.

If another one is required, a higher density area would be more fitting. Rms will have already accounted for the traffic flow and the neighborhood would be used to the volume of people, traffic, noise and intrusion.

commercial facilities like this would simply destroy neighborhoods. Haig St is a relaxed, quiet and rare St in the parramatta area, and will, if it were to go ahead, directly impact my familys Desire to stay in the area.

What's next after this? We approve a commercial development and then I can request to knock down my home built in early 1900's and build a 4 story apparent block on my land? Can't allow one and not the other, if the argument is one of progress and demand.

This would mark the beginning of the end.

I emlore council to not allow ANY commercial operation in our residential areas. They kill neighborhoods.

(17)

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Dear Sir/Madam,

I write to you in relation to the development application DA2020/0145 for the proposed plans to construct a 56 place childcare centre at 3 & 5 Haig Street, Wentworthville. We are writing to express our objection to the building of the childcare centre. We moved to this street with our family in 2005 knowing that it would be a quiet residential street. Building a childcare on this street will increase street traffic, people, and cause more noise and disruption. Moreover, we live in R2 low density residential area that does not permit a 56 place childcare as 45 place is the maximum as per the regulations. Building of this childcare is also likely to cause a drop in property value on our street. Hence we kindly ask that the childcare centre not be built on Haig Street.

We thank you for your consideration.



Dear Sir/Madam,

just got notification from my neighbor about DA2020/0145, which proposed to construct a 56 places CHILD CARE CENTRE at High Street Wentworthville. The DA plan is really worries me and residents in the street. I had been living in this street for more than 10 years as principle living place, I am enjoying the quiet and convenient. the DA2020/0145 will construct a commercial business facility to this quiet residential street. it will dramatically increase traffic during the day, surely it will bring in lot of noise to the street. there are many elderly people living in the street, they will lose the quiet live as well.

our concern is: Our quiet, residential street and surrounds will be forever greatly impacted if this commercial DA goes ahead, my neighbors and myself are strongly object to this DA2020/0145 proposal, you consideration will be very appreciated.
by the way, I am the owner resident of Haig Wentworthville, r

Email sent using Optus Webmail

Dear Jai Shankar and Nighat Aamir,

During these current circumstances with COVID-19 restrictions and limitations, the 2 week submission period from 1st April 2020 to 15 April 2020 is unacceptable. We require approximately 3 to 6 months to consider the proposal with surrounding neighbours. Due to government restrictions, we are not permitted to leave our homes to view plans and documentation regarding this matter. All further development applications should be suspended as NSW government has effectively put businesses into hibernation.

Owner of proposed application does not have our approval for any works on our land.

Your response to this email would be greatly appreciated.

Regards,

Care Centre

Dear Sir / Madam

I wish to lodge a submission for my opposition for the proposal of a child care centre to be built in Haig Street at the above proposed address. If the proposal goes ahead this will cause additional traffic flow in the area which will cause chaos and it will be noisy compared to the quiet street that it is now. Also with the proposed child care, land values in the area will dramatically drop. Haig Street has been a quiet and settled street over all these years and to have a centre in the area will disrupt and change the area. So for these reasons I wish to object to the proposal of the centre being built, and I would like Haig Street to remain unchanged.

Dear Sir/Madam,

We are contacting you to express our concerns over the above mentioned DA for the construction of a 56 place child care centre on Haig Street Wentworthville NSW 2145.

[redacted] believe that this development would affect the entire street by posing serious issues including enhanced traffic congestion and increase in noise created by vehicles plying on this road.

Please record our objection and we look forward to an opportunity to discuss this matter in more detail.

To whom it may concern,

I am writing to you to express my objection for a 56 place childcare centre in Haig Street, Wentworthville (DA number DA2020/0145). I have serious concern for traffic, noise and overall liveability of our generally quiet RESIDENTIAL area. I have lived here all my life and am deeply disappointed our community was not consulted.

Because of motor vehicles staff parking drop offs .and to remind council this a resantual area. Not Commercial.