PENRITH
CITY COUNCIL

MAJOR ASSESSMENT REPORT

Application number:	DA18/0675
Proposed development:	Child Care Centre x 31 Place and Associated Car Parking, Landscaping and Drainage Works
Property address:	64 Doncaster Avenue, CLAREMONT MEADOWS NSW 2747
Property description:	Lot 34 DP 1224294
Date received:	11 July 2018
Assessing officer	Lucy Goldstein
Zoning:	Zone R2 Low Density Residential - LEP 2010
Class of building:	Class 9b
Recommendations:	Refuse

Executive Summary

Council is in receipt of an Integrated Development Application for the construction of a 31x Place Child Care Centre with car parking, landscaping and drainage works at 64 Doncaster Avenue, Claremont Meadows.

The application is to be reported to the Local Planning Panel, as the proposal seeks a variation greater than 10% to the development standard under Clause 7.15(3)(c)(iii).

Under Penrith Local Environmental Plan 2010, the proposal is defined as a Centre-Based Child Care Facility. The subject site is zoned R2 Low Density Residential and the proposal is a permissible land use in the zone with Council consent.

In accordance with Section 4.46 of the Environmental Planning and Assessment Act 1979 (The Act 1979), the proposed works are defined as Integrated Development, requiring authorisation under Section 100B of the Rural Fires Act 1997 in respect of bush fire safety for development of land for special fire protection purposes. The application was referred to NSW Rural Fire Service on 18 July 2018. In their response dated 25 September 2018, the NSW RFS issued General Terms of Approval, and Bushfire Safety Authority under Section 100B of the Rural Fires Act 1997. The recommended conditions provided relate to Asset Protection Zones, water utilities, evacuation and emergency management, design and construction, and landscaping.

In accordance with the requirements under Penrith Development Control Plan 2014, the application has been notified to adjoining properties and exhibited between 27 July 2018 and 10 August 2018. No submissions were received.

Key issues identified during the assessment of the application include:

- **Impact on streetscape and character of surrounding area**
  The proposal does not provide an appropriate design response to the R2 Low Density Residential zone, and does not contribute to the local area by being designed in character with the locality and existing streetscape. Specifically, the proposal provides eight (8) at grade car parking spaces within the front setback, resulting in excessive hardstand area within the front setback and minimal opportunities for meaningful landscaping. This is further exacerbated by the lot frontage which is 17.7m, which is non-compliant with the required lot frontage for a child care centre of 22m under Penrith Development Control Plan 2014. The location and design of parking areas is inconsistent with the character of the locality, in which car parking areas are located predominately behind the primary building line or suitably screened.

- **Air Quality Impacts**

The application has not demonstrated that the site is suitable in respect to environmental impacts, specifically air quality impacts. The proposed outdoor children's play area is located at the rear of the lot, and is set back less than 20m from the M4 Motorway. It is noted that the application has not provided an Air Quality Assessment report to demonstrate that the location of the children's outdoor play area in proximity to the M4 Motorway is appropriate in respect to air quality.

- **Noise Impacts**
  As part of the assessment of the application, the proposal was referred to Council's Environmental Management Officer who raised a number of concerns in respect to the detail and assumptions of the acoustic assessment contained within the accompanying Acoustic Report. While some of the concerns raised have been resolved through the assessment process, the issue of noise levels measured at the outside play area, which exceed the acceptable noise level criteria by 3.81dBA is not resolved. This matter was raised with the applicant, and in response a letter prepared by Envirotech dated 16 August 2018 was submitted to Council. This letter confirmed that a 1.5m high glass sound proofing fence is to be provided, to achieve a dBA reduction of a minimum 9 decibels. However, the letter was not supported by calculations demonstrating the required noise reduction can be achieved, nor amended plans showing the 1.5m glass barrier fence provided. Through verbal confirmation from the acoustic consultant, it was confirmed the 1.5m glass barrier fence is to be located approximately 2.0m from the existing 1.8m noise attenuating fencing at the rear boundary which is not a suitable outcome, creating an inaccessible strip of land reinforcing concerns that the site is not suitable for this form and scale of development.

- **Clause 4.6 Variation**
  The application proposes a variation (17.4%) to the development standard under Clause 7.15(3)(c)(iii) of Penrith Local Environmental Plan 2010 requiring a 20m setback of dwellings and substantial structures to the M4 Motorway Road reserve. The variation is not supported as outlined in the body of this report.

An assessment under Section 4.15 of the Environmental Planning and Assessment Act 1979 has been undertaken and the application is recommended for refusal, as key issues raised in the assessment of the application remain unresolved.

Site & Surrounds

The subject site, legally described as Lot 34 DP 1224294, commonly known as 64 Doncaster Avenue Claremont Meadows is located on the southern side of Doncaster Avenue, approximately 280m from its intersection with Caddens Road. The site is located within an existing subdivision created under Development Application DA15/0968 for Torrens Title Subdivision to create 51x Residential Lots and Public Road, approved by Penrith City Council on 5 August 2016.

The site is rectangular in shape with a width of approximately 17m and depth of 53m. The site is currently vacant, cleared land with no existing vegetation.

The surrounding locality consists of predominately low scale residential development. The site backs onto the M4 Motorway, and the adjoining lots to the east and west are currently vacant lots. The site has an existing noise attenuating fence of 1.8m height located along the rear boundary of the lot.

Council's Records indicate that the previous applications apply to the site:

DA15/0968 - Torrens Title Subdivision to create 51x Residential Lots and Public Road, approved on 5 August 2016.
PL18/0021 - Prelodgement for a Proposed Child Care Centre. The Prelodgement advice issued by Council raised a number of concerns relating to streetscape impacts, engineering matters, waste collection, and environmental impacts. In particular, the following advice was issued, and these matters remain unresolved with the current proposal:

- *The design has a large hardstand area for car parking in the front setback with limited scope for landscaping. The building alignment is not in keeping with the established building setbacks in the street. Consideration should be given to reducing the front setback and incorporating the car parking within or behind the building design.*
- *The proposed design does not incorporate planting of the 20m conservation area at the rear of the site (see 88B Restriction).*
- *There is a building encroachment into the 20m of the rear of the site (see 88B Restriction).*
- *Compatibility of the proposed development with surrounding land uses and any impacts from surrounding uses may have on the proposed development will need to be demonstrated. This includes consideration of acoustic performance of the use on adjoining land uses and noise impacts from the M4 Motorway on the proposed use. The acoustic attenuation measures will be subject to assessment for compatibility with the character of the low-density residential area.*

Proposal

The application seeks consent for the following development:

- Construction of a 31x place Centre-based Child Care Facility. The facility is proposed to accommodate
  - four (4)x children aged 0-2 years
  - five (5)x children aged 2-3 years
  - twenty-two children (22)x aged 3-5 years, and
  - four (4)x staff members.
- Operating hours of Monday to Friday, 7:00am to 6:30pm;
- Provision of associated eight (8) car parking spaces; and
- Associated landscaping and drainage works.

Plans that apply

- Local Environmental Plan 2010 (Amendment 4)
- Development Control Plan 2014
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No 55—Remediation of Land
- Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

Planning Assessment

- ### Section 4.15 - Evaluation

  The development has been assessed in accordance with the matters for consideration under Section 4.15 of The Act 1979, and having regard to those matters, the following issues have been identified for further consideration:

- ### Section 4.46 - Integrated development

  In accordance with Section 4.46 of The Act 1979, the proposed works are defined as integrated development, requiring authorisation under section 100B of the Rural Fires Act 1997 in respect of bush fire safety for development of land for special fire protection purposes. The subject site is mapped as Bushfire Prone Land, and Clause 100B(6) identifies a child child care centre as a special fire protection purpose.

  The application was referred to NSW Rural Fire Service on 18 July 2018. In their response dated 25 September 2018, the NSW RFS issued General Terms of Approval under Division 4.8 of The Act 1979, and Bushfire Safety Authority under Section 100B of the Rural Fires Act 1997. The recommended conditions provided relate to the establishment of Asset Protection Zones, Water Utilities, Evacuation and Emergency Management, Design and Construction, and Landscaping. However, given that the application is not supported, these conditions will not be required.

Section 79C(1)(a)(i) The provisions of any environmental planning instrument

State Environmental Planning Policy (Infrastructure) 2007

As assessment has been undertaken of the application against relevant criteria with State Environmental Planning Policy (Infrastructure) 2007 and the application is unsatisfactory for the following reasons:

- **Clause 101 Development with frontage to classified road**
  The site backs onto a classified road, being the M4 Motorway. The proposal is considered inconsistent with the objective of Clause 101(b) *to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.* As the application has not demonstrated that the outdoor play area at the rear of lot, being in close proximity to the M4 Motorway is appropriate in respect to noise and air quality impacts.

Further, Clause 101(2) states that *The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:*
(ii) the emission of smoke or dust from the development, or
Comment: The application has not provided an Air Quality Assessment to demonstrate that the location of the child care facility, specifically the outdoor play area, is appropriate in respect to air quality impacts.

(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.
Comment: The proposal, being for a child care centre is considered a sensitive land use. The proposal has not demonstrated that the proposed development is suitable in respect to traffic noise and air quality impacts.

State Environmental Planning Policy No 55—Remediation of Land

An assessment has been undertaken of the application against relevant criteria with State Environmental Planning Policy No 55—Remediation of Land, and in this regard the proposal is considered satisfactory as summarised below:

The subdivision of the site, approved under Development Application DA15/0968 was supplemented with a Phase 1 contamination assessment which concluded that the land (including the lot subject to the proposed works) is suitable for residential purposes. It is also noted that conditions of consent for DA15/0968 required only clean, validated fill material to be used on the site. Further to this, a review of aerial photographs show the site has been vacant land and as such does not involve a change of use from the original subdivision of the land.

In considering the above, the proposal is considered satisfactory in respect to the requirements of State Environmental Planning Policy No 55—Remediation of Land.

Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

An assessment has been undertaken of the application against relevant criteria with Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997) and the application, subject to conditions is considerable capable of complying.

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

An assessment against relevant criteria under State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 has been undertaken, and a detailed discussion provided below.

- **Clause 22 Centre-based child care facility—concurrence of Regulatory Authority required for certain development**
  The proposal complies with regulation 107 (indoor unencumbered space requirements) of the Education and Care Services National Regulations. The proposal also complies with the outdoor space requirements for the building or place under regulation 108 (outdoor unencumbered space requirements of the Education and Care Services National Regulations. The proposal provides 104.51m^2 of indoor unencumbered space (required to provide 100.75m^2) and provides 225.37m^2 of unencumbered outdoor space (required to provide 217m2.) Accordingly, in this instance Clause 22 does not apply to the proposal and concurrence of the Regulatory Authority is therefore not required.

- **Clause 23 Centre-based child care facility—matters for consideration by consent authorities**
  Clause 23 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. Accordingly, an assessment was undertaken against the provision of the Child Care Planning Guideline dated August 2017, and non-compliances are summarised below:

Child Care Planning Guideline August 2017		
Section	**Objectives**	**Proposed**
3.1 Site Selection and Location	• To ensure that appropriate zone considerations are assessed when selecting a site; • To ensure that the site selected for a proposed child	• Whilst it acknowledged that the proposed use is a permitted land use in the zone with Council consent, the site is considered unsuitable for the development for the following reasons: • The proposed front and rear setbacks are inconsistent with the existing setback pattern; • The application has not demonstrated that the site is suitable in respect to environmental impacts, specifically air quality impacts. The proposed outdoor play area is located at the rear of the lot, setback less than 20m from the M4 Motorway reserve. It is noted that the application has not provided an Air

	care facility is suitable for the use. • To ensure the site for child care facilities are appropriately located; • To ensure that sites for child care facilities do not incur risks from environmental, health or safety hazards.	Quality Assessment report to demonstrate that the location of the children's outdoor play area in proximity to the M4 Motorway reserve is appropriate in respect to air quality. • With consideration to the above, the application has not demonstrated that *the type of adjoining road* (classified) *is appropriate and safe for the proposed use.*
3.2 Local Character, streetscape and the public domain interface	• T*o ensure that the child care facility is compatible with the local character and surrounding streetscape;* • *To ensure clear delineation between the child care facility and public spaces;* • *To ensure front fences and retaining walls respond to and complement the context and character of the area and do not dominate the public domain.*	• The proposal does not provide an appropriate design response with the R2 Low Density Residential zone, and does not contribute to the local area by being designed in character with the locality and existing streetscape. Specifically, the proposal provides eight (8) at grade car parking spaces within the front setback, resulting in excessive hardstand area within the front setback and minimal opportunities for meaningful landscaping. The location and design of parking areas is inconsistent with the character of the locality in which parking areas are located predominately behind the primary building line or suitably screened by reasonable planting opportunities.

3.3 Building Orientation, envelope and design	• *To respond to the streetscape, while optimising solar access and opportunities for shade;* • *To ensure that child care facilities are designed to be accessible by all potential users;* • *To ensure that buildings are designed to create safe environments for all users.*	• The proposed front and rear setbacks are inconsistent with the surrounding development. • The proposed 0.6m landscaped setbacks within the front portion of the lot does not provide appropriate separation between adjoining properties, and is likely to result in adverse amenity impacts, such as vehicle light disturbance from users entering/exiting the child care car park. • The Child Care Planning Guideline states that the building envelope is determined by the permissible building height and site setbacks. The proposal does not comply with Clause 7.15 of Penrith Local Environmental Plan 2010 which requires a 20.0m setback from the M4 Motorway Road Reserve.
3.4 Landscaping	• T*o provide landscape design that contributes to streetscape and amenity.*	• The location of the car parking within the front setback results in a poor presentation to the street, with the frontage being dominated by hardstand area. • The proposal provides 2.0m of landscaping along the front boundary, comprising: - 12x shrubs of a maximum height of 0.3m; - 7x medium trees of a maximum height of 8.0m. In considering the existing streetscape and future desired character, this landscaping is not sufficient to screen the proposed eight (8) car parking spaces and associated driveway areas.
3.5 Visual and Acoustic Privacy	• *To protect the privacy and security of children attending the facility;* • *To minimise impacts on privacy of adjoining properties;* • *To minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments.*	• It is noted that the adjoining properties are currently vacant land. However, in considering the zoning of the adjoining lots and the surrounding uses, it is reasonable to expect these lots will be future residential lots. The proposal provides 0.6m wide landscaping along the side boundaries (eastern and western boundaries), which is insufficient to mitigate amenity impacts on adjoining lots, for example disturbance by vehicle light of customers entering/exiting the child care car park. Further, the minimal landscaping along the side boundaries results in the development having poor integration with surrounding development and streetscape.

3.6 Noise and Air Pollution	• *To ensure that outside noise levels on the facility are minimised to acceptable levels* • *To ensure air quality is acceptable where child care facilities are proposed close to external sources of air pollution.*	• The application has not demonstrated that the site is suitable in respect to environmental impacts, specifically air quality impacts. The proposed outdoor play area is located at the rear of the lot, setback less than 20m from the M4 Motorway reserve. It is noted that the application has not provided an Air Quality Assessment report to demonstrate that the location of the children's outdoor play area in proximity to the M4 Motorway reserve is appropriate in respect to air quality.
3.7 Hours of Operation	• *To minimise the impact of the child care facility on the amenity of neighbouring residential developments.*	• Proposed operating hours are considered appropriate, being Monday to Friday 7:00am to 6:30pm,.
3.8 Traffic, Parking and Pedestrian Circulation	• *To provide parking that satisfies the needs of users and demand generated by the centre;* • *To provide vehicle access from the street in a safe environment that does not disrupt traffic flows;* • *To provide a safe and connected environment for pedestrians both on and around the site.*	• Under Penrith Development Control Plan 2014, child care centres are required to provide 1 space per 10 children, plus 1 space per employee. The application seeks consent for 31x children including 4x staff, requiring to provide 7.1 car parking spaces, rounding up to eight car parking spaces. The proposal provides eight (8) car parking spaces and as such the quantum of parking is satisfactory.

Local Environmental Plan 2010 (Amendment 4)

Provision	Compliance
Clause 2.3 Permissibility	Complies
Clause 2.3 Zone objectives	Does not comply - See discussion
Clause 4.3 Height of buildings	Complies
Clause 4.6 Exceptions to development standards	Does not comply - See discussion
Clause 7.15 Claremont Meadows	Does not comply - See discussion

Clause 2.3 Zone objectives
The proposal is considered inconsistent with the objectives of the R2 Low Density Residential zone, specifically:

- *To promote the desired future character by ensuring that development reflects features or qualities of traditional detached dwelling houses that are surrounded by private gardens; and*
- *To enhance the essential character and identity of established residential areas.*
  The location and design of the car parking within the front setback results in a poor presentation to the street, with the frontage being dominated by hardstand area.
  The proposal provides 2.0m of landscaping along the front boundary, comprising 12x shrubs of a maximum height of 0.3m and 7x medium trees of a maximum height of 8.0m. In considering the existing streetscape and future desired character, this landscaping is not sufficient to screen the proposed eight (8) car parking spaces and associated driveway areas.

- *To ensure a high level of residential amenity is achieved and maintained.*
  Within the front portion of the site, where the car parking area is located, the proposal provides a 0.6m landscape buffer between adjoining lots to the east and west. Whilst the adjoining lots are currently vacant, in considering the zoning and surrounding land uses it is reasonable to anticipate these lots will be used for residential purposes. The proposed 0.6m wide landscaping provides minimal separation of the car parking area with adjoining lots, and are likely to result in adverse amenity impacts for adjoining lots, such as vehicle light disturbance from users entering/exiting the child care car park.

Clause 4.6 Exceptions to development standards
Pursuant to Clause 4.6, development consent may be granted for development even though the development contravenes a development standard imposed by an environmental planning instrument, excluding development standards that are expressly excluded within the Clause.

The objectives of Clause 4.6 are:
a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
(b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

The application seeks a variation to the development standard under Clause 7.15(3)(c)(iii) of Penrith LEP, which requires a proposal to '*provide a minimum setback of 20m from the M4 Motorway reserve to any dwelling or substantial structure'*. The proposal does not meet this requirement, providing a building setback of 16.5m from the M4 Motorway reserve, representing a variation to the development standard by 17.4%. It is further noted an 88B restriction applies to the lot, requiring no structures to be constructed within the rear 20m of the lot without prior consent from the Authority Benefited. Penrith City Council is the Authority Benefited and any variation to the restriction would require approval of Council.

A written request under Clause 4.6 of Penrith Local Environmental Plan 2010 accompanied the application. The applicant has provided the following justification in the submitted written request:

'notwithstanding the noncompliance with the development standard, the proposed development:
- *achieves each of the applicable objectives of Clause 7.15 'Claremont Meadows' additional local provisions of the PLEP*

- *does not give rise to any adverse environmental impacts'*
- *Is in the public interest'*

However, the justification provided to vary the development standard is not supported for the following reasons:

- **Clause 4.6(3)** *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*

  (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
  Comment: The proposal is considered inconsistent with objectives of 7.15 to ensure that housing (or development) located in the vicinity of a major road takes account of the constraints imposed by noise and visual impact. In addition, the applicant's justification has not demonstrated that compliance with the standard is reasonable or unnecessary.

  (b) that there are sufficient environmental planning grounds to justify contravening the development standard.
  Comment: The application has not demonstrated that the location of the children's outdoor play area within the reduced setback is appropriate in respect to air quality impacts, and noise impacts.

- ***Clause 4.6(4)*** *Development consent must not be granted for development that contravenes a development standard unless:*
  (a) the consent authority is satisfied that:
  (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
  Comment: As detailed above, the proposal has not satisfactorily demonstrated the proposal meets the objectives of 7.15 or is appropriate in respect to noise and air quality impacts.

  (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
  Comment: The proposal in its current form is not considered in the public interest for the following reasons:
  - The proposed car parking design does not meet the zone objectives of the land, specifically to enhance the essential character and identity of established residential areas, and ensure a high level of residential amenity is achieved and maintained;
  - The proposal has not demonstrated that the site is suitable for the proposed works in respect to noise impacts and achieving satisfactory noise levels for child care purposes;
  - The proposal has not demonstrated that the site is suitable for the proposed works in respect to air quality impacts particularly within the outdoor play area, given the site's proximity to the M4 Motorway road.

  (b) the concurrence of the Secretary has been obtained.
  The proposed variation to development standard exceeds 10%, and such is to be determined by the Local Planning Panel.

Clause 7.15 Claremont Meadows
The proposal is non-compliant with Clause 7.15(3)(c)(iii) which requires development within 100m of the M4 Motorway road reserve 'to provide a minimum setback of 20 metres from the M4 Motorway reserve to any dwelling or substantial structure.' The application seeks a variation to development standard under the provision of Clause 4.6 of Penrith Local Environmental Plan 2010. Refer to discussion in this report under 'Clause 4.6 Exceptions to Development Standards'.

Section 79C(1)(a)(iii) The provisions of any development control plan

Development Control Plan 2014

Provision	Compliance
C1 Site Planning and Design Principles	Does not comply - see Appendix - Development Control Plan Compliance
C2 Vegetation Management	N/A
C3 Water Management	Complies
C4 Land Management	Complies
C5 Waste Management	Complies
C6 Landscape Design	Does not comply - see Appendix - Development Control Plan Compliance
C7 Culture and Heritage	N/A
C8 Public Domain	N/A
C9 Advertising and Signage	N/A
C10 Transport, Access and Parking	Does not comply - see Appendix - Development Control Plan Compliance
C11 Subdivision	N/A
C12 Noise and Vibration	Does not comply - see Appendix - Development Control Plan Compliance
C13 Infrastructure and Services	Complies
D5.1. Application of Certification System	N/A
D5.2. Child Care Centres	Does not comply - see Appendix - Development Control Plan Compliance
D5.3. Health Consulting Rooms	N/A
D5.4. Educational Establishments	N/A
D5.5 Parent Friendly Amenities	N/A
D5.6. Places of Public Worship	N/A
D5.7. Vehicle Repair Stations	N/A
D5.8. Cemeteries, Crematoria and Funeral Homes	N/A
D5.9. Extractive Industries	N/A
D5.10 Telecommunication Facilities	N/A
E2 Claremont Meadows Stage 2 controls	Does not comply - see Appendix - Development Control Plan Compliance

Section 79C(1)(a)(iv) The provisions of the regulations

Whilst the application in its current form is not supported, the proposed works subject to conditions are considered capable of complying in respect to the Regulations.

Section 79C(1)(b)The likely impacts of the development

Context and Setting

The proposal does not provide an appropriate design response to the R2 Low Density Residential zone, and does not contribute to the local area by being designed in character with the locality and existing streetscape. Specifically, the proposal provides eight (8) at grade car parking spaces within the front setback, resulting in excessive hardstand area within the front setback and minimal opportunities for meaningful landscaping. The location and design of parking areas is inconsistent with the character of the locality in which parking areas are located predominately behind the primary building line.

Acoustics

As part of the assessment of the application, the proposal was referred to Council's Environmental Management Officer who raised a number of concerns in respect to the detail and assumptions contained within the submitted Acoustic Report. The below issue remains outstanding:

- Road noise measured in the outside play areas was 58dBA. This represents an exceedance of 3.81dBA.

This matter was raised with the applicant, and in response a letter prepared by Envirotech dated 16 August 2018 was submitted to Council. This letter confirmed that a 1.5m high glass sound proofing fence will be provided, to achieve a dBA reduction of a minimum 9 decibels. However, the letter was not supported by calculations demonstrating the required noise reduction can be achieved, and amended plans showing the 1.5m glass barrier fence have not been provided.

Residential amenity

The proposed 0.6m wide landscape buffer located in the front portion of the site along the side boundaries provides insufficient separation between adjoining lots and is likely to result in adverse amenity impacts for adjoining lots, such as vehicle light disturbance from users entering/exiting the child care car park.

Traffic and Car Parking

The application was accompanied by a Traffic and Car Parking Assessment report prepared by ML Traffic Engineers dated June 2018. The report concludes that the nearby intersections have capacity to accommodate additional traffic generated from the proposed development. It further notes the site is located in proximity to public transport. Based on Council's Traffic Engineer assessment of the proposal, the following comments are provided:

- The report estimates that the child care centre will generate 25 am period trips and 22 pm peak period trips which is described as modest. The local road network has capacity to cater for this additional traffic,
- Concern was raised regarding the waste collection pickup location on the street, as the double barrier line marking at the bend prohibits all vehicles parking/stopping on this bend. It is noted that this issue has been resolved, as the application proposes the use of a private contractor using an 8.0m truck, which could be accommodated on site.

Under Penrith Development Control Plan 2014, child care centres are required to provide 1 space per 10 children, plus 1 space per employee. The application seeks consent for 31x children, including 4x staff, requiring to provide 7.1 car parking spaces, rounding up to eight car parking spaces. The proposal provides eight (8) car parking spaces and such is satisfactory in this regard.

Accessibility

The proposal provides one (1) accessible car parking and associated shared space which is considered appropriate.

Section 79C(1)(c)The suitability of the site for the development

Whilst it is acknowledged that the site is zoned to permit with consent a Centre Based Child Care Facility, the proposed design and scale of development is not suitable for the site, and does not appropriately consider the existing constraints of the site.

- In its current form, the proposed design does not provide an appropriate design response with the R2 Low Density Residential zone, and does not contribute to the local area by being designed in character with the locality and existing streetscape.
- The application has not demonstrated that the development achieves satisfactory noise levels, specifically in regards to the outdoor play area.
- The proposal includes the erection of a 1.5m acoustic fence at the rear of the site, in order to mitigate noise levels generated by the M4 Motorway. This design response is not appropriate, as the 1.5m acoustic fence essentially blocks off the landscaping provided at the rear of the lot from the remainder of the site, resulting in landscaping that is poorly integrated into the site, and creating unusable, dead space on the site.
- The application has not demonstrated that the site is suitable in respect to environmental impacts, specifically air quality impacts. The proposed outdoor play area is located at the rear of the lot, setback less than 20m from the M4 Motorway reserve. It is noted that the application has not provided an Air Quality Assessment report to demonstrate that the location of the children's outdoor play area in proximity to the M4 Motorway reserve is appropriate in respect to air quality.

Section 79C(1)(d) Any Submissions

Community Consultation

Community consultation

In accordance with Clause 4.4 of Appendix F4 of Penrith Development Control Plan 2014, the proposed development was notified to nearby and adjoining residents. Council notified fifteen (15) residences in the area, with the public exhibition occurring between 27 July 2018 and 10 August 2018. Council received no submissions.

External Referrals

The application was referred to NSW Rural Fire Service on 18 July 2018, requiring authorisation under section 100B in respect of bush fire safety for development of land for special fire protection purposes. In their response dated 25 September 2018, the NSW RFS issued General Terms of Approval under Division 4.8 of The Act 1979, and Bushfire Safety Authority under Section 100B of the Rural Fires Act 1997. The recommended conditions provided relate to the establishment of Asset Protection Zones, Water Utilities, Evacuation and Emergency Management, Design and Construction, and Landscaping.

Referrals

The application was referred to the following stakeholders and their comments have formed part of the assessment:

Referral Body	Comments Received
Building Surveyor	No objections - subject to conditions
Development Engineer	No objections - subject to conditions
Environmental - Environmental management	Not supported
Environmental - Public Health	No objections - subject to conditions
Waste Services	No objections - subject to conditions
Traffic Engineer	No objection subject to conditions
Social Planning	No objections

Section 79C(1)(e)The public interest

The proposal in its current form is not considered in the public interest for the following reasons:

- The proposed car parking design does not meet the zone objectives of the land, specifically to enhance the essential character and identity of established residential areas, and ensure a high level of residential amenity is achieved and maintained;
- The proposal has not demonstrated that the site is suitable for the proposed works in respect to noise impacts and achieving satisfactory noise levels for child care purposes;
- The proposal has not demonstrated that the site is suitable for the proposed works in respect to air quality impacts particularly within the outdoor play area, given the site's proximity to the M4 Motorway road.

Conclusion

In assessing this application against the relevant environmental planning policies, being State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017, Penrith Local Environmental Plan 2010, and Penrith Development Control Plan 2014, the proposal does not satisfy the aims, objectives and provisions of these policies.

The application has not demonstrated that the site is suitable for the proposed scale and form of development. Further, the proposed design is not site responsive, does not comply with key development standards, and is not in the public interest.

Therefore, the application is recommended for refusal for the attached reasons.

Recommendation

1. That Development Application DA18/0675 for the construction of a 31 place child care centre with car parking, landscaping and drainage works be a refused for the following reasons; and
2. That the submitted SEPP 1 or variation to a development standard under clause 4.6 of the standard instrument not be supported.

CONDITIONS

Refusal

1 X Special 02 (Refusal under Section 79C(1)(a)(i) of EPA Act 1979)
The application is not satisfactory for the purpose of Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act as the proposal is inconsistent with the following provisions:

State Environmental Planning Policy Educational Establishments and Child Care Centre) 2017
- Clause 23 Centre based child care facility- matters for consideration by consent authorities

State Environmental Planning Policy (Infrastructure)
-Clause 101(2)(ii) Development with frontage to classified road
-Clause 101(2)(c) Development with frontage to classified road

Penrith Local Environmental Plan 2010:
- Clause 2.3 Objectives of the zone
- Clause 7.15(3)(c)(iii) Claremont Meadows

2 X Special 04 (Refusal under Section 79C(1)(a)(iii) of EPA Act 1979)
The application is not satisfactory for the purpose of Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act as the proposal is inconsistent with the following provisions of Penrith Development Control Plan 2014:

Chapter 6 Landscape Design, B Objectives
a)*To promote landscape design and planning as part of a fully integrated approach to site development*
The proposed landscaping at the rear of lot is poorly integrated with the remainder of the site. As a result of the proposed 1.5m acoustic barrier located at the rear of the lot, the landscape provided at the rear of the lot is essentially segregated from the site, creating an unusable, and inaccessible portion of the site.

e)*To ensure landscape design adequately complements the proposed built form and minimises the impacts of scale, mass and bulk of the development in its context*
In considering the existing streetscape and future desired character of the surrounding area, the landscaping provided within the front setback is not sufficient to screen the proposed car parking and associated driveway areas.

f) *To encourage landscape design that can be effectively maintained to a high standard for the life of that development*
The proposed 1.5m acoustic fence located at the rear of the lot prevents ongoing maintenance of the landscaped area at the rear of the site, as access will be prevented due to the acoustic barrier.

Chapter D.5 Other Uses - *Section 5.2 Child Care Centres*

B. Objectives
b) *To ensure that child care centres are located and designed to minimise any impact on the amenity of the surrounding area, particularly from noise and traffic*;
d) *To ensure the provision of safe, convenient and attractive car parking areas*
e) To ensure child care centres are not adversely affected by safety hazards;
The application has not demonstrated that the location of the outdoor play area at the rear of the lot, setback less than 20m from the M4 Motorway reserve is suitable in respect to air quality and noise impacts.

C. Controls
Part 3, Design, Scale and Site Frontage
a) *The scale and character of the development shall be compatible with surrounding development*
The proposed front and rear setbacks are inconsistent with the existing setback pattern. The location and design of parking areas is inconsistent with the character of the locality in which parking areas are located

predominately behind the primary building line.
d) *To ensure the safe operation of car parking areas the amenity of neighbouring residents, site shall have a minimum frontage of 22.0m.*
The site has a frontage of 17.7m and therefore does not meet the minimum frontage required for a child care centre.

Part 6 Noise
c) *Where a site may be affected by traffic, rail or aircraft noise, the child care centre shall be designed to minimise any impact on the children and staff. A report an acoustic consultant may be required to support the proposal.*
The application has not demonstrated that the development is satisfactory in regards to achieving acceptable noise levels.

Chapter E2 Claremont Meadows Stage 2 - *Section 2.2.3 Large Lot Residential Adjacent to the M4 Motorway*
B. Controls
2) *That vegetated buffer of 20m depth shall:*
a) *be maintained along the boundary of lots parallel to the M4 Motorway and be vegetated with regard to the requirements for an Asset Protection Zone*;
b*) be planted with species appropriate to the area given the presence of Cumberland Plain Woodland;*
c) *remain free of all structures including garages, carports, swimming pools, tennis courts, gazebos and the like.*

The proposed building location provides a rear setback from the M4 Motorway of 16.5m.

3 X Special 07 (Refusal under Section 79C(1)(b) of EPA Act 1979)
The application is not satisfactory for the purpose of Section 4.15(1)(b) of the Environmental Planning and Assessment Act in terms of the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts on the locality, including:

- The application has not demonstrated that the development is suitable in respect to air quality impacts for those attending the facility.
- The application has not demonstrated that the development is satisfactory in regards to achieving acceptable noise levels.

4 X Special 08 (Refusal under Section 79C(1)(c) of EPA Act 1979)
The application is not satisfactory for the purpose of Section 4.15(1)(c) of the Environmental Planning and Assessment Act as it has not been sufficiently demonstrated that the site is suitable for the proposed development.

5 X Special 10 (Refusal under Section 79C(1)(e) of EPA Act 1979)
The application is not satisfactory for the purpose of Section 4.15(1)(e) of the Environmental Planning and Assessment Act as the proposal is not considered to be in the public interest.

Appendix - Development Control Plan Compliance

Development Control Plan 2014

Part C - City-wide Controls

C1 Site Planning and Design Principles

The proposal is considered inconsistent with the aims and objectives of Chapter C.1 of Penrith Development Control Plan 2014, as summarised below:

- In accordance with the Planning Principle set out in Project Venture Developments v Pittwater Council (2005) NSW LEC 191 the following tests apply in determining whether development is compatible with surrounding development:
  Where compatibility between a building and its surroundings is desirable, its two major aspects are physical impact and visual impact. In order to test whether a proposal is compatible with its context, two questions should be asked. Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites. Is the proposal's appearance in harmony with the buildings around it and the character of the street?
- In its current form, the proposed design is incompatible with the character of the locality. Specifically, the location of the car parking within the front setback results in a poor visual outcome being in conflict with the surrounding development which predominately locates car parking behind primary building lines.

C6 Landscape Design

The proposed landscape design does not meet the objectives of Chapter C.6 of Penrith Development Control Plan 2014, as summarised below:

- *To promote landscape design and planning as part of a fully integrated approach to site development*
  As a result of the proposed 1.5m acoustic barrier located at the rear of the lot, setback approximately 2.0m from the existing 1.8m noise attenuating fencing, the landscape provided at the rear of the lot will essentially be blocked off from the remainder of the site. It is understood that the landscape strip at the rear of the lot will be behind the 1.5m acoustic barrier, resulting in this landscaped area being poorly integrated into the site, creating unusable, dead-space.

- *To encourage landscape design that can be effectively maintained to a high standard for the life of that development*
  Further to to the above, concern is raised regarding the ongoing maintenance of the landscaped area at the rear of the site, as access will be blocked due to the 1.5m acoustic barrier.

- *To ensure landscape design adequately complements the proposed built form and minimises the impacts of scale, mass and bulk of the development in its context.*
  The proposal provides 2.0m of landscaping along the front boundary, comprising 12x shrubs of a maximum height of 0.3m, and 7x medium trees of a maximum height of 8.0m. In considering the existing streetscape and future desired character, this landscaping is not sufficient to screen the proposed eight (8) car parking spaces and associated driveway areas.

C12 Noise and Vibration

As part of the assessment of the application, the proposal was referred to Council's Environmental Management Officer who raised a number of concerns in respect to the detail and assumptions contained within the submitted Acoustic Report. The below issue remains outstanding:

- Road noise measured in the outside play areas was 58dBA. This represents an exceedance of 3.81dBA.

This matter was raised with the applicant, and in response a letter prepared by Envirotech dated 16 August 2018 was submitted to Council. This letter confirmed that a 1.5m high glass

sound proofing fence will be provided, to achieve a dBA reduction of a minimum 9 decibels. However, the letter was not supported by calculations demonstrating the required noise reduction can be achieved, nor amended plans showing the 1.5m glass barrier fence have not been provided.

D5 Other Land Uses

An assessment of the application has been undertaken against the relevant criteria of D.52 Child Care Centres of Penrith Development Control Plan 2014, and the proposal inconsistent with the following objectives and controls:

B. Objectives

b) *To ensure that child care centres are located and designed to minimise any impact on the amenity of the surrounding area, particularly from noise and traffic;* and

d) To ensure the provision of safe, convenient and attractive car parking areas

- The proposed design results in unacceptable visual impacts. The proposal in its current form does provide an appropriate design response with the R2 Low Density Residential zone, and does not contribute to the local area by being designed in character with the locality and existing streetscape. Specifically, the proposal provides eight (8) at grade car parking spaces within the front setback, resulting in excessive hardstand area within the front setback and minimal opportunities for meaningful landscaping. The location and design of parking areas is inconsistent with the character of the locality in which parking areas are located predominately behind the primary building line.

e) *To ensure child care centres are not adversely affected by safety hazards;*

- *The application has not demonstrated that the site is suitable in respect to environmental impacts, specifically air quality impacts. The proposed outdoor play area is located at the rear of the lot, setback less than 20m from the M4 Motorway reserve. It is noted that the application has not provided an Air Quality Assessment report to demonstrate that the location of the children's outdoor play area in proximity to the M4 Motorway reserve is appropriate in respect to air quality.*

C. Controls

Section 3

a) *The scale and character of the development shall be compatible with surrounding development*

- The proposed front and rear setbacks are inconsistent with the existing setback pattern
- The location and design of parking areas is inconsistent with the character of the locality in which parking areas are located predominately behind the primary building line.

d) *To ensure the safe operation of car parking areas the amenity of neighbouring residents, site shall have a minimum frontage of 22.0m.*

- The site has a frontage of 17.7m and therefore does not meet the minimum frontage of 22.0m.

E2 Claremont Meadows Stage 2

An assessment has been under taken of the relevant objectives, aims and controls of Chapter E2 Claremont Meadows of Penrith Development Control Plan. The proposed non-compliances are summarised below:

Section 2.2.3
Controls
2) That vegetated buffer of 20m depth shall
a) be maintained along the boundary of lots parallel to the M4 Motorway and be vegetated with regard to the requirements for an Asset Protection Zone;
b) be planted with species appropriate to the area given the presence of Cumberland Plain Woodland;
c) remain free of all structures including garages, carports, swimming pools, tennis courts, gazebos and the like.

The proposed building location provides a rear setback from the M4 Motorway of 16.5m.

PROPOSED CHILD CARE CENTRE AT 64 DONCASTER AVENUE CLAREMONT MEADOWS

DRAWING No.	DESCRIPTION
	COVER SHEET
DA-01	PROPOSED SITE AND ANALYSIS PLAN
DA-02	PROPOSED GROUND FLOOR PLAN
DA-03	PROPOSED ROOF PLAN
DA-04	PROPOSED NORTH AND SOUTH ELEVATIONS
DA-05	PROPOSED EAST AND WEST ELEVATIONS
DA-06	PROPOSED SECTIONS
DA-07	MATERIAL FINISHES
DA-08	NOTIFICATION PLAN

AREA STATEMENT

SITE AREA = **952.2 m²**

PROPOSED GROSS FLOOR AREA = **200.31 m²**
(Excluding verandah)

SITE COVERAGE AS PER DCP = **40% (452.8 m²)**
PROPOSED SITE COVERAGE = **22.5% (214.07 m²)**

INDOOR PLAY AREA REQUIRED FOR 31 CHILDREN - 100.75 m²
(3.25m² Unencumbered Indoor Play area per child)
PROPOSED INDOOR PLAY AREA FOR 31 CHILDREN - 104.51 m²

PROPOSED OUTDOOR PLAY AREA REQUIRED FOR 31 CHILDREN - 217 m²
(7m² Unencumbered Outdoor play area per child)
PROPOSED OUTDOOR PLAY AREA FOR 31 CHILDREN - 225.37 m²

CAR PARKING REQUIRED AS PER DCP - 1 SPACE FOR 4 CHILDREN
PROPOSED PARKING SPACE - 8 CAR SPACES
(Including 1x Disable Parking)

SHOBHA DESIGNS
ARCHITECTS & URBAN DESIGNERS

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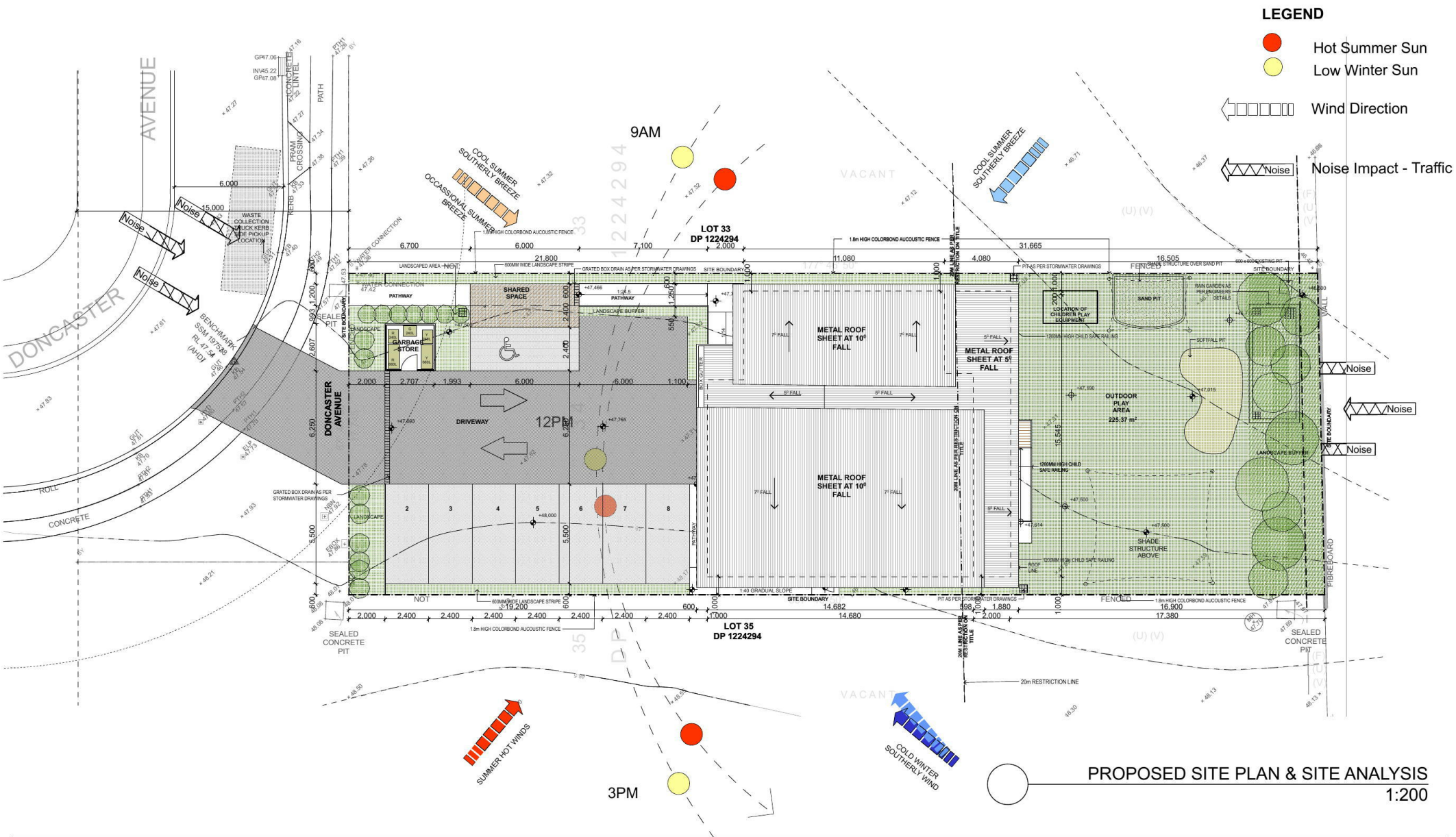
shobha



Architects: **SHOBHA DESIGNS** ARCHITECTS & URBAN DESIGNERS Suite 21, 1 - 7 Jordan St, Gladesville NSW 2111 PHONE : 02 98790020 MOBILE : 0418112677 EMAIL : nilesh@shobhadesigns.com.au	**PROJECT** PROPOSED CHILD CARE CENTRE AT 64 DONCASTER AVENUE CLAREMONT MEADOWS **CLIENT** MR & MRS BAINS	Drawing Name NOTIFICATION PLAN **General Notes** The Builder shall check all dimensions and levels on site prior to construction. Notify any errors, discrepancies or omissions to the architect. Drawings shall not be used for construction purposes until issued for construction. Do not scale drawings. All boundaries and contours subject to survey	Amendments Issue ID / Issue Name / Checked by / Date A / DA ISSUE TO COUNCIL / NM / 03-Jul-18 Date of Issue 03-Jul-18 Drawing Scale NOT TO SCALE Drawn By : **Munira M** Checked By: **Nilesh Munot** Layout ID **DA-08** Issue **A**

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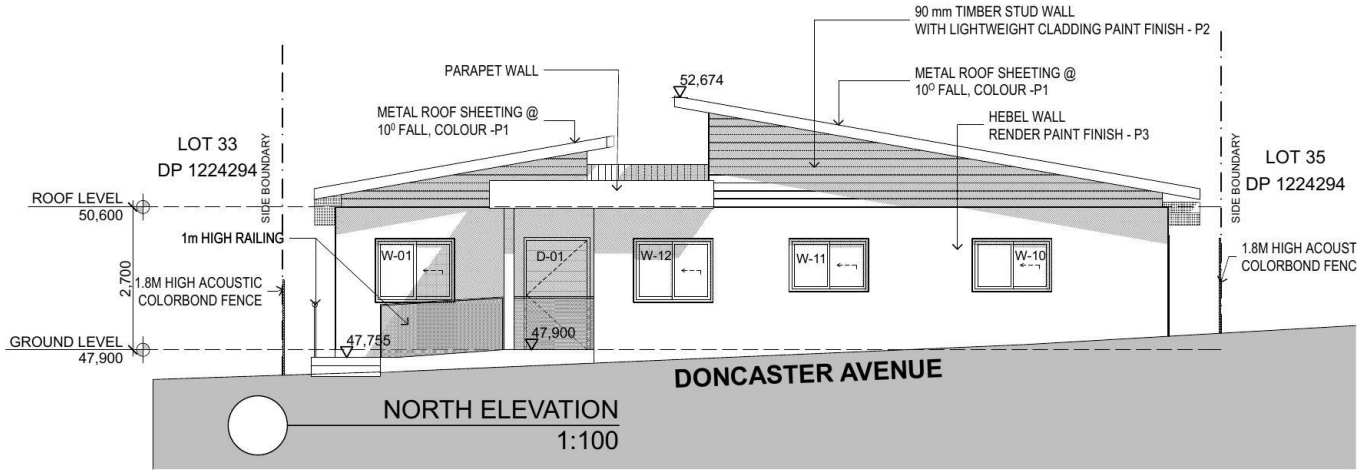

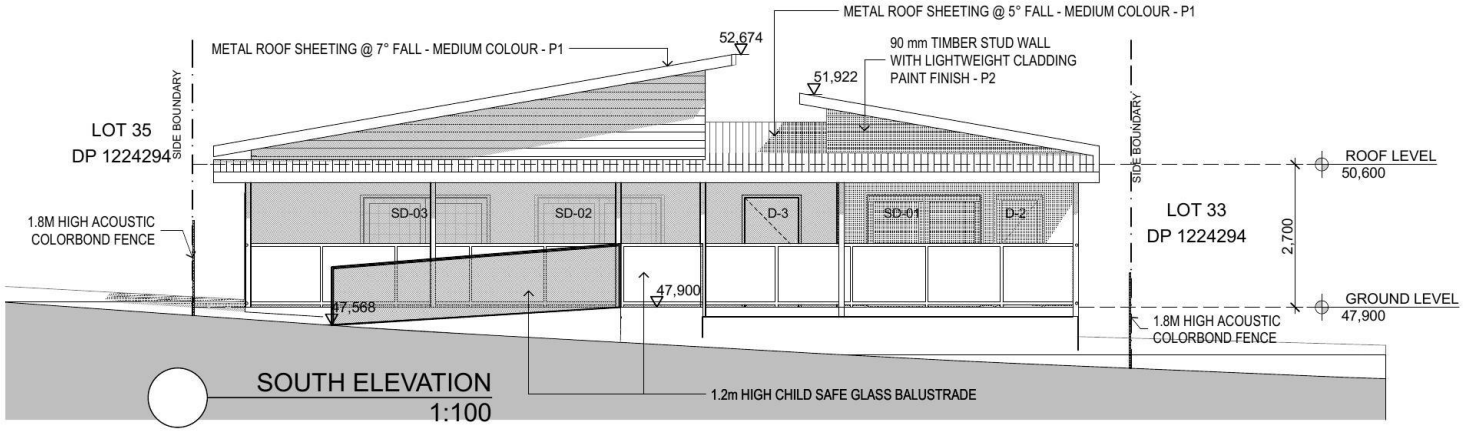

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PROJECT
PROPOSED CHILD CARE CENTRE AT 64 DONCASTER AVENUE CLAREMONT MEADOWS

CLIENT
MR & MRS BAINS

Drawing Name
NOTIFICATION PLAN

General Notes
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Issue ID	Issue Name	Checked by	Date
A	DA ISSUE TO COUNCIL	NM	03-Jul-18

Date of Issue 03-Jul-18
Drawing Scale NOT TO SCALE
Drawn By : **Munira M**
Checked By: **Nilesh Munot**
Layout ID **DA-09**
Issue **A**

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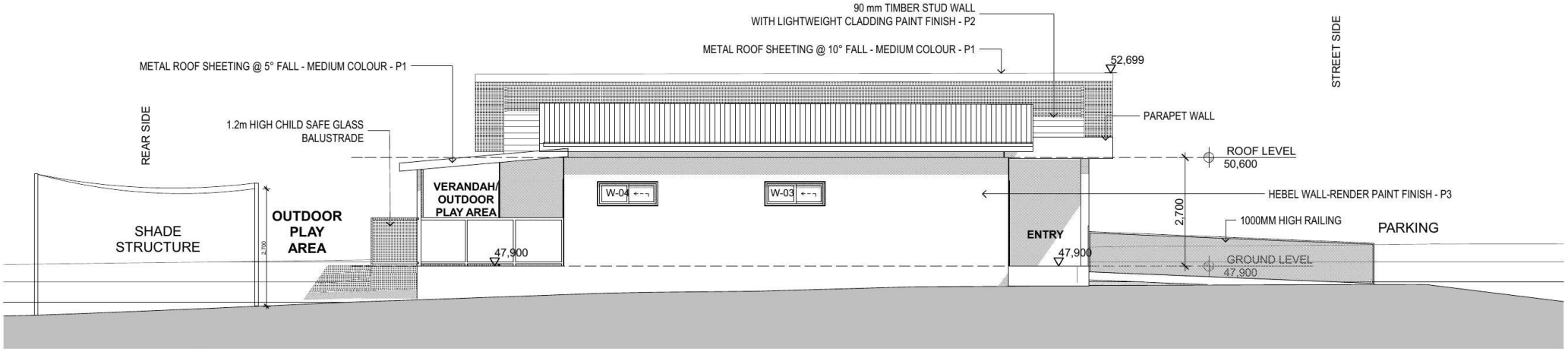

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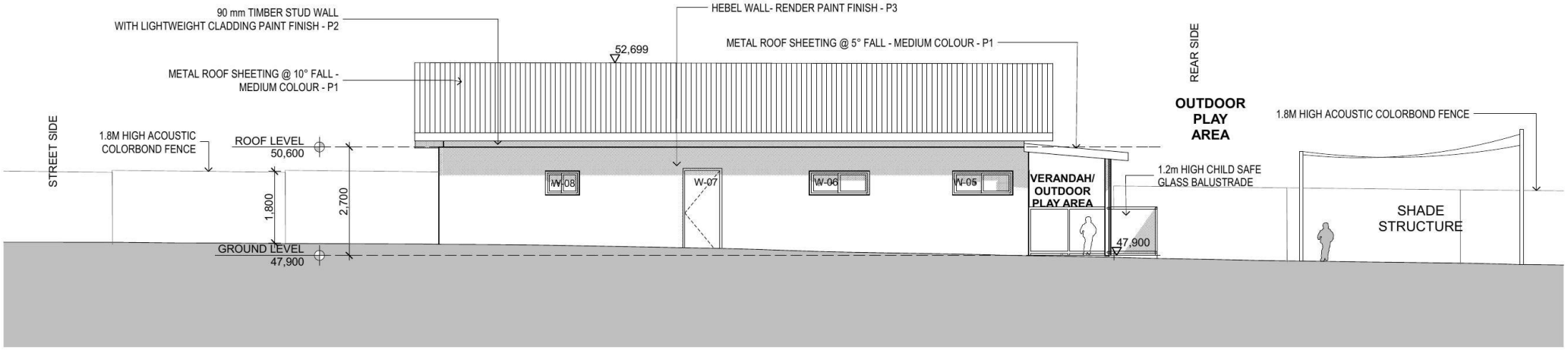

WEST ELEVATION
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Architects:

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PROJECT
PROPOSED CHILD CARE CENTRE AT 64 DONCASTER AVENUE CLAREMONT MEADOWS

CLIENT
MR & MRS BAINS

Drawing Name
NOTIFICATION PLAN

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Date of Issue 03-Jul-18
Drawing Scale NOT TO SCALE
Drawn By : **Munira M**
Checked By: **Nilesh Munot**
Layout ID **DA-10**
Issue **A**

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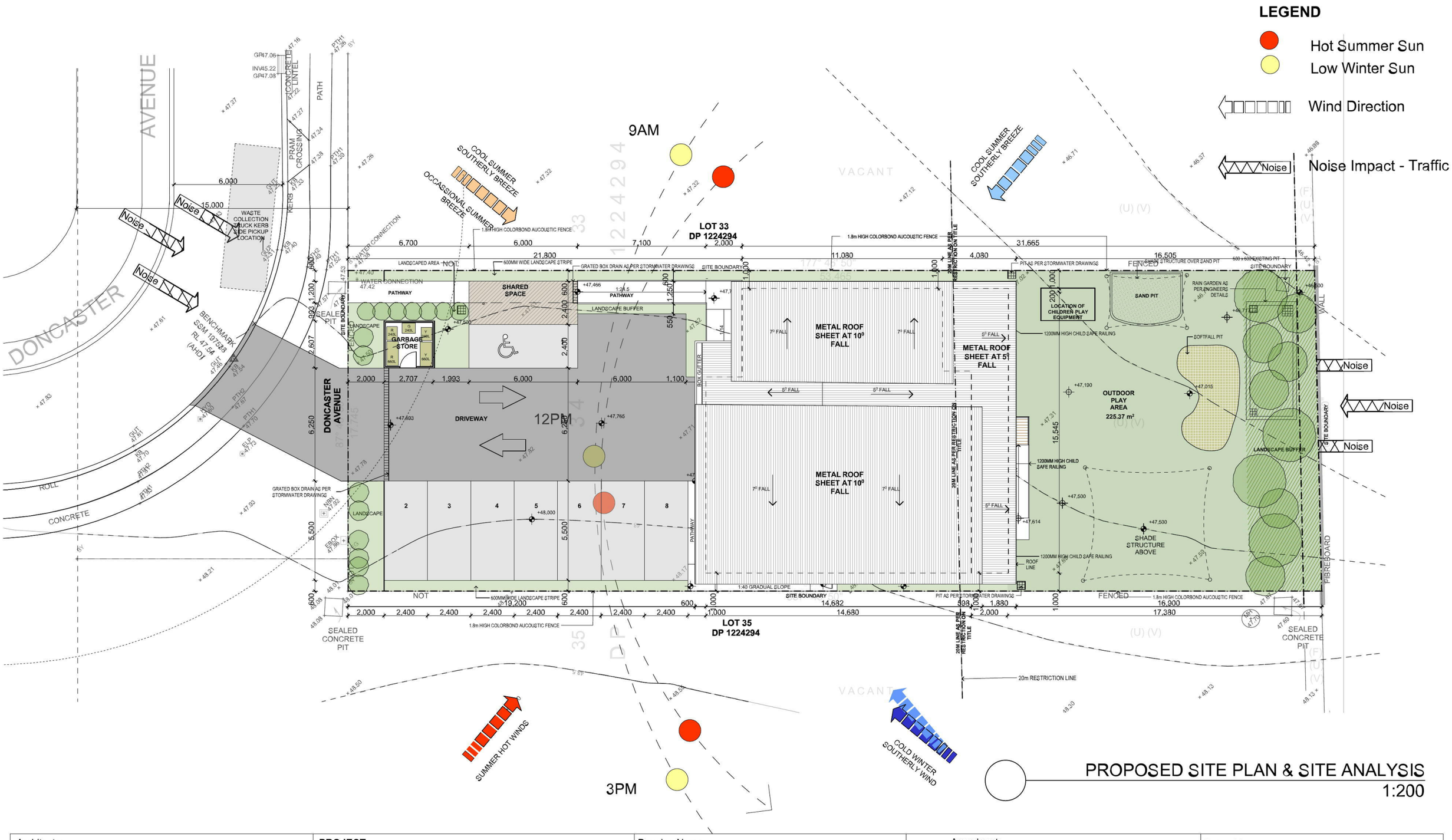

Architects: **SHOBHA DESIGNS** ARCHITECTS & URBAN DESIGNERS Suite 21, 1 - 7 Jordan St, Gladesville NSW 2111 PHONE : 02 98790020 MOBILE : 0418112677 EMAIL : nilesh@shobhadesigns.com.au	**PROJECT** PROPOSED CHILD CARE CENTRE AT 64 DONCASTER AVENUE CLAREMONT MEADOWS **CLIENT** MR & MRS BAINS	Drawing Name PROPOSED SITE AND ANALYSIS PLAN **General Notes** The Builder shall check all dimensions and levels on site prior to construction. Notify any errors, discrepancies or omissions to the architect. Drawings shall not be used for construction purposes until issued for construction. Do not scale drawings. All boundaries and contours subject to survey	Date of Issue 03-Jul-18 Drawing Scale **1:200** Drawn By : **Munira M** Checked By: **Nilesh Munot** Layout ID **DA-01** Issue **A**

Amendments

Issue ID	Issue Name	Checked by	Date
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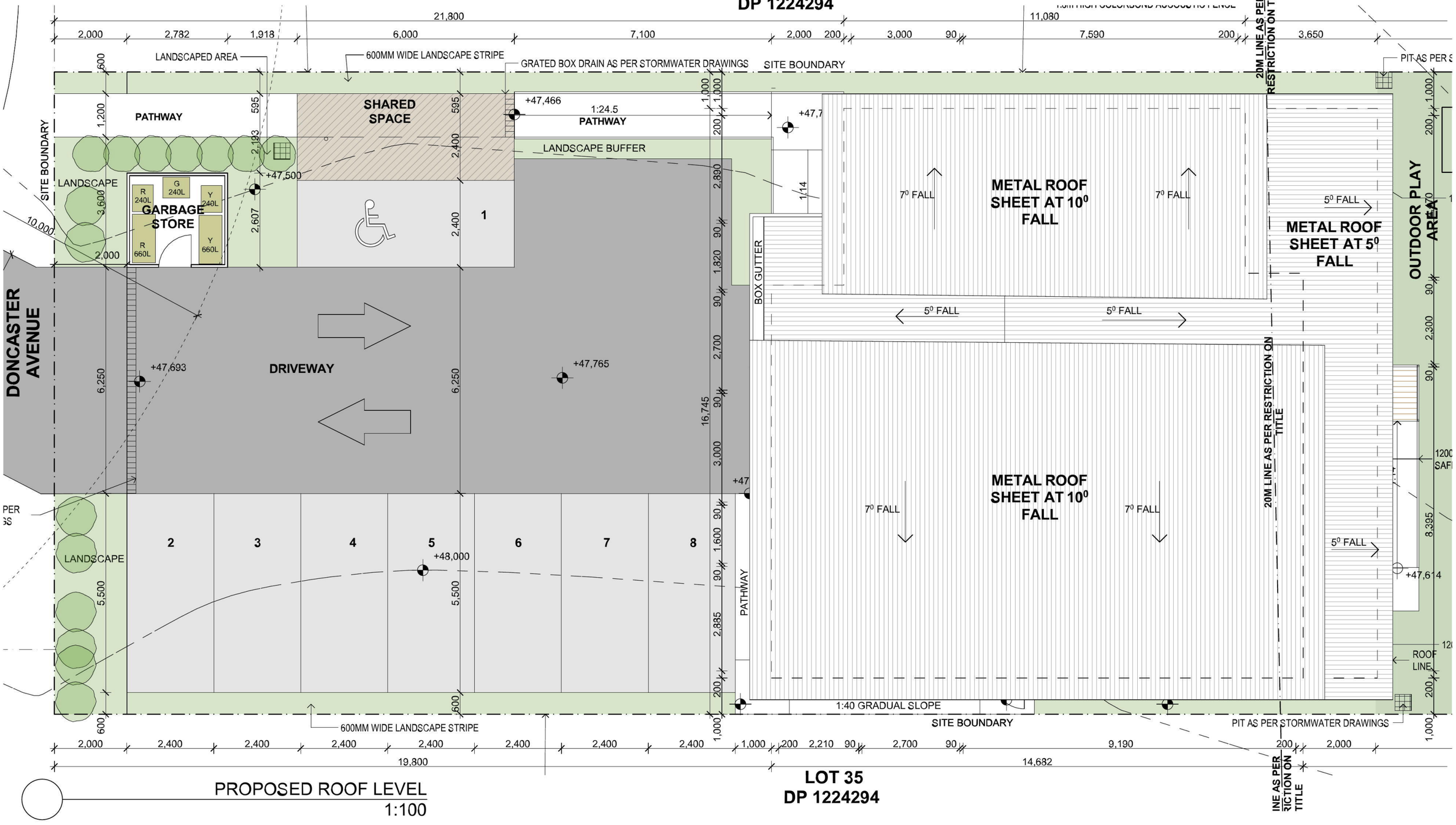

Architects: **SHOBHA DESIGNS** ARCHITECTS & URBAN DESIGNERS Suite 21, 1 - 7 Jordan St, Gladesville NSW 2111 PHONE : 02 98790020 MOBILE : 0418112677 EMAIL : nilesh@shobhadesigns.com.au	**PROJECT** PROPOSED CHILD CARE CENTRE AT 64 DONCASTER AVENUE CLAREMONT MEADOWS **CLIENT** MR & MRS BAINS	Drawing Name PROPOSED ROOF PLAN **General Notes** The Builder shall check all dimensions and levels on site prior to construction. Notify any errors, discrepancies or omissions to the architect. Drawings shall not be used for construction purposes until issued for construction. Do not scale drawings. All boundaries and contours subject to survey	Amendments Issue ID / Issue Name / Checked by / Date A / DA ISSUE TO COUNCIL / NM / 03-Jul-18 Date of Issue 03-Jul-18 Drawing Scale **1:100** Drawn By : **Munira M** Checked By: **Nilesh Munot** Layout ID **DA-03** Issue **A**

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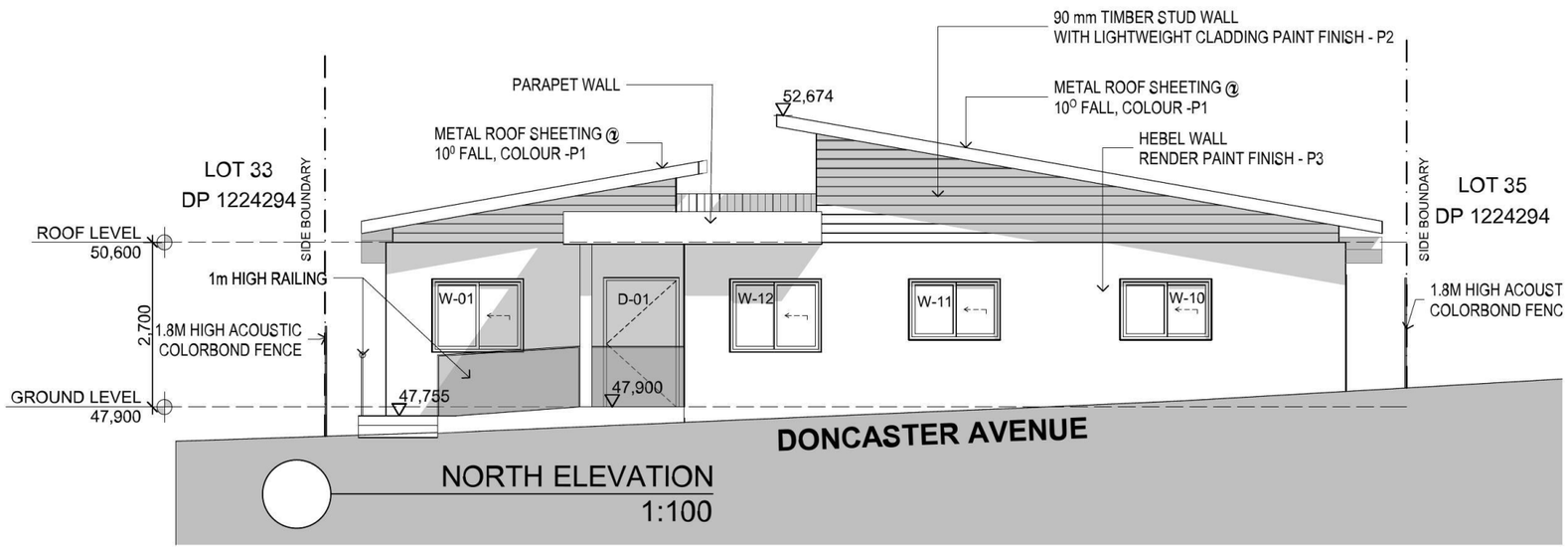

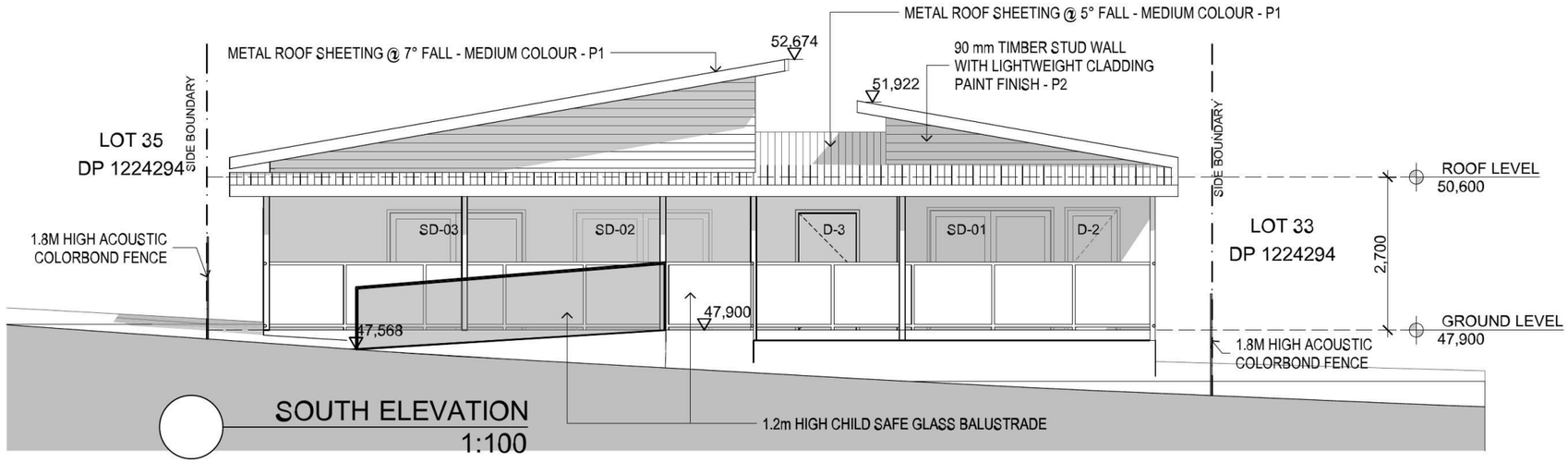

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PROJECT
PROPOSED CHILD CARE CENTRE AT 64 DONCASTER AVENUE CLAREMONT MEADOWS

CLIENT
MR & MRS BAINS

Drawing Name
PROPOSED NORTH AND SOUTH ELEVATIONS

General Notes
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Date of Issue 03-Jul-18
Drawing Scale **1:100**
Drawn By : **Munira M**
Checked By: **Nilesh Munot**
Layout ID **DA-04**
Issue **A**

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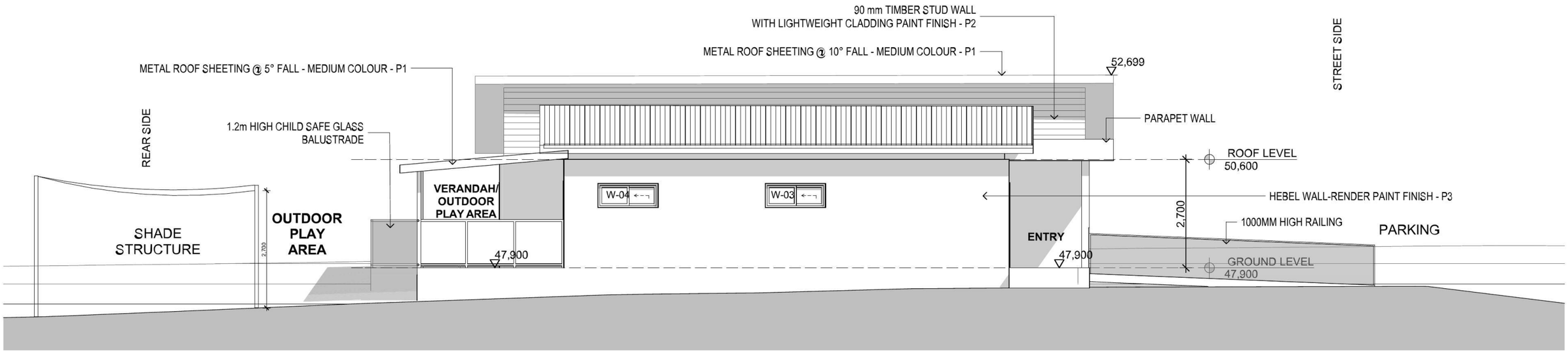

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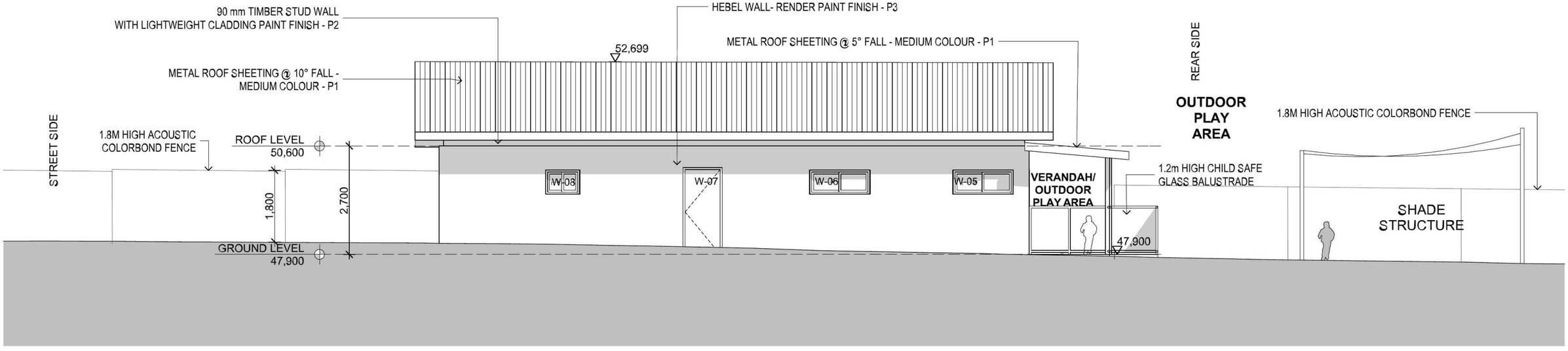

WEST ELEVATION
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Architects:

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PROJECT
PROPOSED CHILD CARE CENTRE AT 64 DONCASTER AVENUE CLAREMONT MEADOWS

CLIENT
MR & MRS BAINS

Drawing Name
PROPOSED EAST AND WEST ELEVATIONS

General Notes
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Date of Issue 03-Jul-18
Drawing Scale **1:100**
Drawn By : **Munira M**
Checked By: **Nilesh Munot**
Layout ID **DA-05**
Issue **A**

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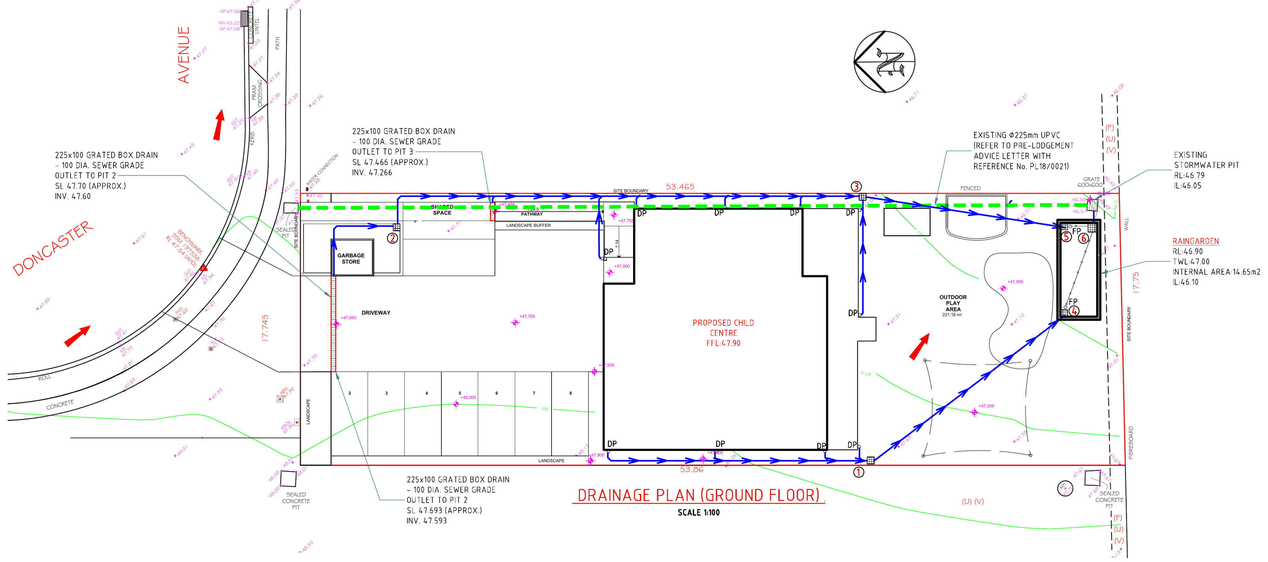
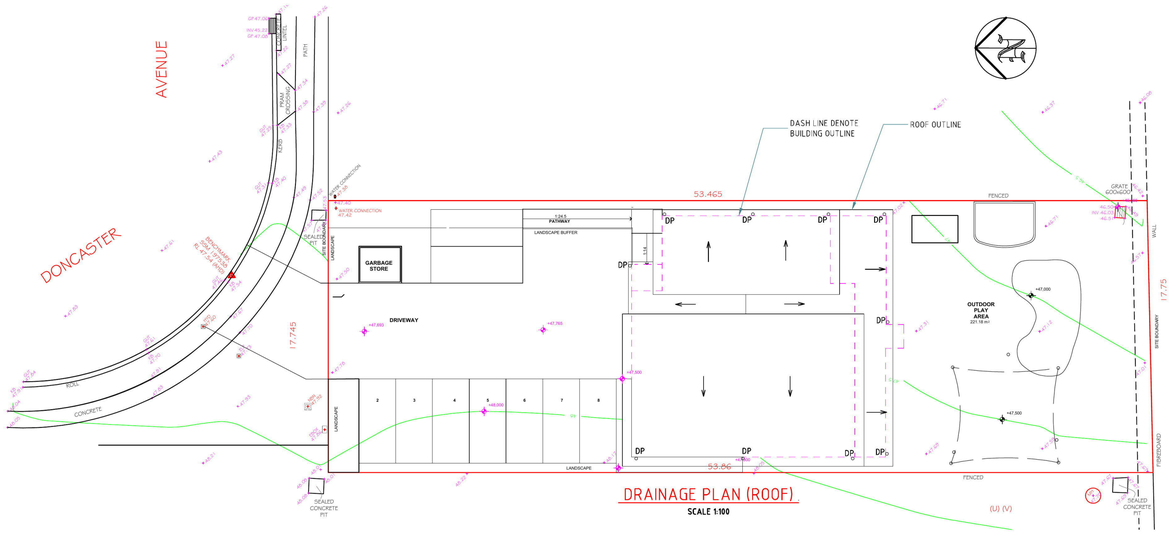


DRAINAGE PLAN (GROUND FLOOR)
SCALE 1:100

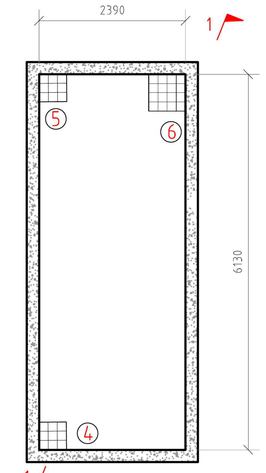


DRAINAGE PLAN (ROOF)
SCALE 1:100

BASIX REQUIREMENTS
THIS DEVELOPMENT HAS NO COMMITMENT ON RAINWATER REUSE UNDER BASIX CERTIFICATE.

OSD REQUIREMENTS
THIS DEVELOPMENT DOES NOT LOCATE WITHIN OSD ZONES. THEREFORE,OSD IS NOT REQUIRED.

WSUD SUMMARY:
THE WATER TREATMENT SYSTEM IS PROPOSED IN ACCORDANCE WITH COUNCIL'S DEEMED TO COMPLY TOOLKIT FOR INDUSTRIAL AND COMMERCIAL DEVELOPMENTS. THE ENTIRE ROOF AREA AND THE ENTIRE IMPERVIOUS GROUND AREA IS TREATED IN A RAINGARDEN LOCATED AT THE FRONT OF THE SITE. BASE ON COUNCIL WSUD GUIDELINES, THE REQUIRED AREA OF RAINGARDEN WHICH HAS 100mm EXTENDED DETENTION DEPTH IS 2.5% OF IMPERVIOUS SITE AREA (14m2).PROVIDE 14.65m2 RAINGARDEN TO MEET COUNCIL REQUIREMENTS.



RAINGARDEN DETAILS
SCALE 1:50

PIT SCHEDULE

PIT NO.	PIT TYPE	SIZE	SL	PIT IL	INLET IL	OUTLET IL
1	GRATED PIT	450x450	47.80	47.35	47.40	47.35
2	GRATED PIT	450x450	47.50	47.05	47.10	47.05
3	GRATED PIT	450x450	47.05	46.60	46.65	46.60
4	GRATED PIT	450x450	46.90	46.45	46.50	46.45
5	GRATED PIT	450x450	46.90	46.45	46.50	46.45
6	GRATED PIT	600x600	46.90	46.10	46.15	46.10

GENERAL NOTES

1. THE PLUMBER/ DRAINER SHALL INSPECT THE SITE AND CONFIRM THE EXISTING SITE STRUCTURES, SERVICES AND CONDITIONS PRIOR TO PROCEEDING. IF ANY DISCREPANCIES FOUND, CONTACT THE ENGINEER FOR DISCUSSION.

2. ALL WORKS TO BE CARRIED OUT IN ACCORDANCE WITH RELEVANT AUSTRALIAN STANDARDS, BUILDING CODE OF AUSTRALIA AND LOCAL GOVERNMENT'S REQUIREMENTS. IT IS THE RESPONSIBILITY OF THE PLUMBER/ DRAINER TO OBTAIN ANY APPROVALS/ PERMITS/ LICENSES ISSUED BY THE AUTHORITIES PRIOR TO PROCEEDING WITH STORMWATER WORKS.

3. UNLESS NOTED AS OTHERWISE, ALL DOWNPIPES TO BE Φ100 ROUND (OR 100x75 RECTANGULAR) AND FULLY SEALED; ALL STORMWATER PIPES TO BE Φ100 SEWER GRADE AND LAID AT 1% MIN. FALL. ALL MATERIALS USED IN THE WORK SHALL BE NEW AND CONFORM WITH RELEVANT AUSTRALIAN STANDARDS AND BEAR THE REQUIRED STANDARDS MARK.

4. LOCATION OF STORMWATER SYSTEMS, INCLUDING DOWNPIPES, PIPES, PITS AND RAINWATER TANK ARE INDICATIVE ONLY. EXACT LOCATION SHALL BE DETERMINED ON SITE TO SUIT SITE CONDITIONS.

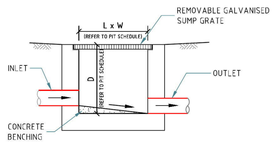
5. SUB-SOIL DRAINS FOR RETAINING WALL SHALL BE INSTALLED BY THE BUILDER AND CONNECTED TO STORMWATER LINES. ALL AGG. LINES SHALL BE 100mm DIA., UNLESS NOTED OTHERWISE.

6. LEVELS ARE APPROXIMATE ONLY. THE PLUMBER/ DRAINER SHALL CONFIRM THE LEVELS PRIOR TO PROCEEDING. IF ANY DISCREPANCIES FOUND, CONTACT THE ENGINEER FOR DISCUSSION.

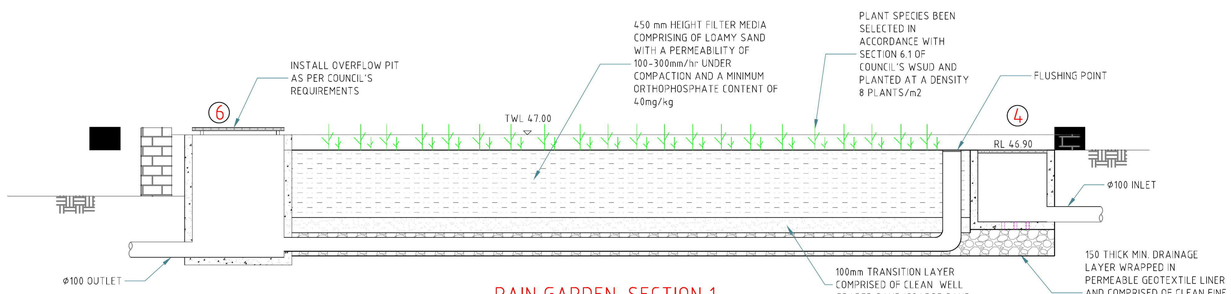
7. INSPECTION AND CERTIFICATION, IF REQUIRED, SHALL BE DONE PRIOR TO BACKFILLING. ALLOW 24 HOUR NOTICE FOR THE ENGINEER TO CARRY OUT INSPECTION.

8. ANY DAMAGE TO SERVICES DURING CONSTRUCTION SHALL BE REPAIRED IMMEDIATELY AT THE PLUMBER/ DRAINER'S OWN EXPENSE.

9. THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH:
- ARCHITECTURAL PLAN BY ..., PROJECT/JOB No. ..., REVISION/ISSUE No. ..., DATED ...



GRATED PIT DETAILS
SCALE 1:20



RAIN GARDEN-SECTION 1
SCALE 1:20

MINIMUM PIPE COVER
(FROM FINISHED SURFACE TO TOP OF PIPE)

LOCATION	MINIMUM COVER (mm) CAST/DUCTILE IRON GAL STEEL	MINIMUM COVER (mm) OTHER AUTHORISED PRODUCTS (~)
1. NOT SUBJECT TO VEHICULAR LOADING:		
A. WITHOUT PAVEMENT		
i. FOR SINGLE DWELLING	0	100
ii. OTHER THAN SINGLE DWELLING	0	300
B. WITH PAVEMENT OF BRICK/UNREINFORCED CONCRETE	0(--)	50(--)
2. SUBJECT TO VEHICULAR LOADING:		
A. OTHER THAN ROAD:		
i. WITHOUT PAVEMENT	300	450
ii. WITH PAVEMENT OF:		
- REIFORCED CONC. FOR HEAVY VEHICLE	0(--#)	100(--#)
- BRICK/UNREINF. CONC. LIGHT VEHICLE	0(--#)	75(--#)
B. ROAD		
i. SEALED	300	500(#)
ii. UNSEALED	300	500(#)
3. SUBJECT TO CONSTRUCTION VEHICLE OR IN ENBANKMENT CONDITION	300	500(#)

(-) INCLUDES OVERLAY ABOVE THE TOP OF THE PIPE OF NOT LESS THAN 50mm THICK
(--) BELOW THE UNDERSIDE OF THE PAVEMENT
(#) SUBJECT TO COMPLIANCE WITH AS1762, AS2033, AS/NZS2566.1, AS3725 OR AS4060

LEGEND:

DP	DOWNPIPE
@FW#	FLOOR WASTE No. # ON LEVEL @
GP	GRATED PIT
SP	SILT ARRESTOR PIT
CP	CLEAN-OUT PIT
SL	SURFACE LEVEL
IL	INVERT LEVEL
KO	KERB OUTLET
	225x100 GRATED BOX DRAIN
	ROOF- WATER PIPELINE
	SURFACE- WATER PIPELINE
	SURFACE RUNOFF DIRECTION
> > >	EARTH-MOUND SWALE OR DISH DRAIN
70.00	EXISTING GROUND CONTOUR
+70.00	PROPOSED GROUND LEVEL
	100 DIA. YARD SUMP OR 250 SQ. GRATED PIT

Paper size: A1

All dimensions are in millimetres. Do not scale the drawing. Use written dimensions. Dimensions must be confirmed prior to commencement. Location of services are approximate only. Dial 1100 before any excavation or demolition.

Revisions
Original issue

Designed: DL | Checked: HL

Approved:
Quoc Huy Nguyen
PhD (Eng), MIEAust, CPEng.
NER Reg. No. 208 2513

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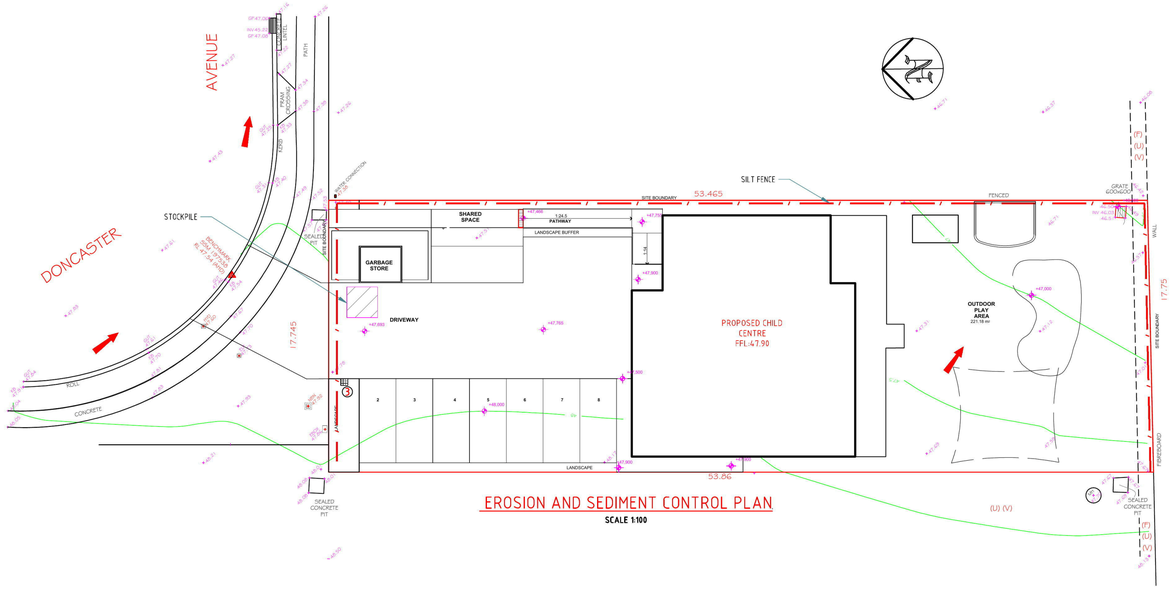
PROJECT: PROPOSED CHILD CARE CENTRE
ADDRESS: 64 DONCASTER AVENUE,CLAREMONT MEADOWS
LGA: PENRITH CITY COUNCIL

DRAINGE PLAN & DETAILS

Project No: 3513H Issue: A Date: 21.06.2018 Sheet No: 1 of 2

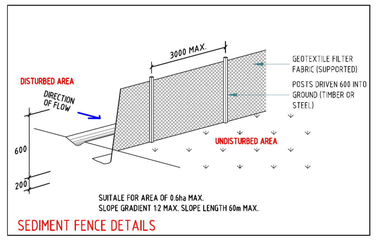
www.dialbeforeyoudig.com.au
DIAL 1100 BEFORE YOU DIG



EROSION AND SEDIMENT CONTROL PLAN
SCALE 1:100

NOTES:

1. ALL EROSION AND SEDIMENT CONTROL MEASURES TO BE INSPECTED AND MAINTAINED DAILY BY SITE MANAGER
2. MINIMISE DISTURBED AREA
3. ALL STOCKPILES TO BE CLEAR FROM DRAINS, GUTTERS AND FOOTPATH
4. DRAINAGE IS TO BE CONNECTED TO STORMWATER SYSTEM AS SOON AS POSSIBLE
5. ROADS AND FOOTPATH TO BE SWEPT DAILY
6. KERB SIDE INLET TO BE PROTECTED WITH FABRIC FILLED WITH GRAVEL
7. NON-COMPLIANCE MAY INCUR PENALTY



SUITALE FOR AREA OF 0.6ha MAX.
SLOPE GRADIENT 12 MAX. SLOPE LENGTH 60m MAX.

SEDIMENT FENCE DETAILS

Paper size: A1

All dimensions are in millimetres. Do not scale the drawing. Use written dimensions. Dimensions must be confirmed prior to commencement. Location of services are approximate only. Dial 1100 before any excavation or demolition.

Revisions	
Original issue	
Designed: DL	Checked: HL

Approved:

Quoc Huy Nguyen
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NER Reg. No. 208 2513

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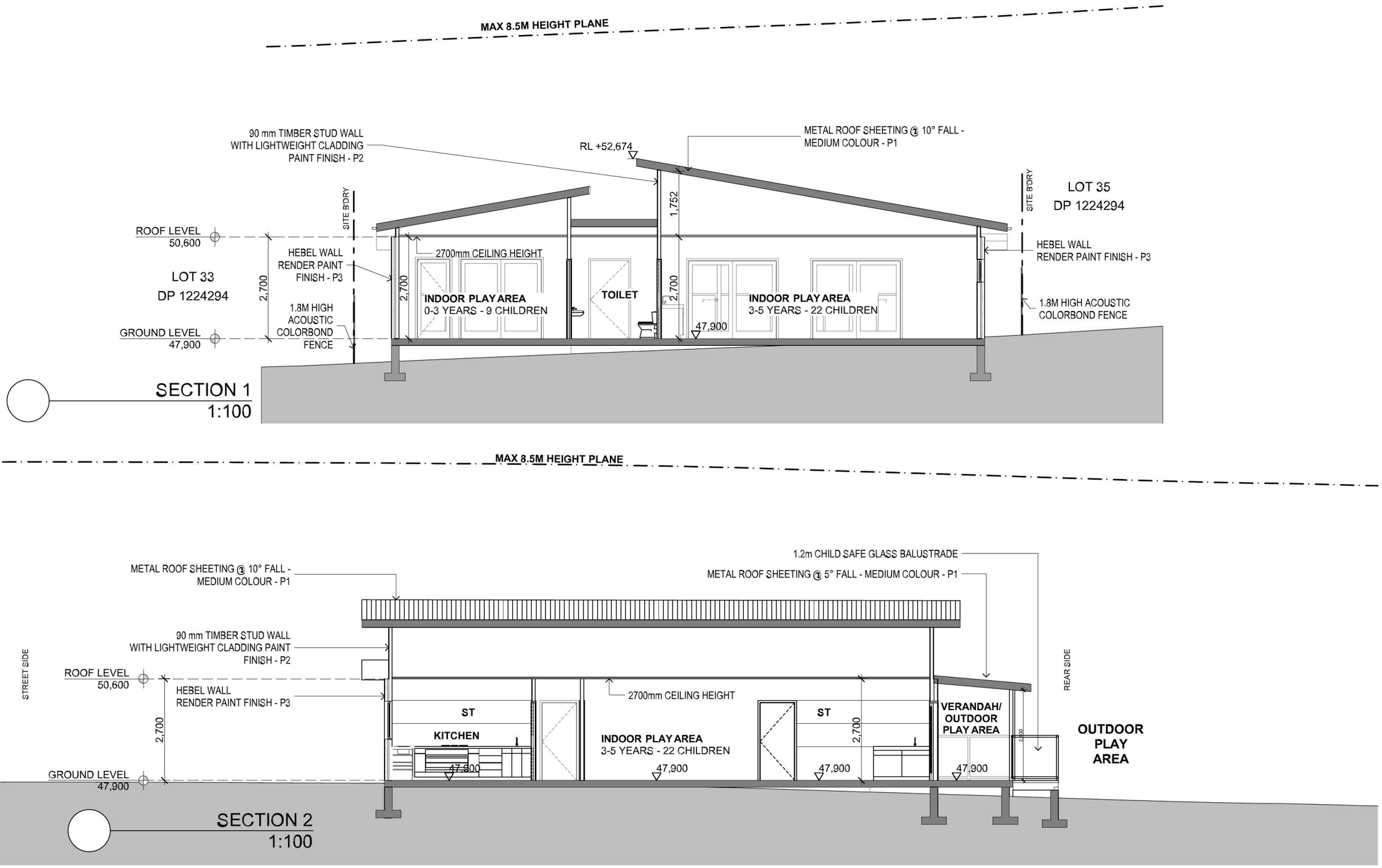
PROJECT: PROPOSED CHILD CARE CENTRE
ADDRESS: 64 DONCASTER AVENUE,CLAREMONT MEADOWS
LGA: PENRITH CITY COUNCIL

EROSION & SEDIMENT CONTROL PLAN

Project No: 3513H Issue: A Date: 21.06.2018 Sheet No: 2 of 2



Architects:

SHOBHA DESIGNS
ARCHITECTS & URBAN DESIGNERS

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shobha

PROJECT
PROPOSED CHILD CARE CENTRE AT 64
DONCASTER AVENUE CLAREMONT MEADOWS

CLIENT
MR & MRS BAINS

Drawing Name
PROPOSED SECTIONS

General Notes
The Builder shall check all dimensions and levels on site prior to construction.
Notify any errors, discrepancies or omissions to the architect.
Drawings shall not be used for construction purposes until issued for construction.
Do not scale drawings.
All boundaries and contours subject to survey

Amendments

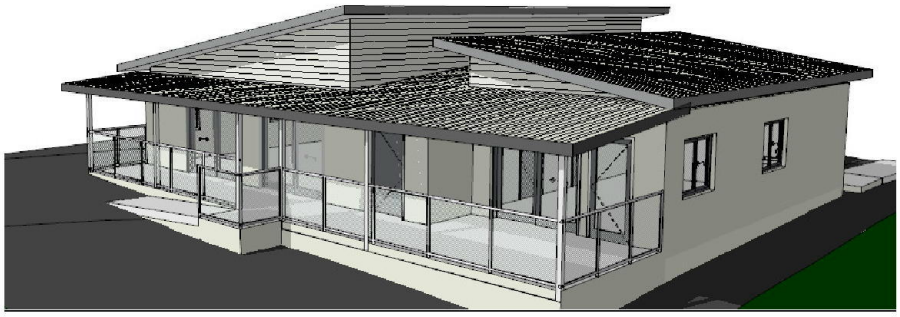
Issue ID	Issue Name	Checked by	Date
A	DA ISSUE TO COUNCIL	NM	03-Jul-18

Date of Issue 03-Jul-18
Drawing Scale **1:100**
Drawn By : **Munira M**
Checked By: **Nilesh Munot**
Layout ID **DA-06**
Issue **A**

P:\Projects\BAI\Drawings\DA\BAI_DA.pln

PSE ACCESS CONSULTING
Access/Built Environment
Architectural Advice/Training
Adaptation/Certification/B.C.A /DDA
ACAA Accredited.

ASSESSMENT REPORT



ACCESS AND COMPLIANCE REQUIREMENTS;

BUILDING CODES AUSTRALIA (BCA),
NATIONAL CONSTRUCTION CODE (NCC)-2016.
DISABILITY DISCRIMINATION ACT 1992 (DDA),
Disability (Access to Premises-Buildings) Standard-2010.

SUBJECT; CHILDCARE.

SITE ADDRESS; 64 Doncaster Ave Claremont Gardens.

REPORT BY; Mr PETER SIMPSON.
ACAA Accredited Access Consultant.
Accreditation No. 185.

13th June 2018.

14 Mashman Ave
Wentworthville 2145

Phone: 0419 489158
E-mail: psadvice@bigpond.net.au

SITE ADDRESS; 64 Doncaster Ave Claremont Gardens.
Childcare.

Access requirements for people with disability.

This report is in regard to the proposed **Childcare centre** complying with, for Development Application or/and Construction Certificate issuance, the Building Codes Australia/National Construction Code (BCA/NCC-2016 & specifically Part D3), Disability (Access to Premises-Buildings) Standard-2010 **(DAtPS)**, Children (Education and Care Services) Supplementary Provisions Regulation 2004 and related Australian Standards in addressing the requirements of Disability Discrimination Act 1992 (DDA) pertaining to access for (and applicable technical detail for Construction Certificate or/an Occupation Certificate issuance) and provision of appropriate services for people with disability.

COMPOSITION OF PROPOSED CHILDCARE CENTRE;

This Childcare centre development at this address consists of;

1. Childcare centre over one level with street entrance from Doncaster Avenue.
2. At level car parking (with individual spaces and one accessible (disabled) space) with street front driveway entrance from Doncaster Avenue.
3. Ground level non-covered and covered, non-age specific, play areas, reception/staff room/ facilities/kitchen.
4. All areas are "Accessible" for people with disability (under the guidelines of AS1428.1 *Design for access and mobility* and below stated criteria) compliant with BCA/NCC-2016.

REFERANCING;

➢ Disability Discrimination Act 1992.

Part 3 Objects

The objects of this Act are:

(a) to eliminate, as far as possible, discrimination against persons on the ground of disability in the areas of:

(i) work, accommodation, education, access to premises, clubs and sport; and

(ii) the provision of goods, facilities, services and land; and

(iii) existing laws; and

(iv) the administration of Commonwealth laws and programs; and

(b) to ensure, as far as practicable, that persons with disabilities have the same rights to equality before the law as the rest of the community; and

(c) to promote recognition and acceptance within the community of the principle that persons with disabilities have the same fundamental rights as the rest of the community.

Part 23 Access to premises

Disability Discrimination Act 1992
Part 4 Interpretation

premises includes:

(a) a **structure**, **building**, aircraft, vehicle or vessel; and
(b) a place (whether enclosed or built on or not); and
(c) a part of premises (including premises of a kind referred to in paragraph (a) or (b)).

(1) It is unlawful for a person to discriminate against another person on the ground of the other person's disability or a disability of any of that other person's associates:

(a) by refusing to allow the other person access to, or the use of, any premises that the public or a section of the public is entitled or allowed to enter or use (whether for payment or not); or
(b) in the terms or conditions on which the first-mentioned person is prepared to allow the other person access to, or the use of, any such premises; or
(c) in relation to the provision of means of access to such premises; or
(d) by refusing to allow the other person the use of any facilities in such premises that the public or a section of the public is entitled or allowed to use (whether for payment or not); or

- **Building Codes Australia (BCA);**

National Construction Code-2016.

The Building Codes Australia (BCA) (BCA- National Construction Code (NCC) 2016 & specifically Part D3), calls for compliance with BCA Part D3 *Access for people with disability* for general building access for people with disability and the requirements are

a) Buildings must be accessible as required by Table D3.1
b) Parts of buildings *required* to be *accessible* must comply with this Part and AS1428.1.
c) External access to a building *required* to be *accessible* must be in accordance with this part and AS1428.1, and must provide-
   (i). From the allotment boundary at the main points of entry; and
   (ii). From any accessible car parking space on the allotment in accordance with **D3.5;** and
   (iii). From any adjacent and associated *accessible* building on the allotment; and
   (iv). Through the principal public entrance.

Table D3.1 REQUIREMENTS FOR ACCESS FOR PEOPLE WITH DISABILITY

D3.1 General building access requirements

Buildings and parts of buildings must be *accessible* as *required* by Table D3.1, unless exempted by D3.4.

Table D3.1 REQUIREMENTS FOR ACCESS FOR PEOPLE WITH A DISABILITY

Class of building	Access requirements
Class 9b	
Schools and *early childhood centres*	To and within all areas normally used by the occupants.

BCA/NCC-2016; Part D3 Access for People with disability

SECTION D ACCESS AND EGRESS

OBJECTIVE

DO1

The *Objective* of this Section is to—

(a) provide, as far as is reasonable, people with safe, equitable and dignified access to—
  (i) a building; and
  (ii) the services and facilities within a building; and

(b) safeguard occupants from illness or injury while evacuating in an emergency.

D3.2 Access to buildings

(a) An *accessway* must be provided to a building *required* to be *accessible*—
  (i) from the main points of a pedestrian entry at the allotment boundary; and
  (ii) from another *accessible* building connected by a pedestrian link; and
  (iii) from any *required accessible* carparking space on the allotment.

(b) In a building *required* to be *accessible*, an *accessway* must be provided through the principal pedestrian entrance, and—

F2.4 Accessible sanitary facilities

In a building *required* to be *accessible*—

SA F2.4(a)

(a) *accessible* unisex *sanitary compartments* must be provided in *accessible* parts of the building in accordance with Table F2.4(a); and

Table F2.4(a) ACCESSIBLE UNISEX SANITARY COMPARTMENTS

Class of building	Minimum accessible unisex sanitary compartments to be provided
Class 5, 6, 7, 8 and 9 — except for within a *ward area* of a Class 9a *health-care building*	Where F2.3 requires closet pans— (a) 1 on every *storey* containing *sanitary compartments*; and (b) where a *storey* has more than 1 bank of *sanitary compartments* containing male and female *sanitary compartments*, at not less than 50% of those banks.

➢ Disability (Access to Premises-Buildings) Standard-2010.

Purpose of the Premises Standards

4. The purpose of the Premises Standards is to provide:

- a nationally applicable set of provisions that detail what must be done to provide for non-discriminatory access to public buildings for people with disability
- the first and perhaps the most significant step in the development of consistent and uniform requirements for non-discriminatory building access — bringing together the access requirements under the DDA and building law, and

Premises Standards would harmonise the requirements of the Building Code and the Disability Discrimination Act in relation to access to buildings through incorporation of the Access Code into the Building Code. The Access Code forms Schedule 1 of the Premises Standards and contains its technical requirements.

Part 1 Preliminary

1.3 Objects

The objects of these Standards are:

(a) to ensure that dignified, equitable, cost-effective and reasonably achievable access to buildings, and facilities and services within buildings, is provided for people with a disability; and

(b) to give certainty to building certifiers, building developers and building managers that, if access to buildings is provided in accordance with these Standards, the provision of that access, to the extent covered by these Standards, will not be unlawful under the Act.

Part 2 Scope of Standards

2.1 Buildings to which Standards apply

(1) Subject to subsection (2), these Standards apply to the following:

(a) a new building, to the extent that the building is:

(iii) a Class 3, 5, 6, 7, 8, 9 or 10 building;

ACCESS and COMPLIANCE;

The requirements of BCA Part D3 *Access for people with disabilities*/National Construction Code (NCC)-2016 & specifically Part D3 and AS1428.1-4, as well as associated standards/legislation, are met with these proposed alterations/additions and in their relation to the requirements to satisfy relevant State and Federal legislation.

These requirements of BCA have been addressed in the following manner

- The BCA/NCC-2016 Part D3.2 (c) (ii) and AS1428.1 Clause 5.1.2 calls for a continuous uninterrupted path of travel from the allotment boundary to the main points of entrances and "from any required accessible car space on the allotment" to and within the proposed Childcare Centre. This is proposed to be provided by fully compliant accessible paths of travel as means of entry to the principal public entry foyer from allotment boundary.

- All pedestrian walkways for entry and/or exit are proposed to have, if applicable, the required Tactile Ground Surface Indicators (TGSI's) compliant with AS1428.4.1-2009 Clause 2.2.3 and Figure A1.

- All pedestrian walkways and paths of travel are proposed to be compliant with the design and technical specifications of AS1428.1 Clause 6 *Continuous accessible paths of travel* for their gradients, surface finish and other relevant features.

- The entrance doors to the childcare centre and all their internal doors, and their circulation areas, are proposed to be of a dimension mandated by AS1428.1-2009 Clause 13.3 *Circulation space at doorways on a continuous accessible path of travel* and Figure 31.

- The doors have a clear opening dimension (Minimum 850mm for single leaf or at least one of a duel leaf door configuration) compliant with AS1428.1-2009 Clause 13.2 *Clear opening of doorways* and their internal and external circulation spaces have dimensions/configuration compliant AS1428.1 Clause 13.3 & Figure 31 with appropriate 30% door jamb/architrave to wall colour luminance contrast.

- The entrance doorways are proposed to have a zero step entrance required by AS1428.1-2009 Clause 7.2 *Construction tolerances, abutment of surfaces.*

  - Door handles/gate latches, where required, are positioned to meet requirements of being "child-proof".

  - Items of access/**child safety** requirements such as entry door handle height or security gate latching are overridden by state regulations such as Children (Education and Care Services) Supplementary Provisions Regulation 2004.

    - **Children (Education and Care Services) Supplementary Provisions Regulation 2004**

      21 Child-proof gates at entry and exit points

      (1) Child-proof gates must be installed at each point of entry to or exit from the premises of the child-minding service.

      (2) The child-proof gates must:

      (a) be secured by means of child-proof locks, and

      (b) be designed:

      (i) to prevent children from entering or leaving the premises unsupervised, and

      (ii) to inhibit or impede intruders from entering the premises.

- Clear and uninterrupted paths of travel to and within this Childcare centre to all required facilities/outdoor play areas, by the occupants which includes staff, parents and children, is to be provided with well positioned furniture to avoid any type of hindrance to people with disability weather they be wheelchair or other mobility aid users. This is compliant with BCA/NCC-2016 Part D3.2 (c) (ii) and AS1428.1 Clause 5.1.2 *Continuous path of travel.*

- All entry and internal doorways (part of *Continuous path of travel)* to the various offices/rooms/kitchen/amenities are of a dimension equal to or greater than that (850mm minimum clear opening for single leaf door or at least one leaf of a duel leaf door configuration) to be compliant with AS1428.1-2009 Clause 13.3 & Figure 31 as well as AS1428.2 Clause 11.5.1 *Clear opening of doorways* & Figure 7.

- Provided is a sanitary facility meeting the technical requirements of a unisex accessible (disabled) sanitary facility which, with fold down AS1428.1 compliant grab rail, act as a cubicle for people with an ambulant disability.

  i. The technical specifications (no less than the dimensions required by AS1428.1-2009 Clause 15.2 *Accessible unisex sanitary facility* & Figure 50 at, typically 1900mm X 2600mm) for this accessible (disabled) unisex sanitary facility will be as follows,

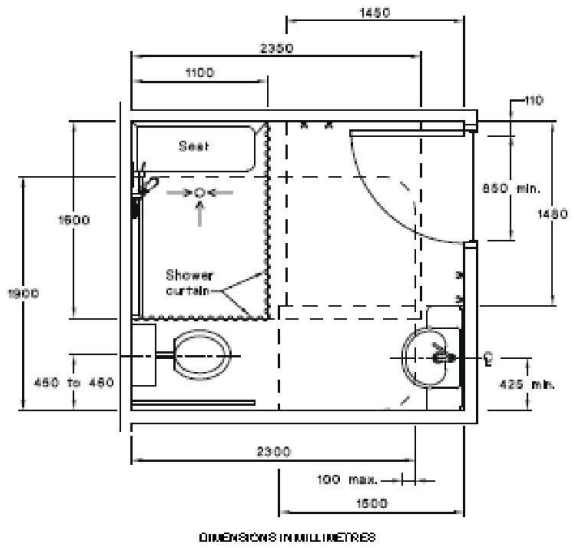


FIGURE 30 SANITARY COMPARTMENT SHOWING OVERLAP OF WASHBASIN FIXTURE INTO SHOWER CIRCULATION SPACE

ii. The entry door is compliant with **AS1428.1-2009 Clause 13.2** & Figure 30 with a minimum 850mm clear opening dimension and the maximum 5mm construction tolerance threshold specified by **AS1428.1-2009 Clause 7.2 *Construction tolerances for abutting surfaces*** Note: *a construction tolerance of up to 5mm is acceptable using rounded or bevelled edges.*

iii. The toilet pan is in the correct position as per **AS1428.1-2009 Clause 15.2.2 *WC Pan clearance* & Figure 28** at 800mm to front of pan & 450mm centre from the side wall & the seat 470mm high.

iv. The grab rails are proposed to be fitted correctly (at pan) and design compliant with AS1428.1-2009 Clause 15.2.7 *Grab rails* & Figure 42 *Position of grab rails* as with all other fittings and fixtures.

v. The clear turning circle requirement of 1540mm and circulation spaces will be present to comply with AS1428.1-2009 Clause 15.6 *Circulation space in accessible sanitary facilities* or the called on requirements of AS1428.2-1992 Clause 6.2 Circulation space for 180^{o} wheelchair turn with the required circulation spaces in front of the pan and basin with clear "exclusion zone".

AS 1428.2—1992 6

6.2 Circulation space for 180° wheelchair turn The space required for a wheelchair to make a 180° turn shall be not less than 2070 mm in the direction of travel and not less than 1540 mm wide.

vi. The floor is of a slip resistant surface as specified in AS1428.1-2009 Clause 7 *Floor and ground surfaces on a continual accessible path of travel and circulation spaces* with appropriate signage is installed along with an appropriate locking mechanism on the sanitary facility entrance door for privacy.

Car park;

At level car parking (with individual spaces and one accessible (disabled) space) provided for staff and parents/visitors with street front driveway entrance from Doncaster Avenue.

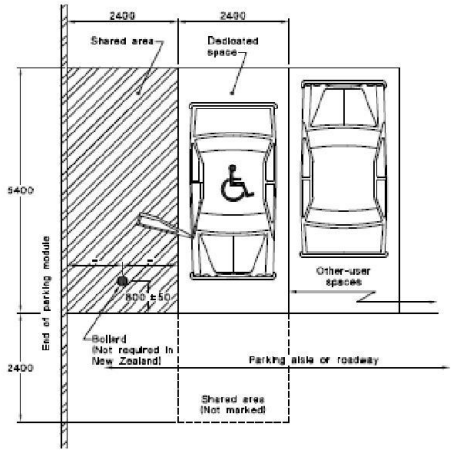
- This accessible (disabled) car parking space (one space of 15) is proposed to be technically and feature designed to comply with the AS2890-2009 Part 6 *Parking facilities-Off stre*et p*arking for people with disability* and Figure 22.

  i. The parking space is proposed to be technically and feature designed to comply with the AS2890.2009 Part 6 *Parking facilities-Off stre*et p*arking for people with disability* Section 2.2 *Parking space-dimensions* Point 1 *Angle parking spaces.*

  ii. The "Shared area" is proposed to be "any other suitable use i. e. pedestrian access" the pedestrian entrance to childcare centre through carpark.

1.3.2 Shared area

An area adjacent to a dedicated space provided for access or egress to or from a parked vehicle and which may be shared with any other purpose that does not involve other than transitory obstruction of the area, e.g. a walkway, a vehicular aisle, dual use with another adjacent dedicated space.



DIMENSIONS IN MILLIMETRES

FIGURE 2.2 EXAMPLE OF AN ANGLE PARKING SPACE WITH SHARED AREA ON ONE SIDE ONLY—DIMENSIONS FOR AUSTRALIA ONLY*

A2.2 Angle parking spaces

The shared area can be shared with any other suitable use, noting that it needs to be accessible in accordance with AS 1428.1 and free of other than transitory obstructions at all times. In a typical case, as illustrated in Figure 2.3, a 2.4 m area can be shared between two

The slip resistance of floors in varies areas is certified by the manufacturer of the vinyl product and carpet product contained in Appendix 1 *Flooring Cert.*

Certification

The Vinyl floor coverings installed to the centre have the following slip resistance measures;

Walkways-	W rating
Entry foyer/toilets-	X rating
Internal floors-	Z rating

The certificates from the manufacture for both vinyl and direct stick carpet are attached showing the fire hazard details are compliant.

- The outdoor play areas and play equipment is accessible for children with disability with the surface finishes (Soft fall surface compound/Wetpour rubber ground surface or grass) providing minimal obstructions to their use yet minimises impact trauma in the event of an accident/mishap.
- The walkway and paths of travel are compliant with the design and technical specifications of AS1428.1-2009 Clause 10 *Walkways ramps and landings* for their gradients, surface finish and other relevant features.
- The appropriate crossfall and abutting surfaces are proposed to be compliant with AS1428.1-2009 Clause 10 *Walkways ramps and landings* Point 2 *Walkways.*
- Level abutting surfaces are proposed between interior, covered playground area and non-covered playground area for **access** "to all areas normally used by the occupants including staff, children and visitors"

Dimensions refer to finished surfaces (e.g., face of wall tiles and floor finishes).

Unless otherwise indicated, limiting dimensions for an inclined surface on a continuous accessible path of travel shall be taken as horizontal and vertical only.

6 CONTINUOUS ACCESSIBLE PATHS OF TRAVEL

6.1 General

A continuous accessible path of travel shall not include a step, stairway, turnstile, revolving door, escalator, moving walk or other impediment.

6.2 Heights of a continuous accessible path of travel

The minimum unobstructed height of a continuous accessible path of travel shall be 2000 mm or 1980 mm at doorways (see Figure 2).

6.3 Width of a continuous accessible path of travel

Unless otherwise specified (such as at doors, curved ramps and similar), the minimum unobstructed width (see Figure 2) of a continuous accessible path of travel shall be 1000 mm and the following shall not intrude into the minimum unobstructed width of a continuous accessible path of travel:

- Any ramp where required comply with AS1428.1-2009 Clause 10.3 *Ramps*, Figure 14-19 & Clause 11 *Stairways*, Figure 26-29 in finish and construction detail with handrails compliant with AS1428.1-2009 Clause 12 *Handrails* with technical design Figure 14 & 15 *Ramp Handrails* and Figures 26 *Stair handrail.*

SUBJECT; Childcare

SITE ADDRESS; 64 Doncaster Ave Claremont Gardens.

The full implementation of these requirements, for Development Application or/and Construction Certificate issuance, of the **BCA/NCC-2016 Part D3, Table 3.2,** Children (Education and Care Services) Supplementary Provisions Regulation 2004 and Disability (Access to Premises-Buildings) Standard-2010 has been actioned with the planning and designing of this childcare centre **providing access "to and within all areas normally used by the occupants including staff, children and visitors"**.

- The plans assessed reflect the accessibility/services/facilities of the building comply (*suitable for use by a person with disability)* with AS 1428.1-2009 *Design for access and mobility* (public/common areas) and any other relevant Australian Standard.

The technical requirements called for in the AS1428 series of standards, and related standards/codes, and detailed prescriptive technical requirements within the BCA/NCC-2016 of how the building is to be constructed and equipped have been adhered too in addressing the Disability Discrimination Act 1992 legislation in regard access to premises (and applicable technical detail for Construction Certificate issuance) for and provision of services/facilities for people with disability.

Yours sincerely

Peter Simpson

Peter Simpson
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ACOUSTIC ASSESSMENT

64 DONCASTER AVENUE, CLAREMONT MEADOWS, NSW

PREPARED FOR: Shobha Designs

REFERENCE: REF-18-6004-A1

DATE: 27th June 018

CONTROLLED DOCUMENT

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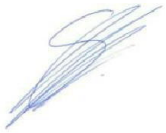
DOCUMENT HISTORY		
Document No.	Revision No.	Issue Date
REF-18-6004-A	A1	27/06/2018

AUTHOR	TECHNICAL REVIEWER
	
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1. INTRODUCTION

EnviroTech has been requested by Shoba Designs to undertake an acoustic assessment of the proposed childcare facility, at 64 Doncaster Avenue, Claremont Meadows, NSW (hereafter referred to as the site). The noise assessment will include the proposed childcare centre and associated traffic volume.

The purpose of this assessment is to accurately predict potential noise levels generated by the proposal and to assess the impact of these noise levels on the nearest residential receptors, in accordance with the NSW Government's relevant noise criteria.

This assessment has been prepared in accordance with:

- AAAC Guideline for Child Care Centre Acoustic Assessment (2003)
- Camden Council Environmental Noise Policy (2008)
- Environmental Planning and Assessment Act (1979)
- NSW Industrial Noise Policy (2000)
- NSW Noise Policy for Industry (2017)
- NSW Protection of the Environment Operations Act 1997 (POEO Act)
- The Noise Guide for Local Government (DECCW, 2009)

Proposal

The site to be developed is located at 64 Doncaster Avenue, Claremont Meadows, NSW (Lot 34 DP 1224294) (Figure 1) and covers a total area of approximately 945m^2. A site layout is provided in Figure 2 showing the closest residential receiver.

The proposed development is for the construction of a single storey 31 place plus 4 staff child care centre with off-street parking, landscaping, signage and associated site works. Access is proposed off Doncaster Avenue.

In accordance with the EPAs Industrial Noise Policy (INP) and the EPAs Noise Policy for Industry (NPI), the surrounding noise amenity of the site is classified as Suburban. Table 1 below outlines potential sources and receptors of noise in relation to the proposed development.

Figure 1: Site map featuring site plane, property boundaries and surrounding potential residential receptors.

Table 1: Details of ambient and potential noise sources, and local receptors which may be impacted upon as a result of the development.

Ambient Noise Sources	The site is located within a residential area. To the immediate south of the site is the M4: Western Motorway and accompanying Kent Rd off off-ramp. Heavy thoroughfare traffic from these roads would contribute to surrounding ambient background noise. North-East of the site are residential buildings currently under construction. The noise generated during the construction would also contribute to the surrounding ambient noise. Trucks and other machinery are expected to operate nearby as a result of construction. Localized road traffic noise would occur within the vicinity.
Predominant Potential Noise Source	The proposed childcare and associated activities. Potential noise sources from the development include the indoor childcare, the outdoor play areas and the carpark.
Residential Noise Receptors and Associated Potential Noise Emitting Activities	There are currently no residential properties within the immediate vicinity of the site for the childcare centre to impact on. There are a number of subdivided lots within the immediate vicinity of the site. These lot are currently vacant, however heavy construction of houses within the area suggests they will soon occupy residential housing as well. Once these homes have been built they will become Residential Noise Receptors. The two closest residential receivers are properties located to the immediate east and west of the site.

During normal hours of operation, the proposed childcare is expected to accommodate for up to 4 staff and 31 children. Hours of operation are provided in Table 2 below:

Table 2: Hours of operation, as intended by the proposed development

	Hours of operation	***Number of persons animals at any one time onsite***
Monday - Friday	7:00 am – 6:00 pm	Up to 4 staff and 31 children

2. NOISE ASSESSMENT CRITERIA

This section reviews the NSW Government criteria for other noise sources and developments. These may be used as a basis for realistic noise goals from meeting halls to residential receivers.

NSW Government Criteria

The NSW Government, via the Office of Environment & Heritage provides guidelines for many industrial, commercial and domestic types of noise sources. The primary aim of environmental noise control is to minimise the occurrence of offensive noise in the community.

Offensive noise is defined in the NSW Protection of the Environment Operations Act 1997 (POEO Act) as being noise:

a) That, by reason is of its level, nature, character or quality, or the time at which it is made, or other circumstances:

i. is harmful to (or is likely to be harmful to) a person who is outside the premises 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.

The NSW Government also state that social surveys have indicated that noise from any particular source will be audible to many people in the community when that noise exceeds the background level by more than 5 decibels (dB). The noise may have characteristics which are pleasant or unpleasant to the listener.

Technically the background is found from the noise level that is present for 90% of the time of the measurement periods (usually 15 minutes each) and this is known as the LA90, 15 minute.

The source noise is found from the 'equivalent continuous A-weighted sound pressure level' (again usually 15 minutes samples), which is known as the LAeq, 15 minute.

The Noise Guide for Local Government

The Noise Guide for Local Government published by the NSW Department of Environment, Climate Change and Water (2004 updated 2009) states:- *'A noise source is generally considered to be intrusive if noise from the source, when measured over a 15 minute period exceeds the background noise by more than 5 dB'*. It is assessed at the most affected point on or within the neighbouring residential property (unless that residence is more than 30 metres from the boundary). Intrusive noise can represent offensive noise. However, it is

stated in the Noise Guide for Local Government that this is not always the case and it can depend upon the source of the noise, noise characteristics and cumulative noise levels.

Industrial Noise Policy (INP)

The Industrial Noise Policy (INP; DECC) is used to assess noise from industrial noise sources, scheduled under the Protection of the Environment Operations Act 1997. This is a statutory document referred to by consultants when attempting to control short-term intrusive impacts upon sensitive receptors (i.e. nearby residents), and when attempting to maintain noise level amenities for particular land uses.

In accordance with the INP, there are two criteria which need to be considered when assessing industrial noise. These are:

1) Intrusive Noise Criterion
2) Noise Amenity Criteria.

Both of these criterions need to be satisfied under the INP. In this situation the cumulative impact over the day and evening periods would be significantly less than the peak periods which would cover continuous activity over any one 15 minute period. Therefore, the Amenity Noise Criterion would be the most stringent of the two noise criteria.

Intrusive Noise Criterion

The NSW Government in their Industrial Noise Policy (2000), states that: - *'The intrusiveness of an industrial noise source may generally be considered acceptable if the equivalent continuous (energy-average) A-weighted level of noise from the source (represented by the LAeq descriptor) measured over a 15 minute period, does not exceed the background noise level measured in the absence of the source by more than 5 dB.'* Thus, when considering the environmental consequence of noise from a specific source, any increase above the background sound pressure level, which exceeds 5 dB, may be offensive. Again, it is assessed at the most affected point on or within the neighbouring residential property (unless that residence is more than 30 metres from the boundary).

The NSW Government state that where the existing background noise level at the receptor is less than 30 dBA, as may occur in a quiet suburban or rural area**,** then 30 dBA should be assumed to be the existing background noise level.

The intrusiveness criterion is primarily used to limit short term noise impacts, and is summarized as follows:

$$L_{Aeq,\ 15\ minutes} \leq \textit{rating background noise level + 5dB}$$

The intrusiveness of an industrial noise source is generally considered acceptable if the equivalent continuous (A weighted) noise level $L_{Aeq,\ 15\ minutes}$ does not exceed the rated background noise level by more than 5dB(A).

Noise Amenity Criteria

The Noise Amenity Criteria is used to limit the potential of noise annoyance over longer periods, which may occur as a result of continual increases in background noise.

The Industrial Noise Policy states that *'To limit continuing increases in noise levels, the maximum ambient noise level within an area from industrial noise sources should not normally exceed the acceptable noise levels specified in Table 2.1."*

Table 3: Recommended Noise Levels from Industrial Noise Sources.

Type of Receiver	Indicative Noise Amenity Area	Time of Day	Recommended LAeq Noise Level (dBA)	
			Acceptable	Recommended Maximum
Residence	Rural	Day	50	55
		Evening	45	50
		Night	40	45
	Suburban	***Day***	***55***	***60***
		Evening	***45***	***50***
		Night	***40***	***45***
	Urban	Day	60	65
		Evening	50	55
		Night	45	50
	Urban/Industrial Interface – for existing situations only	Day	65	70
		Evening	55	60
		Night	50	55
School Classroom - Internal	All	Noisiest 1-hour period when in use	35	40
Active Recreation Area (e.g. playground)	All	When in use	55	60
Commercial premises	All	When in use	65	70
Industrial premises	All	When in use	70	75

Notes:

- Daytime is defined as between 07:00 hours and 18:00 hours
- Evening time is defined as between 18:00 hours and 22:00 hours
- Night time is defined as between 22:00 hours and 07:00 hours

NSW Government Criteria for Domestic Air Conditioners.

The Protection of the Environment Operations (Noise Control) Regulation 2008 Part 4 - Miscellaneous articles, Division 2 - Use of Articles, Subdivision 1 – Time limits on the use of certain articles. Paragraph 52 - Air conditioners (1) states:

'A person must not cause or permit an air conditioner or heat pump water heater to be used on residential premises in such a manner that it emits noise that can be heard within a habitable room in any other residential premises (regardless of whether any door or window to that room is open).

a) Before 8 am or after 10 pm on any Saturday, Sunday or public holiday, or
b) Before 7 am or after 10 pm on any other day. '

Interim Construction Noise Guideline (ICNG)

The NSW Environment Protection Authority published the Interim Construction Noise Guideline in July 2009. While some noise from construction sites is inevitable, the aim of the Guideline is to protect the majority of residences and other sensitive land uses from noise pollution most of the time.

Construction noise is one of the major environmental noise issues in NSW – not only from building works but also from demolition, remediation, renewal and maintenance. Construction can generate high noise levels that can adversely affect:

- sleep
- concentration, and thus learning performance
- mental and physical health

This guideline provides noise goals that assist in assessing the impact of construction noise.

The main objectives of the Guideline are to:

- promote a clear understanding of ways to identify and minimise noise from construction works
- focus on applying all 'feasible' and 'reasonable' work practices to minimise construction noise impacts
- encourage construction to be undertaken only during the recommended standard hours (Table 1), unless approval is given for works that cannot be undertaken during these hours
- streamline the assessment and approval stages and reduce time spent dealing with complaints at the project implementation stage

- provide flexibility in selecting site-specific feasible and reasonable work practices in order to minimise noise impacts.

For residences, the basic daytime construction noise goal is that the LAeq, 15min noise management level should not exceed the background noise by more than 10dBA. This is for standard hours: Monday to Friday 7.00am-6.00pm, and Saturday 8.00am-1.00pm. Outside the standard hours, where construction is justified, the noise management level would be background + 5dBA. Table 2 details the ICNG noise management levels.

Time of day	Management level $L_{Aeq\ (15\ min)}$ *	How to apply
Recommended standard hours: Monday to Friday 7 am to 6 pm Saturday 8 am to 1 pm No work on Sundays or public holidays	Noise affected RBL + 10 dB	The noise affected level represents the point above which there may be some community reaction to noise. • Where the predicted or measured $L_{Aeq\ (15\ min)}$ is greater than the noise affected level, the proponent should apply all feasible and reasonable work practices to meet the noise affected level. • The proponent should also inform all potentially impacted residents of the nature of works to be carried out, the expected noise levels and duration, as well as contact details.
	Highly noise affected 75 dB(A)	The highly noise affected level represents the point above which there may be strong community reaction to noise. • Where noise is above this level, the relevant authority (consent, determining or regulatory) may require respite periods by restricting the hours that the very noisy activities can occur, taking into account: 1. times identified by the community when they are less sensitive to noise (such as before and after school for works near schools, or mid-morning or mid-afternoon for works near residences 2. if the community is prepared to accept a longer period of construction in exchange for restrictions on construction times.
Outside recommended standard hours	Noise affected RBL + 5 dB	• A strong justification would typically be required for works outside the recommended standard hours. • The proponent should apply all feasible and reasonable work practices to meet the noise affected level. • Where all feasible and reasonable practices have been applied and noise is more than 5 dB(A) above the noise affected level, the proponent should negotiate with the community. • For guidance on negotiating agreements see section 7.2.2.

3. BACKGROUND & AMBIENT NOISE MEASUREMENTS

1.	Determination Method:	Long-term continuous sampling
2.	Noise Logger Location:	See Site Plan
3.	Survey Period:	7th June 2018 (11:00 am) – 13th June 2018 (11.45 am).
4.	Assessment Time Period:	Operational hours only (daytime, evening and night)
5.	Monitoring Conditions:	Heavy rain for 9th June, resulted in data being withdrawn for that date No further unusual circumstances or activities
6.	Instrumentation:	'ARL' - Type 2 Environmental Noise Logger (EL-215) (Serial number 194447), This instrument conforms to Australian Standard 1259 "Acoustics - Sound Level Meters", (1990) and has an accuracy suitable for both field and laboratory use. The logger was set for the 'A' frequency weighting and 'fast' time weighting.
7.	Calibration:	The environmental noise logger and calibrator have been checked, adjusted and aligned before and after the measurement period, to conform to the Bruel and Kjrer or RTA factory specifications. Both have been issued with conformance certificates within the last 24 months as required by the regulations. The internal test equipment used is traceable to the National Measurement Laboratory at C.S.I.R.O., Lindfield, NSW, Australia. No significant system drift occurred over the measurement periods. Current calibration certificate in appendix
8.	Results:	

The recorded LA90 levels determine the Rating Background Level (RBL). The RBL is defined as the median value of the tenth percentile value for the recorded LA90 levels for the

complete monitoring period. The tenth percentile is also referred to as the Assessment Background Level (ABL).

The resultant RBL (LA90) and ambient (LAeq) levels for each period are summarised below in Table 3 and 4.

Appendix A contains a geographical presentation of the background noise levels generated from the monitoring period.

Table 4: Summary of existing noise levels within the proposed opening hours of the centre.

4. NOISE GOALS

As discussed above the assessment procedure given in the Industrial Noise Policy (2000) has two components: Controlling intrusive noise impacts and maintaining noise level amenity. Based on existing ambient noise levels, site specific noise goals from this proposal should not exceed a LAeq level of 55 dBA.

Carpark and indoor areas.

Table 4: Criterion

Time of Day	***Intrusiveness Criterion***	***Amenity Criteria***
Day Time	60.08 dBA (LAeq,15min)	**55 dBA** LAeq, day

Notes:

- The criteria in **BOLD** apply being the lower of either the Intrusiveness Criterion or the Amenity Criterion;

Time of Day	*Rating Background Noise Level (L90) dBA*	*Log Average Existing Ambient Noise Levels (LAeq) dBA*
Day (7am – 6pm)	55.08	58.10

As per Association of Australasian Acoustical Consultants Guideline for Childcare Centres 2013; The Leq,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 for up to *2 hours* (total) per day. For *more than 2 hours* per day The Leq,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.

Outdoor Play area noise goals.

Time of Day	*Intrusiveness Criterion*
2 hours (total)	**65.08 dBA**
More than 2 hours	**60.08 dBA**

Construction Noise

For residences, the basic daytime construction noise goal is that the LAeq, 15min noise management level should not exceed the background noise by more than 10dBA. This is for standard hours: Monday to Friday 7.00am-6.00pm, and Saturday 8.00am-1.00pm.

Time Of Day	*Allowable Criterion*
Day Time (7am – 6pm)	**65.08 dBA** (LAeq,15min)

Construction Vibration

Human Comfort

Criteria for assessment of the effects of vibration on human comfort are set out in British Standard 6472-1992. Methods and criteria in that Standard are used to set "preferred" and "maximum" vibration levels in the document "Assessing Vibration: A Technical Guideline" (2006) produced by the NSW EPA.

Acceptable values of human exposure to continuous vibration, such as that associated with drilling, are dependent on the time of day and the activity taking place in the occupied space (e.g. workshop, office, residence or a vibration-critical area). Guidance on preferred values for continuous vibration is set out below in Table 4

Table 5: Acceptable vibration dose values for intermittent vibration (m/s $^{1.75}$)

Table 2.4 Acceptable vibration dose values for intermittent vibration (m/s$^{1.75}$)

Location	Daytime[1]		Night-time[1]	
	Preferred value	Maximum value	Preferred value	Maximum value
Critical areas[2]	0.10	0.20	0.10	0.20
Residences	0.20	0.40	0.13	0.26
Offices, schools, educational institutions and places of worship	0.40	0.80	0.40	0.80
Workshops	0.80	1.60	0.80	1.60

1 Daytime is 7.00 am to 10.00 pm and night-time is 10.00 pm to 7.00 am.

Criteria for building structures

When assessing potential vibration impacts on building structures, the velocity and direction of the movement is measured. The measurement is referred to as the Peak Particle Velocity (PPV), presented in mm/s.

Vibration from construction activities, with regard to building damage, is assessed using the German standard DIN 4150: Part 3 – 1999 *Effects of Vibration on Structures* (DIN Guideline). The DIN Guideline values for PPV measured at the foundation of various structures are summarised in Table 5 below.

Table 5: Guideline Values of vibration velocity for evaluating the effects of short term vibration.

Type of structure	Guideline values for velocity, vi (mm/s)			
	Vibration at the foundation at a frequency of:			Vibration at horizontal plane of highest floor at all frequencies
	1 Hz to 10 Hz	10 Hz to 50 Hz	50 Hz to 100 Hz*	
Buildings used for commercial purposes, industrial buildings and buildings of similar design	20	20 to 40	40 to 50	40
Dwellings and buildings of similar design and/or use	5	5 to 15	15 to 20	15
Structures that, because of their sensitivity to vibration, do not correspond to those listed in lines 1 and 2 and are of great intrinsic value (eg heritage structures / buildings that are under a preservation order)	3	8 to 10	8 to 10	8
* For frequencies above 100Hz, at least the values specified in this column shall be applied				

From the guidelines outlined above the following vibration criteria have been determined for the Project.

Structure type	Building damage						
	Criteria PPV / mms^{-1}					Adopted warning level at foundation in any frequency PPV / mms^{-1}	Stop working level PPV / mms^{-1}
	At foundation PPV / mms^{-1}			Plane of floor of uppermost floor PPV / mms^{-1}	Reference standard		
	1 Hz to 10 Hz	10 Hz to 50 Hz	50 Hz to 100 Hz				
Residential Properties	5	5 to 15	15 to 20	15	*German Standard DIN 4150*	3	5

5. NOISE SOURCE MODELS

This section provides details of the calculations used for predicting internal noise levels and the resulting noise levels at the nearest residential boundaries.

Predicted Noise Levels

The internal noise level predictions have been developed for the calculation of speech levels from a group of individuals and references data provided by Association of Australian Acoustical Consultants (AAAC) paper "Guideline for Childcare Centre Acoustic assessment" 2013.

Indoor Area of Childcare

The below calculation was determined on a scenario of half the staff (2 x adults) talking and half the children (16 x children) playing at any one time.

Total 15 minute average for 2 staff and 16 children	**89.6 dBA**

Outdoor Play Area

The below calculation was determined on a scenario of 31 children playing within outdoor play area.

Total 15 minute average for 30 children playing	**91.9 dBA**

Car Park

The below calculation was determined on a scenario of 4 vehicles starting at the same time within the carpark.

Total 15 minute average for 10 cars starting	**76 dBA**

Although there are 8 car spaces the likely hood of all 8 cars starting at the same time is extremely unlikely and likely to never happen unless an emergency occurred. Staff arrive and leave at differing times as do the drop off of children to the centre.

Predicted External Noise Levels

The source noise has been modelled using the International Standard ISO 9613-2 (1996(E)) 'Acoustic - Attenuation of sound during propagation outdoors Part 2 General method of calculation '. This Standard specifies methods for the description of noise outdoors in community environments. The method described in the Standard is general in the sense that it may be applied to a wide variety of noise sources, and covers the major

mechanism of attenuation. The method allows for downwind propagation conditions namely:

- Wind direction within an angle of ± 45° of the direction connecting the centre of the dominant sound source and the centre of the specified receiver region with the wind blowing from source to receiver,
- Wind speed between approximately 1 m/s and 5 m/s measured at a height of 3 m to 11 m above the ground.

Basic Noise Modelling Equations

The equivalent continuous downwind sound pressure level (LAeq) at each receiver point has been calculated using the equation below:

$$L_{Aeq} = (L_{Aeq,\,int} + 10\log_{10} S - R) - 14 + D_c - A$$

Where:

$L_{Aeq,\,int}$ is the reverberant noise level within the building;
S is the area of the building envelope radiating noise;
R is the sound reduction index of the building envelope component;
D_c is directivity correction; and
A is the attenuation that occurs during the propagation from source to receiver.

The attenuation term A in the equation above is given by:-

$$A = A_{div} + A_{atm} + A_{gr} + A_{bar} + A_{misc}$$

Where:

A_{div} is the attenuation due to geometric divergence;
A_{atm} is the attenuation due to atmospheric absorption;
A_{gr} is the attenuation due to the ground effects;
A_{bar} is the attenuation due to a barrier; and
A_{misc} is the attenuation due to miscellaneous other effects.

Construction Noise

Sound Power Levels (SWLs) for typical construction plant are identified below in Table 6.

Table 6: Typical construction plant noise.

Plant	Sound Power Level
Concrete Truck	109
Angle Grinder	109
Concrete Pump – 120 mm diameter / 50 bar	112
Concrete Saw	116
Mobile Crane	98
Dump Truck	108
Compressor	100
Bobcat	103
Hand Tools	90
Excavator	108
Crawler Cranes	98
Tower Crane	104
Front End Loader	112
Excavator	107
Hammer Hydraulic	122
Bored Pile Rig	112

Assessment of possible construction noise at surrounding receivers has been undertaken for the proposed construction works. Modelling has been conducted for a number of construction scenarios with plant located across the construction site.

Scenario A – Excavation Stage
Scenario B – Building Construction
The construction noise modelling assumes a “typical worst-case” scenario whereby all plant, is running continuously. As such, the modelling represents likely noise levels that would occur during intensive periods of construction. Therefore, the presented noise levels can be considered in the upper range of noise levels that can be expected at surrounding receivers when the various construction scenarios occur.

Once noise sources have been applied to the model, the resultant noise levels at identified surrounding receivers are predicted. These results are then compared with established site-specific noise criteria.

The results of construction noise modelling for each scenario are presented in Table below.

Table 7: Predicted construction noise data

Residential Receiver	Predicted Noise Level (Dba)	NML (Dba)	Exceedance (Dba)
Scenario A – Bulk Excavation			
A – 62 Doncaster Ave	80	65.08	14.92
B – 66 Doncaster Ave	80	65.08	14.92
Scenario B – Building Construction			
A – 7- 9 Bridge Street	72	65.08	6.92
B – 11 Bridge Street	72	65.08	6.92

Exceedances of noise management levels of up to 14.92 dBA at residential boundaries to the east and west of the site may be expected during excavation period when major equipment is located on site. This magnitude of exceedance is consistent with similar sites where residences overlook development sites.

During the construction stages the magnitude of exceedance will reduce due to the nature of construction activities. Based on these findings the adoption of reasonable and feasible noise management and mitigation will be required. These measures should be determined in detail when a contractor, with defined construction techniques, has been engaged on the project. However, “in-principle” mitigation measures are detailed in the following sections.

Construction Vibration

Operation of rock breakers and the like generate ground vibration that has the potential to transmit to nearby buildings. Table below sets out the typical ground vibration levels at various distances for safe working distances.

Table 8: Recommended Safe Working Distances for Vibration-Intensive Plant

Item	Description	Safe Working Distance	
		Cosmetic Damage	Human Response
Small Hydraulic Hammer	(300 kg – 5 to 12t excavator)	2m	7m
Medium Hydraulic Hammer	(900 kg – 12 to 18t excavator)	7m	23m
Large Hydraulic Hammer	(1600 kg – 18 to 34t excavator)	22m	73m
Vibratory Pile Driver	Sheet piles	2m to 20m	20m
Pile Boring	≤ 800 mm	2m (nominal)	N/A
Jackhammer	Hand held	1m (nominal)	Avoid contact with structure

The highest vibration levels will occur when construction equipment is located on the eastern and western side of the site near neighboring residences. A review of the site plant and surrounding receivers indicates that the minimum distance between the vibration generating activities and surrounding buildings will be in the order of 4-5m. Therefore, the use of medium to large rock breakers if used onsite should be carefully managed at distances closer than 20m from residences.

Structural damage vibration criteria in residential buildings are much higher than human comfort criteria, and predicted vibration levels are within these criteria under most circumstances.

It should be noted that the neighboring allotments as of the date of this report are vacant and have not been constructed on.

6. NOISE ASSESSMENT

The calculation of noise emission to the environment takes into account the surface area of the development radiating noise, the sound reduction index of the structural component and distance to the receiver location. Surface areas and the construction of the walls, roof, windows and doors are determined from the architectural documentation. The distance is measured from the proposed noise sources to the nearest residential receivers.

With the recommendations correctly implemented, as specified in Section 7 below, the activities from within the proposal **are** predicted to generate sound pressure levels (LAeq 15 minute) of not more than 55 dBA at the nearest residential receptor.

The noise emission dBA to the nearest residential receptors were calculated as follows:

Childcare Centre

The nearest sensitive receptor (residential property boundary) is located roughly 1m to the east and west of the proposed childcare centre.

89.6 – 20 LOG (1 / 1) = **34.6 dBA**

Therefore, the minimum required 'Weighted Sound Reduction Index (Rw) from the childcare building for the proposal to the nearest residential receptor is **34.6 dBA.**

This attenuation is proposed to be provided via building materials used to construct the childcare centre.

Walls

The proposal is to comprise of 75mm Hebel Power Panels, followed by with 20mm internal air-gap, minimum density insulation and 13mm plasterboard on inside wall. It is recommended that the When correctly constructed these building materials will achieve a weighted reduction value of 65 -70 dBA. This is well above the required attenuation of 34.6 dBA.

Roof

It is proposed that the roof of the childcare centre be of colourbond or equivalent design. It is recommended the ceiling be covered in 13mm plasterboard with appropriate insulation. This roof design will be result in reduction value of 44 dBA. This is above the required attenuation of 34.6 dBA.

Windows

Windows are to be of minimum double glazed 4mm/6.38mm windows. Further improvement on the window acoustic is achievable via the use of proprietary glazing techniques (laminations etc.) or improved opening mechanisms (i.e. awning windows). Windows sill windows are proposed in the play areas. This window design will be result in reduction value of 46 dBA. This is above the required attenuation of 34.6 dBA.

Doors

If sliding glass doors are used for the childcare building, a double-glazed wide gap configuration is required; 6mm glass within non-sealed frames will provide a 35 dbA reduction. A further attenuation in the rating of 55 Dba is achievable with 6 – 10 mm monolithic glazing within acoustic seals surrounding the door frames. Further increase to the attenuation properties may be achieve via use of laminate glazing, or application of acoustically design door seals/interfaces. If timber doors are to be used externally, a 55mm single leaf solid core fire rated door set within a sealed frame will prove sufficient. This door design will be result in reduction value of 47 dBA. This is above the required attenuation of 34.6 dBA.

Outdoor Play Area

The nearest sensitive receptor (residential property boundary is located roughly 8.8m to the east and west of the middle of the play area.

Maximum 2 hours in play area

91.9 – 20 LOG (8.8/ 1) = **73.01 dBA**

Therefore, the minimum required 'Weighted Sound Reduction Index (Rw) from the outdoor area to the nearest residential receptor is **7.93 dBA.**

The immediate area surrounding the external play area is to be fenced by a 1.8m high sound proofing fence. This sound proofing fence is to provide a dBA reduction of a minimum 13 decibels.

Greater than 2 hours in play area

89 – 20 LOG (8.8/ 1) = **73.01 dBA**

Therefore, the minimum required 'Weighted Sound Reduction Index (Rw) from the outdoor area to the nearest residential receptor is **12.93 dBA.**

The immediate area surrounding the external play area is to be fenced by a 1.8m high sound proofing fence. This sound proofing fence is to provide a dBA reduction of a minimum 13 decibels.

On-Site Vehicle Noise –Carpark

Although there are 8 car spaces the likely hood of all 8 cars starting at the same time is extremely unlikely and likely to never happen unless an emergency occurred. Staff arrive and leave at differing times as do the drop off of children to the centre

Based on scenario of 4 vehicles starting at the same time within the carpark. Assuming each of the 4 cars have a dBA of 70.

Calculating the 4 cars starting at once, the cars will give an output of 76 dBA.

The nearest sensitive receptor (residential property boundary is located roughly 8.8m to the east and west of the middle of the play area

76 – 20 LOG (8.8 / 1) = **57.11 dBA**

Therefore, the minimum required 'Weighted Sound Reduction Index (Rw) from the car park to the nearest residential receptor is **2.11 dBA.**

This attenuation is proposed to be provided via a 1.8m high, imperforate sound proofing fence.

Sound Proofing fence

This attenuation is proposed to be provided via a 1.8m high imperforate sound proofing fence. Seal all gaps with 100% polyurethane flexible sealant. The barrier may be constructed using lapped and capped timbers, masonry, colourbond or equivalent. The sound proofing acoustic fence needs to be able to provide noise attenuation of a minimum 10 dBA.

Road Traffic Noise

The NSW Road Policy (2011) is applicable to the subject development and applies different noise limits dependent upon the development category and receptor type.

Land use developments with potential to create additional traffic on local roads	Day 7am – 10pm dBA **LAeq(1hr)55**	Night 10pm – 7am dBA **LAeq(1hr)50**	Where feasible and reasonable, existing noise levels should be mitigated to meet the noise criteria. Examples of applicable strategies include appropriate location of private access roads; regulating times of use; using clustering; using 'quiet' vehicles; and using barriers and acoustic treatments. In all cases, traffic arising from the development should not lead to an increase in existing noise levels of more than 2 dBA.

The potential traffic arising from the development will not lead to an increase in existing noise levels of more than 2 dB. The increase in noise levels of traffic can be calculated using the following formula suggested within the NSW Road Policy: Log10 (Future Traffic/Existing Traffic) per hour. Using a conservative figure of 10 car movements travelling along Doncaster Avenue per hour within peak time.

= Log10 (8/10) = **0.096 Dba**

This development will not lead to an increase in existing noise levels of more than 2 dBA.

Existing Road Traffic Noise on Childcare

The internal noise within the learning areas of the childcare must not be above 40 Dba. The outside play areas must not exceed 55 dBa. The measured Dba from the road noise was measured as 58.10 Dba. Thus a requirement of 18.1 Dba is required for the attenuation on the childcare centre. This is already proposed within the recommendations within section 6 of this report. Thus making the centre noise compliant from any traffic noise generated on the M4 Motorway. A reduction of 3.81 dBA is required for the outside play area. Envirotech considers this a negligible reduction.

7. RECOMMENDATIONS

General Recommendations

- A notice should be clearly displayed to remind parents to arrive and leave in a quiet manner to avoid disturbing the neighbours.
- There is to be a maximum of 31 children at any one time within the proposed outdoor area. Children are not to be within the outdoor area after 6pm.
- No music is to be played in the outside area of the proposal.
- A contact phone number for the centres director should be made available to neighbours to facilitate communication and issues.

Mechanical Plant (Air Conditioners)

All mechanical plant should not be used during night time hours (i.e. not between 10.00 pm and 7.00 am on any day). As the centre proposed hours are 7:00 am to 7:00 pm this requirement is mitigated. Maximum noise emission levels for mechanical plant noise is to not exceed 45 dBA Plant equipment while a higher dBA can be used in a sound booth which has the capacity to lower Rw by desired dBA.

Electrical, mechanical, hydraulic and air conditioning equipment is to be housed so that it does not create an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997, either within or at the boundaries of any neighboring property at any time of the day.

Differing models of air conditioners will provide differing noise emitting values. Acoustic Enclosures typically achieve performance between 15dB(A) to 25dB(A) with higher performance systems readily available.

It is recommended for the proposed building that external air conditioning units emit a noise level of 70 dBA or less. Providing an acoustic enclosure on a unit with a noise level of 70 dBA with a 15 dBA reduction, relevant noise goals at the relevant property boundaries will be achieved.

Construction Noise & Vibration Mitigation Measures

Noise levels from construction activities have been predicted to exceed the noise management levels nominated in the guidelines at some surrounding receivers. Therefore, noise control measures are recommended to ensure that noise is reduced where feasible.

The following project-specific mitigation measures are recommended:

- Installation of a 2.4m plywood hoarding along the western and eastern boundaries of the construction site;

- Selection of quietest feasible construction equipment;
- Use of rock saws and ripping in preference to rock breakers;
- Localised treatment, such as barriers, shrouds and the like around fixed plant, such as pumps, generators and concrete pumps;
- Provision of respite periods, particularly on Saturdays;
- Limit noisy work to daylight or less sensitive hours where possible;
- Select low noise options for plant and equipment. Ensure equipment mufflers operate in a proper and efficient manner;
- Where possible, use quieter construction methods;
- Only have necessary equipment on-site and turn off when not in use;
- Ensure all plant and equipment is well maintained and where possible, fitted with silencing devices;
- Plan traffic flow, parking and loading/unloading areas to minimise reversing movements;
- Plant Noise Audit – Noise emission levels of all critical items of mobile plant and equipment should be checked for compliance with noise limits appropriate to those items prior to the equipment going into regular service;
- Operator Instruction – Operators should be trained in order to raise their awareness of potential noise problems and to increase their use of techniques to minimise noise emission;
- Equipment Selection – All fixed plant at the work sites should be appropriately selected, and where necessary, fitted with silencers, acoustical enclosures and other noise attenuation measures in order to ensure that the total noise emission from each work site complies with EPA guidelines;
- Site Noise Planning – Where practical, the layout and positioning of noise-producing plant and activities on each work site should be optimised to minimise noise emission levels;
- An effective community relations program should be put in place to keep the community that has been identified as being potentially affected appraised of progress of the works, and to forewarn potentially affected groups (e.g. by letterbox drop, meetings with surrounding owners / tenants, etc.) of any anticipated changes in noise and vibration emissions prior to critical stages of the works, and to explain complaint procedures and response mechanisms;

- Close liaison should be maintained between the communities overlooking work sites and the parties associated with the construction works to provide effective feedback in regard to perceived noise emissions. In this manner, equipment selections and work activities can be coordinated where necessary to minimise disturbance to neighboring communities, and to ensure prompt response to complaints, should they occur;

- Identification of a site contact person to follow up any complaints, should they occur;

The adoption of the above measures are aimed at working towards achieving the construction noise management levels established at surrounding receivers.

8. CONCLUSIONS

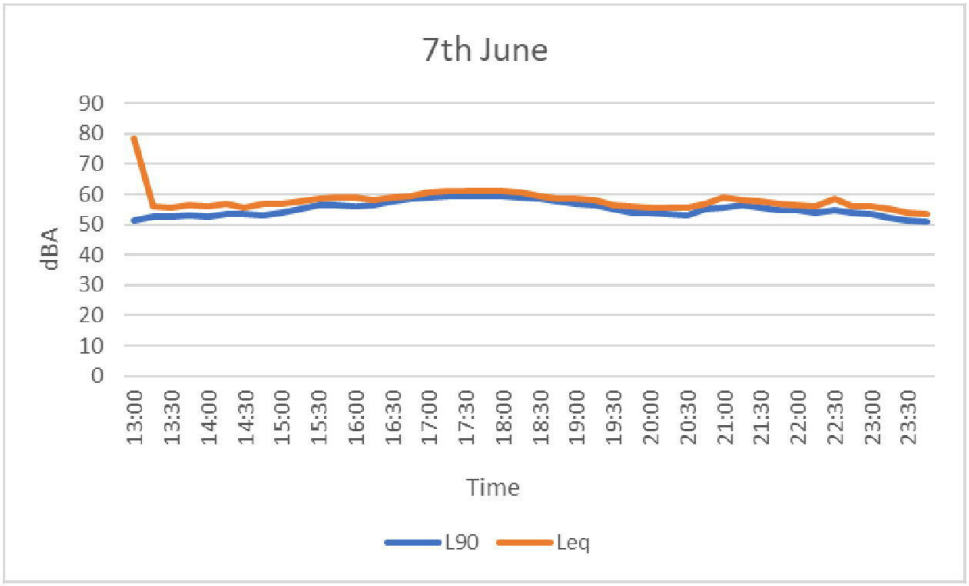
The acoustic assessment the proposed childcare centre and associated facilities, at 64 Doncaster Avenue, Claremont Meadows NSW has determined that the noise generated will be negligible once attenuation recommendations are put into place to the closest residential receivers.

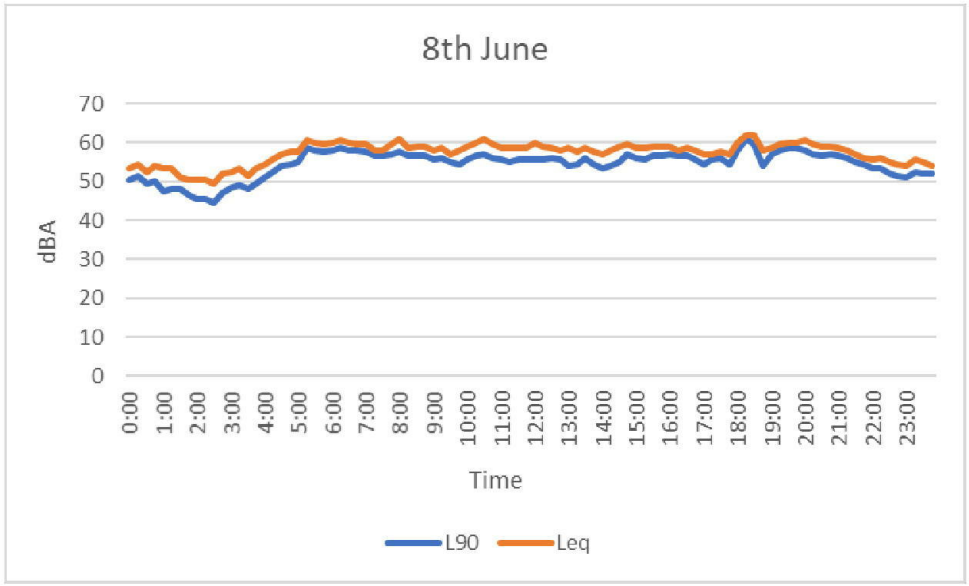
A sound reduction of 34.6 dBA is required for the childcare building 10 dBA for the outdoor area and 2 dBA required for the carpark to the closest residential receptor property boundaries after relevant calculations where finalised. These reductions will be by construction materials for the childcare building and the proposed sound proof fencing around the site.

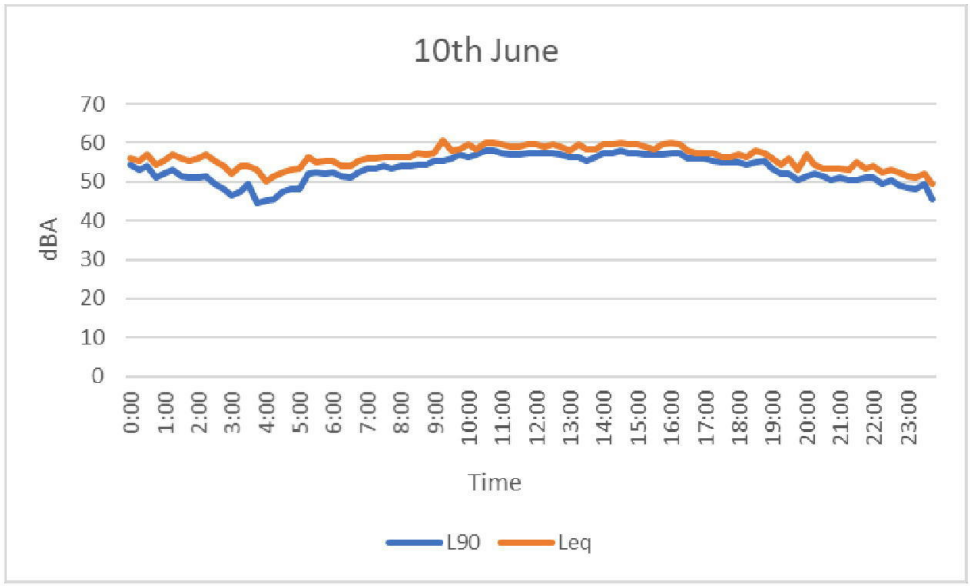
It is concluded that the proposed development is predicted to comply with the relevant noise goals providing the recommendations provided in Section 6 and 7 above are adhered to.

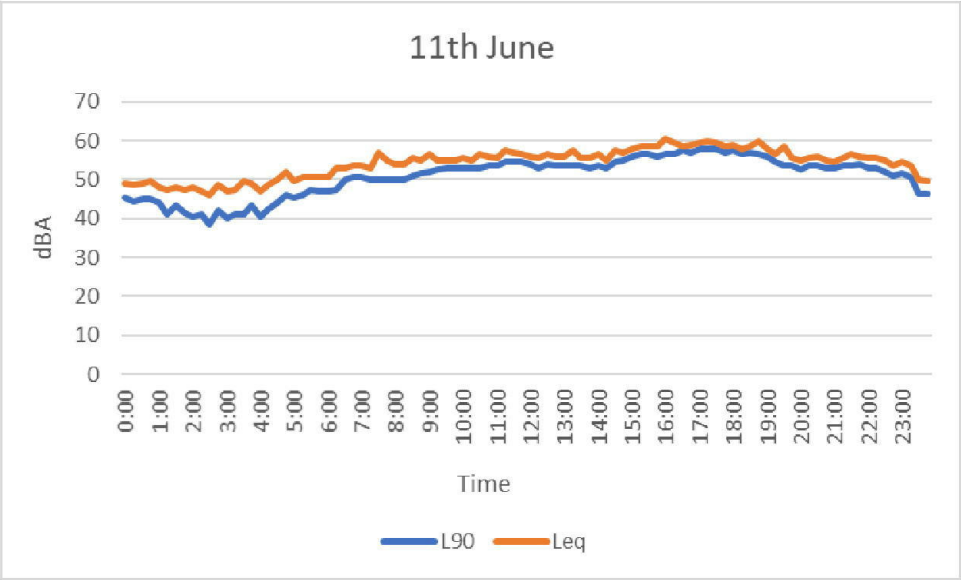
9. GRAPHED DATA

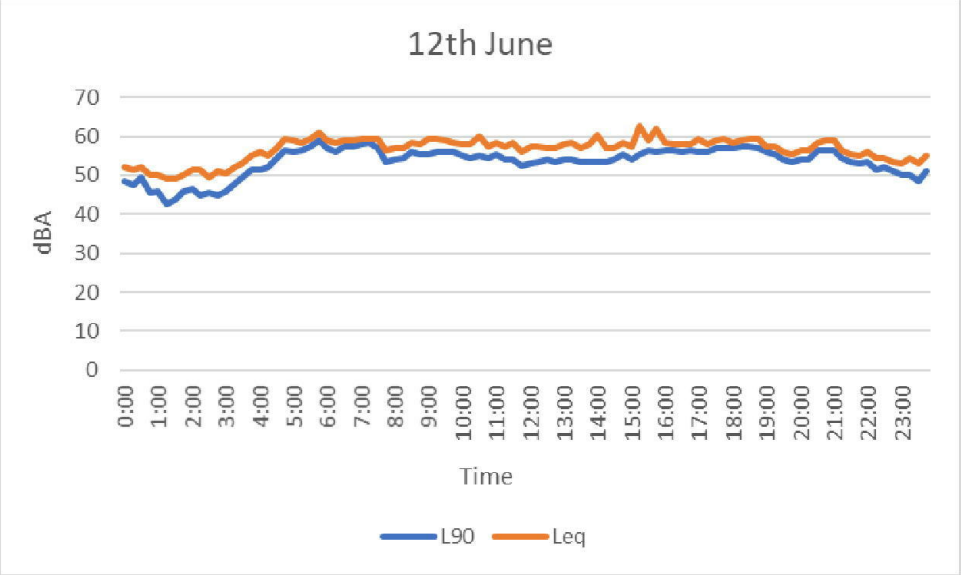
Measured background noise levels.

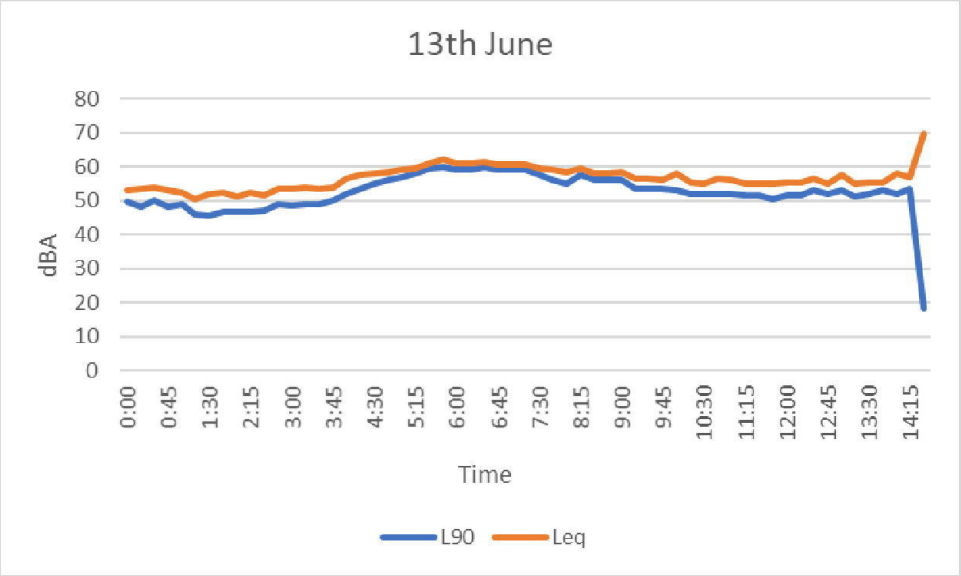












Appendix I – Sampling Map

envirotech
Environmental and Engineering
Consultancy Services

Wastewater
Stormwater
Bushfire
Contamination
Ecology
Acoustic & Noise
Geotechnical
Occupational Hygiene

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P: PO Box 3086, EAST BLAXLAND NSW 2774
E: info@envirotech.com.au
F: (02) 8834 0760
T: 1300 888 324 | (02) 9896 1568

LEGEND:

- Site Boundary
- Other Fences
- Landform Element
- Watercourses, Dams
- Overland Flow Path
- Surface Spray Sprinkler
- Irrigation Pipework
- Acoustic Logger
- Photo Location
- Building Area
- Impervious Area
- Land App. Area

TITLE: Site Map and Surrounding Receptors

SHEET SIZE: A4

SCALE: NTS

CLIENT: Shobha Designs

PROJECT: 64 Doncaster Avenue, Claremont Meadows, NSW [Penrith LGA]

SHEET: 1/1

DATE: 22/06/2018

PROJECT REF / DRAWING NUMBER: DWG-18-6004-A

Appendix II – Proposed Site Plans

PROPOSED CHILD CARE CENTRE AT 64 DONCASTER AVENUE CLAREMONT MEADOWS

DRAWING No.	DESCRIPTION
	COVER SHEET
DA-01	PROPOSED SITE AND ANALYSIS PLAN
DA-02	PROPOSED GROUND FLOOR PLAN
DA-03	PROPOSED ROOF PLAN
DA-04	PROPOSED NORTH AND SOUTH ELEVATIONS
DA-05	PROPOSED EAST AND WEST ELEVATIONS
DA-06	PROPOSED SECTIONS
DA-07	MATERIAL FINISHES

AREA STATEMENT

SITE AREA = **952.2 m²**

PROPOSED GROSS FLOOR AREA = **200.31 m²**
(Excluding verandah)

SITE COVERAGE AS PER DCP = **40% (452.8 m²)**
PROPOSED SITE COVERAGE = **22.5% (214.07 m²)**

INDOOR PLAY AREA REQUIRED FOR 31 CHILDREN - 100.75 m²
(3.25m² Unencumbered Indoor Play area per child)
PROPOSED INDOOR PLAY AREA FOR 31 CHILDREN - 104.51 m²

PROPOSED OUTDOOR PLAY AREA REQUIRED FOR 31 CHILDREN - 217 m²
(7m² Unencumbered Outdoor play area per child)
PROPOSED OUTDOOR PLAY AREA FOR 31 CHILDREN - 232.6 m²

CAR PARKING REQUIRED AS PER DCP - 1 SPACE FOR 4 CHILDREN
PROPOSED PARKING SPACE - 8 CAR SPACES
(Including 1x Disable Parking)

SHOBHA DESIGNS
ARCHITECTS & URBAN DESIGNERS

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PHONE : 02 98790020
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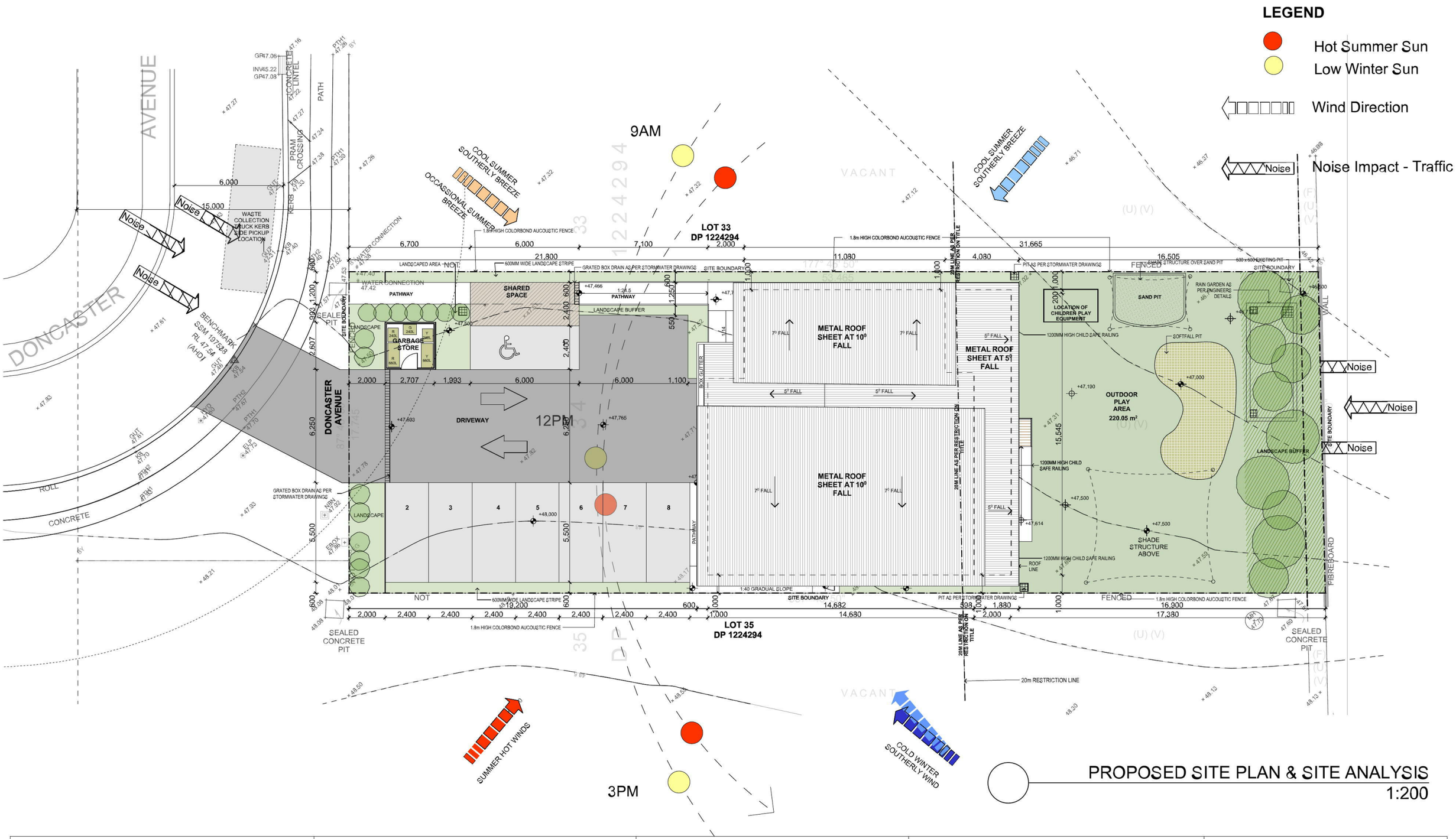

PROPOSED SITE PLAN & SITE ANALYSIS
1:200

Architects: **SHOBHA DESIGNS** ARCHITECTS & URBAN DESIGNERS Suite 21, 1 - 7 Jordan St, Gladesville NSW 2111 PHONE : 02 98790020 MOBILE : 0418112677 EMAIL : nilesh@shobhadesigns.com.au	**PROJECT** PROPOSED CHILD CARE CENTRE AT 64 DONCASTER AVENUE CLAREMONT MEADOWS **CLIENT** MR & MRS BAINS	Drawing Name PROPOSED SITE AND ANALYSIS PLAN **General Notes** The Builder shall check all dimensions and levels on site prior to construction. Notify any errors, discrepancies or omissions to the architect. Drawings shall not be used for construction purposes until issued for construction. Do not scale drawings. All boundaries and contours subject to survey	Amendments Issue ID: A — Issue Name: DA ISSUE TO COUNCIL — Checked by: NM — Date: 26-Jun-18 Date of Issue: 26-Jun-18 Drawing Scale: **1:200** Drawn By : **Munira M** Checked By: **Nilesh Munot** Layout ID: **DA-01** Issue: **A**

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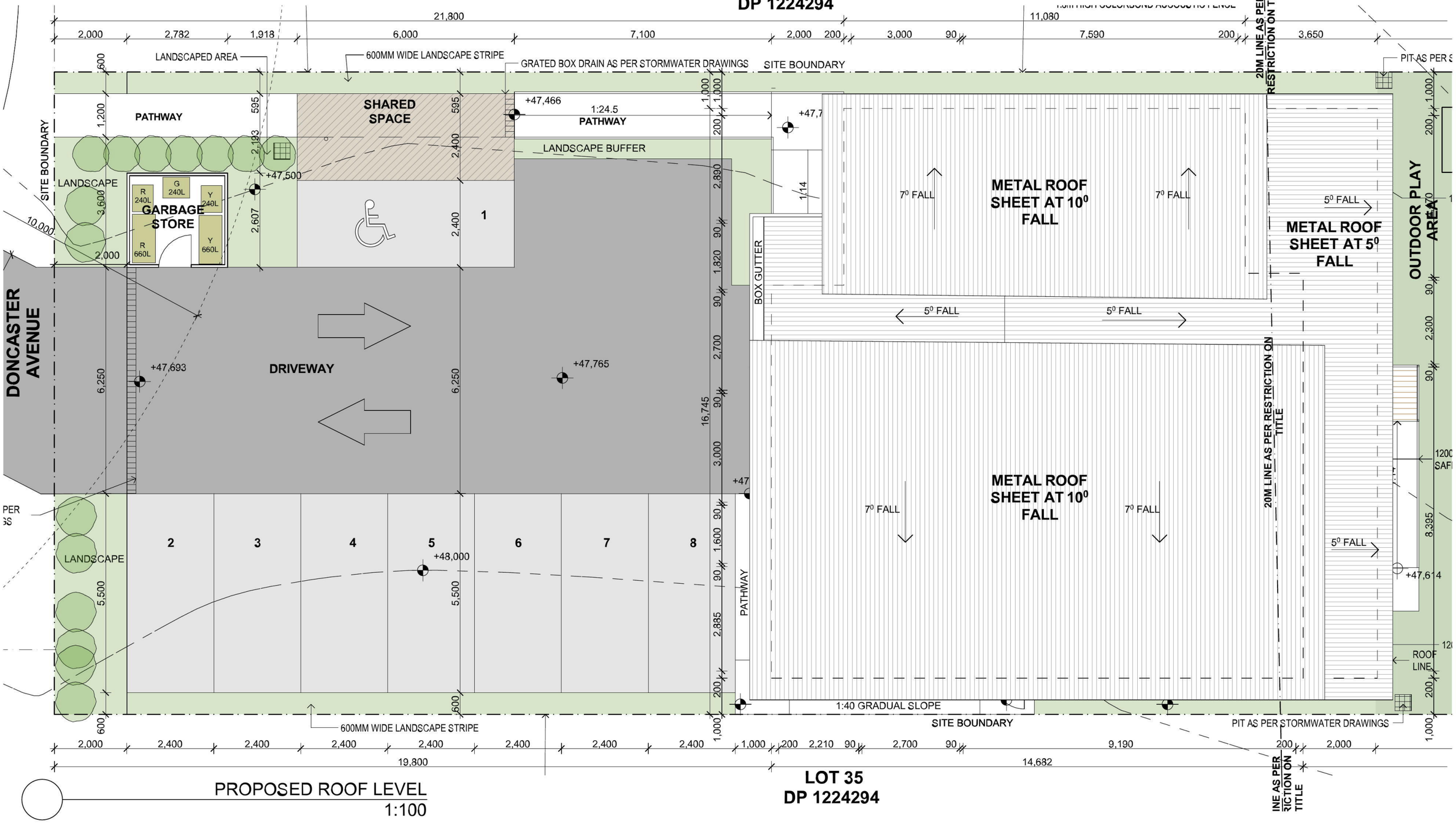

PROPOSED ROOF LEVEL
1:100

Architects:

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PROJECT
PROPOSED CHILD CARE CENTRE AT 64 DONCASTER AVENUE CLAREMONT MEADOWS

CLIENT
MR & MRS BAINS

Drawing Name
PROPOSED ROOF PLAN

General Notes
The Builder shall check all dimensions and levels on site prior to construction.
Notify any errors, discrepancies or omissions to the architect.
Drawings shall not be used for construction purposes until issued for construction.
Do not scale drawings.
All boundaries and contours subject to survey

N

Amendments

Issue ID	Issue Name	Checked by	Date
A	DA ISSUE TO COUNCIL	NM	26-Jun-18

Date of Issue 26-Jun-18
Drawing Scale **1:100**
Drawn By : **Munira M**
Checked By: **Nilesh Munot**
Layout ID **DA-03**
Issue **A**

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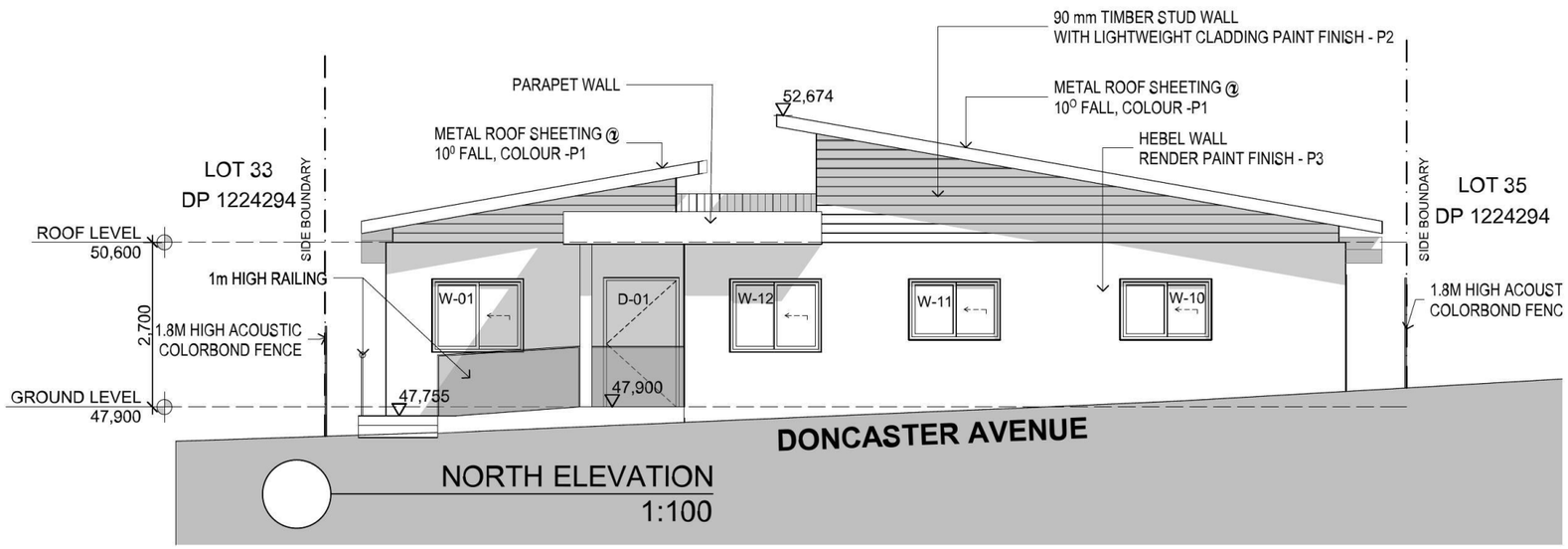

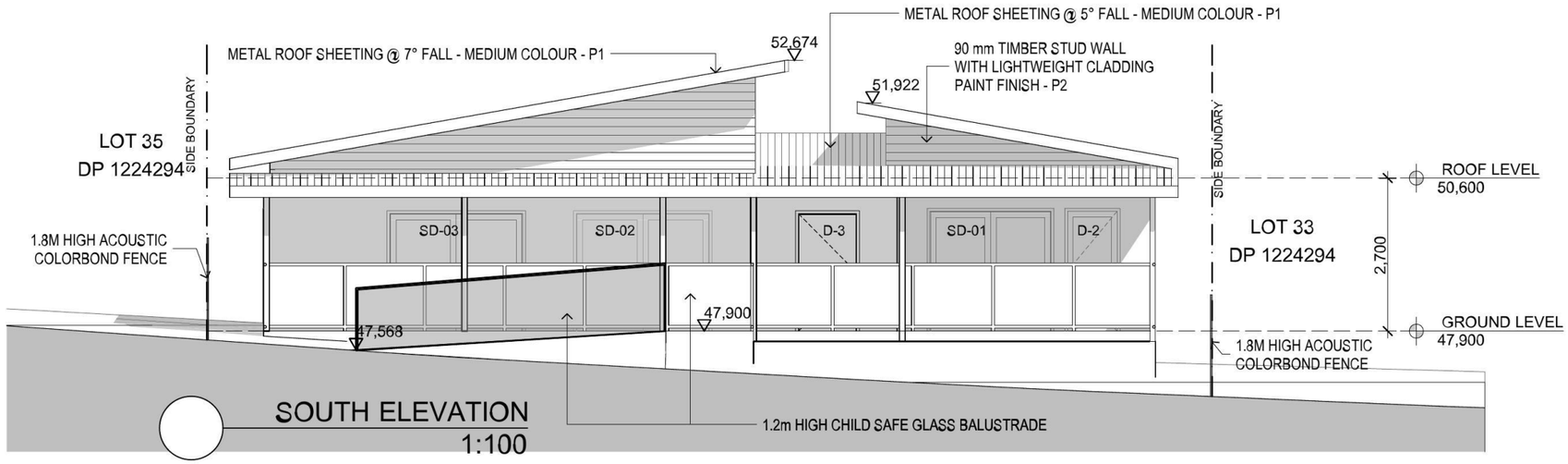

Architects:

SHOBHA DESIGNS
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PROJECT
PROPOSED CHILD CARE CENTRE AT 64 DONCASTER AVENUE CLAREMONT MEADOWS

CLIENT
MR & MRS BAINS

Drawing Name
PROPOSED NORTH AND SOUTH ELEVATIONS

General Notes
The Builder shall check all dimensions and levels on site prior to construction.
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Do not scale drawings.
All boundaries and contours subject to survey

Amendments

Issue ID	Issue Name	Checked by	Date
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Date of Issue 26-Jun-18
Drawing Scale **1:100**
Drawn By : **Munira M**
Checked By: **Nilesh Munot**
Layout ID **DA-04**
Issue **A**

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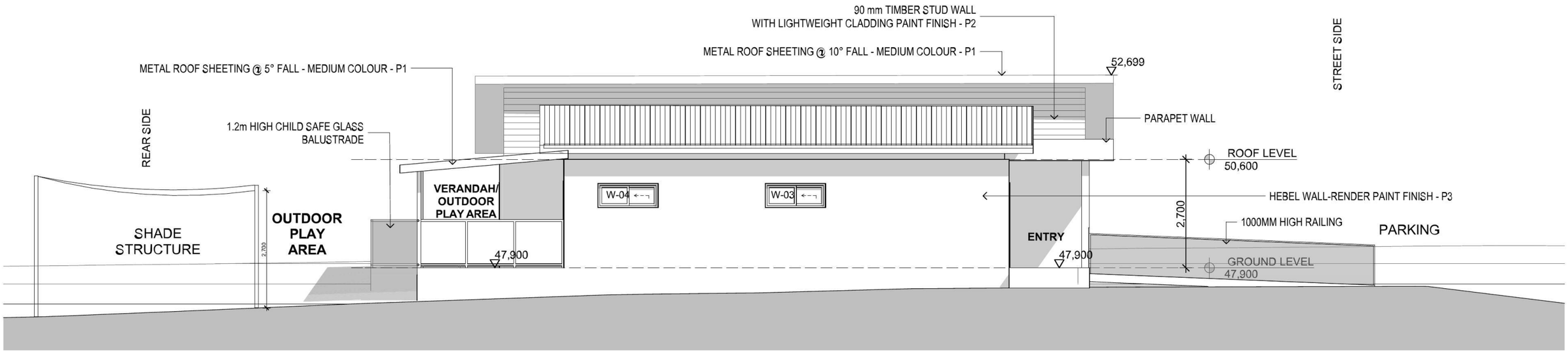

EAST ELEAVTION
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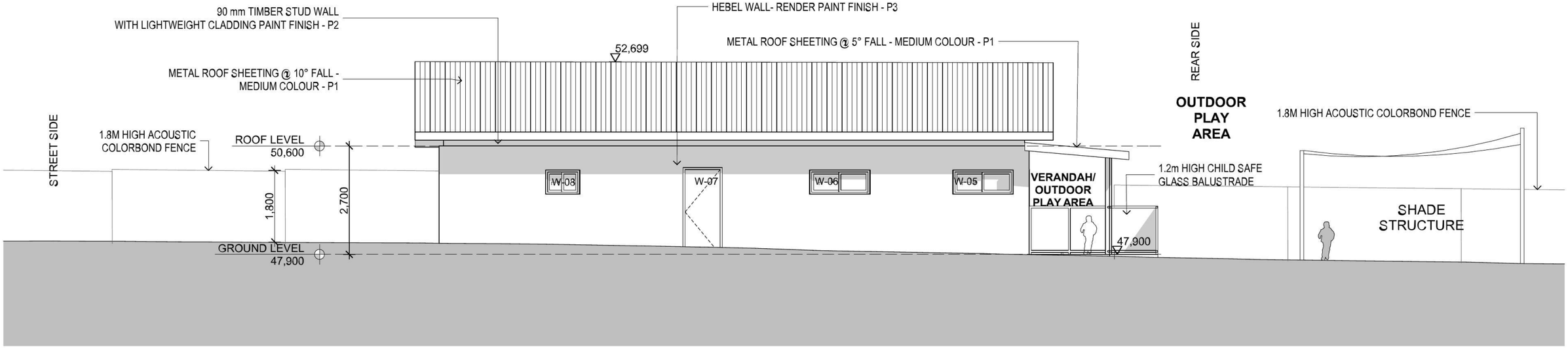

WEST ELEVATION
1:100

Architects:

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PROJECT
PROPOSED CHILD CARE CENTRE AT 64 DONCASTER AVENUE CLAREMONT MEADOWS

CLIENT
MR & MRS BAINS

Drawing Name
PROPOSED EAST AND WEST ELEVATIONS

General Notes
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Do not scale drawings.
All boundaries and contours subject to survey

Amendments

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Checked By: **Nilesh Munot**
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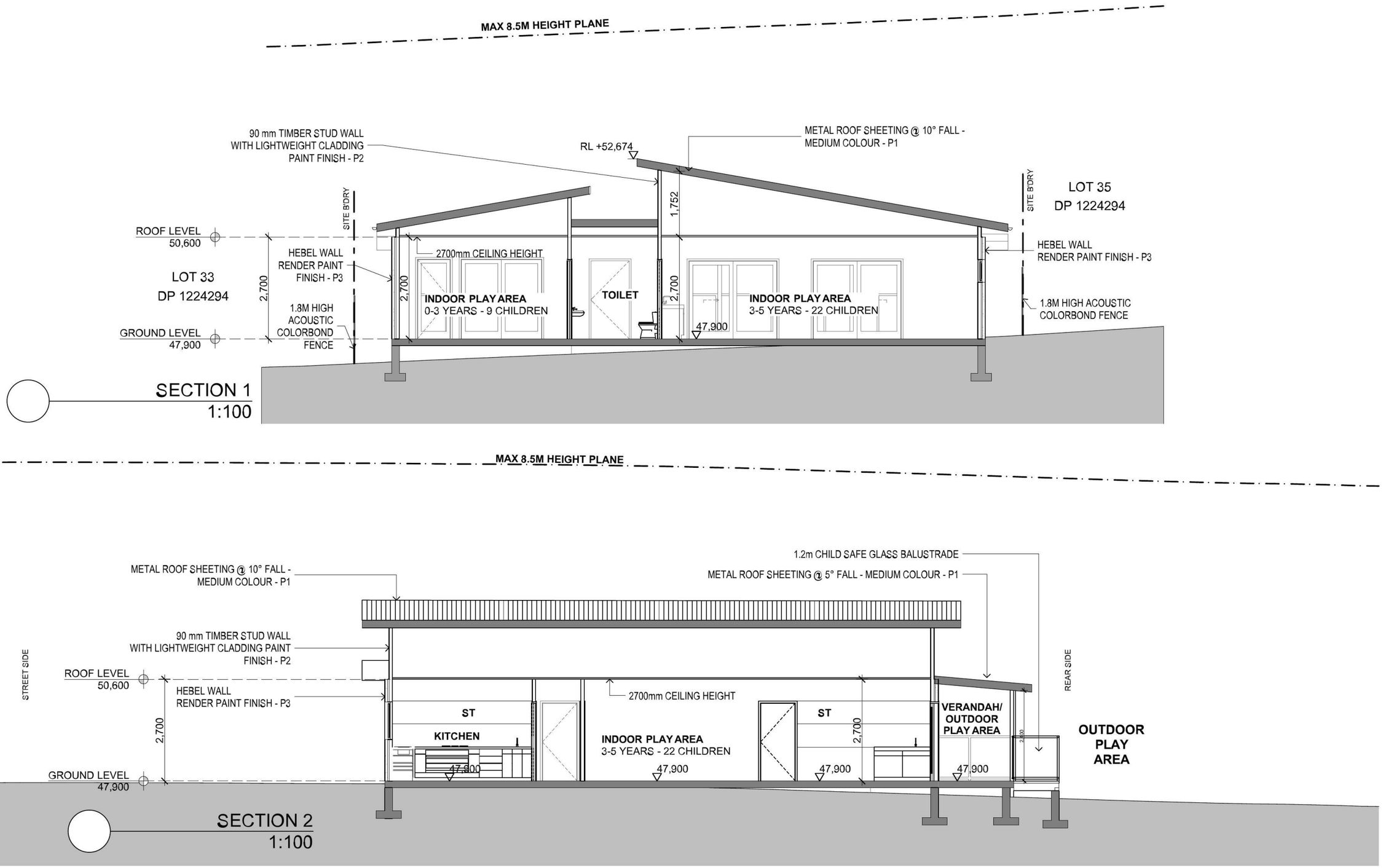

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PROJECT
PROPOSED CHILD CARE CENTRE AT 64
DONCASTER AVENUE CLAREMONT MEADOWS

CLIENT
MR & MRS BAINS

Drawing Name
PROPOSED SECTIONS

General Notes
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All boundaries and contours subject to survey

Amendments

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Date of Issue 26-Jun-18
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Checked By: **Nilesh Munot**
Layout ID **DA-06**
Issue **A**

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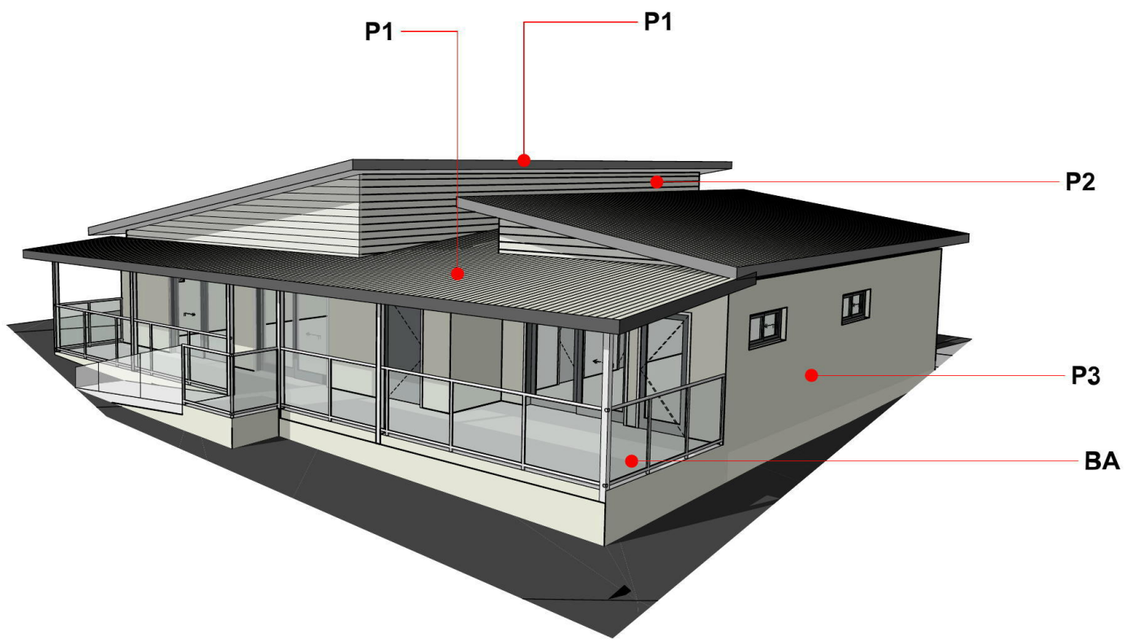
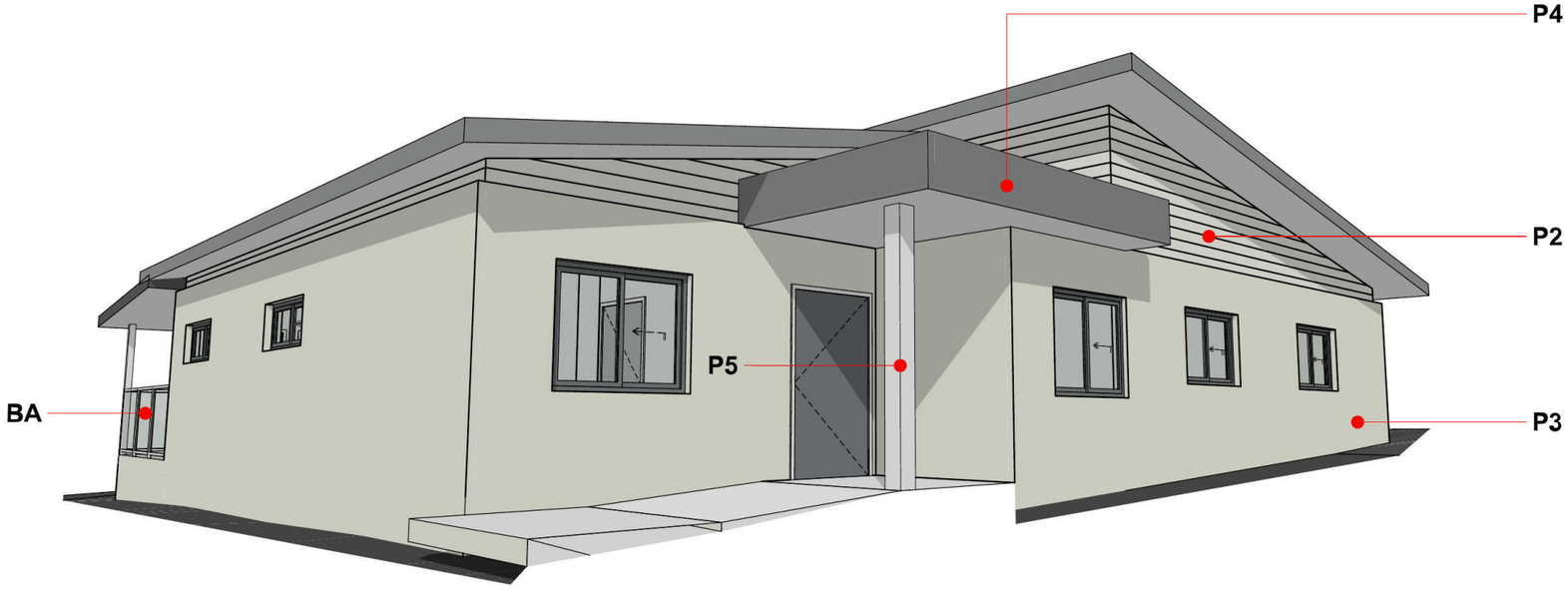


LEGEND

P1	METAL ROOF SHEET, FASCIA & GUTTER - COLORBOND SHALE GREY
P2	LIGHT WEIGHT CLADDING - DULUX EVENING HAZE
P3	RENDER WALL WITH PAINT FINISH - DULUX SURFMIST
P4	LIGHT WEIGHT FB CLADDING - DULUX WALLABY
P5	PAINT FINISH - DULUX GULLY
BA	1.2m CHILD SAFE GLASS BALUSTRADES



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PROJECT
PROPOSED CHILD CARE CENTRE AT 64 DONCASTER AVENUE CLAREMONT MEADOWS

CLIENT
MR & MRS BAINS

Drawing Name
MATERIAL FINISHES

General Notes
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Drawings shall not be used for construction purposes until issued for construction.
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Amendments

Issue ID	Issue Name	Checked by	Date
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Checked By: **Nilesh Munot**
Layout ID **DA-07**
Issue **A**

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PLAN OF MANAGEMENT

FOR

PROPOSED CHILD CARE CENTRE

AT

64 Doncaster Avenue,
Claremont Meadows NSW
2747

INTRODUCTION

This Plan of Management (POM) has been prepared in support of a Development Application for the internal fit-out and use of the existing premises at 64 Doncaster Av, Claremont Meadows, as a child care centre for 31 children.

Child care center that are appropriately located and suitably designed provide an important community service that will contribute positively to the development growth of children.

An important aspect of minimising potential impacts of child care center is ensuring that they are managed properly. A Plan of Management is a useful tool that can be used to ensure that suitable management practices are in place to minimise potential impacts on adjoining neighbours and enables the child care centre to achieve high level of safety, security, environmental health and amenity for its users.

Appropriate on-site management deals with matters such as responsibility for the operation, administration, amenity, safety, security, waste management and fire safety of the premises.

OPERATIONAL DETAILS

Capacity

The child care centre will have a total capacity of 31 children. The age group and capacity are as follows:

Age Group	Capacity
Under 2 year old	4
2-3 year old	5
3-6 year old	22
Total	**31**

Staff Number

There will be a structured routine where the children will be divided between their age groups of 0-2 years (Babies), 2-3 years (Toddlers) and 3-6 years (Pre-schoolers). A daily program will be based on their needs and individual development/progress, also meeting programming requirements of The National Quality Framework.

Each group will be required to maintain staff to children ratios in accordance with the Childcare Regulations.

Hours of Operation

The hours of operation of the child care centre are as follows:
7:00am to 6:00pm, Monday to Friday.
The Centre closes for Public Holidays.

Staff Arrival

Not all staff arrives at the same time. The arrivals are usually staggered between the hours of 7 am to 9.00am. Full-time staff work for 8 hours a day. Part-time or Casual staff work shifts as required.

Parents/Children Arrival and Departure

In the morning, parents usually arrive between the hours of 7 am-10:00 am. Similarly

for pick-up, the parents will start arriving from 3.00pm and stagger until 6.00pm.

Car Parking

- The proposed childcare will accommodate 31 children along with four staff
- There are areas on the ground floor level with vehicle access and egress via Doncaster Avenue.
- Eight on-site car spaces will be provided on the ground floor car park including one accessible car space for people with disabilities.
- The car parking area is not to be used for storage purposes, thereby reducing the number of available car spaces. The car park must be kept available for parking at all times
- Staff, parents and careers must be encouraged to report improper use of the car parking area to the centre's director.

MANAGEMENT MEASURES

General Amenity

- All operational and management procedures to be implemented to ensure that the premises can operate without disturbance to the surrounding locality.
- Compliance with all other operational conditions of the consent (i.e. hours of operation, security management, noise, waste management, etc) and any requirements as specified by the relevant licensing agencies.
- Management will assist, co-operate and work with the Police, Council and any adjoining residents to ensure the above is complied with.
- General waste and recyclable materials will be collected, sorted and stored in the waste storage area within the building. All used nappies will be collected by a private waste contractor five days a week.
- The premises will be cleaned by the management/staff everyday.

Policies and procedure

The National Quality Framework has been designed to encourage continuous improvement of education and care services across Australia. One of its important features is that it sets out a series of National Quality Standards (NQS) against which all early childhood education and care services will be assessed and given a rating.

The seven quality areas are:

1. Educational program and practice.
2. Children's health and safety.
3. The physical environment.
4. Staffing arrangements.
5. Relationships with children.
6. Collaborative partnerships with families and communities.
7. Leadership and service management.

The service's policies and procedures are built on these key seven areas. The management ensures that the service follows the policies and procedures required under regulations 168 and 169 (regulation 170).

Access Control

Access to the child care centre is only available from the front entry lobby area. All parents and visitors are required to sign in and sign out for every visit to the centre.

High quality door and window locks are to be fitted to all openings. All locks to comply with relevant Australian Standards.

Safety and Security

- All staff members are required to have First Aid certificate.
- All kids in outdoor play areas must wear hat and sunscreen (if required).
- All fences, gates, doors and locks are to be checked on regular basis and replace/repair immediately if required.
- Emergency and evacuation procedures and drills are to be carried out periodically with staff and children.
- Medication forms and register are strictly maintained.
- Accident and injury register to record any incidents, parents and follow up.

Waste Management

General waste and recycling materials will be stored in the designated waste storage area located near to the front boundary and collected by a private contractor during the collection day once a week.

Fire Safety & Emergency Evacuation

- All staff must ensure the fire safety provisions are maintained in a good working order, such as, the smoke alarms, evacuation lighting, fire exit signs, fire sprinkler systems, fire extinguishers and fire blankets. A fire safety schedule and emergency evacuation sign must be displayed in a prominent position within the centre.

- The emergency evacuation sign must contain emergency procedures including diagrams showing the location of all fire exits and site plan indicating the primary and secondary assembly areas (if applicable).

- The fire safety items are to be checked and maintained by a fire safety company engaged by the operator. Any faults will be documented and rectified immediately. These checks will take place at required internval.

- All staffs are to be fully trained to ensure the fire safety requirements and the emergency evacuation procedures to be followed in the event of a fire at the premises.

- A full list of nearest emergency contacts (i.e. hospital, police station and fire station) must be clearly display near a telephone and in staff room.

Cleaning/Maintenance

- All staffs are responsible for maintaining the centre in a clean and orderly manner.
- The centre will be cleaned by staff at the end of the day.
- Professional cleaning contractor will be engaged to maintain the cleanliness of the centre (if required).

Childcare Centre Program

In the 0-2 Years Room

In this room we follow individual routines based on family input.

This routine is extremely flexible to allow for this.

7.00am: Centre opens

6.00am- 8.00am: Breakfast & Family Grouping in the 0-2 room A quiet, settling time for children of mixed ages.

8am - 9am: Free play in the 0-2 year's room
A time for babies to participate in a variety of free play learning experiences.

9.00am: Nappy Change Time

9am - 9.30am: Progressive Morning Tea & Various Learning Centre Activities
Held in the room. A time for hand washing, fruit and a healthy snack; and, for babies to practice their developing self-help skills. Daily Communication Chart record completed for individual babies eating.

9.30am - 9.45am: Sleep Time and One-on one Activity Time
A time for some babies to sleep; and a time for staff to be able to focus on babies individual interests. Staff uses this time to record Morning Meeting Notes involving a written record of babies play interests.

10am: Transition to Indoor/Outdoor Active Play Area
A time for babies and staff to tidy the 0-2 years room then transition to the indoor/ outdoor plays area. Transition strategies include music and movement.

10am -10.45am: Planned and Spontaneous Indoor/Outdoor Active Activities
A time for babies who are interested to participate in planned and spontaneous activities and projects that are based on developing babies emerging skills and development. These are pre-planned and/or spontaneous activities based on meeting the Early Years Learning Framework Outcomes and babies developing interests, skills and needs.

10.30am: Music and Movement Time
A time for babies who are interested to actively participate in various music and movement experiences.

10.45am - 11am: Nappy Change Time

11am: Transition to the 0-2 years Room
A time for babies to tidy the outdoor play area then transition to the 0-2 year's room.

11am-11.30am: Progressive Lunch Time
Held inside the room. A time for hand washing, lunch and babies to practice their self-help skills. Daily Communication Chart record completed for individual babies eating.

11.30am-1pm: Sleep Time and One-on one Activity Time

A time for some babies to sleep and a time for staff to be able to focus on babies individual interests. Staff uses this time to record Morning Meeting Notes involving a written record of babies play interests.

1pm-1.15pm: Nappy Change Time

1.15pm - 1.30pm: Progressive Afternoon Tea Time
A time for hand washing, a healthy snack and for babies to practice their developing self-help skills. Daily Communication Chart record of individual babies eating.

1.30pm-2pm: Sleep Time and Free Play Time
A time for some babies to sleep and a time for babies to choose what they would like to play with.

2.00pm- 2.15pm: Music and Movement Group Time
A time for babies who are interested to participate in a music and movement session.

2.30pm: Transition to Play Area for Free Play and Family Grouping
A time for babies and staff to tidy the room and then transition to the Outdoor play area. Transition strategies include music and movement. Once outdoors, this is a time for babies who are interested to engage with various Learning centre and play experiences provided both indoors and outdoors.

2.45pm - 3pm: Story reading Time
A time for babies who are interested to listen to a story book and tidying of the classroom.

3.45pm - 4pm: Music and Movement Group Time
A time for babies who are interested to participate in music and movement session.

4:00pm: Nappy Change Time

4.00pm- 4.30pm: Progressive Late Afternoon Snack Time
A time for hand washing, a healthy snack and for babies to practice their developing self-help skills.

4:30pm Nappy Change Time

5.45pm: Story Time
A time for packing the Indoor and outdoor play areas away, gathering belongings and reading a story together.

6.00pm: Centre closes

Our Daily Routine
In the 2-3 Years Room

7.00am: Centre opens

7am- 8.00am: Breakfast & Family Grouping in the Room
A quiet, settling time for children of mixed ages.

8.00am: Transition to the Indoor/Outdoor Active Play Area
A time for children to tidy the room then transition to the outdoor play area. This involves children having to follow teacher instruction. Transition strategies include music and movement, e.g. our 'Lining up Song.'

8.00am - 9.00am: Free play in the Active Indoor/Outdoor Area
A time for children to participate in a variety of free play learning experiences. Children are given the choice and flexibility to play indoors or outdoors (weather permitting).

9.00am: Nappy Change Time

9.00am - 9.15am: Good Morning Circle Group Time
A time for staff and children to say hello; discuss overview of day including activities provided; revisit project interests; and record Morning Meeting Notes involving a written record of children's requests & play interests.

9am - 9.30am: Progressive Morning Tea & Various Learning Centre Activities
Held in the indoor play area. A time for hand washing, fruit and a healthy snack; and, for children to practice their developing self-help skills. Daily Communication Chart record completed for individual children's eating.

9.30am- 10.00am approx.: Planned Indoor Experiences including Art & Craft
A time for children who are interested to participate in various activities those are based on developing children's emerging skills and development. These are pre-planned activities based on meeting the Early Years learning Framework Outcomes; and, children's developing interests, skills and needs.

10am: Transition to the outdoor play
A time for children to tidy the room and then transition to outdoor. This involves children having to follow teacher instruction. Transition strategies include music and movement.

10am -10.15am: Music and Movement Time
A time for children who are interested to actively participate in various music and movement experiences.

Educators can also use this time to prepare experiences for the children.

10am -11.15am: Planned and Spontaneous Outdoor Active Activities
A time for babies who are interested to participate in planned and spontaneous activities and projects that are based on developing babies emerging skills and development. These are pre-planned and/or spontaneous activities based on meeting the Early Years learning Framework Outcomes; and, babies developing interests, skills and needs.

11.15am: Nappy Change Time

11:30am -12pm: Progressive Lunch Time
Held inside the 2-3 year room. A time for hand washing, lunch; and, for children to practice their developing self- help skills. Daily Communication Chart record completed for individual children's eating. This is also a time for educators to prepare beds.

12pm - 1:30pm: Progressive Nap Time
A time for children to sleep or rest and restore their energy for the afternoon session. Daily Communication Chart record completed for individual children's sleeping times. This is also a time for educator's to document children's learning and create classroom displays.

1.30pm: Nappy Change Time

1:30pm- 2pm: Free Play, Quiet Activities

A time for children to participate in quiet activities while other children are still sleeping.

2pm- 2.30pm: Progressive Afternoon Tea

A time for hand washing, a healthy snack and for children to practice their developing self-help skills. Daily Communication Chart record of individual children's eating.

2.20pm-2.30pm: Story reading Time and Tidying of Room

A time for children who are interested to listen to a story book and everyone to assist in the tidying of our classroom.

2:30pm-3.45pm: Transition to Outdoor Play Area for Free Play and Family Grouping

A time for children to transition to the Outdoor play area. This involves children following teacher instruction. Transition strategies include music and movement, e.g. our 'Lining up Song.' Once outdoors, this is a time for children who are interested to engage with various learning centre and play experiences provided both indoors and outdoors.

3:45pm-4pm: Music and movement Group Time

A time for children who are interested to participate in a music and movement session. This could also be a gross motor game outside (weather permitting).

4.00pm- 4.30pm: Progressive Late Afternoon Snack Time

A time for hand washing, a healthy snack and for children to practice their developing self-help skills.

4:30pm Nappy Change Time

5.45pm: Story Time

A time for packing the Indoor and Outdoor play areas away, gathering belongings and reading a story together.

6.oopm: Centre closes

Our Daily Routine

In the 3-5 Years Room

In this room we follow individual routines based on family input.

This routine is extremely flexible to allow for this.

7.00am: Centre opens

7am - 8.00am: Breakfast & Family Grouping in the Room

A quiet, settling time for children of mixed ages.

8.00am: Transition to the indoor/ Outdoor Active Play Area

A time for children to tidy the room then transition to the Indoor/outdoor Active play area. This involves children having to follow teacher instruction. Transition strategies include music and movement, e.g. our 'Lining up Song.'

8.00am -9.00am: Free play in the Indoor/Outdoor Active Play Area

A time for children to participate in a variety of free play learning experiences. Children are given the choice and flexibility to play indoors or outdoors (weather permitting).

9am - 9.30am: Progressive Morning Tea & Various Learning Centre Activities

Held in the Outdoor play area. A time for hand washing, ·fruit and a healthy snack; and, for children to practice their developing self-help skills. Daily Communication Chart record completed for individual children's eating.

9.30am - 10am: Good Morning Circle Group Time/ Planned outdoor activities

A time for staff and children to say hello; discuss overview of day including activities provided; revisit project interests; and record Morning Meeting Notes involving a written record of children's requests & play interests.

10am: Transition to the 3-5 years room

A time for children to tidy the Indoor/Outdoor Active play area then transition to the class room. This involves children having to follow teacher instruction. Transition strategies include music and movement.

10am - 10.15am: Music and Movement Time

A time for children who are interested to actively participate in various music and movement experiences.

Educators can also use this time to prepare experiences for the children.

10:15am - 11.00am approx.: Planned Indoor Experiences including Art & Craft and School Readiness A time for children who are interested to participate in various activities those are based on developing children's emerging skills and development. These are pre-planned activities based on meeting the Early Years learning Framework Outcomes; and, children's developing interests, skills and needs. The program, including routines, is organised in ways that maximise opportunities for each child's learning

12:00pm-12:30pm: Progressive Lunch Time

A time for hand washing, lunch; and, for children to practice their developing self-help skills. Daily Communication Chart record completed for individual children's eating. This is also a time for educators to prepare beds.

12.30pm - 2pm: Progressive Nap Time/ Yoga/ Quiet activities

A time for children to sleep or rest and restore their energy for the afternoon session. Daily Communication Chart record completed for individual children's sleeping times. This is also a time for educator's to document children's learning and create classroom displays. A time for children to participate in quiet activities while other children are still sleeping.

2pm- 2.30pm: Progressive Afternoon Tea
A time for hand washing, a healthy snack and for children to practice their developing self-help skills. Daily Communication Chart record of individual children's eating.

2.20pm-2.30pm: Story reading Time and Tidying of Room
A time for children who are interested to listen to a story book and everyone to assist in the tidying of our classroom.

2:30pm: Transition to Indoor/Outdoor Play Area for Free Play and Family Grouping
A time for children to transition to the indoor/Outdoor play area. This involves children following teacher instruction. Transition strategies include music and movement, e.g. our 'Lining up Song.' Once outdoors, this is a time for children who are interested to engage with various Learning centre and play experiences provided both indoors and outdoors.

3:45pm-4pm: Music and movement Group Time
A time for children who are interested to participate in a music and movement session. This could also be a gross motor game outside (weather permitting).

4.00pm- 4.30pm: Progressive Late Afternoon Snack Time and Free play
A time for hand washing, a healthy snack and for children to practice their developing self-help skills.

5.45pm: Story Time
A time for packing the Indoor and Outdoor play areas away, gathering belongings and reading a story together.

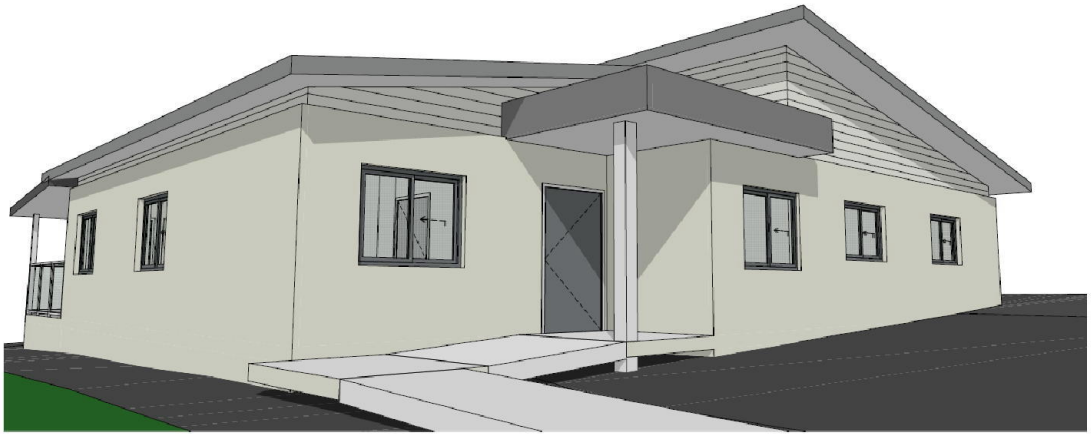
6.00pm: Centre closes

MONITORING THE MANAGEMENT PLAN

This Plan of Management will be reviewed on a regular basis or subject to demand and updated when required

Paul Lemm Planning
Consultant

July 2018



STATEMENT OF ENVIRONMENTAL EFFECTS

TO CONSTRUCT A NEW CENTRE-BASED CHILD CARE FACILITY TO CATER FOR 31 CHILDREN, CAR PARKING AND LANDSCAPING AT 64 DONCASTER AVENUE, CLAREMONT MEADOWS

Paul Lemm Planning
Consultant

Paul Lemm Planning
Consultant

PROJECT:	To construct a new 31 place Centre-based Child Care Facility with associated car parking and landscaping
ADDRESS:	64 Doncaster Avenue, Claremont Meadows
COUNCIL:	Penrith City Council
AUTHOR:	Paul Lemm Planning
CLIENT:	Mr and Mrs S Bains

Date	Purpose	Reviewed	Authorised
03/07/2018	Draft Issue	PAL/JLL	PAL
03/07/2018	Final	PAL/JLL	PAL

Paul Lemm – Director
03/07/2018

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Paul Lemm Planning
Consultant

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Consultant

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Consultant

1.0 EXECUTIVE SUMMARY

This Statement of Environmental Effects (SoEE) has been prepared for Mr. and Mrs Bains to accompany a Development Application to Penrith City Council for a 31 place Centre-base Child Care Facility at 64 Doncaster Avenue Claremont Meadows.

The site of the proposed Child Care Facility is vacant, cleared of vegetation and forms part of a recently approved subdivision. The proposal is for a 31 place Child Care Facility, a freestanding single storey skillion roof building, a driveway and eight car parking spaces, outdoor play area, associated landscaping and drainage works. The development site is within 300m from bus stops that provide regular services to Penrith, St Marys, Mt Druitt. The proposal is consistent with State Government policy and Council's policies and objectives in relation to the site. The proposal seeks a variation to development standard outlined in Penrith Local Environmental Plan 2010 in Clause 7.15(3)(c)(iii) for a 20m setback from the rear boundary. A Clause 4.6 variation request supports this SoEE. The Section 88B Restriction on Use in accordance with the Conveyancing Act 1919 is also requested as part of the proposal. Both these requests are considered reasonable and have been granted to other sites in close proximity.

This report describes the subject site and proposal in detail and undertakes an assessment of the proposal against the provisions of the statutory framework relevant to the proposal. The proposed development is assessed in regard to the relevant aims, objectives and development provisions of relevant State Environmental Planning Policies (SEPPs), Council's Local Environmental Plans (LEPs) and Development Control Plans (DCPs). The assessment has found that the proposed development is consistent with the statutory requirements, which seek to achieve qualitative outcomes by ensuring some measure of quantitative controls are met.

The site is suitable for the development due to its location, serviceability and its design. The site is well positioned for this type of development as the site is of a suitable size and close to key transport routes.

The development will result in the following outcomes;

- Is compliant with planning controls and objectives for the site;
- Is of a modest scale;
- Will service the immediate area;
- Is modern and contemporary but suited to its setting;
- Is suitably located on the property and provides good private open space;

- Is located in an area with good public transport facilities;
- Is not inconsistent in terms of rear setback form adjoining properties;
- Provides suitable vehicular access; and
- In is the public interest.

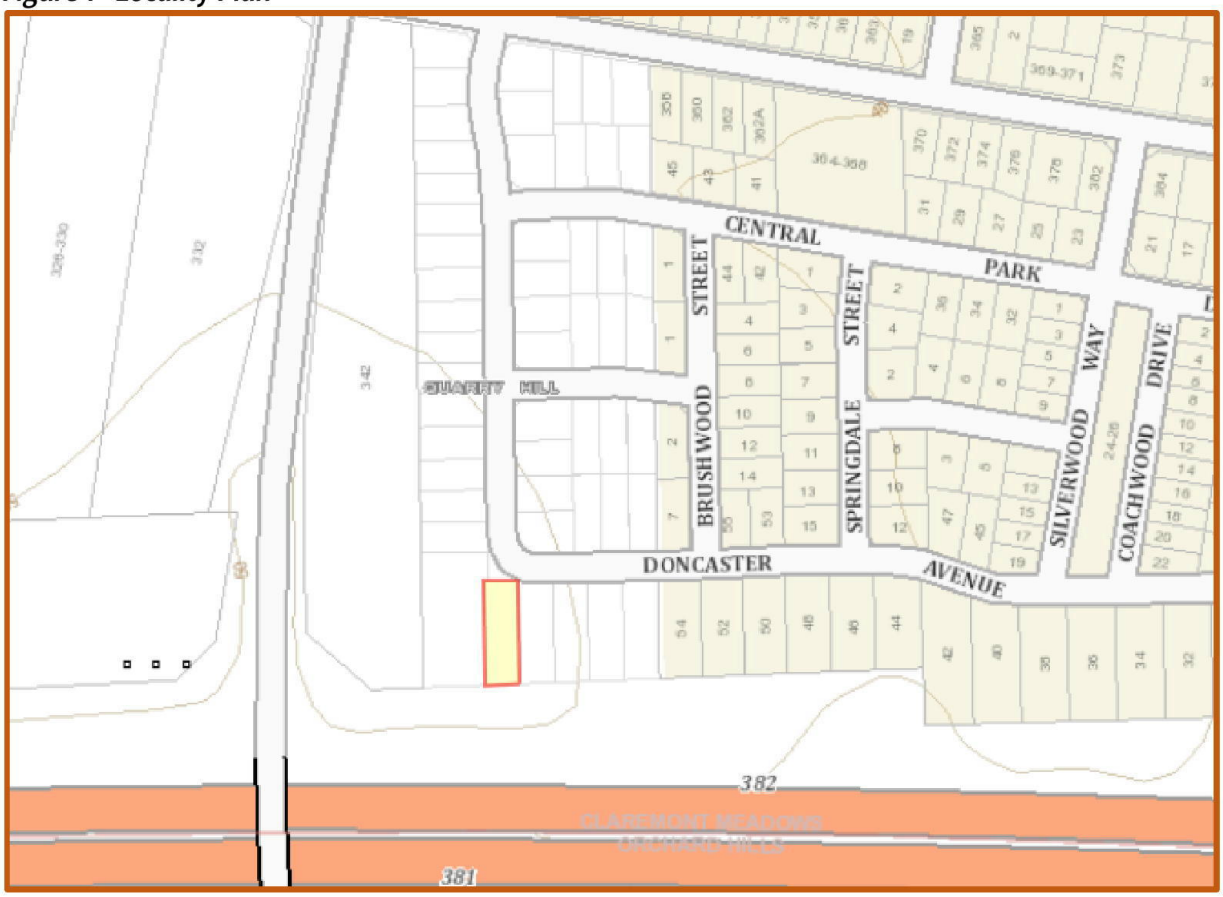
Having regard for the public benefits of the proposal and considering that the development will not result is adverse environmental impacts, the proposal is deemed suitable for the site and submitted to Council for assessment. Approval of the application is recommended with appropriate conditions.

Paul Lemm Planning
Consultant

2.0 SITE AND LOCALITY

The site is located within a new 51 lot residential subdivision that was approved in 2016. The site is rectangular in shape with a width of 17.7m and depth of 53.4m and 53.8 on the eastern and western boundaries respectively. The area of the site is 952m². The site is identified as 64 Doncaster Avenue, Claremont Meadows and is legally described as Lot 34 in DP 1224294.

Figure 1 - Locality Plan



The site is part of a recent subdivision of land and located of the bend in Doncaster Avenue. The site is less than 300m from the intersection of Doncaster Avenue and Caddens Road which will provide access to Motorway via Kent Road or to the Great Western Highway via Gipps Street. The site is within close proximity to bus routes 774 and 778 which provide access to Penrith, St Marys and Mt Druitt.

The site is relatively flat and drains to the rear and clear of any vegetation. A drainage system has been constructed as part of the subdivision which drains the rear of the site to

the front. The site has existing noise attenuating fibro fencing along its rear boundary to a height of 1.8m. The site setback at least 20m from the carriageway of the off ramp to the M4 Motorway.

Figure 2 - Plan of Subdivision which includes the Site

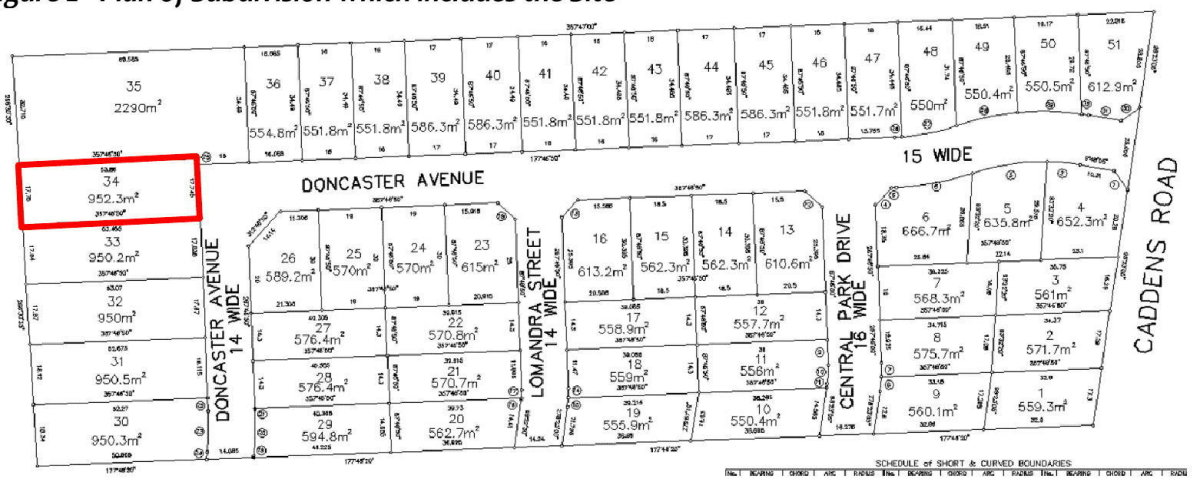
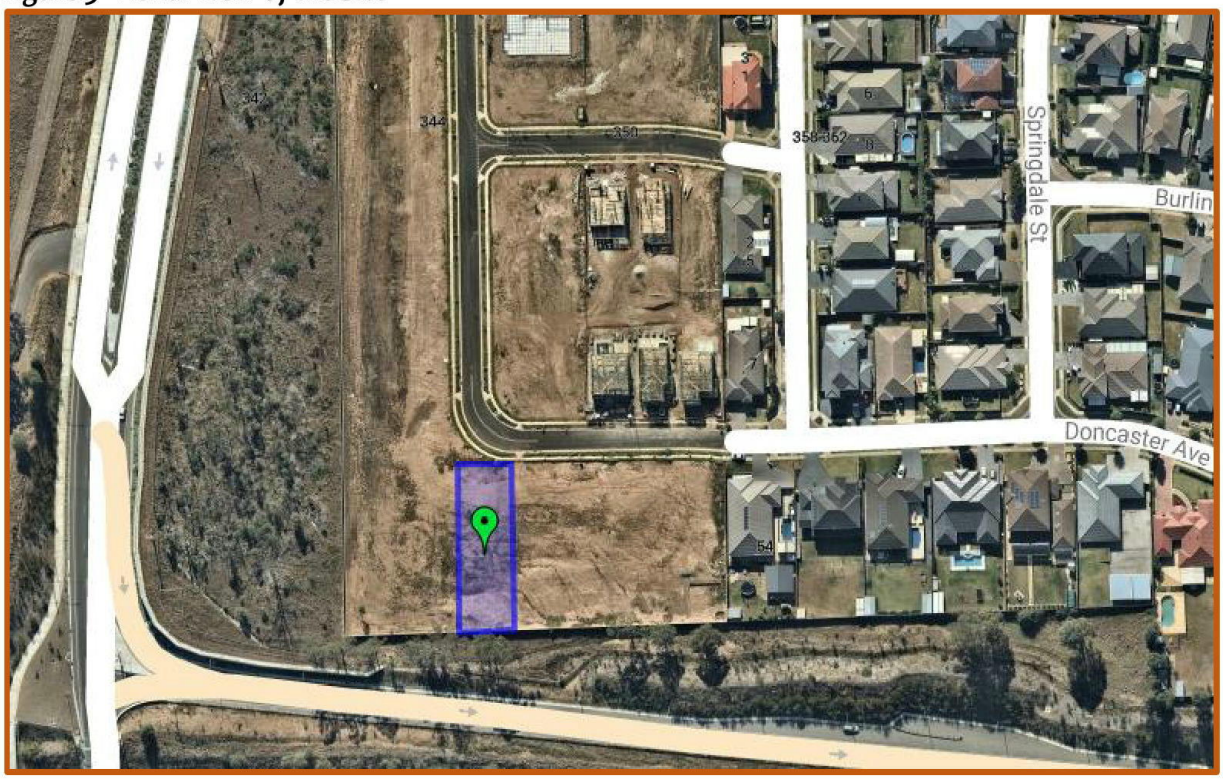


Figure 3 - Aerial View of the Site



3.0 PRE-LODGEMENT DISCUSSIONS

A Pre-DA meeting was held with Council on the 15th March 2018 in relation to the proposed development for the site. The plans submitted for comment have now changed and the comments made have been take into account. The key issues raised form the Pre-DA Meeting are outlined below.

Table 1 - Pre DA-Issues

Issues	Comment
Carparking needs to comply with AS2890.1.	The carparking layout has been amended. The application is supported by a Traffic and Parking Assessment and a Certification for compliance with the Australian Standards and Council policies.
Encroachment into the 20m setback Restriction as to User in the rear of the site.	This aspect of the proposal is acknowledged and a request to vary and modify this restrictive covenant will be provided in this SoEE. Section 5.2
The proposal does not propose landscaping in the rear 20m of the site	A Landscape Plan has been prepared that provides for a mixture of plans that will achieve a green edge to the site and create screening.
The building alignment is not in keeping with existing setbacks in the area.	The building has been setback further from the street alignment.
Compatibility of the proposed development with surrounding land uses and any impacts from surrounding uses may have on the proposed development will need to be demonstrated.	An Acoustic Report has been prepared to assess both the proposed development and the M4 Motorway.
The application is to address all relevant requirements under State Environmental Planning Policy (SEPP) No.55 - Remediation of Land (SEPP 55).	This is addressed in Section 6.1.2 of this SoEE.
A Waste Management Plan will need to be provided to address the waste produced during the demolition, construction and operational phases of the development.	A Waste Management Plan accompanies the development application.
An Acoustic Report is required to be submitted as a part of the development application to	An Acoustic Report has been prepared to assess both the

Issues	Comment
demonstrate that the proposed childcare centre will not have any impact on nearby sensitive receivers. This report is to be prepared by a suitably qualified acoustic consultant.	proposed development and the M4 Motorway.
Stormwater • Stormwater drainage for the site must be in accordance with the following: o Council's Development Control Plan, o *Stormwater Drainage Specification for Building Developments* policy, and o *Water Sensitive Urban Design Policy* and *Technical Guidelines.* • A stormwater concept plan, accompanied by a supporting report and calculations, shall be submitted with the application	A Stormwater Management Plan has been provided and incorporates the Water Sensitive Urban Design requirements.
Traffic • The application shall be supported by a traffic report prepared by a suitably qualified person addressing, but not limited to, traffic generation, access, car parking, and manoeuvring. • The application must demonstrate that access, car parking, and manoeuvring details comply with AS2890 Parts 1, 2 & 6 and Council's Development Control Plan. • The application shall be supported by turning paths in accordance with AS2890 clearly demonstrating satisfactory manoeuvring on-site and forward entry and exit to and from the public road.	A Traffic and Carparking Assessment has been undertaken that addresses the access and parking arrangements.
Waste Collection Commercial developments are to provide on-site collection infrastructure in accordance with section 3.5.2 Waste Collection Rooms of the 'Residential Flat Building Guideline' document. Room size to be built in accordance with the	An onsite waste collection area is provided for both waste streams. The size of the bins has considered the generation rates as outlined in the DCP. See Section 6.2 of this SoEE.

Issues	Comment
generation rates outlined in the 'Commercial Waste Generation Rates Guideline' document.	

4.0 THE PROPOSED DEVELOPMENT

The proposed development is to construct a new Centre-based Child Care Facility on the site for up to 31 child places. The development incorporates the following components.

Table 2 - Details of the Proposal

Details of the Proposal	
Access and Car parking	• Access from Doncaster Avenue from a central driveway 6.250m wide; • 8 car parking spaces along the western boundary 2.4m x 5.5m in size; • 1 accessible car parking space along the eastern boundary; • A 1.2m wide pedestrian access path along the eastern boundary; • A 1m wide pathway at the front of the building to its western side; • Access to the building through an entry foyer in the eastern corner of the building; • A 1:14 access ramp to the rear of the building.
Siting of the Building	• The building is set back 19.8m from the front property boundary and 16.5m from the rear boundary; • A verandah that varies in width from 2.0m to 3.6m to rear of the building to the rear; • Side setbacks are 1.0m; • Site coverage of 22.5%
Number of Childcare places + Staff	• 0-2 years – 4 places • 2 to 3 years – 5 places • 3years to 5 years - 22 places • 4 staff
Indoor Play Area	• 0-3 years – 31.26m^2 • 3-5years – 73.25m^2 • A total of 104.51m^2

Paul Lemm Planning
Consultant

Details of the Proposal	
Outdoor Play Area	• 225.37m² which includes a sandpit, play fall area, shade structures and synthetic grass.
Internal Rooms	Administration Area, Staff Room, A Kitchen, A Laundry/Store, Accessible Toilet, Cot Room, Toilet facilities
Hour of Operation	The proposed hours of operation will be 7:00am to 6:00pm Monday to Friday.
Materials and Finishes	P1 METAL ROOF SHEET, FASCIA & GUTTER - COLORBOND SHALE GREY P2 LIGHT WEIGHT CLADDING - DULUX EVENING HAZE P3 RENDER WALL WITH PAINT FINISH - DULUX SURFMIST P4 LIGHT WEIGHT FB CLADDING - DULUX WALLABY P5 PAINT FINISH - DULUX GULLY BA 1.2m CHILD SAFE GLASS BALUSTRADES

Figure 4 - Site Plan

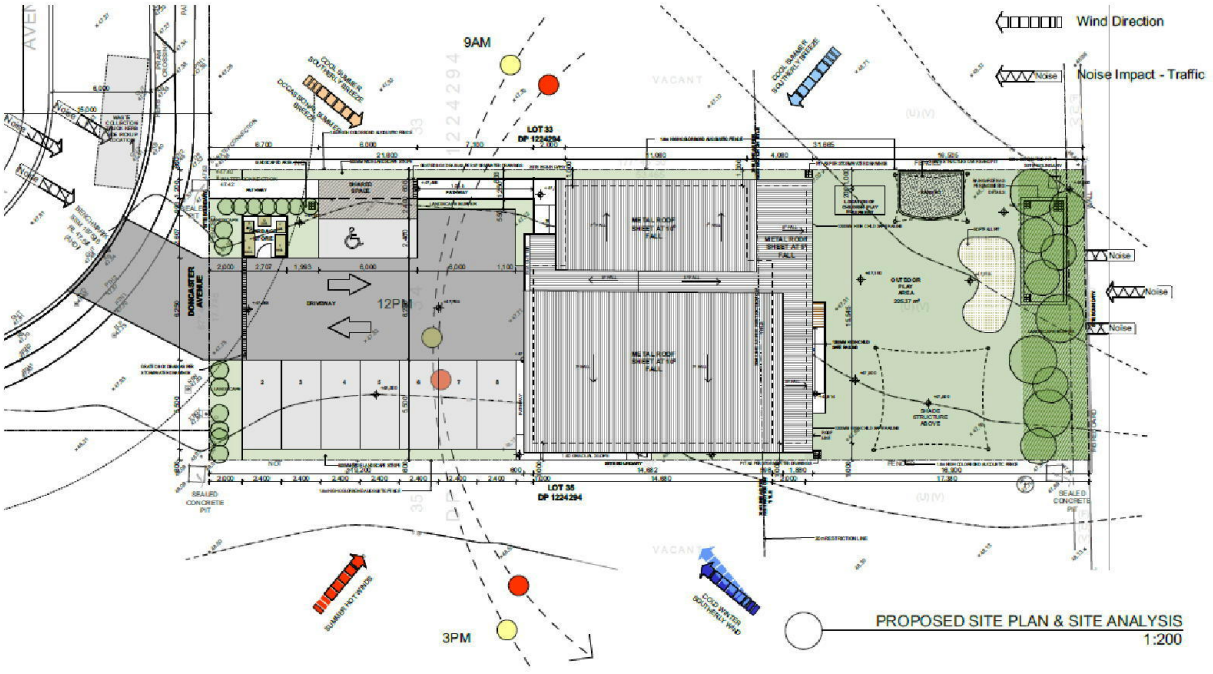


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Figure 7 - South Elevation

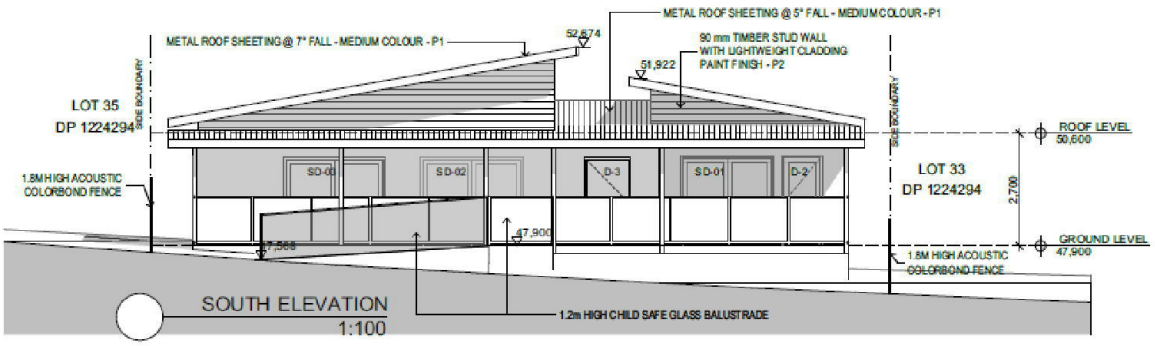


Figure 8 - East Elevation

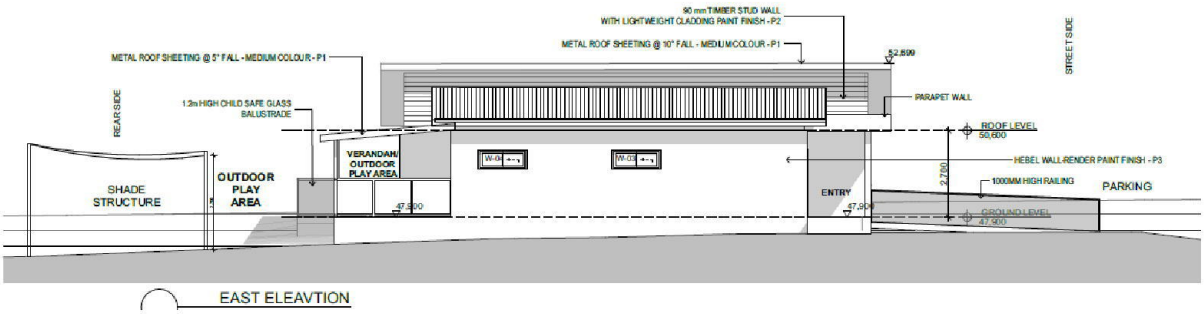


Figure 9 - West Elevation

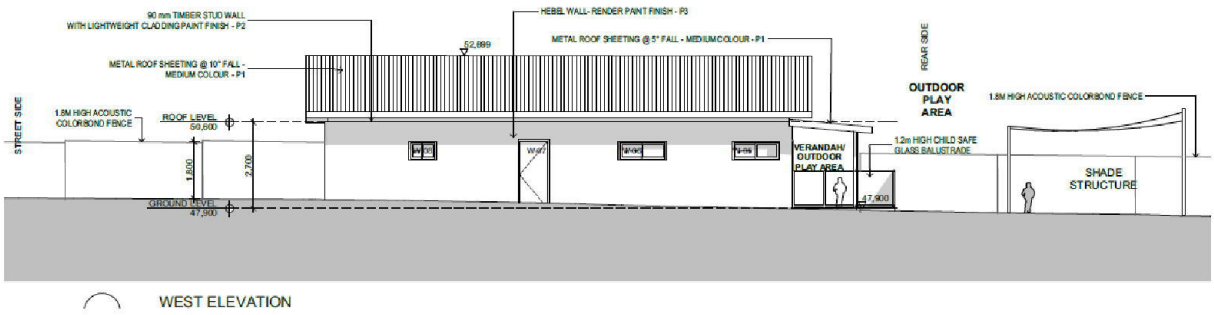
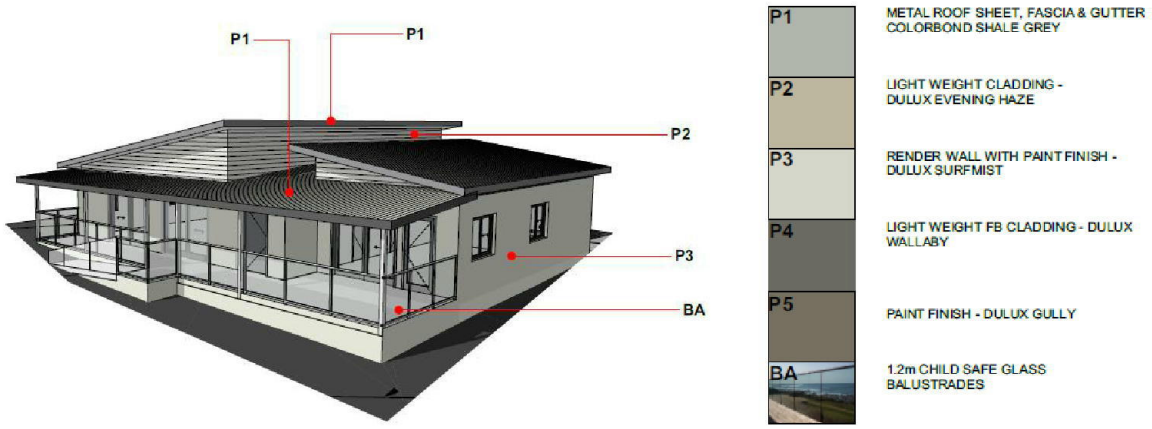
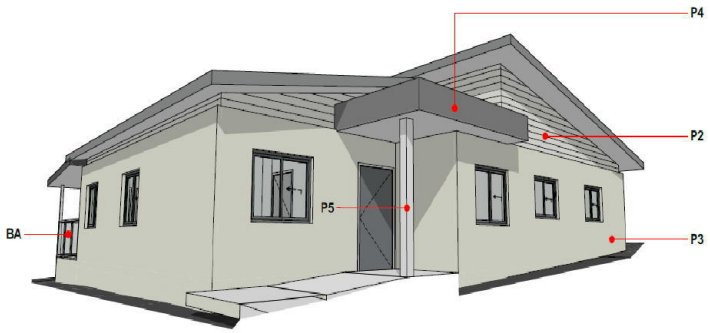


Figure 10 - Perspectives of the Building



Rear Perspective



Front Perspective

4.1 Supporting Documentation

The following information has been prepared in support of the proposed development;

Architectural Design Drawings	Shobha Designs
Site Survey	Mark Castelletti Surveying
Landscape Plan	EziGrow Landscape and Trees
Traffic and Parking Assessment	ML Traffic Engineers
Access and Parking Certification	ML Traffic Engineers
Acoustic Report	Envirotech Consulting Group
Access Report	PSE Access Consulting
Bushfire Assessment	Fire Investigation & Safety Compliance Australia
BCA Report	National BCA
Sedimentation Control Plan	NITMA Consulting Pty Ltd

Stormwater Management Plan	NITMA Consulting Pty Ltd
Waste Management Plan	Shobha Designs

5.0 STATUTORY CONSIDERATIONS

The proposed development has been assessed in accordance with the provisions of the Environmental Planning and Assessment Act, 1979 (EP&A Act). Of particular relevance to this proposal is the following sections.

5.1 *Section 4.46 of the EP&A Act*

Rural Fires Act 1997

The site is identified as being bushfire prone as shown in Figure 11 below. Section 100B of the Rural Fires Act 1997 states the following;

100B Bush fire safety authorities

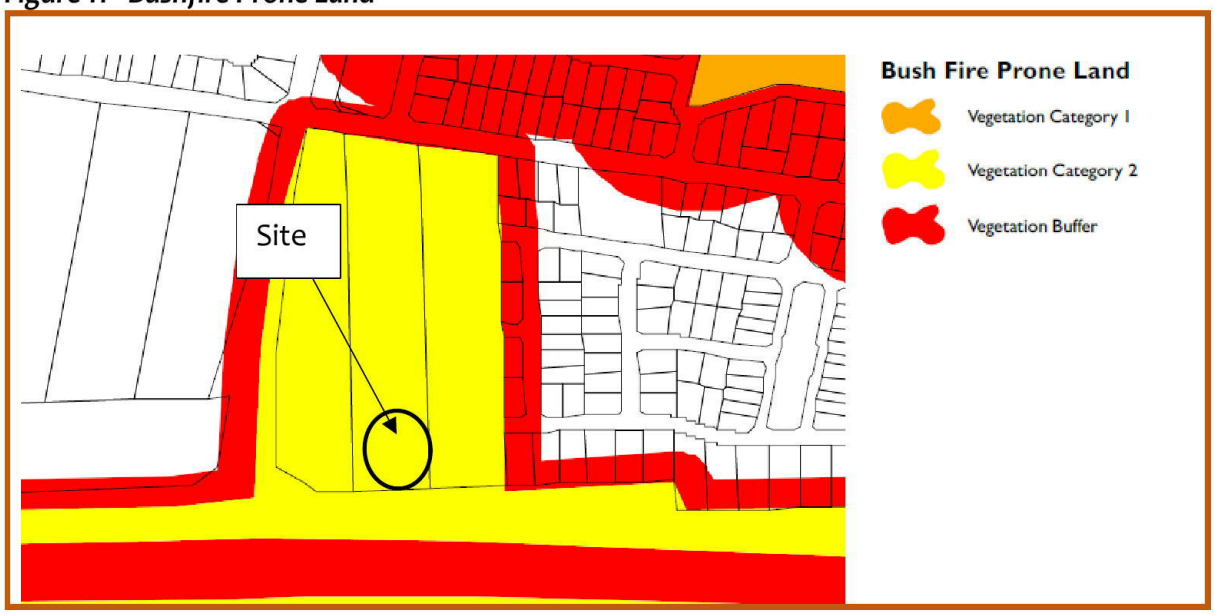
(1) The Commissioner may issue a bush fire safety authority for:
(a) a subdivision of bush fire prone land that could lawfully be used for residential or rural residential purposes, or
(b) development of bush fire prone land for a special fire protection purpose.

A '*special fire protection purpose*' is described as;

special fire protection purpose means the purpose of the following:
(a) a school,
(b) a child care centre,
(c) a hospital (including a hospital for the mentally ill or mentally disordered),
(d) a hotel, motel or other tourist accommodation,
(e) a building wholly or principally used as a home or other establishment for mentally incapacitated persons,
(f) seniors housing within the meaning of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004,
(g) a group home within the meaning of State Environmental Planning Policy No 9—Group Homes,
(h) a retirement village,
(i) any other purpose prescribed by the regulations.

The development is therefore Integrated Development for the purposes of Section 4.46 of the EP&A Act requiring a Bushfire Safety Authority in accordance with Section 100B of the Rural Fires Act, 1996.

Figure 11 - Bushfire Prone Land



Vegetation Category 2 is considered to be a lower bush fire risk than Category 1. This vegetation category has lower combustibility and/or limited potential fire size due to the vegetation area shape and size, land geography and management practices. A Bushfire Assessment Report supports this application.

5.2 Section 88B of the Conveyancing Act 1919

When the subdivision for the land was approved it incorporated a number of positive and restrictive covenants imposed along with various easements. The subject site has three such covenants as indicated below in Figure 12.

These property notations relate to the following;

Notation Number	Purpose
F	Positive Covenant 1.0m wide to enable the installation of acoustic barriers and for the ongoing management and retention of these barriers.
U	Positive Covenant 20m wide for the continued maintenance of conservation area from the rear boundary.

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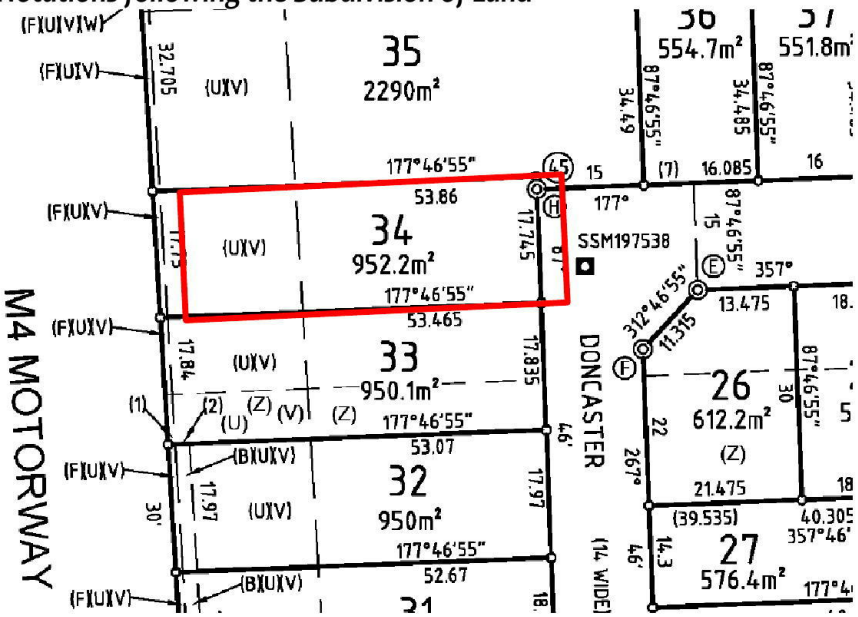
V	Restriction on the Use of Land 20m wide which restricts the erection of structure without the prior written consent of the Authority benefited.

Figure 12 - Lot Notations following the Subdivision of Land



The proposal does not affect notations (F) and (U) but does require the Restriction on Use that is tenthly (or V above) described in the term of easements, positive and restrictions on use, as imposed on the site in accordance with Section 88B of the Conveyancing Act 1919.

Restriction 10 affects Lots 30-35 inclusive and states;

TERMS OF RESTRICTION TENTHLY REFERRED TO IN THE ABOVEMENTIONED PLAN:

No structures are to be constructed within the rear 20 metres of the Burdened Lot without prior written consent from the Authority benefited.

The Authority benefited from the Restriction on Use and with the ability to waive, modify or amend it is the Penrith City Council.

The development application is seeking a variation to this Restriction on Use for the reasons contained in the Clause 4.6 request to vary a Development Standard as contained in Clause 7.15(3)(c)(iii) which states;

to provide a minimum setback of 20 metres from the M4 Motorway reserve to any dwelling or substantial structure.

6.0 Section 4.15 Considerations

An assessment of the proposal in accordance with provisions of Section 4.15 of the EP&A Act is provided for below.

6.1 *Section 4.15(1)(a)(i) – Any Environmental Planning Instruments*

The proposed development has been assessed against the suite of planning controls that regulate land use proposals on the site. These controls include the following;

- Sydney Regional Environmental Plan No. 20- Hawkesbury Nepean River
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environment Planning Policy (Educational Establishments and Child Care Facilities) 2017
- Penrith Local Environmental Plan 2010.
- Penrith Development Control Plan 2015

6.1.2 State Environmental Planning Policies

Sydney Regional Environmental Plan No. 20- Hawkesbury Nepean River

The proposal is accompanied by a detailed stormwater and Water Sensitive Urban Design (WSUD) assessment by NITMA Consulting Pty Ltd. The objective of the WSUD assessment is enable treatment to be incorporated into the overall water management of the site thereby improves the quality of water leaving the site. By incorporating the WSUD assessment recommendation and through the water treatment the quality of water leaving the site will be improved. This is in accordance with the key principles of the SEPP.

There will be suitable sedimentation and erosion control fencing in place in accordance with the Council's requirements and these measures can be incorporated into conditions of consent to be satisfied, prior to any additional work commencing.

State Environmental Planning Policy No. 55 - (Remediation of Land)

The residential subdivision of the site that was approved by Council, was supplemented with a Phase 1 contamination assessment which concluded that the likelihood of the land being contaminated, is unlikely. The land was deemed suitable for residential use. Council placed conditions on the consent that required only clean fill could be used and that certification of this material would be necessary. Because if this history, past

contamination assessment and development consent conditioning the site is not considered to be contaminated and is suitable for the proposed use and satisfies the provisions of Table 1 in the 'Contaminated Land Planning Guidelines'.

Further investigation and reporting under SEPP 55 is not considered necessary as there is no underlying change of use of the land from what was given development consent and as such Clause 7 of the SEPP is satisfied.

If any contaminated material or suspected contaminated material is unearthed during the construction process, then actions consistent with the legislative requirements and guideline document will be undertaken.

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

The following clauses of the SEPP are relevant to the assessment of this proposal.

Clause	Comment
Clause 22 – Concurrence of the Regulatory Authority required (1) This clause applies to development for the purpose of a centre-based child care facility if: (a) the floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the *Education and Care Services National Regulations*, or (b) the outdoor space requirements for the building or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those Regulations.	The propose development provides the following indoor and outdoor spaces. Required - 100.75m² - Proposed - 104.51m² Required – 217m² – Proposed – 225.37m² The proposal complies with the Education and Care Services National Regulations so no concurrence procedures are required.
Clause 23 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.	An assessment of the proposal in relation to the key matters of the Childcare Guideline is provided below.
Clause 25 – Non-discretionary standards	Complies

Clause	Comment
(a) **location**—the development may be located at any distance from an existing or proposed early education and care facility,	Complies
(b) **indoor or outdoor space** (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	Complies
(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,	Complies
(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,	Complies
(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.	
Clause 26 – Development Control Plans	
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:	
(a) operational or management plans or arrangements (including hours of operation),	Noted.
(b) demonstrated need or demand for child care services,	
(c) proximity of facility to other early education and care facilities,	
(d) any matter relating to development for the purpose of a centre-based child care facility contained in:	Noted
(i) the design principles set out in Part 2 of the *Child Care Planning Guideline*, or	Noted

Clause	Comment
(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).	

An assessment oof the matters for consideration as outlined in the Child Care Planning Guideline is provided below.

Table 3 - Child Care Planning Guidelines Compliance

Matter for Consideration	Comments
2.0 Design Principles	
Principle 1 - Context	The proposed use is suitable located being close to public transport, within a new residential area and on the entry/exit to the residential neighbourhood. The site is of suitable size, level and cleared of vegetation. The building is of a suitable scale and designed for purpose. The design will introduce a contemporary modern building amongst a newly evolving residential community. The siting, scale and design elements of the building will enable this facility to add to the fabric of the area, provide a meaningful contribution to supporting the community and add to the areas character and aesthetics.
Principle 2 - Built form	The following design attributes are positive outcomes; • Roof structure is divided into 3 parts which provides articulation, aesthetics and minimized bulk blends in with the residential characteristics of that area. • The built form is further defined by breaking the verticality of the wall into two different materials. The articulation in the walls allows the building to reduce the bulk to the public domain and helps enhance the streetscape of the developing area. • Appropriate proportion is maintained by providing different wall type, texture and material.

Matter for Consideration	Comments
	• The overall built form of the building is aesthetically appealing from the street and generates interest by using different building elements, materials, colours and textures. The contemporary design and high-quality lightweight materials will add to the future desired character of the area and align with other more recent contemporary developments in the area. The proposal is single storey and residential in appearance. It is similar in scale to the surrounding developments albeit a developing area. The built form represents a compatible building in scale and character and is consistent with the building forms represented in the locality.
Principle 3 - Adaptive learning spaces	The proposed facility accommodates 31 Children with 4 Staff members. • There will be 4 children - 0-2-year-old, • 5 children - 2-3-year-old and • 22 Children – 3-5-year-old. The Outdoor play area is equipped with different play equipment such as sand pit, soft fall area etc that provides interactive learning spaces. The Indoor play areas have direct link to the outdoor play area via semi covered play area The internal layout and the delineation of how space within the facility will be used will provide an interesting and interactive learning space to accommodate children of various ages.
Principle 4- Sustainability	The building has been designed to enable natural cross ventilation, sunlight and passive thermal design for ventilation, heating and cooling. This is provided for in the use of a skillion roof, fenestration and internal passages. Being able to open up the building to the outdoors also assists in the ability to link inside with the outside. The following design attributes are important for sustainability; • ACC panels (Hebel Power Panels) for external walls are used which provides high quality thermal insulation, higher acoustic rating and also reduces time requires during the construction. • Appropriate wall and roof insulation provided.

Matter for Consideration	Comments
	• The smaller scale of the roof prevents entrapment of hot air into large spaces and thus provides good thermal insulation. • A rain garden has been provided at the southern landscape buffer zone.
Principle 5 - Landscape	The proposal includes 225.37m² outdoor play area at the rear that integrates with new landscaping along the interface with the M4 Motorway. Landscaping is proposed around the site including along the side boundaries and with the front setback. Enhancing the natural features and contributing to the overall context of the street and locality in general. Landscape Design is prepared by a Landscape designer with appropriate species shown for the bush fire zone. A 4m wide landscape buffer is provided on the southern boundary which gives acoustic as well as visual privacy from the M4 Motorway. A minimum of 2 m wide landscape strip is provided on the street edge to enhance the streetscape. The front parking area is surrounded by landscape strips that further reduce the impact of hardstand parking area to the front. A rain garden has been provided at the southern landscape buffer zone.
Principle 6 - Amenity	The building has been designed to provide a high level of amenity for the children and staff by creating various spaces with the facility such as indoor play areas, administration and staff areas and outdoor areas. The building has good access to natural light and ventilation and have direct access to the outdoor play areas. The other amenities include 1.2m high child safe handrails to safety, accessible ramps. The outdoor play area includes various play equipment, sand pit and soft fall pits with shade structure, staff room, administration office and outdoor seating. The transition from internal play area to outdoor play area is through a covered outdoor play area in the form of Patio.
Principle 7 - Safety	The proposal has been designed to create a safety and secure facility. Separate pedestrian access to the main entry foyer from the street via a pathway and there is

Matter for Consideration	Comments
	good access around the building. Internally there is access to each of the play areas for different age cohorts. The location of the car parking area, pedestrian pathway and proposed windows around the building provide passive surveillance opportunities. There will also be CCTV provided to the building which add to the safety and security provisions of the facility. There are no hidden nooks and corners in the proposed building. The play area and children utilities are provided with clear and direct sight line and thus it encourages passive surveillance.
3.1 Site Selection and Location	
Objective: To ensure that appropriate zone considerations are assessed when selecting a site.	The proposed development is sited in a developing residential area. The development has been accompanied by an acoustic report which investigates the acoustic implications of the facility and adjoining land uses impact on the facility. The setbacks have been devised to enable the building to assimilate with the character of the area while providing scope for this form of development. The ability to provide landscaping and a low scaled built form enables compatibility and integration with current and future character of the immediate area. The site provides suitable parking to the front of the site that is validated by consultative reports.
Objective: To ensure that the site selected for a proposed child care facility is suitable for the use.	The issues that have been identified in this part of the guide are addressed in Section 6.4 of this SoEE and by the supportive consultative reports. These address bushfire, accessibility and traffic and parking.
Objective: To ensure that sites for child care facilities are appropriately located.	The site is located within a new residential area and adjacent to an established residential area within Claremont Meadows. The site is within close proximity to public transport and only 300m from Caddens Road. The site has good access by car and is suitably located at the exit from or entry to the emerging residential area. The site location does not introduce through traffic amongst an established residential area.
Objective: To ensure that sites for child care facilities do not incur risks from environmental, health or safety hazards.	The site does not have any of these risks present and is suitably located.
3.2 Local Character, Streetscape and public domain interface	
Objective: To ensure that the child care facility is compatible with the	The building is single storey, built from light weight materials and has a skillion roof. The location of the

Matter for Consideration	Comments
local character and surrounding streetscape.	building on the site provides for a 19.8m setback at its closest point. The presentation of the building is residential in character. The building will be articulated with windows and entry points along with a range of building materials. Landscaping will be provided that provides for a green edge and softening of the overall development.
Objective: To ensure clear delineation between the child care facility and public spaces.	The proposal has a 19.8m setback within which car parking and access to the site is provided. The front of the site will be landscaped and there is a pedestrian access provided from the street to the main entry to the building. The layout of the proposal will enable users of the site to find their way around the site and to the building. Suitable access paths and material changes will provide indicators of where to walk to access the building.
Objective: To ensure that front fences and retaining walls respond to and complement the context and character of the area and do not dominate the public domain	No front fence is proposed. The frontage of the site will be landscaped along the front boundary which is similar to existing residential sites.
3.3 Building orientation, envelope and design	
Objective: To respond to the streetscape and site, while optimising solar access and opportunities for shade.	The proposal incorporates the following attributes that demonstrate this; • A significant setback from the street; • Presentation to the street; • Modern contemporary single storey design; • Good solar access and suitable shade facilities such a verandahs and shade structures.
Objective: To ensure that the scale of the child care facility is compatible with adjoining development and the impact on adjoining buildings is minimised	The size of the facility is for 31 places. This is not a large facility and will enable the building and the associated elements of the centre to be suitably accommodated within its setting. The proposal has had a series of supporting consultants reports undertaken to address the landscaping, noise and drainage. All of these suggest that the proposed use is compatible with the adjoining area, which is under going change to a new residential area.
Objective: To ensure that setbacks from the boundary of a child care facility are consistent with the predominant development within the immediate context.	The setback from the front boundary ate its closest point is 19.8m and the 16.5 from the rear boundary. The positioning of the building on site is not inconsistent with others sites in the area. The front setback is generous but

Matter for Consideration	Comments
	serves to reduce the impact on the streetscape and provide enough area for carparking and landscaping.
Objective: To ensure that the built form, articulation and scale of development relates to its context and buildings are well designed to contribute to an area's character	For the reasons outlined above these are the reasons why this objective has been met; • the proposed use is suitable located being close to public transport, • it is within a new residential area and on the entry/exit to the residential neighbourhood; • the site is of suitable size, level and cleared of vegetation; • the building of a suitable scale and designed for purpose; • the design with introduce a contemporary modern building amongst a newly evolving residential community; and • the siting, scale and design elements of the building will enable this facility to add to the fabric of the area, provide a meaningful contribution to supporting the community and add to the areas character and aesthetics.
Objective: To ensure that buildings are designed to create safe environments for all users.	The proposal incorporates a separate pedestrian pathway from the street to the building, providing safe passage for children entering and leaving the site. The entry and pathway will be visible from the street frontage and can easily be monitored through both natural and camera surveillance
Objective: To ensure that child care facilities are designed to be accessible by all potential users.	The proposal provides for facilities to accommodate persons with accessibility issues. Refer to the detailed Accessibility Review Report prepared by PSE Access Consultants and submitted with this application for further details on disabled access provisions.
3.4 Landscaping	
Objective: To provide landscape design that contributes to the streetscape and amenity.	Landscaping has been proposed along the front and side boundaries as well as within the rear play area. Refer to the landscape plans prepared by EziGrow Landscape and Trees for more details on the proposed landscaping.
3.5 Visual and acoustic privacy	
Objective: To protect the privacy and security of children attending the facility.	The internal play areas of the facility are positioned at the back of the building way for the public areas. The site will be landscaped along the side boundaries for added privacy. Windows along the side of the building are minimal. The rear of the outdoor play areas will be

Matter for Consideration	Comments
	screened from the M4 Motorway and position behind an existing screen fence.
Objective: To minimise impacts on privacy of adjoining properties. ***Objective: To minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments.***	The facility is orientated north/south. The landscaping proposed and the internalising of the space for the children will assist in addressing any concerns about the use. The application is supported by an acoustic report from Envirotech Consulting Group that examines the juxtaposition of adjoining sites.
3.6 Noise and air pollution	
Objective: To ensure that outside noise levels on the facility are minimised to acceptable levels.	Refer to an acoustic report from Envirotech Consulting Group.
Objective: To ensure air quality is acceptable where child care facilities are proposed close to external sources of air pollution such as major roads and industrial development.	The proposal is located within a residential area with no known or obvious major air pollution sources.
3.7 Hours of operation	
Objective: To minimise the impact of the child care facility on the amenity of neighbouring residential developments.	The proposed hours of operation will be 7:00am to 6:30pm Monday to Friday.
3.8 Traffic, parking and pedestrian circulation	
Objective: To provide parking that satisfies the needs of users and demand generated by the centre.	It is proposed to provide 8 car spaces in accordance with the DCP requirement. Refer to the detailed Traffic and Parking Impact Assessment prepared by ML Traffic Engineers and submitted with this application for details on the proposed car parking layout and operation.
Objective: To provide vehicle access from the street in a safe environment that does not disrupt traffic flows.	Refer to the detailed Traffic and Parking Impact Assessment prepared by ML Traffic Engineers and submitted with this application for details on the proposed car parking layout and operation
Objective: To provide a safe and connected environment for pedestrians both on and around the site.	The proposal has been designed to incorporate the following: • A separate pedestrian access from the car park to the facility. • Separate pedestrian and vehicle entries from the street for parents, children and visitors.

Matter for Consideration	Comments	
	• To provide adequate space within the site to allow vehicles to enter and leave the site in a forward direction. • To provide clearly marked accessible parking as close as possible to the primary entrance to the building.	
4.0 Applying the National Regulations to development proposals		
4.1 Indoor space requirements Every child being educated and cared for within a facility must have a minimum of 3.25m2 of unencumbered indoor space	The facility is for 31 children. 100.75m2 of internal space is required and 104.51m2 is provided.	√
4.2 Laundry and hygiene facilities There must be laundry facilities or access to laundry facilities; or other arrangements for dealing with soiled clothing, nappies and linen, including hygienic facilities for storage prior to their disposal or laundering. The laundry and hygienic facilities must be located and maintained in a way that does not pose a risk to children.	An internal laundry will be provided adjacent to the kitchen and disabled toilet facility. A storage area has been provided within the laundry that will accommodate for the disposal of nappies and other waste	√
4.3 Toilet and hygiene facilities A service must ensure that adequate, developmentally and age-appropriate toilet, washing and drying facilities are provided for use by children being educated and cared for by the service; and the location and design of the toilet, washing and drying facilities enable safe use and convenient access by the children.	Toilet and hygiene facilities have been provided for the children (age-appropriate) as well as toilets and shower facilities for staff (disabled toilet).	√
4.4 Ventilation and natural light Services must be well ventilated, have adequate natural light, and be maintained at a temperature that ensures the safety and wellbeing of children.	The building has been designed to allow good solar access having and north/south orientation. The building has adequate cross through ventilation and will be able to carter for comfort and wellbeing of staff and children.	√
4.5 Administrative space A service must provide adequate area or areas for the purposes of	An administration area is provided. In addition, a staff room is also provided.	√

Matter for Consideration	Comments	
conducting the administrative functions of the service, consulting with parents of children and conducting private conversations.		
4.6 Nappy change facilities 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.	Nappy change facilities have been provided.	√
4.7 Premises designed to facilitate supervision 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	The facility caters for 31 children and the layout of the internal floor space will enable clear sight lines across the space to enable suitable supervision of children. Suitable conditions of consent could address this issue in terms of internal treatments if deemed necessary.	√
4.8 Emergency and evacuation procedures 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: • 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.	The operator of the facility will comply with these provisions and provide the necessary operational procedures in place for emergency situations. It is expected that this information will be required as a condition of consent and to be approved by Council prior to the issues of an Occupation Certificate.	√

Matter for Consideration	Comments	
4.9 Outdoor space requirements An education and care service premises must provide for every child being educated and cared for within the facility to have a minimum of 7.0m² of unencumbered outdoor space.	For a child care facility accommodating 31 children, 217m² of outdoor play area is required. The proposed outdoor play area provided is 225.37m².	√
4.10 Natural environment The approved provider of a centre-based service must ensure that the outdoor spaces allow children to explore and experience the natural environment.	A range of play equipment and features will be provided in the outdoor spaces to allow children to explore and experience the natural environment such as sandpits, softfall areas, shade area and synthetic grass. There is also a covered verandah area that is protected and open to the elements.	√
4.11 Shade The approved provider of a centre-based service must ensure that outdoor spaces include adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun.	The proposal includes shade devices and a verandah area.	√
4.12 Fencing 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.	All fencing will satisfy this requirement.	√
4.13 Soil assessment Subclause (d) of regulation 25 requires an assessment of soil at a proposed site, and in some cases, sites already in use for such purposes as part of an application for service approval. With every service application one of the following is required: • a soil assessment for the site of the proposed education and care service premises • if a soil assessment for the site of the proposed child care facility has previously been undertaken, a	For the reasons outlined in Section 6.1.2 the site is not considered to be contaminated.	√

Matter for Consideration	Comments
statement to that effect specifying when the soil assessment was undertaken • a statement made by the applicant that states, to the best of the applicant's knowledge, the site history does not indicate that the site is likely to be contaminated in a way that poses an unacceptable risk to the health of children.	

6.1.3 Local Environmental Plan

The site is zoned R2 – Low Density Residential in accordance with Land Zoning Map - Sheet LZN_0013 of Penrith Local Environmental Plan 2010 (PLEP). Centre-based child care facilities are permissible with consent in the zone.

A Centre-based child care facility is defined as;

(a) a building or place used for the education and care of children that provides any one or more of the following:
(i) long day care,
(ii) occasional child care,
(iii) out-of-school-hours care (including vacation care),
(iv) preschool care, or
(b) an approved family day care venue (within the meaning of the Children (Education and Care Services) National Law (NSW)),

The zoning objectives of the R2 zone are;

- *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 promote the desired future character by ensuring that development reflects features or qualities of traditional detached dwelling houses that are surrounded by private gardens.*
- *To enhance the essential character and identity of established residential areas.*
- *To ensure a high level of residential amenity is achieved and maintained*

The proposed development is consistent with the objectives in that it will achieve the following outcomes;

- A development that is consistent with the form, style and character of the immediate and future locality;
- A development that will support the local neighbourhood in the provision of services;
- A development that is suitably located with access to and from the site;
- A development that will complement the streetscape in terms of its siting and location.

Figure 13 - Penrith LEP 201 Zoning Map for the Site

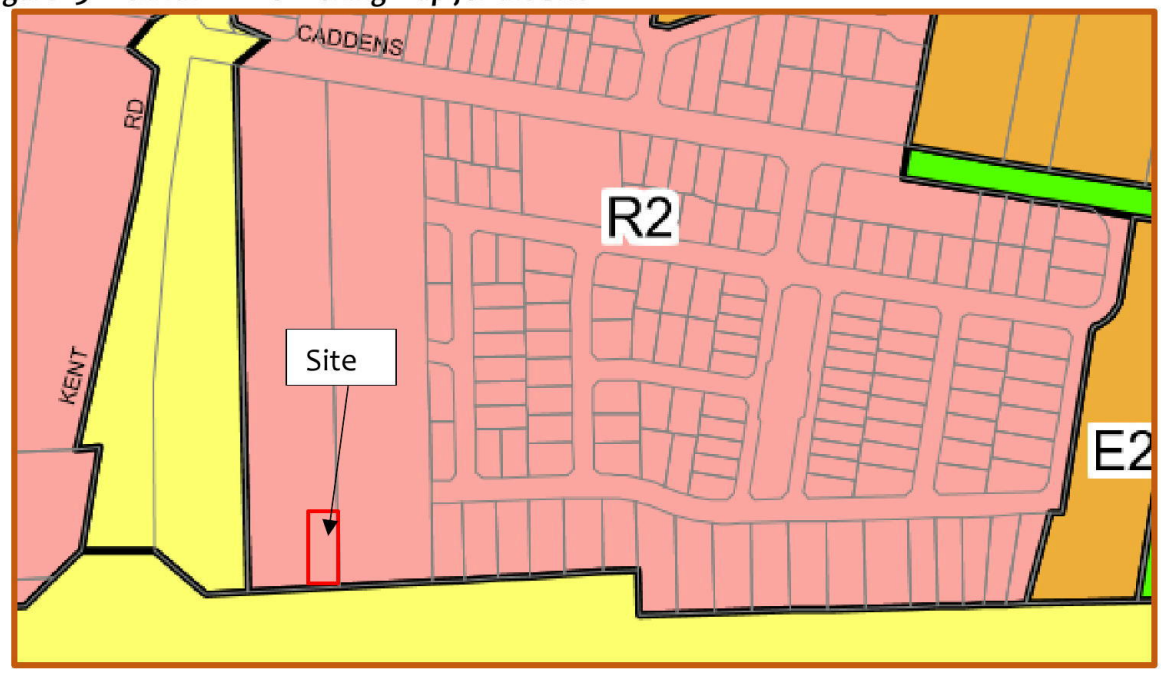


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Figure 14 - Building Height Map - 8.5m

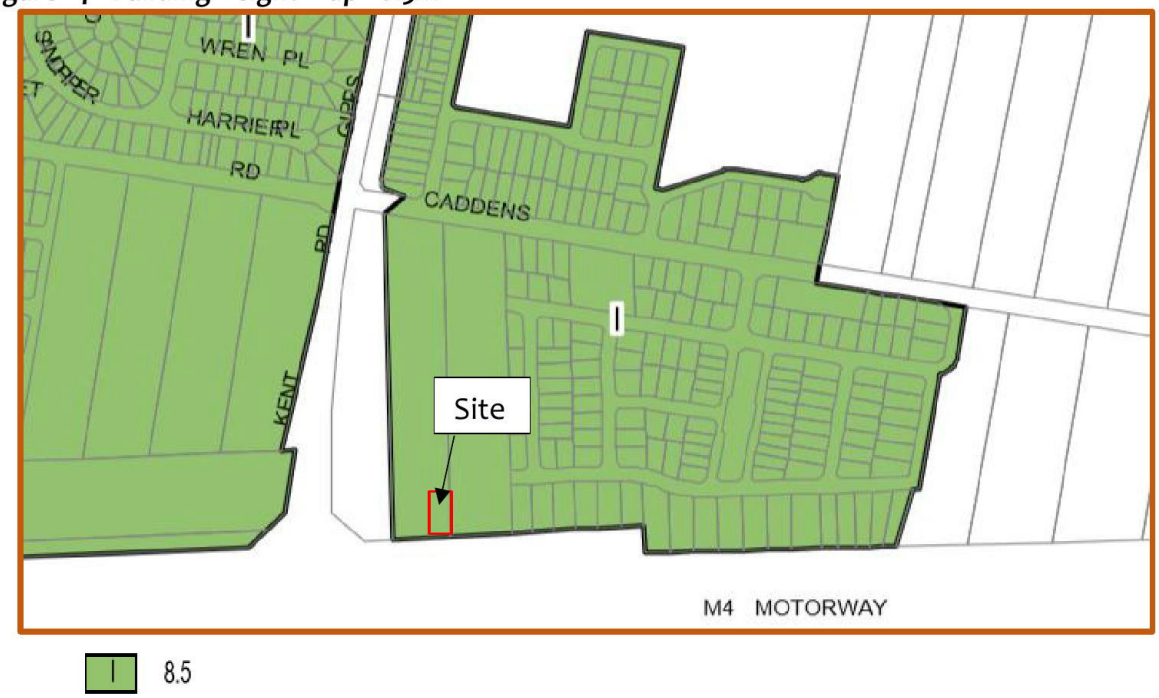


Table 4 - Penrith LEP Compliance

Penrith Local Environmental Plan 2010 – Compliance Table		
Clause and Control	**Comments**	**Compliance**
Zoning – R2 – Low Density Residential	Allows for Centre-based child care facilities.	Yes
Permitted Development		
2.3 Zone Objectives	The proposal is consistent with the objectives of the R2 zone.	Yes
2.6 Subdivision	No subdivision other than lot consolidation proposed.	N/A
2.7 Demolition	N/A	Yes
Development Standards		
4.1 – 4.2A Minimum Lot sizes	Does not apply	N/A
4.3 Height of Building	The proposal complies with the 8.5m height requirement	Yes
4.4 Floor Space Ratio	Does not apply	N/A

Penrith Local Environmental Plan 2010 – Compliance Table		
Clause and Control	**Comments**	**Compliance**
4.6 Exception to Development Standards	An exemption to development standard as outlined in Clause 7.15(3)(c)(iii)	No – See Clause 4.6 variation request.
Miscellaneous provisions		
5.10 Heritage conservation	There are no heritage restrictions on the site.	N/A
Additional Provisions		
7.1 Earthworks	Minor earthworks are proposed to facilitate the proposed development. These works will result in minimal impact to adjoining sites.	Yes
7.2 Flood planning	N/A.	Yes
7.4 Sustainable development	The proposal satisfies the LEP in that: *(a) conserving energy and reducing carbon dioxide emissions,* *(b) embodied energy in materials and building processes* The proposal will have sustainable solutions such as • ACC panels (Hebel Power Panels) for external walls which provides high quality thermal insulation, higher acoustic rating and also reduces time required during the construction phase. • Appropriate wall and roof insulation provided. • The smaller scale of the roof prevents entrapment of hot air into large spaces and thus provides good thermal insulation *(c) building design and orientation,* *(d) passive solar design and day lighting,* *(e) natural ventilation,*	Yes

Penrith Local Environmental Plan 2010 – Compliance Table		
Clause and Control	**Comments**	**Compliance**
	The design of the building will enable adequate solar access and cross ventilation through the building. *(f) energy efficiency and conservation,* *(g) water conservation and water reuse,* The development will incorporate Water Sensitive Urban Design principles and provide a rain garden to the rear of the site. *(h) waste minimisation and recycling,* Waste management and recycling can be addressed through waste management plan. *(i) reduction of vehicle dependence* The site is within 300m from a bus stop. *(j) potential for adaptive reuse.* Not Applicable for this proposal.	
7.5 Protection of Scenic Character and Landscape values	The site is not identified as having scenic of landscape values.	Yes
7.7 Servicing	The site is well serviced by water and sewer and other utility services. All the necessary certificates and approvals verifying this will be provided in accordance with suitable conditions of consent.	Yes
7.15 Claremont Meadows		
7.15 (2) Clause Objectives	(a) to ensure a high level of pedestrian amenity and good pedestrian linkages within the land and between the land and the existing land forming Claremont Meadows estate, surrounding development and natural areas, There is pedestrian access provided to the site as part of the subdivision and from the street to the entrance of the building.	Yes

Penrith Local Environmental Plan 2010 – Compliance Table		
Clause and Control	**Comments**	**Compliance**
	(b) to permit a diverse housing mix that provides a wide range of dwelling types and choice,	
	The area is has developed and this part of the area will develop into the future.	Yes
	(c) to allow for multiple lot sizes that promote higher density around open space,	
	Not applicable for this development.	Yes
	(d) to ensure that housing located in the vicinity of a major road takes account of the constraints imposed by noise and visual impact.	
	The proposal is accompanied by a noise assessment, BAL assessment and the most recent changes to the east access to the M4 from Kent Road have introduced significant changes that ameliorate the existing area from the M4 in terms of noise and provide a visual barrier from the M4 Motorway. These works significantly alter the existing environment from what existed when the area was first designed and planned for.	Yes
7.15(3)(c) Matters for Council to consider before granting development consent	(c) for development within 100 metres of the M4 Motorway road reserve, any measures that are proposed:	
	(i) to protect the viewscape into the subject land when viewed from the M4 Motorway from both the east and the west, so that residential development is not prominent, and	Yes
	(ii) to provide a vegetated corridor on those lots that adjoin the M4 Motorway reserve, linking Claremont	Yes

Penrith Local Environmental Plan 2010 – Compliance Table		
Clause and Control	**Comments**	**Compliance**
	Creek to the South Creek Corridor, and (iii) to provide a minimum setback of 20 metres from the M4 Motorway reserve to any dwelling or substantial structure. The immediate area has changed from the time that these provisions were considered necessary due to the upgrade of the M4 Motorway just recently. There is a large earth mound with landscaping positioned between these new road improvements and the rear of the properties backing onto the M4. These works have resulted in improved visual screening in both directions along the M4 and improved acoustic attenuation. This development standard will be the subject of a Clause 4.6 variation submission.	No – See Clause 4.6 variation to the Development Standard.

6.2 *Section 4.15(1)(a)(iii) – Any Development Control Plans*

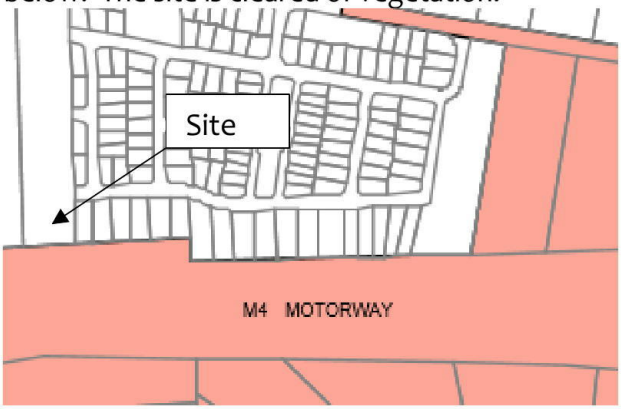
Further consideration needs to be given to relevant Development Control Plans (DCP) where matters not captured by a SEPP, need consideration. Development Control Plans support the environmental planning instruments and have a greater degree of flexibility and interpretation in their implementation.

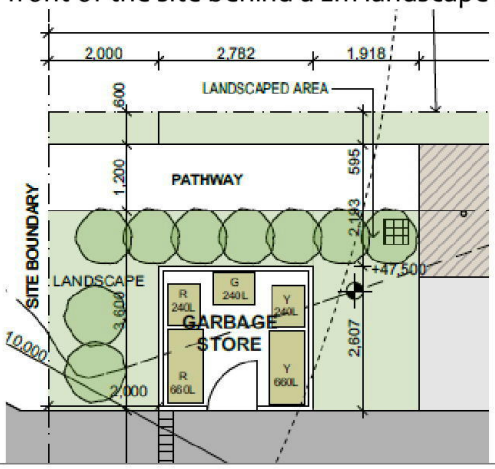
6.2.1 Penrith Development Control Plan 2014

Council's Development Control Plan 2014 (Penrith DCP 2014) provides more detailed guidelines that the proposal needs to consider, where the SEPP 65 Apartment Design Guidelines, have not already addressed these matters, in the design, layout and amenity outcomes for the site and its surrounds. These provisions are important for ensuring developments meet standards of qualitative and quantitative performance.

An overview of those provisions within Penrith DCP 2014 deemed applicable is detailed in Table 4 below.

Table 5 - Penrith DCP 2014 Compliance

Penrith Development Control Plan 2014 – Compliance Table	
C1 - Site Planning and Design Principles	
1.1 Site Planning	• *1.1.1 Site Analysis* A site plan has been provided and evaluates the site's context with the surrounding locality. The site plan identified a suitable location for the proposed dwelling while considering the character of the surrounding area. It identifies proximity to adjoining lands.
1.2 Design Principles	• *1.2.2 Energy Efficiency and Conservation* The proposal is orientated providing access to morning, midday and afternoon sunlight into the dwelling. A BASIX certificate is attached to the proposed development verifying its energy achievements. • *1.2.3 Height, Bulk and Scale* Complies with the SEPP (Educational Establishments and Child Care Facilities) 2017 and PLEP 2010. • *1.2.4 & 1.2.5 Responding to landform and Safety* The development does not require significant site disturbance and is appropriately accommodated on site.
Complies with C1 of DCP	***Yes***
C2 - Vegetation Management	
2.1 Preservation of Trees and Vegetation	The site is not with a Scenic or Landscape Values area as identified below. The site is cleared of vegetation. 
2.2 Biodiversity Corridors	N/A
2.3 Bushfire Management	The site's BAL is 12.5. A Bushfire Attack Level Assessment Report accompanies the development application.
Complies with C2 of DCP	***Yes***
C3 - Water Management	

Penrith Development Control Plan 2014 – Compliance Table	
3.1 The Water Cycle	A drainage and Water Sensitive Urban Design solution have been proposed.
3.2 Catchment Management	The proposal incorporates a series of responses to capture and reuse rainwater.
3.3 Watercourses	N/A
3.4 Groundwater	N/A
3.5 Flood Planning	N/A
3.6 Stormwater Management	NITMA Consulting Pty Ltd have provided a detailed stormwater plan for the site. The stormwater plan proposes to connect to existing infrastructure within the site and to capture runoff from roof water and direct it to a rainwater garden to treat the water before leaving the site.
3.7 Water Retention Basin	N/A
3.8 Rainwater tanks	No rainwater tanks are proposed
Complies with C3 of DCP	***Yes***
C4 - Land Management	
4.1 Site suitability and earthworks	The site works required to facilitate the development are minor and unlikely to cause any impact to adjoining properties.
4.3Erosion & Sedimentation	Suitable sedimentation and erosion controls will be in place, as detailed by NITMA Consulting Pty Ltd see plan Sheet 2 of 2 Project No. 3513H Issues A Dated 21/6/2018.
4.4 Contaminated Lands	Given the site's history the site is not considered to be contaminated.
4.5 Salinity	N/A
Complies with C4 of DCP	***Yes***
C5 - Waste Management	
5.1 Waste Management Plans	A Waste Management Plan accompanies the documentation to the application.
5.2.4 Non-Residential Development Controls	The proposed waste storage and collection area is position to the front of the site behind a 2m landscape area. 

Penrith Development Control Plan 2014 – Compliance Table	
	The storage area is covered and secure. A waste contractor will service the site on a weekly basis. The proposal provides both residual, recycled and green waste bins capable of accommodating 850L of waste each per week for the residual and recycled waste and 240L per week for green waste.
Complies with C5 of DCP	***Yes***
C6 - Landscape Design	
C6.1.1 – c6.1.5	A Landscape Plan has been submitted by EziGrow Landscape and Trees. The landscaping proposed for the site will; • Provide a green edge to the site; • Provide a suitable interface with the street; • Provide screening for the east/west movement along the M4 Motorway; • Provide pervious areas with the site for deep soil planting; • Contribute the overall streetscape character in the area,
Complies with C6 of DCP	**Yes**
C7 - Culture and Heritage	
7.1 European Heritage	N/A
7.2 Aboriginal Heritage	N/A
7.3 Significant Trees	The site does not contain any trees.
Complies with C7 of DCP	***Yes***
C10 - Transport Access and Parking	
10.2 Traffic management and Safety	A Traffic and Parking Assessment has been submitted by ML Traffic Engineers. This is supplemented by swept paths and driveway/parking certification.
10.5 Parking, Access and Driveways	Council DCP requires the following; *1 space per 10 children plus 1 per employee plus provision for any dwelling.* Staffing rates in accordance with Clause 123 Education and Care Services National Regulation; 4 children – 0 -2 years – requires 1 staff 5 children – 2 – 3 years – requires 1 staff 22 children – 3 – 5 years. – requires 2 staff 31 children/10 requires 3.1 spaces – 4 staff spaces or 8 spaces in total. 8 have been provided.
Complies with C10 of DCP	***Yes***
D5.2 Other Uses – Child care Centres	

Control	Comment	Complies
C2 Location		

Control	Comment	Complies
a) Any proposed centre which: i).. ii) Does not propose to cater for 0 – 2 year olds; must demonstrate that the service to be provided meets an unmet need in the community. Unmet demand in the community can be assessed through waiting lists of centres in surrounding areas, a comparison of the number of children aged 0-5 recorded in the census for the area and the number of child care places available.	4 children of 0-2 years are proposed.	√
b) Child care centres shall be located in close proximity to other community activities and facilities, such as schools, community facilities, places of public worship, parks that contains child play equipment, larger formal public reserves and local shopping centres.	Clause 25(2)(a) of the SEPP (Educational Establishments and Child Care Facilities) 2017 applies.	√
c) The site shall not rely on direct access from, nor be located on, a designated road, unless it can be demonstrated that the safe operation of the road and the amenity of the children attending the centre will not be affected. Penrith Development Control Plan 2014 D5 Other Land Uses D5-4	N/A	√
d) Access to the site shall not be located in a cul-de-sac, at an intersection, or on a minor residential road unless it can be demonstrated that additional vehicles associated with the child care centre will not create traffic conflict or have an adverse impact on the amenity of the locality.	A Traffic and Parking Assessment by ML Traffic Engineers supports the application. The site is close to the entry and exit of the residential area with good access to Caddens Road, Kent Road and the M4 Motorway.	√
e) A child care centre shall not be located on land within an 85m radius of an existing or approved service station, or on land in a specific radius of an existing/approved flammable storage area under State Environmental	N/A	√

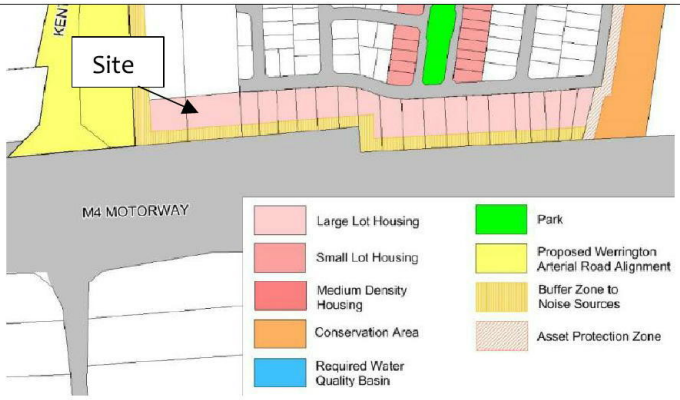
Control	Comment	Complies
Planning Policy No 33 Hazardous and Offensive Development.		
f) A child care centre shall not be located on land that is directly opposite to or adjacent to (including behind) an existing and lawful sex services premises and/or restricted premises	N/A	√
g) A child care centre shall not be permitted on land on which there is an electricity transmission easement, mobile phone tower or similar, or on land immediately adjacent to those structures. Centres should be located at least 500m from mobile phone towers or electricity transmission easements.	N/A	√
h) A child care centre should not be located on land below the flood planning level and on land that cannot be safely and effectively evacuated during a 1:100 ARI flood event. (See the Water Management section of this Plan for further details on the flood planning level and 1:100 ARI flood event).	N/A	√
C3 Scale and Design		
a) The scale and character of the development shall be compatible with surrounding development.	The proposed development is single storey, achieves 22% site coverage, is set 19m from the front boundary at its closest point, provides landscaping to the site and will be not in use on weekends and at night.	√
b) The design of the child care centre must take into account nearby traffic generators, street design and the existing environment for pedestrians and cyclists	A Traffic and Parking Assessment supports the proposed development.	√
c) Sites must be of sufficient area to accommodate the child care centre, all required associated parking and traffic manoeuvring areas.	The site is 952m^2 with suitable site dimensions to accommodate the proposal	√

Control	Comment	Complies
d) To ensure the safe operation of car parking areas and the amenity of neighbouring residents, sites shall have a minimum frontage of 22m.	Clause 25 of SEPP - (Educational Establishments and Child Care Facilities) 2017 applies.	√
e) Safe sight distances must be provided for all points of access to the site	The site is located on a bend in the road which provides excellent sight lines in both directions.	
C4 Built Form		
a) Child care centres catering for 15 or more children shall be purpose designed and built, to satisfy the requirements of this section and the requirements of the NSW Department of Community Services. Modifications to existing dwellings will not be supported.	See Section 6.1.2 of this SoEE for assessment of SEPP - (Educational Establishments and Child Care Facilities) 2017 and the Childcare Planning Guidelines.	√
b) In residential areas, the built form of the child care centre shall be sympathetic to adjoining development in terms of height, bulk and scale	See Section 6.1.2 of this SoEE for assessment of SEPP - (Educational Establishments and Child Care Facilities) 2017 and the Childcare Planning Guidelines.	√
c) The external façade of the centre shall incorporate building materials and colours that complement the surrounding development. Council discourages the use of bright or garish colours.	See Section 6.1.2 of this SoEE for assessment of SEPP - (Educational Establishments and Child Care Facilities) 2017 and the Childcare Planning Guidelines. Clause 25 of the SEPP prevails over the DCP.	√
d) Whilst it is preferable that child care centres are located at ground level, this may not be possible in commercial or industrial areas. Applications for centres above ground level will need to address the following: i) Access for parents and caregivers to drop off/pick up children; and ii) Availability of outdoor play space, or its equivalent.	N/A	√
C5 Vehicle Access, Circulation and Parking		
a) Vehicle circulation and car parking areas shall be designed to allow safe drop-off and collection of children as well as the safe movement and	*Drop off and pick up opportunities are available from the internal car park.*	√

Control	Comment	Complies
parking of staff, parents, visitor and service vehicles.		
b) Access driveways should not be located opposite, or in close proximity to, road intersections.	*There is no intersection close to the site. The site is on the bend of a road.*	√
c) Parking shall be provided in accordance with the standards in the Transport, Access and Parking section of this Plan.	A Traffic and Parking Assessment supports the proposed development.	√
d) The parking area is to be designed to ensure: i) The safe drop off and collection of children, including direct, safe pedestrian access between the parking area and the entrance to the centre; ii) Safe movement and parking of staff, parents, visitors and service vehicles; and iii) All vehicles can enter and exit the site in a forward direction	A Traffic and Parking Assessment supports the proposed development.	√
e) Layout of the parking area must allow for safe access for service and emergency vehicles, such as ambulances, delivery and maintenance vehicles.	A Traffic and Parking Assessment supports the proposed development.	√
f) Where the child care centre is located in the same building or development as other land uses, the parking and access arrangements for each separate use will need to be separately calculated and provided on site	N/A	√
g) A traffic impact assessment may be required for the development of a child care centre proposing to cater for 40 children or more.	A Traffic and Parking Assessment supports the proposed development.	√
C6 Noise		
a) Outside playing areas shall be designed and located to minimise noise impact on any noise sensitive adjacent properties. Separation between boundary fencing and areas occupied by the children may be required.	An Acoustic Assessment Report supports that application and addresses these issues.	√
b) Where there may be noise impact on adjacent properties, fencing shall be of a height, design and material (e.g. masonry) suitable to contain noise generated by the children's activities. This ensures the children may play outside without time limitations in accordance with licensing requirements.	An Acoustic Assessment Report supports that application and addresses these issues.	√

Control	Comment	Complies
c) Where a site may be affected by traffic, rail or aircraft noise, the child care centre shall be designed to minimise any impact on the children and staff. A report from an acoustic consultant may be required to support the proposal. (Design elements may include double glazing, insulated walls, locating sleeping rooms in protected areas and solid fencing).	An Acoustic Assessment Report supports that application and addresses these issues.	√
d) A noise impact assessment may be required for the development of a child care centre proposing to cater for 40 children or more, or where surrounding land uses may have an impact on the proposal.	An Acoustic Assessment Report supports that application.	√
e) A noise impact assessment report should address the relevant provisions of the Noise and Vibration section of this Plan.	An Acoustic Assessment Report supports that application and addresses these issues.	√
C7 Shade		
a) Outdoor play areas and transition areas (between indoor and outdoor areas) are to be provided with appropriate safe shade requirements. Safe shade may be created by vegetation or shade structures.	See Section 6.1.2 of this SoEE for assessment of SEPP - (Educational Establishments and Child Care Facilities) 2017 and the Childcare Planning Guidelines.	√
b) All active areas containing play equipment or areas where children play for extended periods of time (such as a sand pit) are to be shaded throughout the year.	The proposal indicates shade sails in the outdoor area. Should Council require more detail then this can be subject to suitable conditions of consent.	√
c) Movable play equipment used for active play should be placed in the shade. (This should be a combination of built and natural shade)	There is ample room available on the outdoor area where there will be shade. Can be subject to suitable conditions of consent	√
d) All shade structures in the play areas should be designed in accordance with AS/NZS 4486.1. If located over play equipment, the shade structure should not have footholds or grip surfaces that will allow for climbing.	Can be subject to suitable conditions of consent	√
e) Outdoor teaching areas are to be provided with year round protective shade.	Should Council require more detail then this can be subject	√

Control	Comment	Complies
	to suitable conditions of consent	
f) Outdoor eating areas are to be provided with year round protective shade.	Can be subject to suitable conditions of consent	√
g) Other open areas are to be partially shaded.	Can be subject to suitable conditions of consent	√
h) Any transition zone, between indoor and outdoor areas, such as a verandah, should be permanently shaded and protected in wet weather.	The proposal achieves this.	√
i) The minimum width of a verandah should be 4m to allow for shaded play space underneath.	The verandah varies in width and is slightly less than the 4m..	On merit
C8 Landscaping		
a) Landscape planting shall complement the building(s) and the streetscape and provide screening for car parking and outdoor playing areas.	A Landscape Plan supports the proposed development.	√
b) Landscaping shall be established prior to the use commencing.	To be conditioned and satisfied.	√
c) Childproof fencing and gates shall be provided around the outdoor play areas, and to the entrance of the child care centre. Details of all fencing shall be included on the landscape plan.	Will be satisfied.	√
d) Landscape planting (a minimum width of 2m) shall be provided along the front boundary of the site.	This is achieved.	√
e) Additional landscape planting may be required along the side boundaries to integrate the development with neighbouring buildings and the streetscape, and to reduce the impact of vehicle lights on adjoining properties.	This proposed as part of the Landscape Concept.	√
f) A landscape plan shall be prepared and submitted with the development application, in accordance with the Landscape and Design section of this Plan.	A Landscape Plan supports the proposed development.	√
Complies with D5.2 of DCP		***Yes***
E2 Claremont Meadows Stage 2		

Eastern Precinct	 The site is identified as a large housing lot with a buffer zone on it for noise from the Motorway.
Penrith Development Control Plan 2014 Compliance Table	
2.2.3 Large Lot Residential Adjacent to the M4 Motorway	The 20m buffer area was to be maintained and vegetated consistent with an asset protect zone. The Bushfire Assessment identifies this area as a low bushfire risk and as such the proposal is not inconsistent with this provision. The area has undergone change since this control was considered with the implementation of the new on ramp to the M4 Motorway and the large landscape vegetated mound. There are a number of existing structures built within the buffer area which contribute to the existing character and amenity of the area. Recently approval of a secondary dwelling was granted approval with an 8.9m setback from the rear boundary. .
2.5.1 Major Roads (Werrington Arterial, Great Western Highway and the M4 Motorway)	The key consideration for property that adjoins any of these roads is the implication of noise on the amenity of future residents. The current application is accompanied by an Acoustic Report by Envirotech Consultants which concludes that the proposed use will not be adversely affected by the proximity of the M4 Motorway. Significant improvements introduced by the most recent roadworks has provided a level of attenuation not previously in place.
Complies with E2	***Yes***

6.3 Section 4.15(1)(b) – The Likely Impacts of the Development

The following matters have been considered as part of the proposed assessment in relation to potential impacts of the development.

Acoustic Considerations

An Acoustic Report was undertaken by Envirotech Environmental and Engineering Consulting Services which indicated the following.

Based on existing ambient noise levels, site specific noise goals from this proposal should not exceed a LAeq level of 55 dBA at the nearest residential receptor. To achieve this the following noise attenuating features will be installed;

Potential Noise Source	Attenuation Methods
The Child Care Facility	**Walls** The proposal is to comprise of 75mm Hebel Power Panels, followed by with 20mm internal air-gap, minimum density insulation and 13mm plasterboard on inside wall. These building materials will achieve a weighted reduction value of 65 -70 dBA. This is well above the required attenuation of to achieve a 55dBA requirement. **Roof** It is proposed that the roof of the childcare centre be of colourbond or equivalent design. It is recommended the ceiling be covered in 13mm plasterboard with appropriate insulation. This roof design will be result in reduction in dBA below the required level. **Windows** Windows are to be of minimum double glazed 4mm/6.38mm windows. Further improvement on the window acoustic is achievable via the use of proprietary glazing techniques (laminations etc.) or improved opening mechanisms (i.e. awning windows). Windows sill windows are proposed in the play areas. This window design will be result in reduction value of 46 dBA. This is above the required attenuation to achieve the 55dBA requirement. **Doors** If sliding glass doors are used for the childcare building, a double-glazed wide gap configuration is required; 6mm glass within non-sealed frames will provide a 35 dbA

Potential Noise Source	Attenuation Methods
	reduction. A further attenuation in the rating of 55 dBA is achievable with 6 – 10 mm monolithic glazing within acoustic seals surrounding the door frames. Further increase to the attenuation properties may be achieve via use of laminate glazing, or application of acoustically design door seals/interfaces. If timber doors are to be used externally, a 55mm single leaf solid core fire rated door set within a sealed frame will prove sufficient. This door design will be result in reduction value of 47 dBA. This is above the required attenuation to achieve the 55dBA.
Outdoor Play Area	
• Maximum 2 hours in play area	The immediate area surrounding the external play area is to be fenced by a 1.8m high sound proofing fence. This sound proofing fence is to provide a dBA reduction of a minimum 13 decibels.
• Greater than 2 hours in play area	The immediate area surrounding the external play area is to be fenced by a 1.8m high sound proofing fence. This sound proofing fence is to provide a dBA reduction of a minimum 13 decibels.
On-Site Vehicle Noise – Carpark	This attenuation is proposed to be provided via a 1.8m high, imperforate sound proofing fence. Seal all gaps with 100% polyurethane flexible sealant. The barrier may be constructed using lapped and capped timbers, masonry, colourbond or equivalent
Road Traffic Noise	This development will not lead to an increase in existing noise levels of more than 2 dBA. This is consistent with the NSW Road Noise Policy 2011.
Existing Road Traffic Noise on Childcare	The internal noise within the learning areas of the childcare must not be above 40 dBA. The outside play areas must not exceed 55 dBA. The measured dBA from the road noise was measured as 58.10 dBA. Thus, a requirement of 18.1 dBA is required for the attenuation on the childcare centre. This is already proposed within the attenuation methods outlined above making the centre noise compliant from any traffic noise generated on the M4 Motorway.

The acoustic assessment determined that the noise generated will be negligible once attenuation recommendations are put into place to the closest residential receivers.

A sound reduction of 34.6 dBA is required for the childcare building 10 dBA for the outdoor area and 2 dBA required for the carpark to the closest residential receptor property boundaries after relevant calculations where finalised. These reductions will be achieved by construction materials for the childcare building and the proposed sound proof fencing around the site.
It assessment report concluded that the proposed development is predicted to comply with the relevant noise goals providing the recommendations provided in Section 6 and 7 of the report above are complied with.

Crime Prevention through Environmental Design

There are four principles that need to be used in the assessment of development applications to minimise the opportunity for crime:

(i) Surveillance

Crime can be reduced by providing opportunities for effective surveillance, both natural and technical. Good surveillance will enable people to be seen. According to the NSW Police, Offenders are often deterred from committing crime in areas with high levels of surveillance. From a design perspective, 'deterrence' can be achieved by:

- clear sightlines between public and private places
- effective lighting of public places
- landscaping that makes places attractive but does not provide offenders with a place to hide or entrap victims.

The proposed development is able to satisfy this requirement because of the following attributes;

- The open nature of the site and the entry points which will provide passive surveillance to the front of the site and from within;
- There are good passive surveillance opportunities available from widows to within the site and to the public domain;
- There are good pedestrian pathways surrounding the site;
- The access arrangements which facilitate movements throughout the entire site;
- There are a number of key meeting places within the site;
- The use of CCTV on the building.

(ii) Access control

Physical and symbolic barriers can be used to attract, channel or restrict the movement of people. They minimise opportunities for crime and increase the effort required to commit crime.

By making it clear where people are permitted to go or not to go, it becomes difficult for potential offenders to reach and victimise people and their property. Effective access control can be achieved by creating:

- landscapes and physical locations that channel and group pedestrians into target areas;
- public spaces which attract, rather than discourage people from gathering;
- restricted access to internal areas or high-risk areas (like carparks or other rarely visited areas). This is often achieved through the use of physical barriers.

In relation to the proposed development access control is achieved through;

- The delineation of accessway pathways and routes to various parts of the site and buildings;
- The site is managed by permanent staff;
- Restricting access to parts of the site by the use of signage or line marking;

(iii) Territorial reinforcement

People often feel comfortable in, and are more likely to visit, places which feel owned and cared for. Well used places also reduce opportunities for crime and increase risk to criminals.

If people feel that they have some ownership of public space, they are more likely to gather and to enjoy that space. Territorial reinforcement can be achieved through:

- Design that encourages people to gather in public space and to feel some responsibility for its use and condition
- Design with clear transitions and boundaries between public and private space
- Clear design cues on who is to use space and what it is to be used for.

In respect to the proposed development the following aspects are relevant to this issue;

- A purpose built and designed development with modern and contemporary design solutions;
- A managed site by the operators of the facility;

- Delineation of areas by way of landscaping

(iv) Space management.

Popular public space is often attractive, well maintained and well used space. Linked to the principle of territorial reinforcement and space management ensures that space is appropriately utilised and well cared for.

Space management strategies include activity coordination, site cleanliness, rapid repair of vandalism and graffiti, the replacement of burned out pedestrian and car park lighting and the removal or refurbishment of decayed physical elements.

In terms of this development, the ongoing management of the site will be the responsibility of the facility operator. Many of the ongoing site management issues in terms landscaping and graffiti will be an outcome of any development consent for compliance.

Traffic and Parking

A Traffic and Parking assessment was undertaken by ML Traffic Engineers. This assessment concluded the following in relation to the proposed development.

Doncaster Avenue is a local road with one lane each way with a default speed limit of 50km/hr. Unrestricted on-street parking is permitted on both sides of the road. Caddens Road is a local road with one lane each way with a sign posted speed limit of 60km/hr. Unrestricted on-street parking is permitted on both sides of the road. Kent Road is an arterial road on a divided carriageway near Caddens Road with two lanes each way with a sign posted speed limit of 70km/hr. Gipps Street is an arterial road with two lanes each way on a divided carriageway near Caddens Road with a sign posted speed limit of 80 km/hr.

As part of the traffic assessment, two intersections are assessed:

- The signalised intersection of Gipps Street and Kent Road with Caddens Road
- The priority-controlled intersection of Caddens Road with Doncaster Avenue and Blackwood Street

External traffic travelling to and from the development site will most likely need to travel through the above intersections. The findings of this assessment were;

- The proposed development is located in a residential area with unrestricted on-street parking along Caddens Road and Doncaster Avenue.
- The nearby intersections have spare capacity to accommodate additional traffic generated from the proposed development.
- The site has good access to public transport.

Based on the Traffic Assessment undertaken by ML Traffic Engineers, the following conclusions were made;

> *Based on the considerations presented in this report, it is considered that:*
>
> ***Parking***
> - *The proposed development complies with the council's car parking requirements*
>
> ***Traffic***
> - *The proposed development is a modest trip generator for the weekday AM and PM peak hours.*
> - *The additional trips from the proposed development can be accommodated at the nearby intersections and road network without noticeably affecting intersection performance, delays or queues.*
> - *There are no traffic engineering reasons why a planning consent for the proposed childcare at 64 Doncaster Avenue in Claremont Meadows, should be refused.*

BCA Assessment

A Building Code of Australia assessment was undertaken by National BCA and it concluded the following;

> *'The building (when complete) will comply with the relevant provisions of the Building Code of Australia, Volume 1, Amend. 1, 2016 Edition (BCA) other than those provisions listed under "Limitations" of this report provided the matters raised in this report and its annexures are satisfactorily addressed prior to the issue of a construction certificate and the appointed Principal Certifying Authority (PCA) is similarly satisfied as to the buildings compliance with the BCA in force at the specified time and any conditions of Development Consent that are applicable to the Construction Certificate.'*

6.4 Section 4.15(1)(c) – The Suitability of the Site

The following comments are made in relation to the key issues that relate to site suitability;

Bushfire Assessment

A Bushfire Assessment was undertaken by Fire Investigation & Safety Compliance Australia P/L. The property has been identified by the Penrith City Council as being in a Bushfire Prone area containing Category 2 vegetation. The vegetation was assessed to a distance of 140m in all directions. There was very little vegetation in any direction with the majority of vegetation appearing towards the East at a distance of approximately 70 m and was upslope from the proposed construction site. The highest BAL rating for this property is BAL **12.5.**

It was Fire Investigation & Safety Compliance Australia's view that, in accordance with the bushfire safety measures contained in their report and consideration of the site specific bushfire risk assessment, that when combined, these will provide a reasonable and satisfactory level of bushfire protection to the subject development and also satisfy both the Rural Fire Service's concerns and those of Council in this area.

6.5 Section 4.15(1)(d) - Any submissions made in accordance with this Act or the regulations

Council will undergo its own process of seeking feedback and submissions through its formal assessment process. Should issues arise following this process then further information can be provided on request.

6.6 Section 4.15(1)(e) – The Public Interest

The assessment of the proposal against the planning controls that need to be considered has indicated that the development is consistent with the objectives that form the basis of these controls. The SoEE has demonstrated that the proposed development is capable of satisfying not only the planning objectives of the environmental planning instruments but the objects of the Environmental Planning and Assessment Act 1979, in particular 5(a)(i) and (ii).

The proposal will as a consequence of these key factors of planning compliance;

i. be in the public interest as the resultant development accords with contemporary urban planning concepts;
ii. result in a land use that adds value to its surrounds;
iii. provide a complementary land use to the area the will provide a service;

The development is considered to be in the public interest for all the reasons outlined in this SoEE.

6.7 Section 4.15(3A) – Development Control Plans

Section 4.15(3A) has been considered in respect of this development application. The proposal is satisfactory when considered against the provisions of the DCP and not more onerous than the LEP. The DCP assessment indicated that the proposed development is consistent with the intent and objectives of these controls with the only area of possible variation being the width of the veranadah. The verandah still functions as a covered space and it provides a suitable alternative space for use besides providing an appropriate transition between inside and outside. In accordance with this provision it is requested that Council apply those controls flexibly

7.0 CONCLUSION

The proposed development has been assessed against the requirements the State Environmental Planning Policies, Penrith Council's Local Environmental Plan 2010 and provided an assessment of Penrith Council's Development Control Plan 2014. The outcome of these assessments is that the proposed development is considered to represent a type of development that is acceptable for the site and the area generally. The proposed development is consistent with the zoning objectives for the site and represents orderly development in terms of the objectives of the Environmental Planning and Assessment Act, 1979.

The proposal does require the acceptance of a Clause 4.6 variation to Clause 7.15(3)(c)(iii) of the Penrith Local Environmental Plan 2010 for the 20m setback from the rear boundary to the M4 Motorway. The proposal seeks a modification to Section 88B Restriction on Use of this property in accordance with the Conveyancing Act 1919 for use of the 20m distance from the rear boundary. Both these requests are considered reasonable and justified by the suite of supporting information provided and fact that the area has changed markedly since these restrictions were imposed.

The proposal would not result in any unacceptable impact on the locality. The amenity and privacy of future adjoining residents will not be adversely impacted by the development and the proposal is considered to be compatible with the emerging area. The development is ideally located for this style of infill development being close to public transport and with good access. The development would result in a land use that:

- Is compliant with planning controls and objectives for the site;
- Is of a modest scale;
- Will service the immediate area;

- Is modern and contemporary but suited to its setting;
- Is suitably located on the property and provides good private open space;
- Is located in an area with good public transport facilities;
- Is not inconsistent in terms of rear setback form adjoining properties;
- Provides suitable vehicular access; and
- In is the public interest.

Accordingly, it is respectfully recommended that the proposed development be approved.

Paul Lemm Planning
Consultant

APPENDIX 1 – Clause 4.6 Variation Request for Clause 7.15(3)(c)(iii)

Paul Lemm Planning
Consultant

1.0 Introduction

This clause 4.6 variation request to a development standard has been prepared by Paul Lemm Planning on behalf of the Mr. and Mrs. S Bains. It is submitted to Penrith City Council (the Council) in support of a development application (DA) to Council for a proposed Centre-based Child care Facility at 64 Doncaster Avenue, Claremont Meadows or Lot 34 DP 1224294. (the Site).

Clause 4.6 of the Penrith Local Environmental Plan 2010 (PLEP) enables the Council to grant consent for development, even though the development contravenes a development standard. The clause aims to provide an appropriate degree of flexibility in applying certain development standards to achieve better outcomes for and from development.

This clause 4.6 variation request:

- Relates to the development standard for rear setback to any dwellings or substantial structure as outlined in Clause 7.15(c)(iii) of the Penrith Local Environmental Plan 2010
- Should be read in conjunction with the Statement of Environmental Effects (SEE) prepared by Paul Lemm Planning Consultant dated June 2017, in relation to a proposed secondary dwelling located on the Site.

Both these requests demonstrate that compliance with the rear setback development standard, is unreasonable and unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravention of the standard.

This development standard variation request demonstrates that, notwithstanding the non-compliance with the development standard, the proposed development:

- achieves each of the applicable objectives of Clause 7.15 'Claremont Meadows' additional local provisions of the PLEP;
- does not give rise to any adverse environmental impacts;
- is in the public interest.

Therefore, the DA may be approved with the variation as proposed in accordance with the flexibility allowed under clause 4.6 of the PLEP.

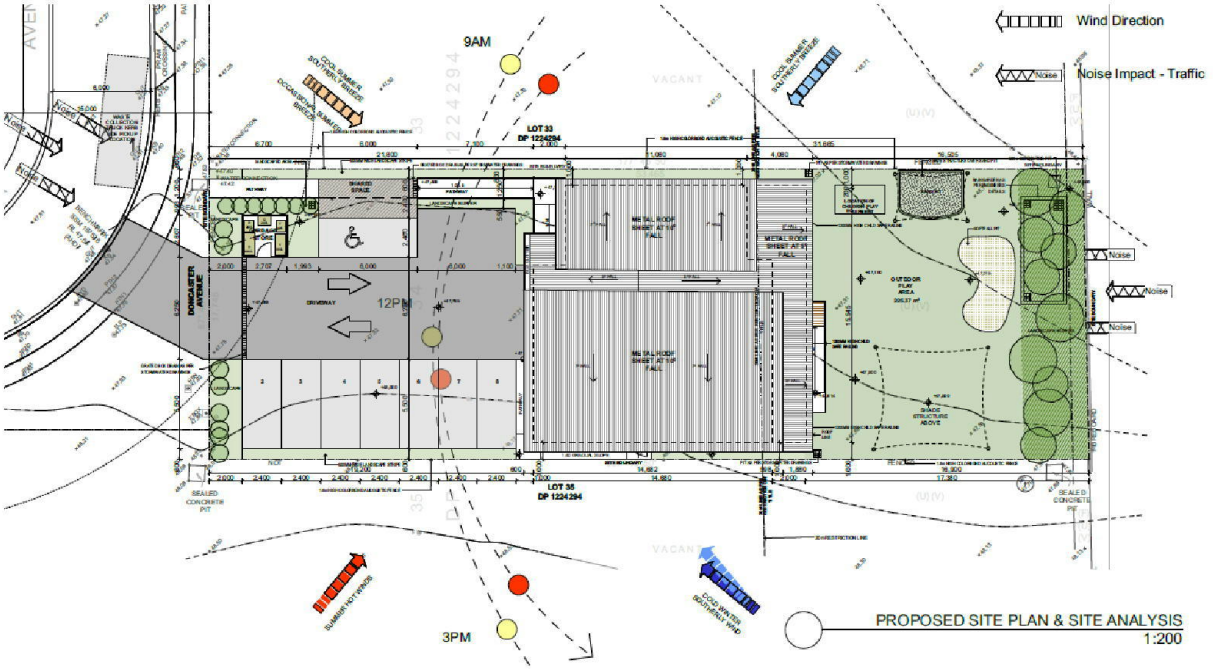
Paul Lemm Planning
Consultant

2.0 Development Standard to be Varied

PLEP 2010

This clause 4.6 variation request seeks to justify contravention of the development standard set out in clause 7.15 (3)(c)(iii) of the Penrith LEP. Clause 7.15(3)(c)(iii) provides that the minimum rear setback to any dwelling or substantial structure is 20m.

The proposed development encroaches into the 20m setback by 3.495m. This represents a variation of 17.4%.



3.0 Justification for Contravention of the Development Standard

Clause 4.6(3) of the Penrith LEP provides that:

> ***4.6 Exceptions to development standards***
> ...
> *(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*

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

Further, clause 4.6(4)(a) of the PLEP provides that:

> *(4) Development consent must not be granted for development that contravenes a development standard unless:*
>
> *(a) the consent authority is satisfied that:*
> *(i) the applicant's written request has adequately addressed the matter required to be demonstrated by subclause (3), and*
> *(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
> *(b) the concurrence of the Director General has been obtained.*

Assistance on the approach to justifying a contravention to a development standard is also to be taken from the applicable decisions of the NSW Land and Environment Court and the NSW Court of Appeal in:

1. *Wehbe v Pittwater Council* [2007] NSW LEC 827; and
2. *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 1009.

The relevant matters contained in clause 4.6 of the PLEP with respect to minimum rear setback development standard, are each addressed below, including with regard to these decisions.

3.1 Clause 4.6(3)(a) Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case

In *Wehbe*, Preston CJ of the Land and Environment Court provided relevant assistance by identifying five traditional ways in which a variation to a development standard had been shown as unreasonable or unnecessary.

The analysis in the *Wehbe* can be of assistance to variations made under clause 4.6 where subclause 4.6(3)(a) uses the same language as clause 6 of SEPP 1. The *Four2Five Pty v*

Ashfield Council case, established that a written submission in relation to subclause 4.6(3)(a), must demonstrate that not just that objectives of the development standard are satisfied but demonstrate matters particular to the circumstances of the proposed development, that warrant the compliance with the development standard unreasonable.

As described above, there are two key elements which must be demonstrated to justify contravening a development standard. The first element as set out in Clause 4.6(3)(a) states:

> *(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case*

The planning principle set out in Wehbe v Pittwater Council (2007) provides an accepted method for justifying that compliance with the development standard is unreasonable or unnecessary. This method is to demonstrate that the objectives of the development standard are achieved notwithstanding non-compliance with the numerical standard is undertaken. To this end, an objective by objective justification of both the objectives of the 'Additional Local Provisions' clause for Claremont Meadows as well as the objectives of the zone is provided below.

The second element to be satisfied which is set out in Clause 4.6(3)(b) states:

> *(b) that there are sufficient environmental planning grounds to justify contravening the development standard.*

After demonstrating that the proposed development meets the relevant objectives of the PLEP, environmental planning grounds are set out to justify contravening the development standards.

3.1.1 The underlying objectives or purposes of the development standard

The objectives of clause 7.15 of the PLEP are:

> *(a) to ensure a high level of pedestrian amenity and good pedestrian linkages within the land and between the land and the existing land forming Claremont Meadows estate, surrounding development and natural areas,*
> *(b) to permit a diverse housing mix that provides a wide range of dwelling types and choice,*
> *(c) to allow for multiple lot sizes that promote higher density around open space,*
> *(d) to ensure that housing located in the vicinity of a major road takes account of the constraints imposed by noise and visual impact*

3.1.2 The objectives of the standard are achieved notwithstanding non-compliance with the standard

PLEP 2010

Objective (a): ***to ensure a high level of pedestrian amenity and good pedestrian linkages within the land and between the land and the existing land forming Claremont Meadows estate, surrounding development and natural areas,***

Comment

The site has no pedestrian accessibility to the M4 Motorway and the most recent roadworks would make this a permanent attribute of this section of the estate. The proposal does not change the accessibility from the internal streets as previously approved and constructed. The development does not change the existing street design and layout.

Objective (b) ***to permit a diverse housing mix that provides a wide range of dwelling types and choice,***

Comment

The proposed development would provide a building that is residential in scale and would provide services to the immediate community. The proposal is complimentary to the broader residential area.

Objective (c) ***to allow for multiple lot sizes that promote higher density around open space,***

Comment

The size of the lot resulted from the earlier subdivision process. The lot sizes were influence by the proximity of the M4 Motorway. Key considerations for the size of the lots that backed onto the M4 were visual impacts from both directions as seen from the M4, noise impacts from the M4 and a vegetation buffer. The size of the lot does not change. The location of buildings on the lot and the use of the site however does. The key considerations that influenced the shaping of existing planning policy when Claremont Meadows was created have changed. The surrounding environment has changed. It is arguable that the previous safeguards which were incorporated into the planning policies are now less potent in a planning sense.

Objective (d) ***to ensure that housing located in the vicinity of a major road takes account of the constraints imposed by noise and visual impact***

Paul Lemm Planning
Consultant

Figure 15 - Pre and Post Recent Developments

Site before the new eastbound enrty to the M4 in 2010

Site after to the road works and recent subdivision in January 2018

Comment

Figure 15 below indicates the change to the site since 2010 when the PLEP was gazetted. This part of Claremont Meadows has changed significantly. The most recent works on the off ramp to Kent Road and introduced changes and the noise barriers on the site as an outcome of the most recent subdivision provide noise attenuation and visual improvements.

The proposal is accompanied by an acoustic report which indicates that the proposed dwelling benefits from the most recent attenuation measure built by the Roads and Maritime Services. The large earth mound now obscures the properties and their dwellings from being seen from either direction on the M4. The earth mound is landscaped and forms a new man-made natural barrier to properties backing onto it.

3.1.3 Conclusion on clause 4.6(3)(a)

In light of the above, compliance with the development standard is unreasonable or unnecessary in the circumstances of this case because:

- Notwithstanding the non-compliance with the development standard in the PLEP, the proposal achieves each of the applicable objectives of the development standard.
- The 20-metre setback development standard, has been specifically implemented for this site in order to ensure that future development presents an appropriate visual relationship to the M4 motorway and the public domain. The development standard also seeks to ensure noise impacts from the M4 Motorway are consistent with acoustic standards. The current development proposal with the non-compliances has provided an acoustic assessment that demonstrates acceptable noise attention methods are to be implemented and a landscape response for the site.
- Insistence on compliance with the development standard is contrary to the approach that was taken at 54 Doncaster Avenue a few properties to the east. In this instance a setback of 8.9m was allowed. It will also not achieve the key outcomes that the development standard is seek to influence such as improved visual impact for the M4 Motorway, improved noise attenuation and a vegetation buffer because of the changes in the area since 2010.

3.2 Clause 4.6(3)(b) Environmental planning grounds to justify contravening the development standard

3.2.1 The strategic objectives, the site and surrounds

- The strategic objectives that underpinned the need for the rear setback have changed over time, as the area has implemented improvements in infrastructure to cope with the demands of a growing region. These improvements have benefited the site by improving the visual impact of buildings as seen from the M4 Motorway and the noise attributed to the traffic volumes.
- The site is no longer highly visible from the M4 Motorway and it is given added protection from the recently constructed noise mound and off ramp from Kent Road. The inclusion of a landscaping along the face of the new earth mound will provide added screening along with the solid fencing erected as an outcome of the subdivision of the land.
- The setback variation in itself, will not result in an added impact to the area in terms of visual impact as it will be screened by additional plantings.
- Full compliance with the development standard would sterilise the site for this type of land use which is modest yet can serve the needs to the immediate area.

3.2.2 Public Interest

- The development is considered to be in the public interest for the following reasons;
    - It will result in a low impactive purpose designed building;
    - It will provide a land use that will serve the immediate residential area;
    - The setback variations will not create any adverse amenity impacts to adjoining sites;
    - The proposal will not create any significant visual impacts to the area;
    - The planning landscape has changed since the inclusion of the setback standards within the environment planning instrument by virtue of changes in the site's most recent improvements.

3.2.3 Conclusion on clause 4.6(3)(b)

Having regard to the above, there are environmental planning grounds to justify the development standard variation these being:

- The area has changed over time and the planning provisions that sought to protect the amenity of residents are now not as potent due to the new roadworks, landscaping and noise attention. The basis around which they were written and the reason why they were there to safeguard future development against are not present. The shift in the areas makeup has made the basis for these controls arguable if the merit of a proposal on environmental grounds is satisfactory.

3.3 Clause 4.6(4)(a)(ii) In the public interest because it is consistent with the objectives of the zone and development standard

3.3.1 Consistency with objectives of the development standard

The proposed development is consistent with the objectives of the rear setback development standard, for the reasons discussed in section 3.1.2 of this report.

3.3.2 Consistency with objectives of the zone

The proposed development is consistent with the objectives of the R2 'Low Density Residential' Zone, as demonstrated below.

Table 6 - Zone Objectives and comments

To provide for the housing needs of the community within a low density residential environment.	
The proposed development will supplement and serve the existing residential area.	
To enable other land uses that provide facilities or services to meet the day to day needs of residents.	
The proposal seeks approval for a land use that is residential in character and will serve the needs of the immediate area.	
To promote the desired future character by ensuring that development reflects features or qualities of traditional detached dwelling houses that are surrounded by private gardens.	
The development will in a purpose-built facility that has a single storey appearance and design articulation. The siting and location of the building will complement the streetscape. The development will have landscaping that adds to the appearance of the	

site and provides the green edging to enable a compatible land use amongst an evolving residential area.

To enhance the essential character and identity of established residential areas.

The proposed facility is located a large distance for the street frontage. The architectural style of the building is suitable for the setting being modern and single storey. The site coverage of the development is 22.5% which enable a large portion of the site to be open in character. The facility will not have any significant impacts on adjoining properties and will not be highly visible from the M4 Motorway.

To ensure a high level of residential amenity is achieved and maintained.

The proposal is purpose built and the level of amenity for the occupier will not be adversely affected. The suite of supporting information that accompanies the development demonstrate that the site is both suited to this type of land use and the area is capable of accommodating the development without any unreasonable impacts.

3.3.3 Overall public interest

As described in Section 3.2.2 above, the proposed development is considered to be in the public interest notwithstanding the non-compliance with the height of buildings development standard.

3.3.4 Conclusion on clause 4.6(4)(a)(ii)

In light of the above, the proposal is considered to be in the public interest because:

- It is consistent with the objectives of the Clause 7.15 of the PLEP for the reasons outlined in Section 3.1.2.
- It is consistent with the objectives of the R2 Low Density Residential Zone as outlined above in Section 3.3.2

Other Matters for Consideration

As the extent of variation exceeds 10% then the Clause 4.6 variation request will require the concurrence of the Secretary. Under clause 4.6(5), in deciding whether to grant concurrence, the Director-General must consider the following matters:

(5) In deciding whether to grant concurrence, the Secretary must consider:

(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
(b) the public benefit of maintaining the development standard, and
(c) any other matters required to be taken into consideration by the Secretary before granting concurrence.

These matters are addressed in detail below

3.4 Clause 4.6(5)(a) Whether contravention of the development standard raises any matter of significance for State or regional environmental planning

The variation of the rear setback development standard in the PLEP 2015 does not raise any matter of significance for State or regional planning.

3.5 Clause 4.6(5)(b) The public benefit of maintaining the development standard

As demonstrated above, there is no public benefit in maintaining the development standard in terms of State and Regional planning objectives. As noted in the preceding sections, the reduced rear setback proposed would not give rise to any adverse environmental impacts.

Given that the objectives of the development standard are achieved notwithstanding the variation, there is no public benefit in maintaining the standard on a site where previous environmental matters particular to it, have now changed and no longer have the same influence or affectation than when previously applied.

3.6 Clause 5.6(5)(c) Any other matters required to be taken into consideration by the Director-General before granting concurrence.

There are no other matters relevant to the proposed variation that are required to be taken into consideration by the Director-General before granting concurrence.

Conclusion

The assessment above demonstrates that compliance with the rear setback development standard contained in clause 7.15 (3)(c)(iii) of the Penrith LEP is unreasonable and unnecessary in the circumstances of the case and that the justification is well founded. It is considered that the variation allows for the orderly and economic use of the land in an appropriate manner, whilst also allows for an appropriate outcome in planning terms.

This clause 4.6 variation demonstrates that, notwithstanding the non-compliance with the rear setback development standard, the proposed development:

- Achieves each of the applicable intensions of the rear setback development standard and Claremont Meadows;
- Does not give rise to any adverse environmental impacts, particularly with regard to the built form, visual impacts and noise intrusion from the M4 Motorway;
- Provides a number of compelling benefits that justify the non-compliance with the development standard on the basis of the changes to the immediate area in recent times;
- Is in the public interest.

Based on the information above and the assessment given of the key considerations of clause 4.6 Council can be assured that development consent can be granted, for the development application because clauses 4.6 (4)(i) and (ii) have been meet. Therefore, the DA may be approved with the variation as proposed in accordance with the flexibility allowed under clause 4.6 of the Penrith LEP.

TRAFFIC AND PARKING IMPACT ASSESSMENT OF A PROPOSED CHILDCARE CENTRE

64 Doncaster Avenue in Claremont Meadows

Traffic and Parking Impact Report

Prepared for: Shobha Designs Architects & Urban Designers Pty. Ltd.

A1815935A (Version 1a)

June 2018

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1. INTRODUCTION

Motion Traffic Engineers was commissioned by Shobha Designs Architects & Urban Designers Pty. Ltd. to undertake a traffic and parking impact assessment of a proposed childcare centre at 64 Doncaster Avenue in Claremont Meadows. The site is currently a vacant lot.

This report focuses on the proposed development and changes in car usage and car park utilisation and additional trips generated from the proposed development.

In the course of preparing this assessment, the subject site and its environs have been inspected, plans of the development examined, and all relevant traffic and parking data collected and analysed.

2. BACKGROUND AND EXISTING CONDITIONS OF THE PROPOSED LOCATION

2.1 Location and Land Use

The proposed Childcare Centre is located in a residential area with Western Sydney University, Kingswood Campus located on the north west of it. Currently the site is a vacant lot.

Figures 1 and 2 show the location of the development site from the aerial and street map perspective respectively.

Figure 3 shows a photograph of the site.

Figure 1: Location of the Subject Site on Aerial

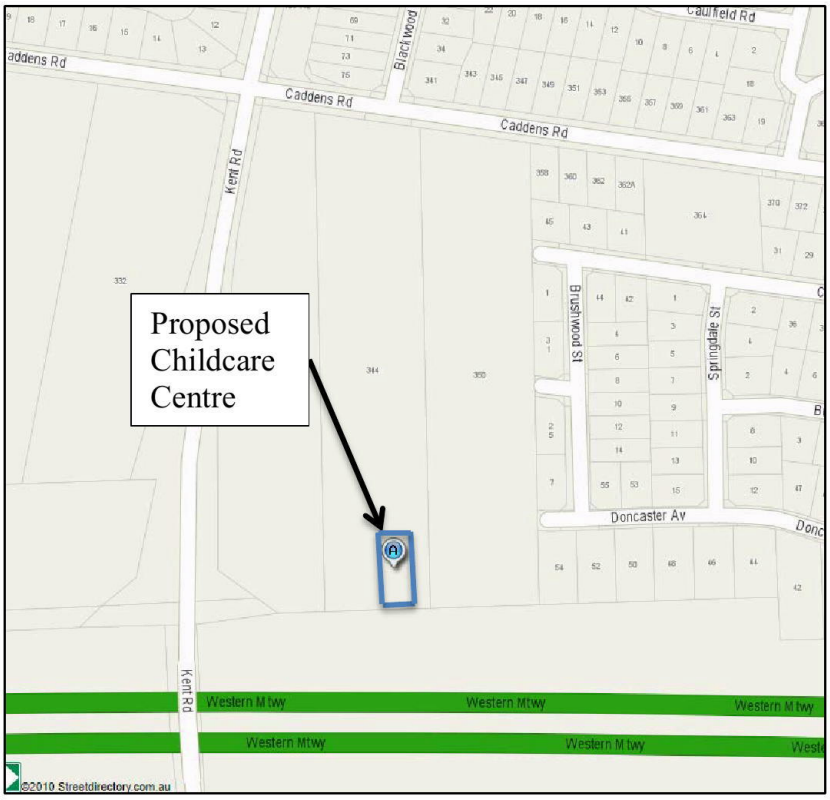

Figure 2: Street Map of the Location of the Development Site

Figure 3: Photo of site from Doncaster Avenue

2.2 Road Network

This section describes the roads near the proposed development.

Doncaster Avenue is a local road with one lane each way with a default speed limit of 50km/hr. Unrestricted on-street parking is permitted on both sides of the road. Figure 4a shows a photograph of Doncaster Avenue.

Caddens Road is a local road with one lane each way with a sign posted speed limit of 60km/hr. Unrestricted on-street parking is permitted on both sides of the road. Figure 4b shows a photograph of Caddens Road.

Kent Road is an arterial road on a divided carriageway near Caddens Road with two lanes each way with a sign posted speed limit of 70km/hr. Parking is not permitted on the road at any time. Figure 4c shows a photograph of Kent Road.

Gipps Street is an arterial road with two lanes each way on a divided carriageway near Caddens Road with a sign posted speed limit of 80 km/hr. Parking is not permitted on the road at any time. Figure 4d shows a photograph of Gipps Street.

Figure 4a: Doncaster Avenue looking West near looking towards childcare site

Figure 4b: Caddens Road looking West from adjacent to Doncaster Avenue

Figure 4c: Kent Road looking North from Caddens Road

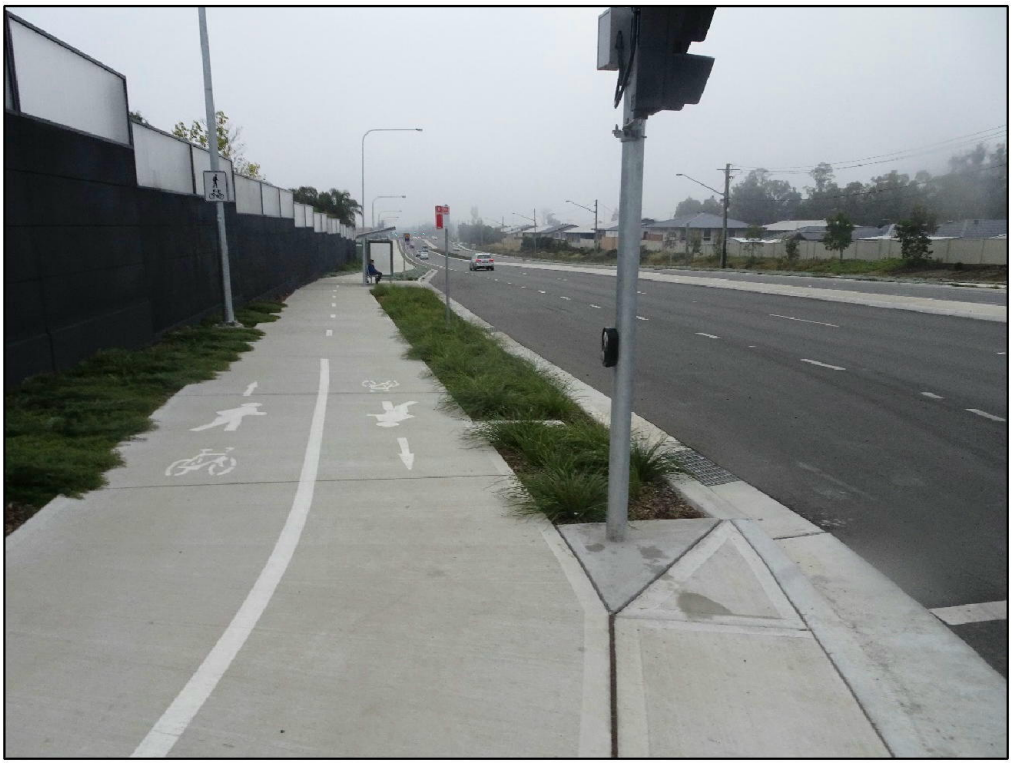

Figure 4d: Gipps Street looking North

2.3 Public Parking Opportunities

The development site is located in a residential area. Site investigations show that Doncaster Avenue have un-restricted on-street parking on both sides of the roads. The local area is residential with all dwellings having on site parking. Currently there is a large number of vacant car spaces

2.4 Intersection Description

As part of the traffic assessment, two intersections are assessed:

- The signalised intersection of Gipps Street and Kent Road with Caddens Road
- The priority-controlled intersection of Caddens Road with Doncaster Avenue and Blackwood Street

External traffic travelling to and from the development site will most likely need to travel through the above intersections.

The signalised intersection of Gipps Street and Kent Road with Caddens Road is a four-leg intersection with all turn movements permitted. Pedestrian crossings are provided on all four approaches. Figure 5 presents the layout of this intersection using SIDRA 8 – an industry standard intersection software. The numbers on the lane represent the length of a short lane in metres.

The priority intersection of Caddens Road with Doncaster Avenue and Blackwood Street is a four-leg intersection with all turn movements permitted. Drivers on Doncaster Avenue need to give way to traffic on Caddens Road. Figure 6 presents the layout of this intersection using SIDRA 8.

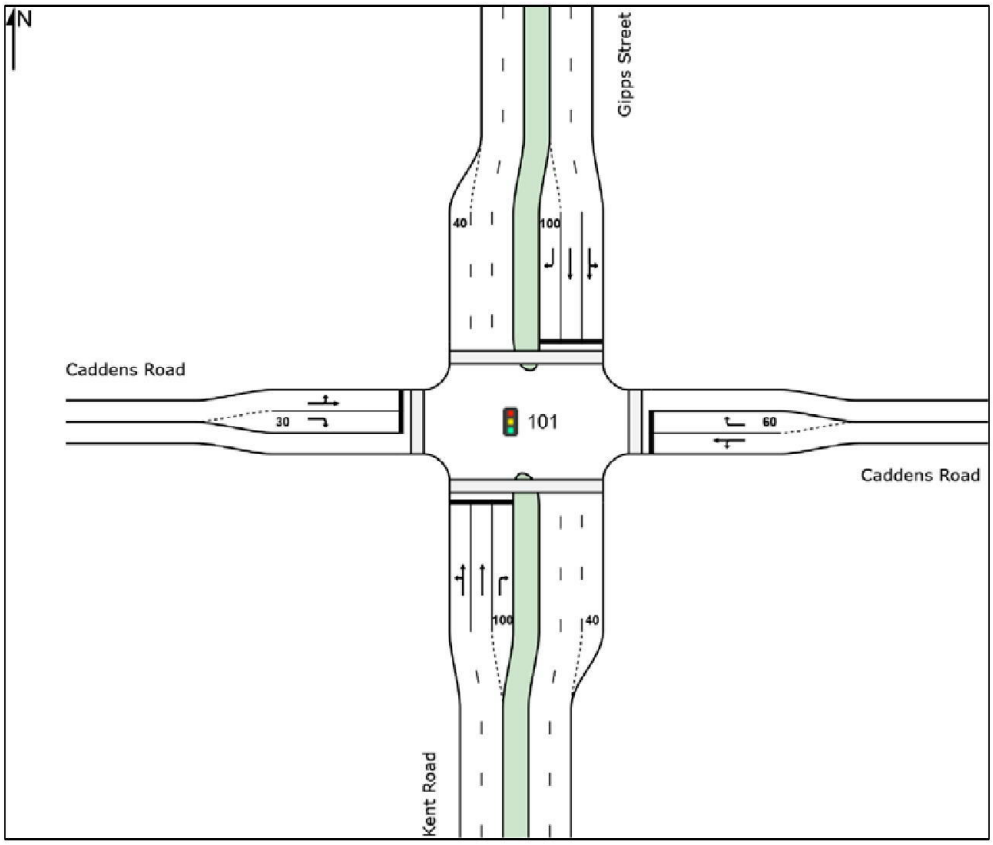

Figure 5: Signalised intersection of Gipps Street and Kent Road with Caddens Road (SIDRA)

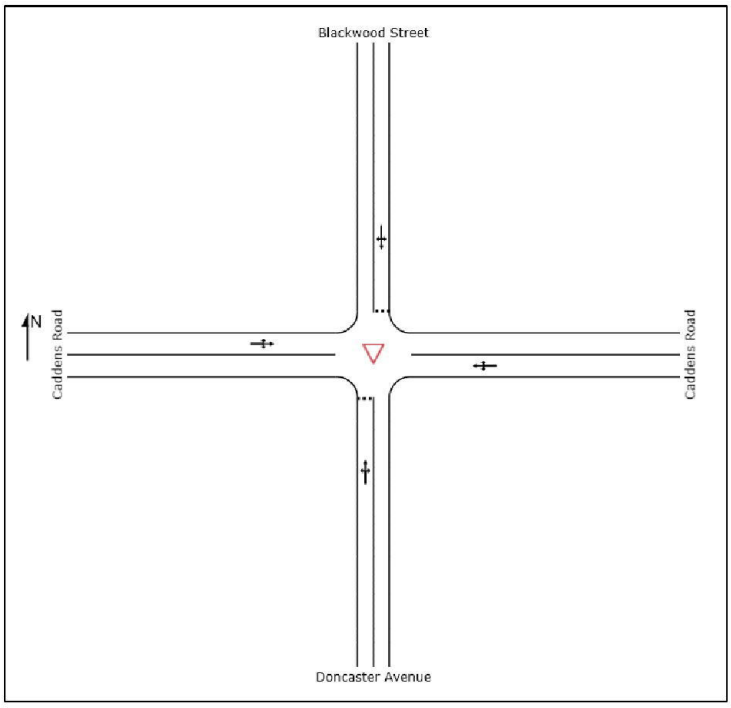

Figure 6: Priority-controlled intersection of Caddens Road with Doncaster Avenue and Blackwood Street (SIDRA)

2.5 Existing Traffic Volumes

As part of the traffic assessment, traffic counts have been undertaken at the intersection for the weekday AM and PM period. The AM peak hour is 8am to 9am, and the PM peak hour is 5pm to 6pm. The traffic surveys were undertaken on a weekday in June 2018.

The following Figures present the traffic volumes in vehicles for the weekday peak hours. Some of the movements do not show cars turning to and from Doncaster Avenue or Blackwood Avenue.

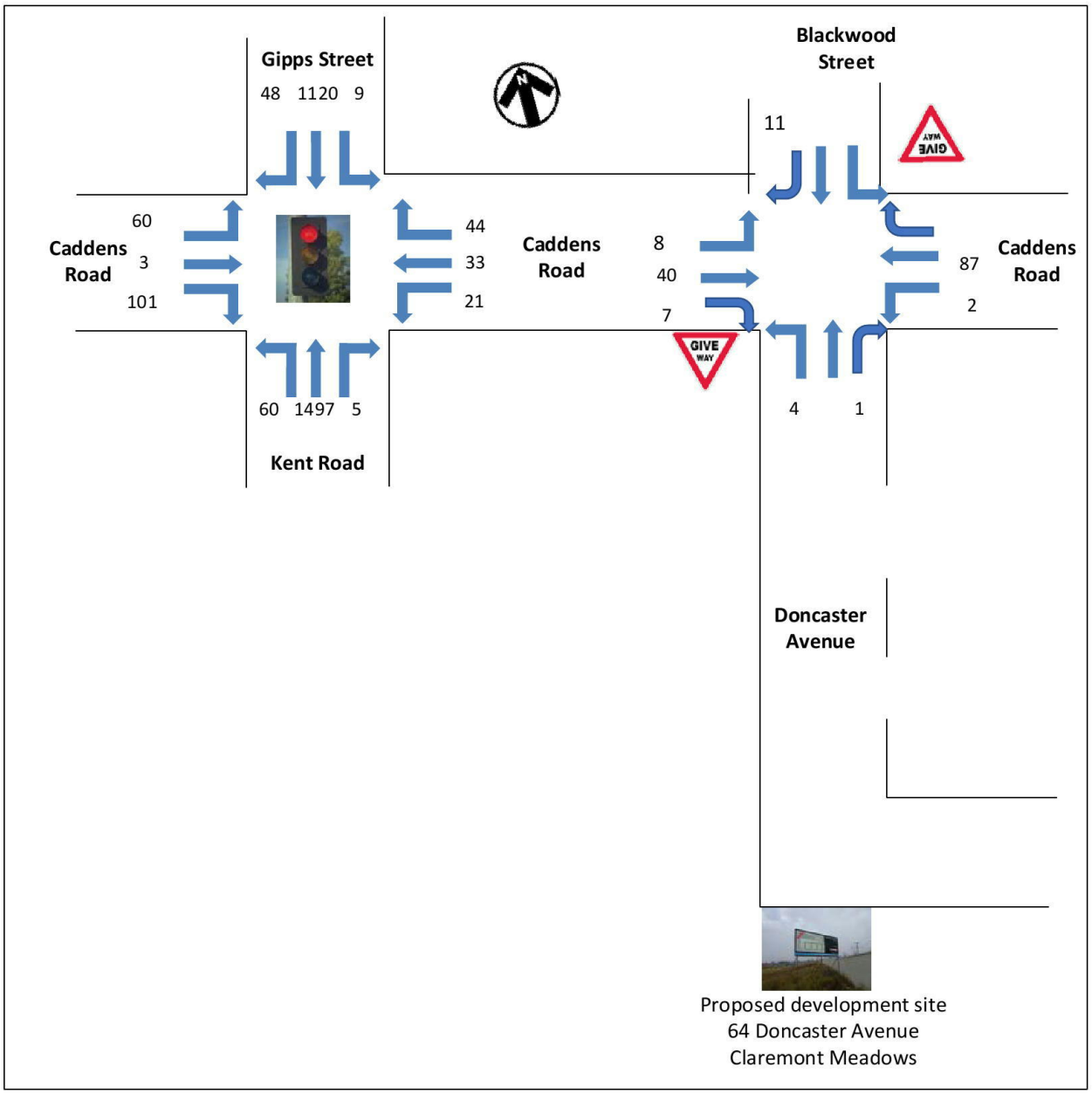

Figure 7: Existing Weekday Traffic Volumes AM Peak Hour

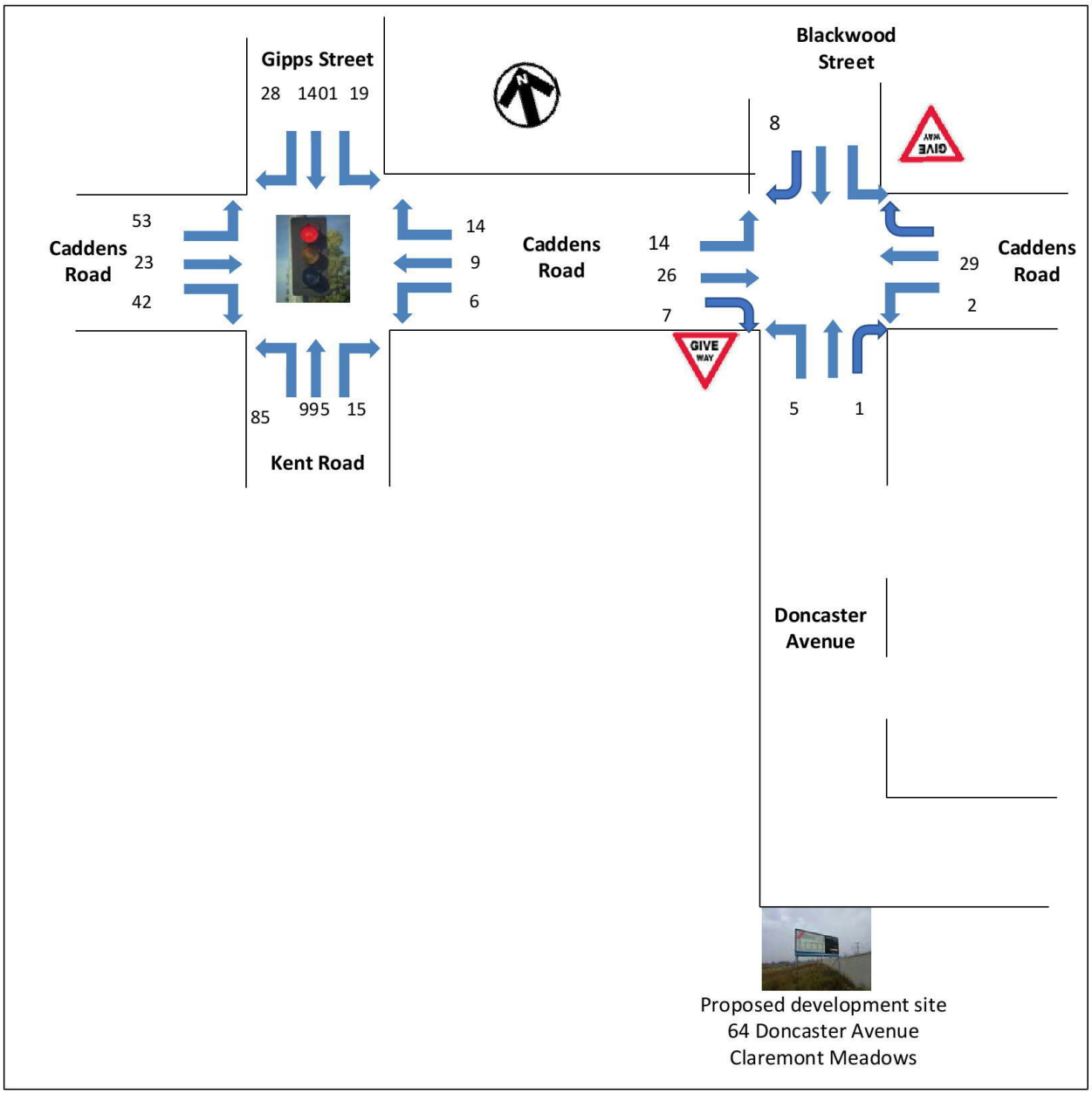

Figure 8: Existing Weekday Traffic Volumes PM Peak Hour

2.6 Intersection Assessment

An intersection assessment has been undertaken for:

- The signalised intersection of Gipps Street and Kent Road with Caddens Road
- The priority-controlled intersection of Caddens Road with Doncaster Avenue and Blackwood Street

The existing intersection operating performance was assessed using the SIDRA software package (version 6) to determine the Degree of Saturation (DS), Average Delay (AVD in seconds) and Level of Service (LoS) at each intersection. The SIDRA program provides Level of Service Criteria Tables for various intersection types. The key indicator of intersection performance is Level of Service, where results are placed on a continuum from 'A' to 'F', as shown in Table 1.

LoS	Traffic Signal / Roundabout	Give Way / Stop Sign / T-Junction control
A	Good operation	Good operation
B	Good with acceptable delays and spare capacity	Acceptable delays and spare capacity
C	Satisfactory	Satisfactory, but accident study required
D	Operating near capacity	Near capacity & accident study required
E	At capacity, at signals incidents will cause excessive delays.	At capacity, requires other control mode
F	Unsatisfactory and requires additional capacity, Roundabouts require other control mode	At capacity, requires other control mode

Table 1: Intersection Level of Service

The Average Vehicle Delay (AVD) provides a measure of the operational performance of an intersection as indicated below, which relates AVD to LOS. The AVD's should be taken as a guide only as longer delays could be tolerated in some locations (i.e. inner city conditions) and on some roads (i.e. minor side street intersecting with a major arterial route). For traffic signals, the average delay over all movements should be taken. For roundabouts and priority control intersections (sign control) the critical movement for level of service assessment should be that movement with the highest average delay.

LoS	Average Delay per Vehicles (seconds/vehicle)
A	Less than 14
B	15 to 28
C	29 to 42
D	43 to 56
E	57 to 70
F	>70

Table 2: Intersection Average Delay (AVD)

The degree of saturation (DS) is another measure of the operational performance of individual intersections. For intersections controlled by traffic signals both queue length and delay increase rapidly as DS approaches 1. It is usual to attempt to keep DS to less than 0.9. Degrees of Saturation in the order of 0.7 generally represent satisfactory intersection operation. When DS exceed 0.9 queues can be anticipated.

The results of the intersection analysis are as follows:

Signalised intersection of Gipps Street and Kent Road with Caddens Road

- The overall intersection has a LoS B and C for the weekday AM and PM peak hours respectively
- There is spare capacity at this intersection

Priority intersection of Caddens Road with Doncaster Avenue and Blackwood Street

- All turn movements have a LoS A or B for the weekday AM and PM peak hours
- There is spare capacity at this intersection

The full Sidra results are presented in Appendix A.

2.7 Public Transport

The nearest bus stop to the development site is around 500 metres away. This stop is serviced by bus routes 774 and 778. These provide transport to a range of suburbs including Orchard Hills, Claremont Meadows and St Marys.

Figure 9 and 10 shows the proximity of the site to public transport services.

Overall the site has access to public transport.

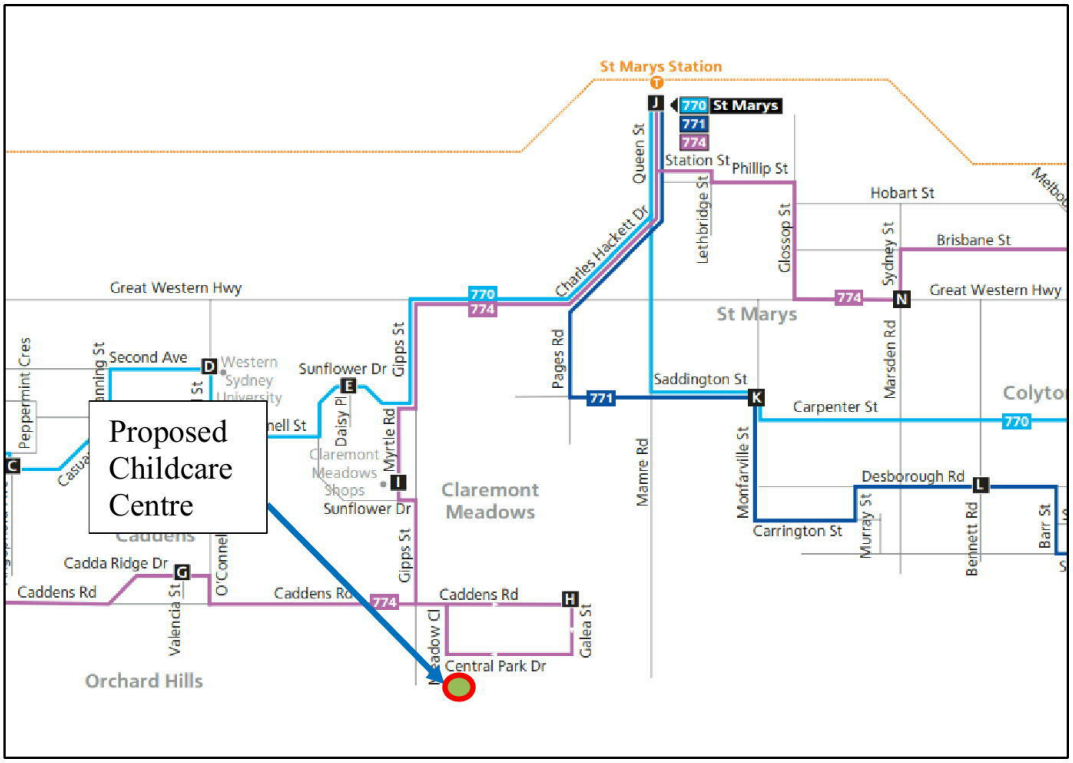

Figure 9: Map of Bus route 774

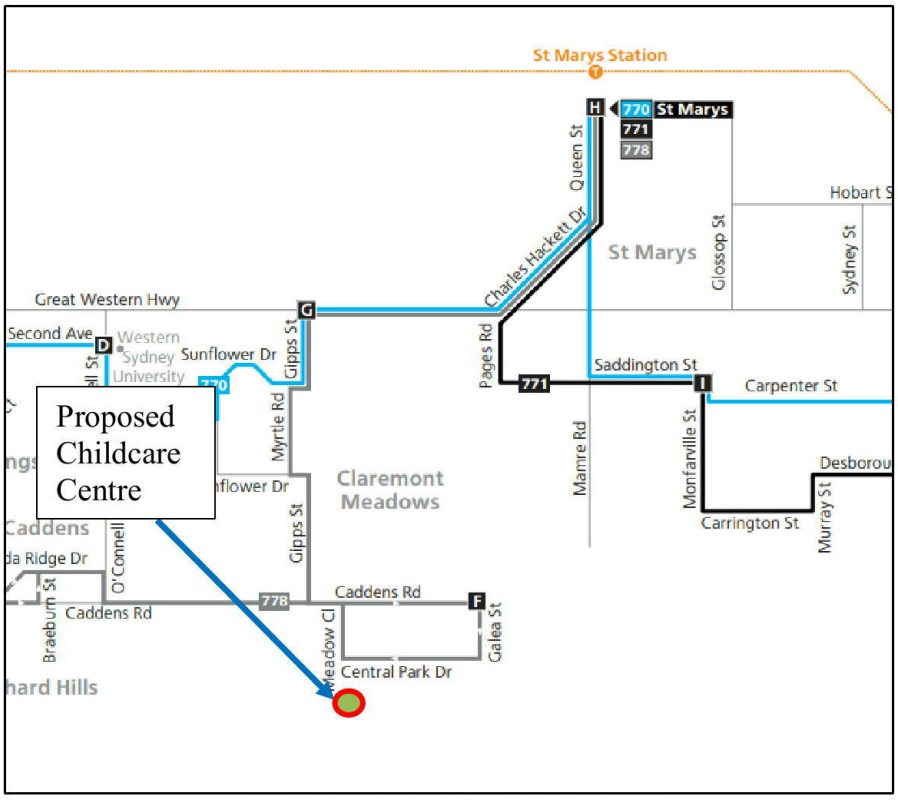

Figure 10: Map of Bus route 778

2.8 Conclusions on the Existing Conditions

The proposed development is located in a residential area with unrestricted on-street parking along Caddens Road and Doncaster Avenue.

The nearby intersections have spare capacity to accommodate additional traffic generated from the proposed development.

The site has good access to public transport.

3. PROPOSED CHILDCARE

The proposed childcare will accommodate 31 children along with four staff.

There are areas on the ground floor level with vehicle access and egress via Doncaster Avenue.

Eight on-site car spaces will be provided on the ground floor carpark including one accessible car space for people with disabilities.

The Childcare Centre will cater for kids ranging from 0-5 years old.

A full scaled plan of the proposed development is provided as part of the Development Application. Scaled measurements should use these plans.

4. CAR PARKING CONSIDERATIONS

4.1 Penrith DCP 2014

The car parking requirements for a childcare are presented in *Penrith Council's Development Control Plan (2014)* with the car parking rates as follows as it applies to the proposed development:

Childcare Centre

- 1 space per 10 children plus 1 per employee plus provision for any dwelling.

The proposed childcare will accommodate 31 children and 4 staff members. Table 3 summarises the car parking requirements for the proposed childcare. The proposed childcare complies with staff parking requirements.

Type	Number	Car Parking Rate	Car Spaces Required	On-Site Parking
Children	31	0.1	4	8
Staff	4	1	4	
Total			**8**	**8**

Table 3: Summary of car parking requirements

4.2 Staff Car Parking demand

Staff arrivals and departures are staged/staggered to ensure that the staff-student ratio is maintained with all staff on site in the core 9am to 5pm hour with peak staff car parking demand in the core period and does not coincide with the main drop off and pick up periods.

5. VEHICLE TRAFFIC IMPACT CONSIDERATIONS

This section discusses the vehicle traffic impacts of the proposed development.

5.1 Traffic Generation

The NSW RTA Guide to Traffic Generating Development document publishes trip generation rates for "long day care" for childcare centres as follows:

- 0.8 trips per child between 7am and 9am
- 0.3 trips per child between 2:30pm and 4pm
- 0.7 trips per child between 4pm and 6pm

Staff will arrive and leave before the drop off period (7am to 9am) and the pickup period (4pm to 6pm) respectively. Table 4 presents the estimated peak period trips.

	Children	Trip Rate per Child	Trips
AM Peak Period	31	0.8	25
PM Peak Period		0.7	22

Table 4: Trips Generated by the Childcare Expansion in the Weekday Peak Periods

Table 5 presents the peak hour trips and trip distribution assuming that the peak hour represents 70 percent of the peak period. The generated trips in the peak hour are modest.

	Origin	Destination	Total
AM Peak Hour	9	9	18
PM Peak Hour	8	8	16

Table 5: Trips Generated by the Childcare in the Weekday Peak Hour

5.2 Traffic Volumes

The additional development trips are assigned onto the local traffic network. The following figures present the existing with the development trips (in red for origin trips and blue for destination trips) for the weekday AM and PM peak hours.

The additional development trips represent a small proportion of the existing traffic volumes.

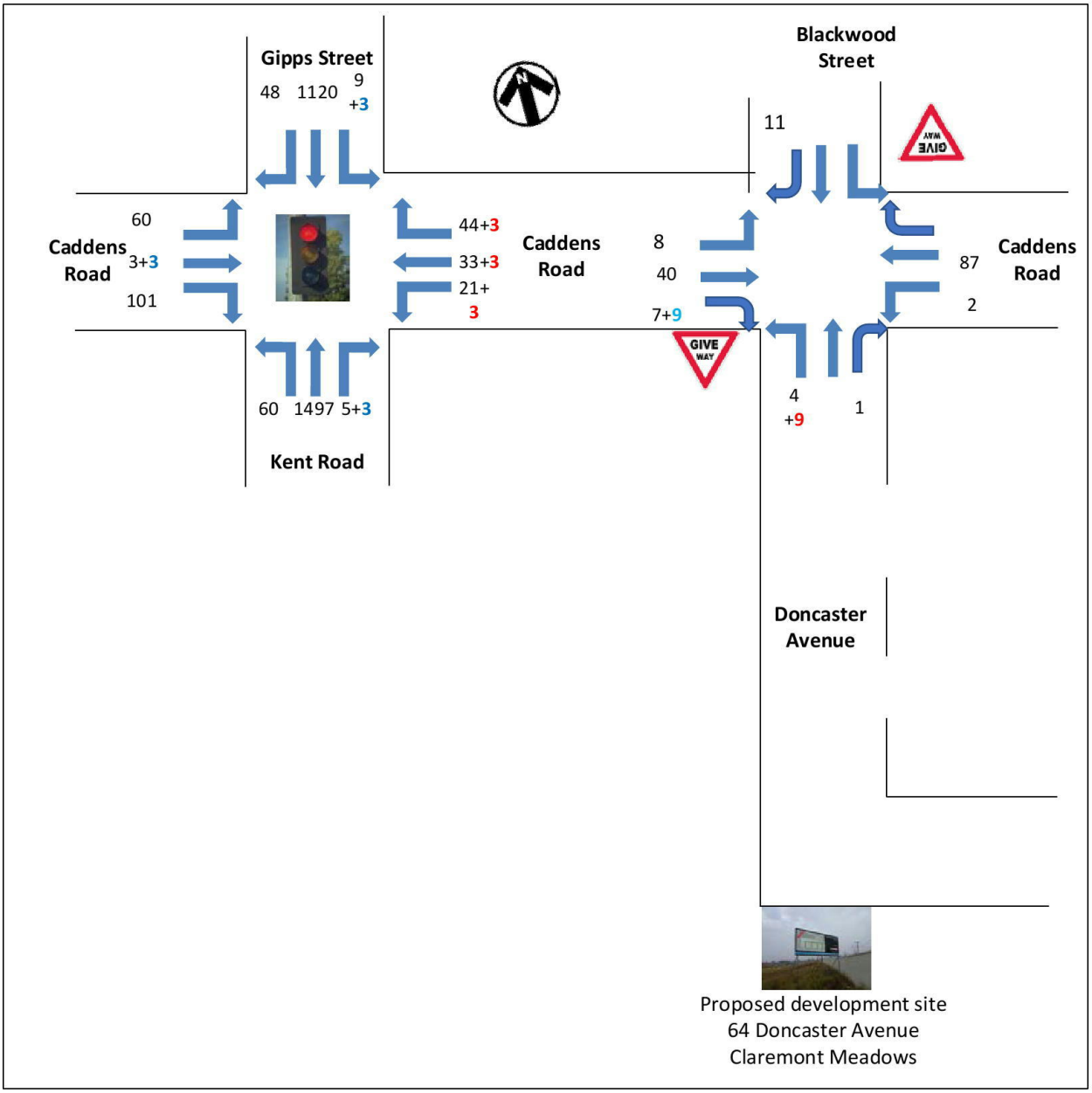

Figure 11: Weekday AM Peak Hour Traffic Volumes (Development Origin Trips in Red and Destination Trips in Blue)

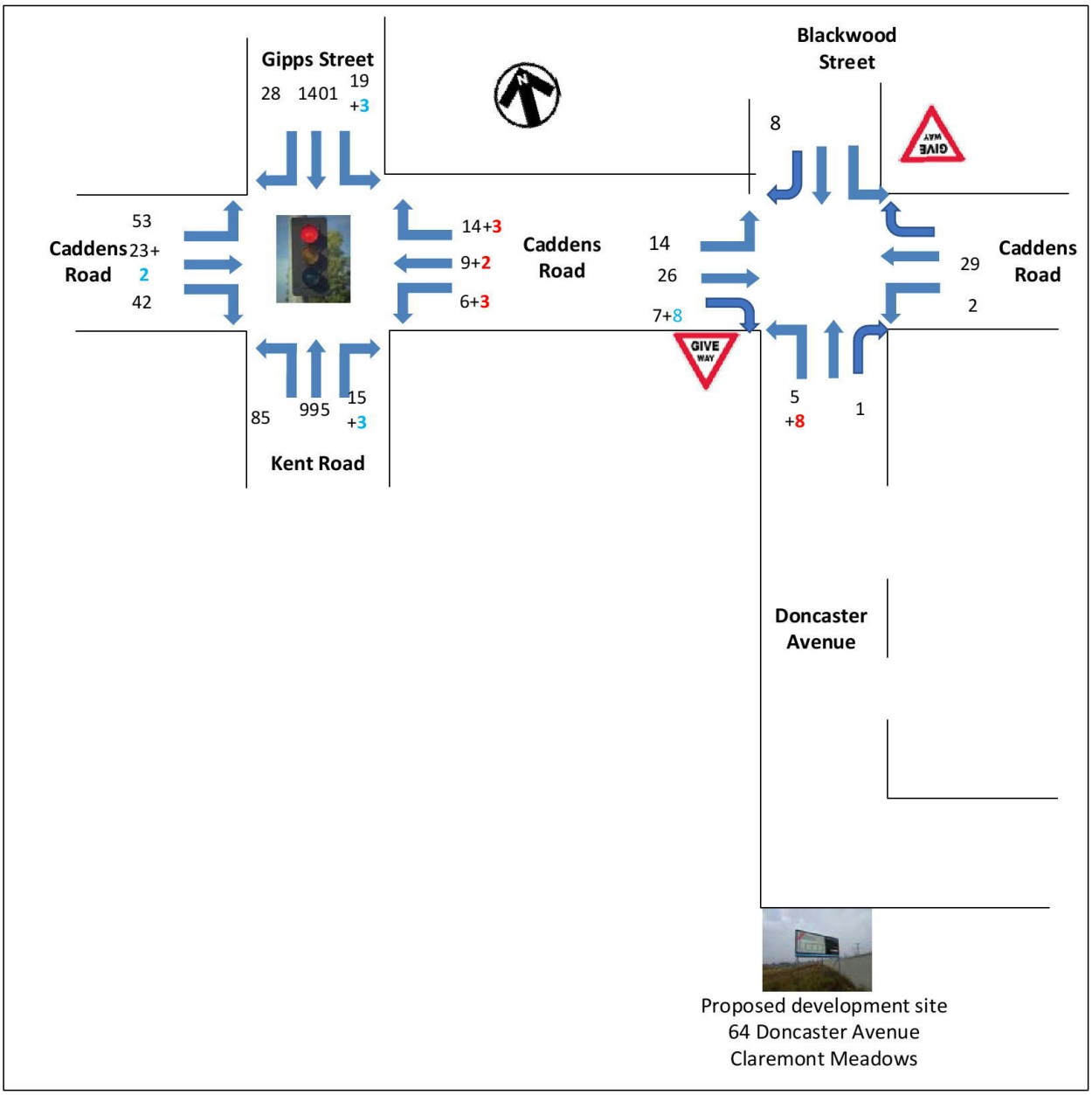

Figure 12: Weekday PM Peak Hour Traffic Volumes (Development Origin Trips in Red and Destination Trips in Blue)

5.3 Intersection Assessment

An intersection assessment has been undertaken for the two nearby intersections.

The results of the intersection analysis are as follows for the AM and PM peak hours:

Signalised intersection of Gipps Street and Kent Road with Caddens Road

- The overall intersection has a LoS B and C for the weekday AM and PM peak hours respectively
- The additional trips do not change the LoS of the overall intersection

Priority intersection of Caddens Road with Doncaster Avenue and Blackwood Street

- All turn movements have a LoS A or B for the weekday AM and PM peak hours
- The additional trips do not change the LoS of any turn movements for either peak hours

The full Sidra results with the development traffic are presented in Appendix B.

6. CONCLUSIONS

Based on the considerations presented in this report, it is considered that:

Parking

- The proposed development complies with the council's car parking requirements

Traffic

- The proposed development is a modest trip generator for the weekday AM and PM peak hours.
- The additional trips from the proposed development can be accommodated at the nearby intersections and road network without noticeably affecting intersection performance, delays or queues.
- There are no traffic engineering reasons why a planning consent for the proposed childcare at 64 Doncaster Avenue in Claremont Meadows, should be refused.

APPENDIX A

SIDRA Intersection Results for Existing Traffic Conditions

Movement Performance - Vehicles												
Mov ID	Turn	Demand Flows Total veh/h	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: Kent Road												
1	L2	63	0.0	0.238	16.1	LOS B	8.6	60.3	0.46	0.49	0.46	45.1
2	T1	1576	0.0	0.872	17.4	LOS B	60.3	422.2	0.81	0.77	0.81	48.8
3	R2	5	0.0	0.047	65.0	LOS E	0.3	2.1	0.97	0.64	0.97	16.3
Approach		1644	0.0	0.872	17.5	LOS B	60.3	422.2	0.80	0.76	0.80	48.5
East: Caddens Road												
4	L2	22	0.0	0.178	51.2	LOS D	2.9	20.2	0.90	0.71	0.90	19.9
5	T1	35	0.0	0.178	46.7	LOS D	2.9	20.2	0.90	0.71	0.90	18.4
6	R2	46	0.0	0.220	55.1	LOS D	2.5	17.3	0.92	0.74	0.92	19.8
Approach		103	0.0	0.220	51.4	LOS D	2.9	20.2	0.91	0.72	0.91	19.4
North: Gipps Street												
7	L2	9	0.0	0.213	16.1	LOS B	6.3	44.4	0.45	0.40	0.45	31.3
8	T1	1179	0.0	0.778	14.9	LOS B	37.2	260.7	0.69	0.64	0.69	51.2
9	R2	51	0.0	0.544	69.2	LOS E	3.1	21.8	1.00	0.76	1.03	21.7
Approach		1239	0.0	0.778	17.1	LOS B	37.2	260.7	0.70	0.64	0.71	48.5
West: Caddens Road												
10	L2	63	0.0	0.214	51.6	LOS D	3.4	23.8	0.90	0.75	0.90	25.2
11	T1	3	0.0	0.214	47.1	LOS D	3.4	23.8	0.90	0.75	0.90	17.5
12	R2	106	0.0	0.486	57.4	LOS E	5.9	41.5	0.97	0.79	0.97	22.8
Approach		173	0.0	0.486	55.1	LOS D	5.9	41.5	0.94	0.77	0.94	23.6
All Vehicles		3159	0.0	0.872	20.5	LOS B	60.3	422.2	0.77	0.71	0.77	44.9

Table A1: Existing signalised intersection of Gipps Street and Kent Road with Caddens Road for the Weekday AM Peak Hour

Movement Performance - Vehicles												
Mov ID	Turn	Demand Flows Total veh/h	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: Kent Road												
1	L2	89	0.0	0.143	15.0	LOS B	5.6	38.9	0.43	0.58	0.43	43.7
2	T1	1047	0.0	0.524	12.2	LOS A	27.7	194.2	0.57	0.55	0.57	53.3
3	R2	16	0.0	0.121	65.3	LOS E	0.9	6.4	0.98	0.68	0.98	16.3
Approach		1153	0.0	0.524	13.2	LOS A	27.7	194.2	0.56	0.55	0.56	51.6
East: Caddens Road												
4	L2	6	0.0	0.050	49.8	LOS D	0.8	5.4	0.87	0.64	0.87	20.2
5	T1	9	0.0	0.050	45.2	LOS D	0.8	5.4	0.87	0.64	0.87	18.7
6	R2	15	0.0	0.073	54.5	LOS D	0.8	5.4	0.90	0.69	0.90	19.9
Approach		31	0.0	0.073	50.6	LOS D	0.8	5.4	0.89	0.67	0.89	19.6
North: Gipps Street												
7	L2	20	0.0	0.263	16.5	LOS B	8.2	57.2	0.47	0.43	0.47	30.9
8	T1	1475	0.0	0.964	42.2	LOS C	85.0	595.2	0.89	0.99	1.08	34.3
9	R2	29	0.0	0.317	67.8	LOS E	1.8	12.5	1.00	0.72	1.00	21.9
Approach		1524	0.0	0.964	42.4	LOS C	85.0	595.2	0.89	0.97	1.07	33.9
West: Caddens Road												
10	L2	56	0.0	0.255	52.0	LOS D	4.1	28.9	0.91	0.74	0.91	25.4
11	T1	24	0.0	0.255	47.4	LOS D	4.1	28.9	0.91	0.74	0.91	17.8
12	R2	44	0.0	0.177	51.7	LOS D	2.3	15.9	0.90	0.74	0.90	24.1
Approach		124	0.0	0.255	51.0	LOS D	4.1	28.9	0.91	0.74	0.91	23.8
All Vehicles		2832	0.0	0.964	31.0	LOS C	85.0	595.2	0.76	0.79	0.86	38.6

Table A2: Existing signalised intersection of Gipps Street and Kent Road with Caddens Road for the Weekday PM Peak Hour

Movement Performance - Vehicles												
Mov ID	Turn	Demand Flows Total veh/h	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: Doncaster Avenue												
1	L2	4	0.0	0.005	4.8	LOS A	0.0	0.1	0.19	0.49	0.19	28.9
2	T1	1	0.0	0.005	3.9	LOS A	0.0	0.1	0.19	0.49	0.19	36.8
3	R2	1	0.0	0.005	5.2	LOS A	0.0	0.1	0.19	0.49	0.19	42.4
Approach		6	0.0	0.005	4.7	LOS A	0.0	0.1	0.19	0.49	0.19	33.0
East: Caddens Road												
4	L2	2	0.0	0.046	5.6	LOS A	0.0	0.1	0.00	0.02	0.00	54.3
5	T1	92	0.0	0.046	0.0	LOS A	0.0	0.1	0.00	0.02	0.00	59.3
6	R2	1	0.0	0.046	5.6	LOS A	0.0	0.1	0.00	0.02	0.00	53.3
Approach		95	0.0	0.046	0.2	NA	0.0	0.1	0.00	0.02	0.00	59.1
North: Blackwood Street												
7	L2	1	0.0	0.014	4.7	LOS A	0.0	0.3	0.21	0.52	0.21	42.7
8	T1	1	0.0	0.014	3.9	LOS A	0.0	0.3	0.21	0.52	0.21	36.4
9	R2	12	0.0	0.014	5.2	LOS A	0.0	0.3	0.21	0.52	0.21	22.8
Approach		14	0.0	0.014	5.1	LOS A	0.0	0.3	0.21	0.52	0.21	25.3
West: Caddens Road												
10	L2	8	0.0	0.029	4.5	LOS A	0.1	0.4	0.07	0.15	0.07	45.4
11	T1	42	0.0	0.029	0.1	LOS A	0.1	0.4	0.07	0.15	0.07	55.7
12	R2	7	0.0	0.029	4.5	LOS A	0.1	0.4	0.07	0.15	0.07	44.0
Approach		58	0.0	0.029	1.3	NA	0.1	0.4	0.07	0.15	0.07	53.4
All Vehicles		173	0.0	0.046	1.1	NA	0.1	0.4	0.05	0.12	0.05	52.4

Table A3: Existing priority-controlled intersection of Caddens Road with Doncaster Avenue and Blackwood Street for the Weekday AM Peak Hour

Movement Performance - Vehicles												
Mov ID	Turn	Demand Flows Total veh/h	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: Doncaster Avenue												
1	L2	5	0.0	0.005	4.6	LOS A	0.0	0.1	0.09	0.49	0.09	29.4
2	T1	1	0.0	0.005	3.6	LOS A	0.0	0.1	0.09	0.49	0.09	37.4
3	R2	1	0.0	0.005	4.8	LOS A	0.0	0.1	0.09	0.49	0.09	42.9
Approach		7	0.0	0.005	4.5	LOS A	0.0	0.1	0.09	0.49	0.09	32.9
East: Caddens Road												
4	L2	2	0.0	0.016	5.6	LOS A	0.0	0.1	0.01	0.06	0.01	53.5
5	T1	31	0.0	0.016	0.0	LOS A	0.0	0.1	0.01	0.06	0.01	58.2
6	R2	1	0.0	0.016	5.6	LOS A	0.0	0.1	0.01	0.06	0.01	52.5
Approach		34	0.0	0.016	0.5	NA	0.0	0.1	0.01	0.06	0.01	57.6
North: Blackwood Street												
7	L2	1	0.0	0.010	4.6	LOS A	0.0	0.2	0.14	0.51	0.14	43.1
8	T1	1	0.0	0.010	3.6	LOS A	0.0	0.2	0.14	0.51	0.14	36.9
9	R2	8	0.0	0.010	4.9	LOS A	0.0	0.2	0.14	0.51	0.14	23.1
Approach		11	0.0	0.010	4.7	LOS A	0.0	0.2	0.14	0.51	0.14	26.3
West: Caddens Road												
10	L2	15	0.0	0.025	4.4	LOS A	0.1	0.4	0.04	0.25	0.04	43.3
11	T1	27	0.0	0.025	0.0	LOS A	0.1	0.4	0.04	0.25	0.04	53.9
12	R2	7	0.0	0.025	4.3	LOS A	0.1	0.4	0.04	0.25	0.04	42.0
Approach		49	0.0	0.025	2.0	NA	0.1	0.4	0.04	0.25	0.04	49.8
All Vehicles		101	0.0	0.025	2.0	NA	0.1	0.4	0.05	0.23	0.05	47.6

Table A4: Existing priority-controlled intersection of Caddens Road with Doncaster Avenue and Blackwood Street for the Weekday PM Peak Hour

APPENDIX B

SIDRA Intersection Results for Existing and Childcare Traffic

Movement Performance - Vehicles												
Mov ID	Turn	Demand Flows Total veh/h	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: Kent Road												
1	L2	63	0.0	0.239	16.1	LOS B	8.6	60.4	0.46	0.49	0.46	45.1
2	T1	1576	0.0	0.874	17.5	LOS B	60.5	423.3	0.81	0.77	0.81	48.7
3	R2	8	0.0	0.076	65.4	LOS E	0.5	3.4	0.98	0.66	0.98	16.2
Approach		1647	0.0	0.874	17.7	LOS B	60.5	423.3	0.80	0.76	0.80	48.3
East: Caddens Road												
4	L2	25	0.0	0.198	51.4	LOS D	3.2	22.5	0.90	0.71	0.90	19.8
5	T1	38	0.0	0.198	46.9	LOS D	3.2	22.5	0.90	0.71	0.90	18.3
6	R2	49	0.0	0.238	55.3	LOS D	2.6	18.5	0.93	0.75	0.93	19.7
Approach		113	0.0	0.238	51.6	LOS D	3.2	22.5	0.91	0.73	0.91	19.3
North: Gipps Street												
7	L2	13	0.0	0.213	16.1	LOS B	6.4	44.5	0.45	0.40	0.45	31.2
8	T1	1179	0.0	0.780	14.9	LOS B	37.4	262.1	0.70	0.64	0.70	51.1
9	R2	51	0.0	0.544	69.2	LOS E	3.1	21.8	1.00	0.76	1.03	21.7
Approach		1242	0.0	0.780	17.1	LOS B	37.4	262.1	0.71	0.64	0.71	48.4
West: Caddens Road												
10	L2	63	0.0	0.223	51.7	LOS D	3.6	24.9	0.91	0.75	0.91	25.2
11	T1	6	0.0	0.223	47.1	LOS D	3.6	24.9	0.91	0.75	0.91	17.6
12	R2	106	0.0	0.497	57.6	LOS E	6.0	41.7	0.97	0.79	0.97	22.8
Approach		176	0.0	0.497	55.1	LOS D	6.0	41.7	0.94	0.77	0.94	23.5
All Vehicles		3178	0.0	0.874	20.7	LOS B	60.5	423.3	0.78	0.72	0.78	44.6

Table B1: Existing signalised intersection of Gipps Street and Kent Road with Caddens Road for the Weekday AM Peak Hour with Childcare traffic

Movement Performance - Vehicles												
Mov ID	Turn	Demand Flows Total veh/h	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: Kent Road												
1	L2	89	0.0	0.144	15.0	LOS B	5.6	39.0	0.43	0.58	0.43	43.7
2	T1	1047	0.0	0.525	12.2	LOS A	27.7	194.1	0.57	0.55	0.57	53.3
3	R2	19	0.0	0.146	65.5	LOS E	1.1	7.7	0.99	0.69	0.99	16.2
Approach		1156	0.0	0.525	13.3	LOS A	27.7	194.1	0.56	0.55	0.56	51.4
East: Caddens Road												
4	L2	9	0.0	0.066	50.0	LOS D	1.0	7.3	0.87	0.66	0.87	20.1
5	T1	12	0.0	0.066	45.4	LOS D	1.0	7.3	0.87	0.66	0.87	18.6
6	R2	18	0.0	0.090	54.7	LOS D	0.9	6.6	0.91	0.70	0.91	19.9
Approach		39	0.0	0.090	50.8	LOS D	1.0	7.3	0.89	0.68	0.89	19.6
North: Gipps Street												
7	L2	23	0.0	0.264	16.5	LOS B	8.2	57.3	0.47	0.43	0.47	30.8
8	T1	1475	0.0	0.966	43.2	LOS D	86.0	602.3	0.89	0.99	1.09	33.9
9	R2	29	0.0	0.317	67.8	LOS E	1.8	12.5	1.00	0.72	1.00	21.9
Approach		1527	0.0	0.966	43.2	LOS D	86.0	602.3	0.89	0.98	1.08	33.6
West: Caddens Road												
10	L2	56	0.0	0.261	52.1	LOS D	4.2	29.7	0.91	0.75	0.91	25.4
11	T1	26	0.0	0.261	47.5	LOS D	4.2	29.7	0.91	0.75	0.91	17.8
12	R2	44	0.0	0.180	52.6	LOS D	2.3	16.0	0.90	0.74	0.90	23.9
Approach		126	0.0	0.261	51.3	LOS D	4.2	29.7	0.91	0.74	0.91	23.6
All Vehicles		2848	0.0	0.966	31.6	LOS C	86.0	602.3	0.76	0.79	0.86	38.2

Table B2: Existing signalised intersection of Gipps Street and Kent Road with Caddens Road for the Weekday PM Peak Hour with Childcare traffic

Movement Performance - Vehicles												
Mov ID	Turn	Demand Flows Total veh/h	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: Doncaster Avenue												
1	L2	14	0.0	0.011	4.8	LOS A	0.0	0.3	0.18	0.49	0.18	28.8
2	T1	1	0.0	0.011	3.9	LOS A	0.0	0.3	0.18	0.49	0.18	36.6
3	R2	1	0.0	0.011	5.2	LOS A	0.0	0.3	0.18	0.49	0.18	42.3
Approach		16	0.0	0.011	4.8	LOS A	0.0	0.3	0.18	0.49	0.18	30.5
East: Caddens Road												
4	L2	2	0.0	0.046	5.6	LOS A	0.0	0.1	0.00	0.02	0.00	54.3
5	T1	92	0.0	0.046	0.0	LOS A	0.0	0.1	0.00	0.02	0.00	59.3
6	R2	1	0.0	0.046	5.6	LOS A	0.0	0.1	0.00	0.02	0.00	53.3
Approach		95	0.0	0.046	0.2	NA	0.0	0.1	0.00	0.02	0.00	59.1
North: Blackwood Street												
7	L2	1	0.0	0.014	4.7	LOS A	0.0	0.3	0.22	0.52	0.22	42.7
8	T1	1	0.0	0.014	3.9	LOS A	0.0	0.3	0.22	0.52	0.22	36.3
9	R2	12	0.0	0.014	5.3	LOS A	0.0	0.3	0.22	0.52	0.22	22.8
Approach		14	0.0	0.014	5.2	LOS A	0.0	0.3	0.22	0.52	0.22	25.3
West: Caddens Road												
10	L2	8	0.0	0.035	4.5	LOS A	0.1	0.8	0.12	0.20	0.12	43.5
11	T1	42	0.0	0.035	0.1	LOS A	0.1	0.8	0.12	0.20	0.12	54.1
12	R2	17	0.0	0.035	4.5	LOS A	0.1	0.8	0.12	0.20	0.12	42.2
Approach		67	0.0	0.035	1.8	NA	0.1	0.8	0.12	0.20	0.12	50.6
All Vehicles		192	0.0	0.046	1.5	NA	0.1	0.8	0.07	0.16	0.07	50.2

Table B3: Existing priority-controlled intersection of Caddens Road with Doncaster Avenue and Blackwood Street for the Weekday AM Peak Hour with Childcare traffic

Movement Performance - Vehicles												
Mov ID	Turn	Demand Flows Total veh/h	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: Doncaster Avenue												
1	L2	14	0.0	0.011	4.8	LOS A	0.0	0.3	0.18	0.49	0.18	28.8
2	T1	1	0.0	0.011	3.9	LOS A	0.0	0.3	0.18	0.49	0.18	36.6
3	R2	1	0.0	0.011	5.2	LOS A	0.0	0.3	0.18	0.49	0.18	42.3
Approach		16	0.0	0.011	4.8	LOS A	0.0	0.3	0.18	0.49	0.18	30.5
East: Caddens Road												
4	L2	2	0.0	0.046	5.6	LOS A	0.0	0.1	0.00	0.02	0.00	54.3
5	T1	92	0.0	0.046	0.0	LOS A	0.0	0.1	0.00	0.02	0.00	59.3
6	R2	1	0.0	0.046	5.6	LOS A	0.0	0.1	0.00	0.02	0.00	53.3
Approach		95	0.0	0.046	0.2	NA	0.0	0.1	0.00	0.02	0.00	59.1
North: Blackwood Street												
7	L2	1	0.0	0.014	4.7	LOS A	0.0	0.3	0.22	0.52	0.22	42.7
8	T1	1	0.0	0.014	3.9	LOS A	0.0	0.3	0.22	0.52	0.22	36.3
9	R2	12	0.0	0.014	5.3	LOS A	0.0	0.3	0.22	0.52	0.22	22.8
Approach		14	0.0	0.014	5.2	LOS A	0.0	0.3	0.22	0.52	0.22	25.3
West: Caddens Road												
10	L2	8	0.0	0.035	4.5	LOS A	0.1	0.8	0.12	0.20	0.12	43.5
11	T1	42	0.0	0.035	0.1	LOS A	0.1	0.8	0.12	0.20	0.12	54.1
12	R2	17	0.0	0.035	4.5	LOS A	0.1	0.8	0.12	0.20	0.12	42.2
Approach		67	0.0	0.035	1.8	NA	0.1	0.8	0.12	0.20	0.12	50.6
All Vehicles		192	0.0	0.046	1.5	NA	0.1	0.8	0.07	0.16	0.07	50.2

Table B4: Existing priority-controlled intersection of Caddens Road with Doncaster Avenue and Blackwood Street for the Weekday PM Peak Hour with Childcare traffic