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## Statement of Environmental Effects

Part Change of Use to a long day care for 0 – 5 year old children

St Marys Rugby Leagues Club – Lot 11 DP 1192443



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# 1 Introduction

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## 1.1 Commission

DFP has been commissioned by Mesabo Pty Limited T/A Go Bananas Before and After School Care Facility to prepare a Statement of Environmental Effects (SEE) for a proposed change of use of an existing child care facility at Boronia Road, North St Marys – Lot 11 DP 1192443 (the site).

This report is to accompany a development application (DA) to Penrith City Council (Council) for a change of use development comprising the change of use of part of an existing centre based child care facility, being the Go Bananas Before and After School Care and Vacation Care (B&ASC), to a long day care centre for 0 – 5 year old children. The B&ASC facility will continue to operate from the centre in conjunction with the proposed long day care facility in accordance with DA 08/1245.

The works to make that part of the facility that will be used as the long day care centre suitable for occupation by children aged 0 – 5 years has already been undertaken in accordance with DA 20/0142. This application is for the use of that part of the building which has been modified as a long day care centre.

The existing Go Bananas Before and After School Care Facility is co-located on land owned by the St Marys Rugby League Football Club and is in a separate building to the Club premises. The site on which both the Go Bananas facility and the Club are located is on the corner of Boronia Road and Forrester Road, North St Marys and is part of Lot 11 DP 1192443 which is zoned RE2 Private Recreation (the RE2 Zone) and E2 Environmental Conservation (The E2 zone). The Go Bananas Before and After School Care Facility is located within the RE2 zone.

## 1.2 Purpose of this Statement

The purpose of this report is to provide Council and relevant NSW State Government Agencies with all relevant information necessary to assess the subject development proposal and to determine the DA in accordance with section 4.16 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2000* (the Regulation).

## 2 Background

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### 2.1 Previous Development Consents

- **DA 06/1840** – This consent was for alterations and additions to the St Marts Rugby League Club and the construction of a new carpark. Those extensions included 1020m<sup>2</sup> of floor area for use as a children’s play area and an outdoor play space of approximately 700m<sup>2</sup>.

Since approval of DA 06/1840, eight (8) modification applications to DA06/1840 have since been submitted. These modifications were for a range of alterations and additions to the St Marys Rugby League Club and car park from what was originally approved.

- **DA 08/1245** – This consent was for the use of part of the site for a Before and After School Care Facility and Vacation Care (B&ASCF). The hours of operation approved for this use are from 7.00am to 9.00am and 3.30pm to 6.00pm Monday to Friday, including vacation care during holiday periods between the hours of 7.00am to 6.00pm Monday to Friday.

A licence issued by NSW Dept of Education allows this facility to be used for the supervised minding of up to 220 primary aged children. Details of the operating licences issued by DoE are included in Section 2.2 of this SEE.

Buses are used to transport children to and from surrounding local schools. The facility is staffed by a maximum of 15 qualified staff.

At the time of the approval, the building within which the B&ASCF was to be located at the St Marys Rugby League Club had not been constructed. The approved use would form part of the space within this approved building and therefore was assessed as having minimal environmental impacts on the surrounding locality.

- **DA 14/1806** – This consent was for the construction of an aerial rope recreation facility, including associated fencing, amenities, a kiosk and modification to the existing Go Bananas Facility. The modifications to the Go Bananas Facility were minor and only related to an existing awning.

The use of the aerial rope recreation facility was approved to operate separately to the Go Bananas Facility and as a result does not generate any adverse impacts on the functioning and operation of the approved B&ASCF.

This consent was activated, and the ropes course operated until 2020. It has since been abandoned and equipment associated with the ropes course has been removed.

- **DA 20/0142** – This consent was for alterations and additions to the existing building from which the B&ASCF operated on the St Marys Rugby League Club land, for the purpose of the provision of shade structures and internal layout amendments. Those shade structures and internal alterations related to the Go Bananas B&ASCF.

The approved internal layout amendments would facilitate use of the facility as a child care centre for children aged 0 – 5 years of age.

Therefore, whilst the physical works to facilitate use of the premises as a child care centre, in conjunction with the existing approved use of the building as a B&ASCF and vacation care has been approved, the use of the facility for this purpose will require separate approval.

This SEE accompanies a development application (DA) to Council for a change of use of the approved development for its use as a centre based child care facility for children aged 0 – 5 years as well as the continued use of the facility for the purposes of a B&ASCF and vacation care facility.

Details of the proposed use is set out in **Section 4** of this report.

## 2 Background

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### 2.2 NSW Department of Education – Service Approvals

- SE-40001466 – 17 December 2013 – A service approval was issued by the NSW Department of Education on 17 December 2013 to provide for education and care services at the Go Bananas B&ASCF (Go Bananas). That service approval permitted the use of the area for the purposes of 'long day care' and 'outside of school hours care', for the purposes of before, after and vacation care.
- SE-40009518 – 4 April 2017 - Another service approval was issued on 4 April 2017, granting consent for Go Bananas to provide for a 30-place 'stand-alone Preschool/Kindergarten'. This consent also enables the entire Go Bananas facility to operate with a maximum of 220 children on site.

## 3 Site Context

### 3.1 Location

The site is located at Boronia Road, North St Marys on Lot 11 DP 1192443 and located within the Penrith Local Government Area (see **Figure 1**). The site contains two frontages including Boronia Road to the south and Forrester Road to the west.



Figure 1 Site Aerial

### 3.2 Site Description

The site is legally described as Lot 11 in Deposited Plan (DP) 1192443 and is located on the northern side of Boronia Road and on the eastern side of Forrester Road.

Currently on the site is the St Mary's Rugby League Club, St Mary's Leagues Stadium, a Holiday Inn and the Go Bananas facility. The site is consistently flat throughout, with the exception of the heavily vegetated land to the east of the site that contains a minor slope increase from west to east. The vegetated portion of the site to the east contains predominantly trees and low-lying vegetation.

The parcel of land has a total area of approximately 23ha, with vehicular access to the site made available via Boronia Road and Forrester Road. A total of 1,094 car parking spaces are available onsite to facilitate access to the Holiday Inn, St Mary's Rugby League Club (including stadium) and the Go Bananas facility.

**Figures 2 – 10** are photographs of the existing Go Bananas facility.



### 3 Site Context

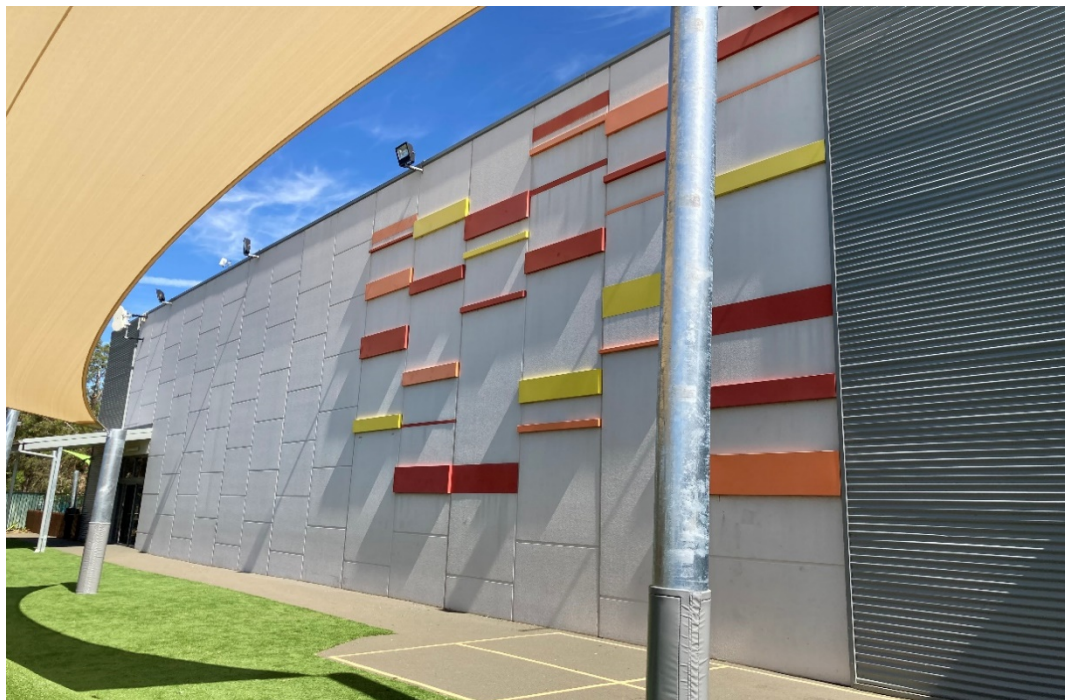


Figure 2 The existing Go Bananas before and after school care facility.



Figure 3 One of the outdoor play spaces at the facility

### 3 Site Context

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Figure 4 Entrance to both the existing before and after school care facility and the child care facility



Figure 5 View of the reception for the proposed child care facility

### 3 Site Context

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Figure 6 View inside the proposed child care centre – physical works were approved as part of DA 20/0142



Figure 7 View inside one of the play areas for the child care centre

### 3 Site Context



Figure 8 View inside another one of the play areas for the child care centre



Figure 9 View from one of the child play areas through to one of the outdoor play spaces

### 3 Site Context



Figure 10 View to the rear of the child care centre, towards the Holiday Inn

#### 3.3 Surrounding Development

The surrounding area is characterised by a range of different land uses. To the east of the site are industrial developments, predominantly in the form of large warehouses. To the south of the site are residential and business developments, with environmental land being located to the north and east of the site.

Directly to the south of the site are the St Marys McDonalds and 7-Eleven. The nearest residential land uses, including a residential care facility to the south of the site, are approximately 80m from the St Marys Leagues Club and approximately 170m to the south of the Go Bananas facility.

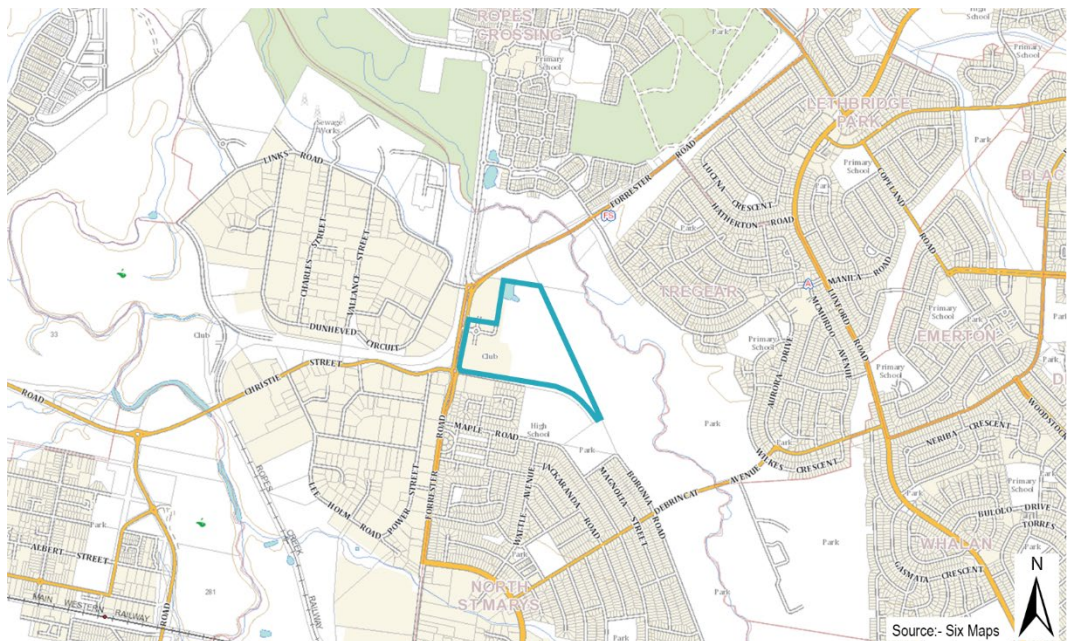


Figure 11 Locality Map

## 4 Proposed Development

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### 4.1 Background of Proposed Development

The proposed development is for the change of use of part of the existing before and after school care facility to a long day care for 118 x 0 – 5 year old children.

The existing Go Bananas facility has two service approvals from the NSW Department of Education (DoE) – refer Section 2.2 of this SEE.

The service approval issued on 4 April 2017 specifies a maximum capacity of 220 children and as such reflects the existing maximum student capacity of Go Bananas.

On 17 July 2020, consent was granted for DA20/0142 which approved modifications to the existing internal layout of the Go Bananas facility. The existing use of the building is for a B&ASCF. Notwithstanding that out of school hours care (including vacation care) is a land use which falls under the umbrella land use term of *centre-based child care facility*<sup>1</sup>, (as defined within the *Penrith Local Environmental Plan 2010*), the approval issued for DA 20/0142 was very specific and only related to the use of the premises as a before and after school care and vacation care facility

Therefore separate development approval is required to operate the long day care for children aged 0 – 5 years component, notwithstanding that a service approval had been issued by the NSW Department of Education for this purpose.

As a result, a S4.55(1A) application to modify DA20/0142 was lodged on 19 October 2020 to change the use of part of the before and after school care facility to a long day care for 0 – 5 year old children. It was determined however, that the proposed change of use did not constitute development that was, substantially the same development as that previously approved in DA08/1245.

Therefore, a Development Application to change the use of part of the existing before and after school and vacation care to a long day care for 0 – 5 year old children is required.

### 4.2 Summary of Proposed Development

The proposed development comprises:

- Change of use of part of the existing before and after school and vacation care to a long day care for 118 x 0 – 5 year old children.
- Continued operation of the site with a maximum of 220 children (including the 118 x 0 – 5 year old children), in accordance with the service approval issued by the NSW Department of Education on 4 April 2017<sup>2</sup>.

No physical works are proposed as part of this application.

#### 4.2.1 Before and After School Care (and Vacation Care)

Of the 220 maximum student capacity that the Go Bananas Centre has approval for, it is proposed that 102 students will occupy the existing before and after school care and vacation care. The students attending the before and after school care and vacation care will range from between 5 to 12 years of age.

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<sup>1</sup> centre-based child care facility means—

- (a) a building or place used for the education and care of children that provides any one or more of the following—
- (i) long day care,
  - (ii) occasional child care,
  - (iii) out-of-school-hours care (including vacation care),
  - (iv) preschool care

<sup>2</sup> The consent issued as part of DA20/0142 did not specify student numbers, nor did the consent issued for the original B&ASCF - DA 08/1245. As a result, the maximum student capacity for Go Bananas is a maximum of 220 children in accordance with the service approval issued by the NSW Department of Education on 4 April 2017.

## 4 Environmental Planning Assessment

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As outlined in the Operational Management Plan, the hours of operation for the B&ASCF are proposed to be from 6am through to 6:30pm Monday to Friday. The vacation care is to operate during the school holidays and pupil free days from 6:30am to 6:30pm.

### 4.2.2 Long Day Care Centre

The child care centre is proposed to provide 118 places for children aged 0 – 5 years. The area that is to be occupied for this purpose is identified on the approved plans in relation to DA20/0142.

The hours of operation of the proposed child care centre will be consistent with service approval SE-40009518 being 6:30am through to 6:30pm, Monday to Friday.

### 4.2.3 Operational Details

#### Indoor and outdoor activities

In accordance with the proposed Operational Management Plan, the long day care facility will operate in the following manner:

- indoor activities from 6:30am to 6:30pm.
- The outdoor play spaces will be used from 9:30am to 11:30am and from 1:30pm to 4:00pm.

The before and after school care facility will operate in the following manner:

- indoor activities between 6:00am to 9:00am (before school) and 3:15pm to 6:30pm (after school). During the day (between 9:00am and 3:15pm) (during the school term), the internal space designated as B&ASCF will not be used as the children will be attending school during this period.
- The outdoor play spaces will be used from 7:00am to 8:00am and from 4:00 to 5:00pm.

### 4.2.4 School drop off and pick up

The Go Bananas facility operates a service that provides pick up and drop off services to schools in the local area for children attending the before and after school care facility, using a fleet of company owned buses and vans – refer **Figures 12 and 13**. This service is proposed to continue as part of this application and will be used to provide access to and from schools for a maximum of 102 children attending the before and after school care facility.

## 4 Environmental Planning Assessment



Figure 12 The vans that operate the before and after school care school drop offs



Figure 13 One of the vehicle entrances to Go Bananas, including one of the mini buses used to pick up and drop off students to schools in the area



## 5 Environmental Planning Assessment

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This section provides an environmental assessment of the proposed development in respect of the relevant matters for consideration under section 4.15(1) of the Environmental Planning and Assessment Act, 1979 (EP&A Act).

### 5.1 Planning Controls

The following subsections assess the proposal against the relevant provisions of applicable Environmental Planning Instruments (EPIs), Draft EPIs, Development Control Plans (DCPs), Planning Agreements and matters prescribed by the Regulation in accordance with section 4.15(1)(a) of the EP&A Act.

#### 5.1.1 State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 applies to the state and is therefore relevant to this application. The object of this policy is:

- 1) *The object of this Policy is to provide for a State-wide planning approach to the remediation of contaminated land.*
- 2) *In particular, this Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment:*
  - a) *by specifying when consent is required, and when it is not required, for a remediation work, and*
  - b) *by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and*
  - c) *by requiring that a remediation work meet certain standards and notification requirements.*

Clause 7(1) of SEPP 55 sets out requirements for a consent authority to consider if land is contaminated and if so, be satisfied that the land is suitable in its contaminated state for the purpose for which development is proposed to be carried out. Further, Clause 7(2) requires that Council must consider a preliminary investigation report if a change of use of the land is proposed.

The site incorporates a mix of uses, including an existing B&ASCF which is a sub-use of the umbrella land use of centre based child care facility. Long day care centres are also a form of centre based child care facility. Therefore, also this application seeks to include use of part of the existing B&ASCF as a long day care centre (as a change of use application), it is not, for the purposes of SEPP 55, an application for a change of use *per se*.

No contaminated land is known to be located on the subject site and there are no physical works proposed as part of this application. As a result, the objects of SEPP 55 have been met.

#### 5.1.2 State Environmental Planning Policy No. 64 – Advertising and Signage

The proposed child care centre will continue to operate under the branding of Go Bananas. As a result, no additional signage is proposed as part of this application.

#### 5.1.3 Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River

SREP No. 20 – Hawkesbury-Nepean River (SREP 20) was introduced with the aim of protecting the environment of the Hawkesbury-Nepean River system, by ensuring that the impacts of future land uses are considered in a regional context.

As the proposal only involves a change of use of part of an existing building and no physical works, there will be no additional impacts generated by this proposal having regard to the environment of the Hawkesbury-Nepean River system.

## 4 Environmental Planning Assessment

### 5.1.4 Penrith Local Environmental Plan 2010

**Table 1** provides a summary assessment of the proposed development against the relevant provisions of the *Penrith LEP 2010*.

Table 1 Assessment against Relevant Provisions of the Penrith LEP 2010		
Provision	Assessment	Consistent
<b>Clause 2.2 – Zoning</b> - RE2: Private Recreation - E2: Environmental Conservation	The existing facility is located within that part of the site that is zoned RE2 Private Recreation. In accordance with the <i>Penrith LEP 2010</i> , a Centre-Based Child Care Facility is permitted with consent in the RE2 zone.	Yes
<b>Clause 5.11 – Bush fire hazard reduction</b> Bush fire hazard reduction work authorised by the Rural Fires Act 1997 may be carried out on any land without development consent.	<p>The subject site is located within land that is classified as being bush fire prone land. The proposed development does not result in any physical works and no increase in student capacity.</p> <p>The existing facility already operates as a centre based child care facility and therefore does not constitute a change of use <i>per se</i>.</p> <p>On 28 May 2020, a Bushfire Safety Authority was granted to the site in accordance with the works associated with DA 20/0142. Those works were the physical works required for the operation of a long day care facility from the site.</p> <p>Due to the nature of the proposed development (being for part change of use only) and the bushfire safety authority obtained on 28 May 2020 for the most recent physical works on the site, it is considered that no further bushfire advice is required.</p>	Yes

The subject site is located within the RE2 Private Recreation and E2 Environmental Conservation zones (**Figure 14**). However, the location of the facility the subject to this proposal, is within land zoned RE2 Private Recreation (RE2 zone). In accordance with the *Penrith Local Environmental Plan 2010* (PLEP 2010), a centre-based child care facility is permissible with consent within the RE2 zone.

A centre-based child care facility is defined in the PLEP 2010 as being:

- (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)).*

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The proposed change of use will enable part of the existing before and after school care facility (including vacation care) to be used as a long day care facility for preschool care aged children.

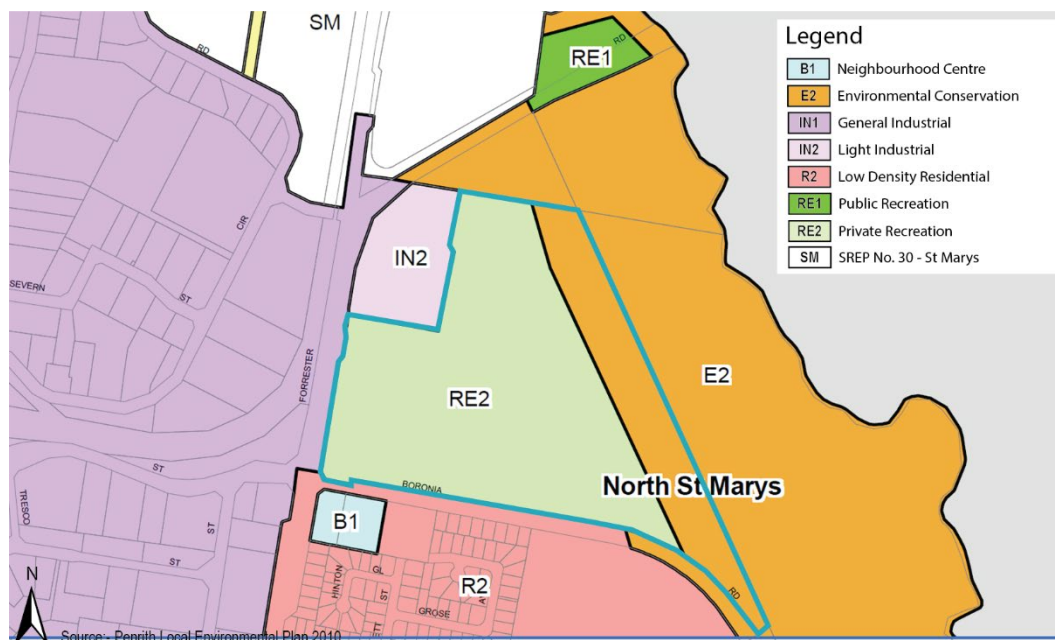


Figure 14 Land zoning map extract.

The proposal is also consistent with the objectives of the RE2 Private Recreation zone as outlined below:

- To enable land to be used for private open space or recreational purposes.

**Comment:** The proposal will change the use of part of an existing before and after school care facility to a long day care facility for children aged 0 – 5 years. No additional floor space is proposed and as a result, the proposal does not reduce the quantum of private open space or recreational land available on the subject site.

- To provide a range of recreational settings and activities and compatible land uses.

**Comment:** The proposal supports the use of other parts of the site that include recreational uses and activities. Furthermore, the site has operated as a before and after school care (and vacation care) facility since consent was granted in 2006, pursuant to DA 06/1840. As a result, the proposed use of part of the existing facility for children aged 0 – 5 years does not minimise the potential for a range of recreational uses and activities provided on site.

- To protect and enhance the natural environment for recreational purposes.

**Comment:** No physical works proposed as part of this application and therefore no additional impacts on the natural environment will be generated by this proposal.

### 5.1.5 Penrith Development Control Plan 2014

**Table 2** provides a summary assessment of the proposed development against the relevant provisions of the Penrith Development Control Plan (DCP) 2014.

Table 2 Penrith Development Control Plan 2014		
Provision	Assessment	Consistent
<b>D5 Other Land Uses – 5.2: Child Care Centres</b>		
1) Work based child care centres	N/A	N/A

## 4 Environmental Planning Assessment

Table 2 Penrith Development Control Plan 2014

Provision	Assessment	Consistent
2) Location	The proposed child care centre will cater for greater than 40 children (proposed 118 children), with the location of the centre being within the vicinity of other large public areas, community facilities. The facility will form part of the existing Go Bananas facility, which provides for before and after school care facilities.	Yes
3) Design, Scale and Site Frontage	The existing facility has a licence to accommodate 220 children. No change to the total number of children is proposed. Therefore, no additional traffic generation is anticipated to be created on the surrounding road network. There is ample parking available on site to accommodate the proposed change of use of part of the existing facility to a centre for 0 – 5 year old children.	Yes
4) Built Form	A service approval has already been issued by the NSW Department of Education for a total of 220 children. The site is therefore already considered to be suitable in size and built form to cater for a student capacity that exceeds 15 children.  Suitable colours and materials have already been implemented into the façade of the building to complement the character of the area. Please refer to <b>Figure 2</b> above.	Yes
5) Vehicle Access, Circulation and Parking	The existing vehicular access via Forrester Road will be retained, along with the 1,094 car parking spaces that exist on site.  No increase in student capacity is proposed. No increase in traffic generation is anticipated and the existing car parking provides ample car parking for staff and parents attending the facility.	Yes
6) Noise	As there is no increase in student capacity and no physical works proposed, no additional noise impacts are likely to be generated by this proposal.  Furthermore, the site is located approximately 170m from the nearest residential dwelling. The facility is located to the north (rear) of the existing Holiday Inn and club building. These buildings will provide acoustic attenuation for the closest residential receivers located on the southern side of Boronia Road.	Yes
7) Shade	The existing outdoor play areas are provided with suitable shade devices – refer <b>Figure 3</b> .	Yes
8) Landscaping	Suitable landscaping has been provided on the site to adequately screen the building and enhance the aesthetic appeal of the site. No modifications to the existing landscaping are proposed as part of this application.	Yes
9) Private Dwellings	N/A	N/A
10) Out of School Hours Care (OOSH)	The existing before and after school care facility will be retained as part of this application. The capacity of the	Yes

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Table 2 Penrith Development Control Plan 2014

Provision	Assessment	Consistent
	B&ASCF will reduce from 220 to 102 children The site will continue to remain capable of facilitating adequate amenities, playrooms, outdoor play areas and staff for the existing before and after school care facility.	

### 5.2 Likely Impacts of the Development

The following subsections assess the likely impacts of the development in accordance with section 4.15(1)(b) of the EP&A Act.

#### 5.2.1 Acoustic Privacy

The proposed use of part of the existing building as a facility for children aged 0 – 5 years is similar in nature to the existing use (before and after school care and vacation care). No change in the overall capacity of the centre is proposed. The overall capacity of the centre will remain at 220 children.

Furthermore, the hours of operation for the child care centre are to be consistent with the hours of operation approved by the NSW Department of Education, pursuant to service approval SE-40009518.

The Go Bananas facility is located to the north of the existing club building and Holiday Inn. These components of the club development are located between the Go Bananas facility and the closest residential receivers on the southern side of Boronia Road.

Therefore, no additional acoustic impacts are anticipated as a result of the proposed use.

#### 5.2.2 Existing and/or Future Character

The proposed development does not involve any physical works. The works within the area that will be used for the proposed facility for children aged 0 - 5 years were approved as part of DA20/0142 and as a result, there will be no changes to the existing or future character of the area as a result of the proposed use.

#### 5.2.3 Traffic and Parking

##### Access

Vehicle access to the site will continue to be from Forrester Road. Alternative vehicle access is also available from Boronia Road, adjacent to the existing Holiday Inn.

##### Traffic

As detailed above, the proposed development does not propose any increase in the capacity of the centre. Therefore, no adverse impacts regarding traffic are likely to be generated by the proposal.

##### Parking

A total of 1,094 on-site car parking spaces are available on the St Marys League Club site. This includes car parking available for the Go Bananas facility and the other businesses and organisations that operate from Lot 11 DP 1192443.

There are 63 car parking spaces, including 2 accessible spaces, located on that part of the site adjacent to the existing Go Bananas facility. No additional car parking is required as part of this application.

The proposal does not generate an increase in student capacity. Furthermore, due to the operational hours varying between the existing and proposed uses within the Go Bananas and

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the other land uses on the club site, there will remain a surplus of car parking spaces available on site for parents and staff to utilise when attending the Go Bananas facility.

### 5.2.4 Waste Management

A Waste Management Plan was approved as part of DA20/0142 which referenced how waste from the on-going use of the premise will be managed in accordance with the existing arrangements. No changes to are proposed to the waste management for on-going uses of the premises, in accordance with this application. Furthermore, no physical works are generated by this application and therefore no demolition or construction waste is proposed.

### 5.2.5 Employment

In accordance with the Education and Care Services National Regulations a total of 7 staff will be on site at any one time to facilitate the operations of the B&ASCF, as per the requirements for providing 1 staff member per 15 children.

For the long day care (0-5 years), 13 staff will be on site at any one time, to meet the requirements for the educator to child ratios as set out in relevant legislation, being 1 staff per member per 4 children aged 0-2 years, 1 staff member per 5 children aged 2-3 years and 1 staff member per 10 children aged 3-5 years.

## 5.3 Suitability of the Site for Development

The following subsections assess the suitability of the site in accordance with section 4.15(1)(c) of the EP&A Act.

### 5.3.1 Location

The site is already occupied by a facility that provides centre based child care in the form of before and after school care and vacation care to children. The proposed part change of use to a facility for children aged 0 – 5 years is an appropriate adjunct to the existing use. Furthermore, DA/20/0142 approved the physical works to facilitate use of part of the facility for 118 children aged 0 – 5 years.

Furthermore, ample car parking is already available on-site to facilitate the proposed child care centre. No additional traffic impacts are anticipated.

### 5.3.2 Essential Services and Infrastructure

Both the proposed child care facility and the before and after school care facility will be continue to have access to adequate essential services and infrastructure, including water, electricity and sewer.

## 5.4 Public Interest

In accordance with section 4.15(1)(e) of the EP&A Act, the proposed development is considered to be in the public interest. The proposal will provide a facility for children aged 0 – 5 years within a site that already contains a before and after school care facility. The site contains ample car parking, with the facilities to support the child care facility already being approved and constructed in accordance with DA 20/0142.

The ability for parents to drop off and pick up their children who attend primary school and long day care will be convenient for those who use the facility and will save parents significant time. DFP is of the understanding that parents of children who attend Go Bananas have been requesting this service for some time.

In accordance with Section 4.15(1)(e) of the EP&A Act, the proposed development is therefore considered to be in the public interest.

## 6 Conclusion

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The proposed development for the part change of use of an existing before and after school care facility and vacation care to a facility for children aged 0 - 5 years.

The proposed use has been assessed in accordance with the requirements of the EP&A Act and other relevant legislation and is considered to be consistent with all relevant legislation and planning controls.

The proposal is for the use of part of the existing Go Bananas facility for 118 children aged 0 – 5 years. The existing before and after school care and vacation care will be retained however the maximum capacity of that component of the facility will reduce to 102 children.

No physical works are proposed as part of this application. The works required to facilitate use of part of the centre for pre school aged children were approved under DA 20/0142.

No change to the existing capacity of the Go Bananas facility (220 children) is proposed.

Accordingly, the proposal is considered to satisfactorily respond to the opportunities and constraints of the site and the relevant legislation, is unlikely to result in adverse impacts in the locality and is worthy of approval.