

PENRITH CITY COUNCIL

MAJOR ASSESSMENT REPORT

Application number:	DA20/0019
Proposed development:	Expansion of Erskine Park Children's Centre including Use of Erskine Park Community Centre for Out of School Hours Care & Erection of Outdoor Play Area Fencing
Property address:	57 Peppertree Drive, ERSKINE PARK NSW 2759 158 - 172 Swallow Drive, ERSKINE PARK NSW 2759
Property description:	Lot 375 DP 713863 Lot 374 DP 713863
Date received:	17 January 2020
Assessing officer	Sufyan Nguyen
Zoning:	RE1 Public Recreation - LEP 2010
Class of building:	Class 9b
Recommendations:	Approve

Executive Summary

As the subject site is owned by Penrith City Council and the Council is the applicant for this development application, the Penrith Local Planning Panel is the determining authority for the application in accordance with Schedule 2 of the Minister's Local Planning Panels Direction.

Council is in receipt of a development application for a change of use for the Erskine Park Community Hall and the installation of 1.8m high palisade fencing to accommodate an additional 28 children as part of an outside of hours school care service for an existing centre-based child care facility (Erskine Park Children's Centre (The Centre)) at 57 Peppertree Drive and 158 - 172 Swallow Drive, Erskine Park. The subject site is zoned RE1 Public Recreation under the *Penrith Local Environmental Plan 2010* (LEP) and the development proposal is permissible with Council consent.

The proposed will result in a total of 138 child placements on the site, which requires the community hall to accommodate the additional 28 children. Given that the community hall is predominately used during evenings and weekends and that off-street parking is adequate, it is not considered that a change of use for the community hall will result in conflicts for the user groups.

It is noted that the existing Centre is required to incorporate acoustic fencing and a Noise Management Plan (NMP) to address noise mitigation measures as part of a previous development consent to expand the Centre (DA17/0240). A site visit on 31 January 2020 revealed that the acoustic fencing had not yet been installed and Council's records could not locate the NMP. As such, the applicant subsequently installed the acoustic fencing, in addition to providing a Noise impact assessment (NIA) and a NMP at the request of Council. The submitted documentation has been reviewed by Council's Environmental Management Unit, who advised that the proposal is within the established noise criteria, which ensures that the proposal will not result in any adverse impacts on the acoustic privacy of the immediately surrounding area.

Further, the proposed fencing will expand the outdoor play area and connect the community hall (Block C) to the existing buildings (Blocks A and B), which are currently being utilised by the Centre. In this regard, the proposed fencing appears to be in close proximity to existing trees on the site and therefore a recommended consent condition will require that an Arborist be engaged prior and during the installation of the fencing to ensure that there will be no tree impacts.

The proposal was advertised and notified to adjoining and nearby properties and publicly exhibited for a period of 14 days. No public submissions were received in response.

An assessment of the proposal under S4.55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) has been undertaken and the application is recommended for approval, subject to recommended conditions.

In addition, the application relates to land in the ownership of Penrith City Council. Accordingly, an independent peer review of the assessment of this proposal is required prior to determination.

Site & Surrounds

The subject site has a property address of 57 Peppertree Drive and 158 - 172 Swallow Drive, Erskine Park and is legally described as Lots 375 and 374 DP 713863. The allotment has a combined land area of 5.6366 ha, is irregular in shape and is situated at the T-junction of Peppertree Drive and Swallow Drive. The site is owned by Penrith City Council who provides community facilities, including Erskine Park Children's Centre (The Centre) and Erskine Park Community Centre and Erskine Park Community Hall and associated car park. The Centre is situated within Lot 374 and the Erskine Park Community Centre and Erskine Park Community Hall straddles over both lots and are adjacent to a building associated with Peppertree Reserve to the east.

The surrounding area is characterised by low density residential development. The site is in close proximity to a range of facilities and services including the Erskine Park Shopping Centre directly opposite the site to the north-west and James Erskine Public School to the south-west.

The broader road network includes the intersection of the M4 Motorway and Erskine Park Road approximately 1.47km northwards. The nearest bus service is located directly in front of the site to the north-west along Swallow Drive.

Proposal

The applicant seeks approval for an increase from 110 to 138 child placements for an existing centre-based child care facility (Erskine Park Children's Centre) at 57 Peppertree Drive and 158 - 172 Swallow Drive, Erskine Park.

The proposal includes the following aspects:

- Provide an additional 28 child placements for outside of school hours (OOSH) child care (from 68 to 93),
- Provide two additional educators for the additional 28 OOSH child care placements,
- Change of use for the Erskine Park Community Hall to a centre-based child care facility,
- Installation of a 1.8m high cottage green palisade fence linking the Centre and Erskine Park Community Hall, including 1 x single gate along the Centre's southern and 1 x single gate along the western fence and 1 x double gates (for maintenance access) along the south-eastern fence to match height and colour of Erskine Park Community Hall,
- Maintain 1 x single gate along existing Erskine Park Community Hall's western fence, and
- Installation of external lighting.

Plans that apply

- Local Environmental Plan 2010 (Amendment 4)
- Development Control Plan 2014
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
- 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 proposal has been assessed in accordance with the matters for consideration under Section 4.15 of the EP&A Act, and having regard to those matters, the following issues have been identified for further consideration.

Section 4.15(1)(a)(i) The provisions of any environmental planning instrument

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

Part 3 of the *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* details the development standards that are applicable to centre-based child care facilities, including the following:

Clause 22 Centre-based child care facility—concurrence of Regulatory Authority required for certain development

Concurrence from the NSW Department of Education is required if the development does not comply with the minimum unencumbered space requirements of 3.25m² of indoor space and 7m² of outdoor space per child under Clauses 107 and 108 of the Education and Care Services National Regulation.

In this regard, the proposed increase from a total 110 child care placements to a maximum of 138 children to be accommodated at the centre at any one time requires a minimum indoor space of 357.5m² and a minimum outdoor space of 9,663m².

The figures proposed by the applicant are as follows:

- Total unencumbered indoor space - proposed 458.81m²; and
- Total outdoor unencumbered outdoor space - proposed 1,819m², including sufficient outdoor covered areas (371m²).

The proposal satisfies the minimum space requirements of the Education and Care Services National

Clause 23 Centre-based child care facility—matters for consideration by consent authorities

The proposal has been assessed against the assessment framework of the Child Care Planning Guideline (2017) published by the NSW Department of Planning, Industry and Environment. The following comments made in relation to the key aspects of the development proposal are as follows:

Part	Objective	Comment
<p>3.1 Site selection and location</p>	<p>C1 To ensure that appropriate zone considerations are assessed when selecting a site</p>	<p>The existing Centre is situated within an RE1 Public Recreation zone and adjacent to Peppertree Reserve and is surrounded by an established R2 Low Density Residential zoning and adjacent to B2 Local Centre zoning, opposite to the north-west.</p> <p>The proposal is considered to remain compatible with the operation of the nature of these zones, noting that the NIA and NMP, which was submitted at the request of Council demonstrates that the proposal is compliant with the established noise criteria, as endorsed by Council's Environmental Management Unit and detailed below in Objectives C2 and C23- C24.</p> <p>The existing buildings and the dedicated car park on the site remain unaltered, which ensures that privacy and amenity and local traffic and parking impacts in the immediate surrounding area are minimal.</p>

	<p>C2 To ensure that the site selected for a proposed child care facility is suitable for the use</p>	<p>It is noted that the site is adjacent to local overland flooding, however, an assessment of flooding impacts was previously carried out with the original proposal and is considered to be of minimal flooding risk, noting that the minor fence works do not warrant any flooding controls. It is also noted that the site is not subject to any other natural hazards nor does it contain any known contaminants, including asbestos, as demonstrated by the submitted Asbestos Building Materials Register prepared by Getex Pty Limited (Report No. 10509.27.ASSR, dated 14 August 2018).</p> <p>The Centre remains compatible with the context of the site. The corner lot and existing buildings have appropriate separation distances between adjoining and nearby properties and the site contains acoustic fencing and mature trees, noting that noise mitigation measures have demonstrated that the development meets specific guidelines, as discussed in this report. The site provides adequate off-street parking and it is not in proximity to any known incompatible social activities.</p> <p>Further, the minor fencing works is not considered to result in any adverse environmental impacts.</p>
	<p>C3 To ensure that sites for child care facilities are appropriately located</p>	<p>The Centre adjoins Peppertree Reserve, James Erskine Public School and is situated opposite to the Erskine Park shopping centre. It has access to bus stops directly outside the site along Swallow Drive with pedestrian footpath network. A number of home businesses are in proximity to the Centre.</p>
	<p>C4 To ensure that sites for child care facilities do not incur risks from environmental, health or safety hazards</p>	<p>The Centre is not located nearby any known hazardous facilities, including heavy or hazardous industries, transfer depots, landfill sites, LPG tanks or service stations, water cooling/warming systems or odour generating land uses.</p>
<p>3.2 Local character, streetscape and public domain interface</p>	<p>C5 To ensure that the child care facility is compatible with the local character and surrounding streetscape</p>	<p>The existing buildings on the site remain unaltered and the proposed outdoor play area fencing is considered to be compatible with the existing fencing and is of minimal impact on the streetscape.</p>

	<p>C6 - C8 To ensure clear delineation between the child care facility and public spaces</p>	<p>1.8m high cottage green palisade fencing is proposed around the western and south-eastern sides of an outdoor play area on the site, which links the Centre and the Erskine Park Community Hall. It is noted that low level height fencing is preferred, however, the proposed 1.8m high fencing will secure the outdoor play area from the adjoining public reserve. The fencing is considered to be compatible with the existing 1.8m high maroon and cottage green palisade boundary fencing across the site.</p> <p>Further, the provision of new gates will provide maintenance access and fenestration is maintained along building facades to provide for passive surveillance. Existing landscaping maintains amenity to the public domain.</p> <p>In addition, the existing pedestrian entrances are maintained from the car parking area on the site, which are considered satisfactory, in terms of vehicular circulation and visitor access.</p>
	<p>C9 - C10 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</p>	<p>The existing 1.8m fencing and proposed 1.8m fencing is considered to be compatible with the desired future character of the local area and provides a suitable form of street presentation, which also assists in mitigating acoustic levels from the site.</p> <p>The Centre's front building line and adjacent front fence is appropriately setback from the road and public domain. The existing trees provide visual relief from these structures.</p> <p>The existing acoustic fencing on the site mitigates noise impacts on nearby residential properties.</p>
<p>3.3 Building orientation, envelope and design</p>	<p>C11 To respond to the streetscape and site, while optimising solar access and opportunities for shade</p>	<p>The proposed works are limited to new fencing, which is considered to be of minimal impact on the streetscape.</p> <p>The existing buildings on the site contain fenestration, which provide adequate solar access and do not result in noise or overlooking impacts on nearby residential properties.</p>

	<p>C12 To ensure that the scale of the child care facility is compatible with adjoining development and the impact on adjoining buildings is minimised</p>	<p>The single storey building heights and building setbacks remains unaltered. The proposed change of use for the community hall and adjacent outdoor play area requires new fencing to be extended along the south-eastern section of the site, which adjoins a public reserve.</p> <p>The change of use for the community hall and the addition of a outdoor play area boundary fence is considered to be minimal impact on the nearby buildings and adjoining public reserve.</p>
	<p>C13 To ensure that setbacks from the boundary of a child care facility are consistent with the predominant development within the immediate context</p>	<p>The outdoor play area setbacks remain essentially the same, in that, the south-western boundary for the outdoor play area is merely extended along this boundary. The Centre maintains adequately setback from the street and the adjoining public reserve building.</p>
	<p>C14 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.</p>	<p>The subject site is situated within an RE1 zone. Notwithstanding, the side and rear boundary setbacks remain largely unaltered, in particular, along the streetscape fronting neighbouring properties.</p>
	<p>C15 To ensure that buildings are designed to create safe environments for all users.</p>	<p>The external changes are limited to fencing adjustment, as detailed above, which is considered to be compatible with the local character. Further, existing vegetation is retained across the site to ensure amenity is preserved.</p>
	<p>C16 To ensure that buildings are designed to create safe environments for all users</p>	<p>The internal layout configuration and pedestrian pathways remain unaltered.</p> <p>The existing main entrances provide a clear entry point, which are visible from the car parking area and street frontage.</p> <p>It is noted that an accessible gate is provided along the south-western side of the outdoor area, which can serve as an evacuation gate for emergency exit.</p>
	<p>C17 To ensure that childcare facilities are designed to be accessible by all potential users</p>	<p>The site is relatively flat and the Centre makes provision for two accessible car parking spaces adjacent to the main entrance. An accessible parking space is located adjacent to the community hall and an accessible toilet in each Block A and Block B buildings. The child care centre remains as single storey buildings and key areas of the site are accessible by wheelchairs and prams.</p>

<p>3.4 Landscaping</p>	<p>C18 - C19 To provide landscape design that contributes to the streetscape and amenity</p>	<p>The development retains existing landscaping, which comprises of a mix of several mature trees, shrubs, ground cover and grass. The vegetation is considered to provide adequate amenity and visual quality to the streetscape. It is noted that the proposed fencing is in proximity to existing trees and therefore a recommended consent condition will require that an Arborist attend the site during the installation of the fencing to ensure that there will be no tree impacts.</p>
<p>3.5 Visual and acoustic privacy</p>	<p>C21 To protect the privacy and security of children attending the facility</p>	<p>The Centre contains existing fencing and the proposal provides appropriate fencing that surrounds outdoor play areas. Suitable pathway entrances and adequate tree screening is maintained. These privacy measures will minimise overlooking into the indoor and outdoor spaces and provide security for the children on the site.</p>
	<p>C22 To minimise impacts on privacy of adjoining properties</p>	<p>The proposed change of use for the community hall and the extension of the outdoor play area is not considered likely to result in overlooking to nearby residential properties. It is noted the windows in the existing building's north and north-western facades do not cross-view to nearby properties. It is also noted that appropriate fencing and existing vegetation will protect the privacy of the nearby properties.</p>
	<p>C23 - C24: To minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments.</p>	<p>It is noted that a previous development consent (DA17/0240) approved an expansion of the Centre and the enclosure of an awning. The approval required the installation of acoustic fencing along the Swallow Drive frontage and the submission of a Noise Management Plan (NMP) in accordance with the recommendations in the NIA, prior to the issue of an Occupation Certificate. In this regard, a site inspection on 31 January 2020 revealed that the acoustic fence had not yet been installed and Council's records could not locate the NMP. As such, the applicant was requested to address these outstanding matters and provide an NIA to demonstrate that the proposal, in particular, the increase in OOSH child care numbers and associated vehicular access are compliant with the established noise criteria and will not adversely impact on nearby sensitive receivers.</p> <p>The applicant subsequently provided a</p>

		<p>NIA, Centre Noise Management Plan (CNMP) and installed acoustic fencing in this regard. It is noted that the NIA refers to criteria in the now superseded Industrial Noise Policy, however, no objection is raised to the use of the criteria given that the NIA references and complies with the 'Association of Australian Acoustical Consultants Guideline for Child Care Centre Acoustic Assessment'. The NIA concludes that the operation of the Centre can comply with established noise criteria, subject to the implementation of operational noise management measures.</p> <p>In addition, the CNMP supplements the NIA, which provides a schedule of outdoor play to limit the maximum number of 69 children outdoors at any one time. It is noted that the CNMP refers to children being at the Centre until 6:30pm. The period 6pm - 10pm is classified as the 'evening' period when considering noise criteria that apply, however, it is considered that this period of 6pm - 6:30pm is a 'shoulder period' between 'day' and 'evening' criteria and ultimately, the performance of the Centre in terms of noise compliance relies heavily upon the operational noise management practices implemented. It is also noted that limited children are in attendance during the period 6pm - 6:30pm. Accordingly, no objection is raised to the play schedule and the proposal is compliant with the relevant noise criteria, as advised by Council's Environmental Management Unit, subject to recommended consent conditions.</p>
<p>3.6 Noise and air pollution</p>	<p>C25 - C26 To ensure that outside noise levels on the facility are minimised to acceptable levels</p>	<p>Documentation and modelling submitted with the proposal, demonstrates that acceptable noise levels are achieved in accordance with the relevant guidelines, as endorsed by Council's Environmental Management Unit.</p>
	<p>C27 - 28 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.</p>	<p>The existing Centre is situated along a local road, which is considered to be acceptable in terms of air pollution from passing motorists.</p> <p>It is noted that the Centre and its surrounds contains numerous mature trees to improve air quality for the users and visitors of the Centre.</p>

3.7 Hours of operation	C29 - 30 To minimise the impact of the child care facility on the amenity of neighbouring residential developments	The existing Centre has an approved 7am to 6pm weekdays hours of operation, which is permissible and considered to be appropriate.
3.8 Traffic, parking and pedestrian circulation	C31 & C33 To provide parking that satisfies the needs of users and demand generated by the centre	<p>The development proposal has an existing front car park, which makes provision for 36 parking spaces, including three accessible parking spaces adjacent to front entrances, in addition to a mini bus parking space. The proposal requires a minimum of 30 car parking spaces in accordance with the DCP, which is satisfactory.</p> <p>Further, it is noted that the Erskine Park Community Centre is predominately used by the public after hours when the centre is not in use. Further, Council's Traffic Engineer Unit reviewed the proposal, which advised that this is acceptable as the Community Centre functions outside of peak periods.</p> <p>It is also noted that bus stops are within 130m walking distance are available.</p>
	C36 & C38 To provide a safe and connected environment for pedestrians both on and around the site.	The centre maintains a pedestrian pathway from the car parking area and a separate pedestrian pathway from the street, which are considered to be satisfactory.

Clause 25 Centre-based child care facility - non-discretionary development standards

The non-discretionary development standards which, if complied with, prevent a consent authority from requiring more onerous standards. These matters relate to location, indoor and outdoor space, site area and dimensions and the colour of building materials and shade structures, which as previously indicated in this report are considered compliant.

Clause 26 Centre-based child care facility - development control plans

The SEPP includes provisions in development control plans that cannot be applied to development of child care centres, such as hours of operation, demonstrated need for services, proximity to other facilities, or any matter set out in the *Child Care Planning Guideline*. Council's DCP does contain specific development standards related to the matters described in Clauses 25 and 26, which are rendered obsolete by the function of the SEPP.

State Environmental Planning Policy No 55—Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) provides 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. Under Clause 7 of SEPP 55, it must be considered as to whether the land is contaminated, and if so, Council must be satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which development is proposed to be carried out.

In this regard, the subject site has been used by the Centre and for community purposes for a number of years and the nature of the use will continue to be as such. It is noted that aerial observation mapping indicates that the site does not appear to contain any unknown imported fill and that the submitted Asbestos Building Materials Register determined that asbestos is not present on the site. Further, the minor works to erect a fence is unlikely to pose any land contamination risks.

Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

An assessment has been undertaken of the development against relevant criteria within *Sydney Regional Environmental Plan No. 20—Hawkesbury-Nepean River (No. 2—1997)* and the proposal is satisfactory subject to recommended conditions of consent, noting the minor fencing works and that adequate stormwater drainage is maintained.

Local Environmental Plan 2010 (Amendment 4)

Provision	Compliance
Clause 1.2 Aims of the plan	Complies - See discussion
Clause 2.3 Permissibility	Complies - See discussion
Clause 2.3 Zone objectives	Complies - See discussion
Clause 4.3 Height of buildings	Complies - See discussion
Clause 7.7 Servicing	Complies - See discussion

Clause 1.2 Aims of the plan

The proposal seeks to increase the capacity of OOSH child care service for the Centre in response to the extensive waiting list for children moving from long day care to the neighbouring schools in 2020. Given that the proposal facilitates an essential service to the community within an established residential area, in addition to being located adjacent to a public school, the aims of the plan are therefore satisfied, in particular:

- *(b) to promote development that is consistent with the Council's vision for Penrith, namely, one of a sustainable and prosperous region with harmony of urban and rural qualities and with a strong commitment to healthy and safe communities and environmental protection and enhancement, and*
- *(h) to ensure that development incorporates the principles of sustainable development through the delivery of balanced social, economic and environmental outcomes, and that development is designed in a way that assists in reducing and adapting to the likely impacts of climate change.*

Clause 2.3 Permissibility

Centre-based child care facilities are permissible in the RE1 Public Recreation zone and the development proposal is permissible with Council consent.

Clause 2.3 Zone objectives

The proposed increase in servicing capacity is in response to the emerging needs of the community. Therefore, given that the proposal's nature of business activities remains unaltered and that existing vegetation on the site is preserved, the objectives of the RE1 Public Recreation zone are met, in particular:

- *To provide a range of recreational settings and activities and compatible land uses, and*
- *To provide land for the development of services and facilities by public authorities for the benefit of the community.*

Clause 4.3 Height of buildings

The proposed works are limited to new fencing and therefore the building heights on the site remain compliant.

Clause 7.7 Servicing

Connection to existing services and facilities remain unaltered and will therefore provide adequate servicing for the proposal.

Section 4.15(1)(a)(ii) The provisions of any draft environmental planning instrument

Draft Environment State Environmental Planning Policy

The Draft Environment SEPP was exhibited from 31 October 2017 to 31 January 2018. This consolidated SEPP proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property.

Changes proposed include consolidating a total of seven existing SEPPs being:

- *State Environmental Planning Policy No. 19 – Bushland in Urban Areas*
- *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011*
- *State Environmental Planning Policy No. 50 – Canal Estate Development*
- *Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment*
- *Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No.2-1997)*
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*
- *Willandra Lakes Regional Environmental Plan No. 1 – World Heritage Property.*

It is noted that the proposed changes to State Environmental Planning Policy No 19 – Bushland in Urban Areas (SEPP 19) are not considered to impact the proposed development. In addition, the amendments to Sydney Regional Environmental Plan No 20 – Hawkesbury – Nepean River (No. 2 – 1997) do not impact the proposed development. In this regard, the proposal is not inconsistent with the provisions of this Draft Instrument.

Draft Remediation of Land SEPP

The Department of Planning and Environment has announced a Draft Remediation of Land SEPP, which will repeal and replace the current State Environmental Planning Policy No 55—Remediation of Land.

The proposed new land remediation SEPP will:

- provide a state-wide planning framework for the remediation of land,
- maintain the objectives and reinforce those aspects of the existing framework that have worked well,
- require planning authorities to consider the potential for land to be contaminated when determining development applications and rezoning land,
- clearly list the remediation works that require development consent, and
- introduce certification and operational requirements for remediation works that can be undertaken without development consent.

It is also proposed that it will transfer the requirements to consider contamination when rezoning land to a direction under Section 9.1 of the Environmental Planning and Assessment Act 1979.

Whilst the proposed SEPP will retain the key operational framework of SEPP 55, it will adopt a more modern approach to the management of contaminated land. Noting the above, the Draft SEPP will not alter or affect the findings in respect to contamination of the site.

Section 4.15(1)(a)(iii) The provisions of any development control plan

Development Control Plan 2014

Provision	Compliance
DCP Principles	Complies - see Appendix - Development Control Plan Compliance
C1 Site Planning and Design Principles	Complies - see Appendix - Development Control Plan Compliance
C2 Vegetation Management	Complies - see Appendix - Development Control Plan Compliance
C3 Water Management	Complies - see Appendix - Development Control Plan Compliance
C4 Land Management	Complies - see Appendix - Development Control Plan Compliance
C5 Waste Management	Complies
C6 Landscape Design	N/A
C7 Culture and Heritage	Complies - see Appendix - Development Control Plan Compliance
C8 Public Domain	N/A
C9 Advertising and Signage	Complies - see Appendix - Development Control Plan Compliance
C10 Transport, Access and Parking	Complies - see Appendix - Development Control Plan Compliance
C11 Subdivision	N/A
C12 Noise and Vibration	Complies - see Appendix - Development Control Plan Compliance
C13 Infrastructure and Services	Complies - see Appendix - Development Control Plan Compliance
D5.2. Child Care Centres	Complies - see Appendix - Development Control Plan Compliance

Section 4.15(1)(a)(iia) The provisions of any planning agreement

There are no planning agreements applicable to the development proposal.

Section 4.15(1)(a)(iv) The provisions of the regulations

The relevant prescribed conditions under the Regulations, such as the requirement for compliance with the Building Code of Australia and fire safety requirements, will be imposed as consent conditions. Subject to the recommended consent conditions, the development proposal complies with the requirements under Section 143 of the *Environmental Planning and Assessment Regulation 2000*. It is noted that an Annual Fire Safety Statement has been provided, which covers all the installed essential services and door latching devices and that there are no building issues, as advised by Council's Building Unit.

Section 4.15(1)(b) The likely impacts of the development

Under Section 4.15 of the Act, consideration must be given to the likely impacts of the development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.

In this regard, the proposal makes provision for adequate indoor and outdoor spaces, amenities, pedestrian access, parking and vehicle manoeuvring, waste storage, safety and security and noise mitigation.

The proposed total of 138 child care placements requires a change of use for the Erskine Park Community Hall to accommodate the increased servicing capacity. Given that the community hall is predominately used during evenings and on weekends, as stated in the submitted statement of environment effects, it is not considered that the proposed change of use for the community hall is in conflict with user groups. The proposal is considered to be of a suitable scale given that the site has the capacity to accommodate the additional children and staff, noting that the existing Centre has been in operation for a number of years and has not received any formal complaints.

It is noted that the required acoustic fencing on the site is in place and that the submitted NIA demonstrates that the development is compliant with relevant noise guidelines, as advised by Council's Environmental Management Unit. It is also noted that the proposal is limited to fencing works, however, a recommended consent condition will require that an Arborist attend the site to monitor the installation of the outdoor play area fencing to ensure that there will be no tree impacts.

Given that the development is compliant with the relevant provisions and controls, it is not considered that it will result in any significant impacts on the nearby properties or the surrounding environment or the general public.

Section 4.15(1)(c) The suitability of the site for the development

The development proposal is not considered to diminish the site's suitability, noting that there are appropriate noise mitigation measures in place, minimum indoor and outdoor space areas are compliant and that adequate off-street parking and secure outdoor play area fencing are provided.

Section 4.15(1)(d) Any Submissions

Community Consultation

In accordance with Appendix F4 of the DCP, the development proposal was advertised in the local newspaper, notified and publicly exhibited. The proposal was advertised in the Western Weekender newspaper on 30 January 2020 and notified to 12 adjoining and nearby properties and publicly exhibited between 31 January to 14 February 2020. No public submissions were received in response.

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
Environmental - Environmental management	No objections - subject to conditions
Environmental - Public Health	No objections - subject to conditions
Traffic Engineer	No objection subject to conditions

Section 4.15(1)(e) The public interest

In consideration of the nature and scale of the development proposal, in addition to the proposal being compliant with the applicable development controls and standards, the health and safety of the public will not be adversely affected, noting that the proposal poses no major flooding risks. Therefore, the development will not generate any significant issues of public interest.

Section 94 - Developer Contributions Plans

The development proposal is for a change of use for the Erskine Park Community Hall to a centre-based child care facility (OOSH) and does not involve any residential development. As such, development contributions are not applicable to the proposal, as advised by Council's Senior Contributions Planner.

The Erskine Park Residential Release Area Contributions Plan has been repealed, however it is confirmed that the plan did provide for the funding of both the community hall / facility and child care facility. The plan did not prescribe specific allocations of funding to each item separately, and does not identify specific floor area calculations separately between the two facilities. It is therefore considered that the proposed conversion is not in conflict with the terms of this repealed plan or the reasoning for the funding being an item within the plan for recovery as the development is still providing a form of community service (inclusive of day care) as was intended by the Plan.

Conclusion

In assessing this development proposal against the relevant environmental planning policies, including *Penrith Local Environmental Plan 2010*, *Penrith Development Control Plan 2014*, *State Environmental Planning Policy No. 55—Remediation of Land* and *Sydney Regional Environmental Plan No. 20— HawkesburyNepean River (No. 2—1997)*, the development proposal satisfies the aims, objectives and provisions of these policies and does not contravene any development controls. The proposal is unlikely to have any significant impacts on the natural, social or economic environments and the site is suitable for the development. The proposal is in the public interest. Therefore, the application is worthy of support and is recommended for approval, subject to conditions.

Recommendation

That DA20/0019 for an expansion of Erskine Park Children's Centre, including use of Erskine Park Community Centre for outside of school hours care and erection of outdoor play area fencing at 57 Peppertree Drive and 158 - 172 Swallow Drive, Erskine Park be approved, subject to the attached conditions.

CONDITIONS

General

1 [A001 - Approved plans table](#)

The development must be implemented substantially in accordance with the following plans and documents stamped approved by Council, the application form and any supporting information received with the application, except as may be amended in red on the stamped approved plans and by the following conditions.

Drawing Title	Prepared By	Reference No.	Sheet No.	Issue	Dated
Roof/Site Analysis	Design Corp	2019-0190	C1 - C2	C	06/03/2020
Ground Floor Blocks A & B	Design Corp	2019-0190	C3	C	06/03/2020
Ground Floor Block C	David C. Jackson	2019-0190	C4	C	06/03/2020

Documents:

- Acoustics Noise Management Plan prepared by Far West Consulting Engineers, Reference No. 203510, Amended 2, dated 25 May 2020,
 - Erskine Park Children's Centre Noise Management Plan prepared by Amanda Collins, dated 22 April 2020,
 - Asbestos Building Materials Register prepared by Getex Pty Ltd, Report No. 10509.27.ASSR, Revision 0, dated 6 September 2018, and
 - Waste Management Plan prepared by Penrith City Council, dated 16 January 2020.
- 2 [A012 - Food Act](#)
The proprietor of the food business shall ensure that the requirements of the *NSW Food Act 2003*, *NSW Food Regulation 2010* and the Australian and New Zealand Food Standards Code are met at all times.
- 3 [A029 - HOURS OF OPERATION AND DELIVERY TIMES](#)
The approved operating hours are from 7:00am to 6:00pm, Mondays to Fridays. The centre-based child care facility is not to operate on weekends or public holidays. Delivery, waste collection and other service vehicles generated by the development are restricted to these hours of operation.
- 4 [A039 - Graffiti](#)
The finishes of all structures and buildings are to be maintained at all times and any graffiti or vandalism immediately removed/repaired.
- 5 [A Special \(BLANK\)](#)
An Arborist shall be engaged before and during the fence installation, in particular, to monitor minimum tree protection requirements with hand digging during the installation of the steel fence post.
- 6 [A Special \(BLANK\)](#)
Special attention must be given the maintenance of the acoustic fence and any adjacent landscaping.
- 7 [A Special \(BLANK\)](#)
The maximum number of children placed at the centre-based child care facility is to be limited to 138 including 8 places available for babies and toddlers aged 0-2 years.
- 8 [A Special \(BLANK\)](#)
The scheduled outdoor play times shall be restricted to the Erskine Park Children's Centre Noise Management Plan prepared by Amanda Collins, dated 22 April 2020.

Demolition

9 [B002 - AS FOR DEMOLITION AND DISPOSAL TO APPROVED LANDFILL SITE](#)

All demolition works are to be conducted in accordance with the provisions of AS 2601-1991 "The Demolition of Structures". **Prior to demolition**, all services shall be suitably disconnected and capped off or sealed to the satisfaction of the relevant service authority requirements.

All demolition and excavated material shall be disposed of at a Council approved site or waste facility. Details of the proposed disposal location(s) of all excavated material from the development site shall be provided to the Principal Certifying Authority **prior to commencement of demolition**.

10 B003 - ASBESTOS

You should read Council's Fact Sheet titled "Handling and Disposal of Fibrous Cement Products" **before any demolition works commence on the site.**

Prior to commencement of demolition works on site, a portaloo with appropriate washing facilities shall be located on the site and the Principal Certifying Authority is to be satisfied that:

- Measures are in place so as to comply with the WorkCover Authority's "Short Guide to Working with Asbestos Cement" and
- The person employed to undertake the works is a licensed asbestos removal contractor and is holder of a current WorkCover Asbestos Licence.

Any demolition works involving the removal of all asbestos shall only be carried out by a licensed asbestos removal contractor who has a current WorkCover Asbestos Licence.

All asbestos laden waste, including asbestos cement flat and corrugated sheeting must be disposed of at a tipping facility licensed by the Environmental Protection Authority to receive asbestos wastes.

11 B004 - Dust

Dust suppression techniques are to be employed during demolition to reduce any potential nuisances to surrounding properties.

12 B005 - Mud/Soil

Mud and soil from vehicular movements to and from the site must not be deposited on the road.

Environmental Matters

13 D001 - Implement approved sediment& erosion control measures

Erosion and sediment control measures shall be installed **prior to the commencement of works on site** including approved clearing of site vegetation. The erosion and sediment control measures are to be maintained in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

(Note: To obtain a copy of the publication, you should contact Landcom on (02) 98418600).

Certification that the erosion and sediment control measures have been installed in accordance with the approved erosion and sediment control plan (s) for the development and "Managing Urban Stormwater: Soils and Construction 2004" shall be obtained and issued a minimum 2 days before any other site works are to commence, including earthworks and clearing of the site.

The approved sediment and erosion control measures are to be installed **prior to and maintained throughout the construction phase of the development.** These measures shall ensure that mud and soil from vehicular movements to and from the site does not occur during the construction of the development.

14 D005 – No filling without prior approval (may need to add D006)

No fill material is to be imported to the site without the prior approval of Penrith City Council in accordance with Sydney Regional Environmental Plan No.20 (Hawkesbury- Nepean River) (No.2-1997). No recycling of material for use as fill material shall be carried out on the site without the prior approval of Council.

15 D010 – Appropriate disposal of excavated or other waste

All excavated material and other wastes generated as a result of the development are to be re-used, recycled or disposed of in accordance with the approved waste management plan.

Waste materials not specified in the approved waste management plan are to be disposed of at a lawful waste management facility. Where the disposal location or waste materials have not been identified in the waste management plan, details shall be provided to the Certifying Authority as part of the waste management documentation accompanying the Construction Certificate application.

All receipts and supporting documentation must be retained in order to verify lawful disposal of materials and are to be made available to Penrith City Council on request.

16 D013 - Approved noise level 1

Noise levels from the premises shall not exceed the relevant noise criteria detailed in the report titled 'Acoustics Noise Management Plan' prepared by Far West Consulting Engineers, Reference No. 203510, Amended 2, dated 25 May 2020. The recommendations provided in the Acoustics Noise Management Plan shall be implemented and applied to the operation of the development.

The provisions of the *Protection of the Environment Operations Act 1997* apply to the development, in terms of regulating offensive noise.

17 D014 - Plant and equipment noise

The operating noise level of plant and equipment shall not exceed 5dB(A) above the background noise level when measured at the boundaries of the premises. The provisions of the *Protection of the Environment Operations Act 1997* apply to the development, in terms of regulating offensive noise.

18 D Special BLANK

In the event of ongoing noise complaints relating to the development being received by Council, the owner and/or occupier of the development may be required by Council to obtain the services of a suitably qualified acoustic consultant to undertake a noise impact assessment on the development to address the concerns of the community. Should that occur, the noise impact assessment report shall be prepared and provided to Council for approval within 45 days of being requested. Any mitigation works are to be undertaken within thirty (30) days from the date of notice from Council, unless otherwise specified.

BCA Issues

19 E006 - Disabled access and facilities

Access and sanitary facilities for persons with disabilities are to be provided and maintained in accordance with the requirements of the Building Code of Australia and AS 1428 "Design for Access and Mobility". Details of compliance are to be provided in the relevant plans and specifications accompanying the Construction Certificate application.

20 E01A - BCA compliance for Class 2-9

All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:

- (a) complying with the deemed to satisfy provisions, or
- (b) formulating an alternative solution which:
 - complies with the performance requirements, or
 - is shown to be at least equivalent to the deemed to satisfy provision, or
- (c) a combination of (a) and (b).

It is the owner's responsibility to place on display, in a prominent position within the building at all times, a copy of the latest fire safety schedule and fire safety certificate/ statement for the building.

Health Matters and OSSM installations

21 F001 - General Fitout

The construction, fit-out and finishes of the food premises must comply with Standard 3.2.3 of the Australian and New Zealand Food Standards Code, and AS 4674-2004 *Design, Construction and Fit-Out of Food Premises*.

22 F027 - Hand basins

Hand basins must be freestanding, serviced with hot and cold water through a single outlet, able to be mixed at a temperature of at least 40°C and fitted with a hands free operation. Where sensor taps are installed the basin must not be more than 6 metres from the hot water system. Disposable paper hand towels and soap must be provided and serviced from a dispenser adjacent to each hand basin.

23 F029 - Hand basin within staff toilets

A hand basin must be located within the toilet cubicle. Hand basins must be freestanding, serviced with hot and cold water through a single outlet, able to be mixed at a temperature of at least 40°C and fitted with a hands free operation. Where sensor taps are used the basin must not be more than 6 metres from the hot water system. Disposable paper hand towels and soap must be provided and serviced from a dispenser adjacent to each hand basin.

Utility Services

24 [G002 - Section 73 \(not for](#)

A Section 73 Compliance Certificate under the *Sydney Water Act 1994* shall be obtained from Sydney Water. The application must be made through an authorised Water Servicing Coordinator. Please refer to “Your Business” section of Sydney Water’s website at www.sydneywater.com.au then the “e-developer” icon, or telephone 13 20 92.

The Section 73 Compliance Certificate must be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

Engineering

25 [K Special \(BLANK\)](#)

All car parking and manoeuvring must be in accordance with AS 2890.1-2004, AS 2890.6-2009 and the *Penrith Development Control Plan 2014*.

26 [K Special \(BLANK\)](#)

All car spaces are to be sealed/line marked and dedicated for the parking of vehicles only and not be used for storage of materials, products, waste materials, etc.

27 [K Special \(BLANK\)](#)

The required sight lines around the driveway entrances are not to be compromised by landscaping, fencing or signage.

28 [K Special \(BLANK\)](#)

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

29 [K Special \(BLANK\)](#)

The scope of works is to include the refurbishment of the parking area including the re-painting of faded pavement markings and renewal of damaged signage.

30 [K Special \(BLANK\)](#)

Appropriate pavement markings and signage are required to reinforce the direction of vehicle circulation and the location of minibus pick-up/drop-off area.

Landscaping

31 [L008 - Tree Preservation Order](#)

No trees are to be removed, ringbarked, cut, topped or lopped or wilfully destroyed (other than those within the proposed building footprint or as shown on the approved plans) without the prior consent of Penrith City Council and in accordance with Council’s Tree Preservation Order and Policy.

32 [L012 - Existing landscaping \(for existing development\)](#)

Existing landscaping is to be retained and maintained at all times.

Certification

33 [Q01F - Notice of Commencement & Appointment of PCA2 \(use for Fast Light only\)](#)

Prior to the commencement of any earthworks or construction works on site, the proponent is to:

- (a) employ a Principal Certifying Authority to oversee that the said works carried out on the site are in accordance with the development consent and related Construction Certificate issued for the approved development, and with the relevant provisions of the Environmental Planning and Assessment Act and accompanying Regulation, and
- (b) submit a Notice of Commencement to Penrith City Council.

The Principal Certifying Authority shall submit to Council an “Appointment of Principal Certifying Authority” in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

Information to accompany the Notice of Commencement

Two (2) days before any earthworks or construction/demolition works are to commence on site (including the clearing site vegetation), the proponent shall submit a “Notice of Commencement” to Council in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

34 **Q05F - Occupation Certificate for Class10**

An Occupation Certificate is to be obtained from the Principal Certifying Authority on completion of all fencing works and prior to the use for the additional 28 out of hours school care child placements (total number of 138 child placements).

The Certificate shall not be issued if any conditions of this consent, but not the conditions relating to the operation of the development, are outstanding.

A copy of the Occupation Certificate and all necessary documentation supporting the issue of the Certificate is to be submitted to Penrith City Council, if Council is not the Principal Certifying Authority.

Appendix - Development Control Plan Compliance

Development Control Plan 2014

Part B - DCP Principles

The development proposal will boost socio-economic growth, which will in turn strengthen the locality. Given that child care services are essential to accommodate population growth, in addition to the proposal not resulting in any adverse impacts on the surrounding environment, the proposal contributes to sustainable development and therefore satisfies the DCP principles, in particular:

Principle 1: Provide a long term vision for cities, based on sustainability; intergenerational, social, economic and political equity; and their individuality, and Principle 2: Achieve long term economic and social security.

Part C - City-wide Controls

The proposal has been assessed against the applicable provisions of Part C of the *Penrith Development Control Plan 2014*, relevantly as follows:

C1 Site Planning and Design Principles

The proposed works are limited to new fencing and are considered generally desirable as they will have minimal physical and visual impacts on the surrounding development.

C2 Vegetation Management

The proposal does not include the removal of any vegetation. It is noted that the proposed fencing is in proximity to existing trees and therefore recommended condition of consent will require that an Arborist be on-site during the installation of the fence to ensure that there will be no tree impacts.

C3 Water Management

The site is affected by local overland flooding flows, however, given that the nature of the proposal, flooding controls remain compliant, as previously assessed for the original approval. Further, the proposed works are limited to new fencing, which poses no flooding risks and the existing stormwater drainage system will be maintained, which is considered adequate.

C4 Land Management

The proposed external works are minor and are unlikely to negatively impact upon the natural landform or result in contamination of land. A condition of consent will be imposed to ensure that appropriate erosion and sedimentation controls measures are installed during all external works.

The proposed works will not result in significant cut or fill and is generally regarded to satisfy the objectives of Part C4 of the DCP.

C5 Waste Management

The application was accompanied with a waste management plan, which is considered adequate.

C6 Landscape Design

The proposal does not include any landscaping works and will maintain the existing vegetation within/adjacent to the development and adjacent to the car parking area.

C7 Culture and Heritage

The site is not identified as and is not in the vicinity of any site that is a heritage item, heritage conservation area or archaeological site under the provisions of the LEP.

C8 Public Domain

The proposal does not substantially change the nature of use and does not adversely impact on the public domain.

C9 Advertising and signage

The proposal does not include any new or additional signage.

C10 Transport, access and parking

The proposal is considered to provide satisfactory car parking numbers as outlined within the assessment under *SEPP - Educational Establishments and Child Care Facilities) 2017* which has been addressed earlier within this report.

C12 Noise and vibration

The proposal is considered to satisfy key noise and vibration considerations as addressed by way of the submitted reports, assessment detail; contained earlier in this report under the assessment under *SEPP - Educational Establishments and Child Care Facilities) 2017* and by way of recommended conditions of consent.

It is also noted that the application was publicly notified to nearby and adjacent property owners with no submissions received.

C13 Infrastructure Services

The site is within an established area with adequate access to infrastructure and services. Requirements for a Section 73 Certificate have been conditioned to address the increase in child numbers proposed by way of this application.

D5 Other Land Uses

It is noted that the provisions of the Child Care Planning Guideline 2017 take precedence over the DCP and that there are a number of development controls that either overlap or are not applicable to the development proposal. As such, the proposal is considered to be compliant with the relevant development controls including Section 5) Vehicle Access, Circulation and Parking in the DCP, as detailed in the *SEPP (Educational Establishments and Child Care Facilities) 2017* section of this report.

PROPOSED BEFORE & AFTER
SCHOOL CARE
@ PEPPERTREE DRIVE ST CLAIR
FOR PCC,
DEVELOPMENT APPROVAL



LOCATION MAP



EXISTING SITE PLAN

1:500



issue k:	06/03/2020
issue j:	19/11/2019
issue i:	19/11/2019
issue h:	19/11/2019
issue g:	19/11/2019
issue f:	19/11/2019
issue e:	19/11/2019
issue d:	19/11/2019
issue c:	Client Changes
issue b:	Client Changes
issue a:	Client Sketch

drawing: **ROOF/SITE ANALYSIS**

project: **PROPOSED BEFORE & AFTER SCHOOL CARE @ PEPPERTREE DRIVE ST CLAIR**

client: **PCC**

drawn: M.K.

checked: J.E.

scale: as shown

date: MAR20

sheet size: A3

ref: 2019-190

Council: PCC

C1

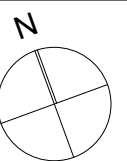
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PROPOSED SITE PLAN

1:500



issue k:	06/03/2020
issue j:	19/12/2019
issue i:	19/12/2019
issue h:	19/12/2019
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Council

PCC

C2

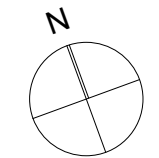
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STATEMENT OF ENVIRONMENTAL EFFECTS
(revised)

Increase in Education and Care numbers for Erskine Park Children's Centre including use of Erskine Park Community Centre for Out of School Hours Care and Erection of Outdoor Play area fence.

Lot 374, DP713863
57 Peppertree Drive, (Crn Shallow and Peppertree Drive) Erskine Park

INTRODUCTION

This Statement of Environmental Effects has been prepared by Rosemarie Canales, BArch., M.Herit.Cons., Architectural Supervisor from Penrith City Council.

The statement has been prepared to accompany a Development Application for:

1	Increase Education and Care Services for the Erskine Park Children Centre from 110 to 138
2	New Fence
3	Change of Use for Erskine Park Community Centre.

Penrith City Council operates Erskine Park Children Centre, providing Education and Care Services for Long Day Care and Before and After School Care. Council identified the need to increase numbers for the Before and After School Care following a growth of numbers on the waiting list for children moving from Long Day Care to the neighbouring schools in 2020, which do not have/ and or limited spaces for Before and After School Care.

SITE

The Erskine Park Children's Centre has a street address of 57 Peppertree Drive, (Crn Shallow and Peppertree Drive) Erskine Park. The land is identified as Lot 374, DP713863 and contained within an irregular shaped land parcel with a site area of 7956msq .

The land is contained to the north west by Shallow Drive, north east by Peppertree Drive, to the south east by Lot 375 DP 71383 Peppertree Reserve (158-172 Shallow Drive), south west by Lot 373 DP713863 (53 Peppertree Erskine Park High School).

The subject site contains the subject Erskine Park Childcare Centre, a carpark and part of the Erskine Park Community Centre and Hall (which also straddles across Lot 375 DP 71383).

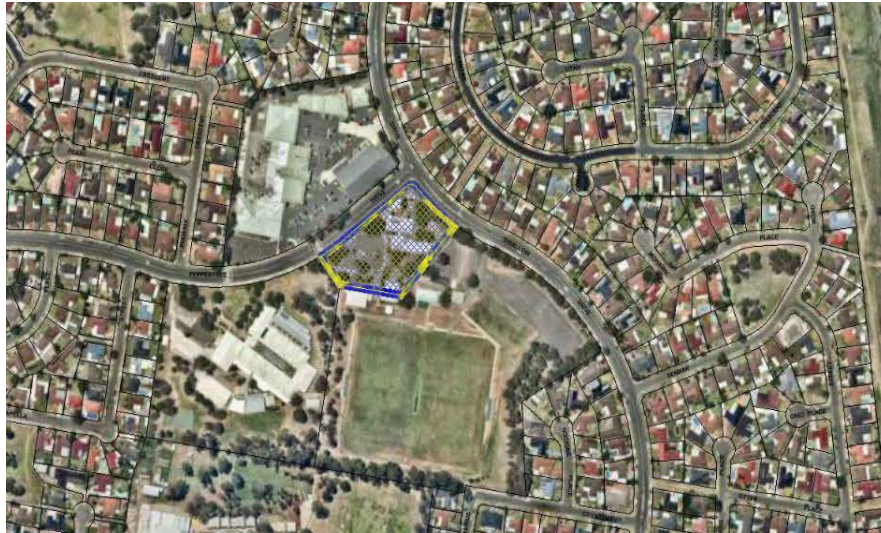


Figure 1: Aerial
Subject site-
highlighted
Source: PCC
Exponare,
Date: 22
November 2019

SURROUNDS

The subject site is contained within a community precinct, surrounded predominately by low scale residential. The community precinct consists of a Local Shopping Centre to the west, primary and high school to the south and a sporting recreational facilities including fields and amenities to the east.

BUILDINGS

Erskine Park Children Centre

This facility is owned and operated by Penrith City Council.

The facility is managed by Penrith City Council - Children Services.

The facility provides a Long Day Care and Before and After School care currently for a total of 110 children.



View of Erskine
Park Children
Centre

Source: Penrith
City Council
17/12/19

Erskine Park Community Hall & Community Centre

This facility owned and operated by Penrith City Council was opened in 1992.

The facility is managed by Penrith City Council - Community Facilities and Recreation.

The facility is connected by a covered link with the Community Centre to the east and the Community Hall to the west.

View of Erskine Park Community Hall Entrance.

Source: Penrith City Council website date: 5/12/19



Erskine Park Community Hall

The Community Hall holds Council's second largest facility and includes a semi-commercial kitchen and small enclosed courtyard

Hall: 21.1m x 16m

Courtyard: 11.6m x 5.7m

Capacity 300 people maximum

Hours of Operations: As required – predominantly in the evenings on the weekends



View of Erskine Park Community Hall Entrance.

Source: Penrith City Council website date: 5/12/19

Erskine Park Community Centre

This facility has a medium size hall and meeting room with large sweeping veranda and secure outdoor area with a shade structure and AstroTurf.

Hall: 9.9mx 7m (capacity 70)

Meeting room: 5.9m x 3.9m (capacity 20)

Appendix C and D illustrate current bookings for the facility.



View of Erskine park Community Centre entrance.
Source: Penrith City Council website date: 5/12/19



View of outdoor area from shade structure.
Source: Penrith City Council website date: 5/12/19



View of Hall
Source: Penrith City Council website date: 5/12/19

Carpark

The Erskine Park Children Centre shares a car park area with the Erskine Park Community Centre and **Erskine Park Community Hall**. The carpark currently has 36 spaces (including 3 disabled spaces) +1 bus spaces.

The Erskine Park Children Centre, Community Centre and Hall use the carpark at different times, minimising the conflict between user groups. During the weekday the Children Centre - Long Day Care and Before and After School service, occupy the carpark while the Community Centre and Hall accessed the carpark in the evening and weekends.



EXISTING USE

ERSKINE PARK CHILDREN SERVICES

Erskine Park Childcare Centre currently operates as a Childcare facility offering Long Day Care and Before and After School Care.

The facility is licensed under NSW Education and Communities (Office of Education – Early Childcare and Care)

Name of Approved Provider:	Penrith City Council
Service Approval Number:	SE-00007212
Maximum number of children:	110 maximum
Approval Granted:	6 July 2007
Issued date:	20 January 2015

Erskine Park Long Day Centre

Erskine Park Children Centre provides Long Day Care for

- Children 6 weeks to 6 years
- **Ages catered for**
6 weeks to 6 years

Hours of operation

7am to 6pm

What this service provides

- An all inclusive fee - no add on
- Qualified staff
- Transition to school
- A curriculum that is relevant to every child
- Breakfast and afternoon tea

EXISTING ERSKINE PARK LONG DAY CARE			
Ages	Children	Staff numbers	Notes
0-12months	6	2	0-24 month = 1:4 24-36 month = 1:5 36+= 1:10
12 – 24 months	2		
24-36 months	10	2	
36 month – 6years	27	3	
Total Child numbers	45	7	
Total Car spaces required	5	9 [7 + 2(auxiliary staff)]	Children 1:10 Staff 1:1

Erskine Park Before and After School Care

Erskine Park Before and After School Care currently provides childcare facilities for :

- Before and after school care for 60 school children aged 5-12 (attending primary school)
- Hours of operation: 7-9am and 3-6:30 pm

This service provides breakfast and afternoon tea.

EXISTING ERSKINE PARK BEFORE AND AFTER SCHOOL CARE (OOSH)			
Scope	School children numbers	Staff Numbers	Notes
Children	65	5	1:15
Car spaces required	7	5	Children 1:10 Staff 1:1

ERSKINE PARK CHILDREN'S CENTRE TOTAL EXISTING PARKING REQUIREMENTS			
Group	Numbers	Car spaces	Notes
Children	(45+65) = 110	11	Children 1:10
Staff	(9+5) = 14	14	Staff 1:1
Total Car Parking		25	

The existing facility has an approved total number of 110 children. The Long Day Care occupy their designated area between 7-9am and 2.30pm to 6pm and the whole facility between 9am – 2:30pm, while the Before and After School facility traditional maintain in their dedicated area, but do move around if required. The total number of car spaces required by the facility currently **25** car spaces, plus 1 x mini bus bay.

PROPOSED USE
ERSKINE PARK CHILDREN SERVICES

Erskine Park Children's Centre will continue to operate as a Childcare facility offering Long Day Care and, Before and After School Care,

ERSKINE PARK CHILDREN CENTRE LONG DAY CARE (no change to existing)			
Ages	Children	Staff numbers	Notes
0-12months	6	2	0-24 month = 1:4 24-36 month = 1:5 36+= 1:10
12 – 24 months	2		
24-36 months	10	2	
36 month – 6years	27	3	
Total numbers	45	7	
Car spaces required	4+	9 (7 + 2 auxiliary)	Children 1:10 Staff 1:1

ERSKINE PARK BEFORE AND AFTER SCHOOL CARE (OOSH)			
Scope	School children numbers	Staff Numbers	Notes
Children	65+28 (93)	5+2 (7)	
Car spaces required	9+	7	Children 1:10 Staff 1:1

ERSKINE PARK CHILDREN'S CENTRE TOTAL PROPOSED PARKING REQUIREMENTS			
Children	(45+93) = 138	14	Children 1:10
Staff	(9+7) = 16	16	Staff 1:1
Total car parking		30	

The increase in area for the Before and After School facility will allow a total of 138 children max to attend the facility.

Hence the new parking requirements for the Erskine Park Children Centre will require a total of **30 car spaces** + 1 x mini bus space. The subject site has a total of 36 car spaces + 1 mini bus bay which will cater for the increase in volume wholly within the site.

The Erskine Park Children Centre staff have access to the neighbouring Peppertree Recreation Amenities to the west for additional carparking if and when required. Pedestrian access from the Peppertree Recreational carpark is along a pedestrian footpath along the road verge.

Hence the works will include:

- Provide Education and Care Service for 138 children.
- Provide two (2) additional educators for the additional 28 children to utilise the Before and After School Service.
- Install fence linking Erskine Park Children Centre and Erskine Park Community Centre, with 1 x double gates (for maintenance access)1 x

pedestrian gate, fence to match height and colour of Erskine Park Community Centre.

- Install 1 x single gate along existing Erskine Park Children Centre southern fence.
- Maintain 1 x single gate along existing Erskine Park Community Centre eastern fence.
- Install external lighting

The operation of the area will include the following:

- All children will enter through the secure Erskine Park Children Centre entrance.
- All children will leave through the secure Erskine Park Children Centre entrance.
- Children will be escorted internally to and from the Centre to the Erskine Park Community Centre as required.
- New facility will be devoted for Children aged 9-12 unless others wise noted.
- Provide activities to suit the 9-12 years olds in the new area.

Site Suitability

The use of the Erskine Park Community Centre will utilise a currently an under utilised facility for community use. The use of this facility will have a positive impact for the community.

Access and Traffic •

Pedestrian Access

Currently the open space between the Erskine Park Children Centre and the Erskine Park Community Centre provides a link between the subject and neighbouring site (Peppertree Recreational facility). Enclosing the area will reinstate ownership of the area. Pedestrian thoroughfare access to the neighbouring site Peppertree Reserve can be gained along the footpath along the road verge of Peppertree Drive through a driveway and open boundary.

Fencing the subject area will have a positive impact for the ownership of the site, clearly defining the boundary allotment. However the fence and containment of the space will have a negative impact for pedestrian traveling through the carpark to the neighbouring site. The negative impact is however negated as there are footpath along Peppertree Drive.

Vehicular Access and Traffic

The Erskine Park Children Service along with the Erskine Park Community Centre and Community Hall has an on-site car parking area with 36 car spaces and 1 x mini bus space accessed from Swallow Drive.

The increase in Erskine Park Children Services - Before and After School numbers will required a total of 30 car spaces + 1 x mini bus space for the facility. The existing parking facilities permits 36 car spaces hence the increase and parking requirement will be contained within the site.

The use of the Erskine Park Community Centre and Community Hall are predominately used in the evening and or weekend, hence minimising any potential

impact in relations with car parking spaces required on the site and with the Children Service.

The increase in carpark requirement for the Erskine Park Children Service - Before and After School will have negligible impact on the use of the on site car park.

Social and Economic Effects

The use of the Erskine Park Community Centre will utilise a currently under utilised facility for community use. The use of this facility will have a positive impact for the community.

Landscape

The subject area to be enclosed is currently turfed and has a number of trees.

The proposed works will require a new fence to be installed and will be positioned to minimise impact of the existing trees. The new fence will match the height and colour of the Erskine Park Community Centre fence, a 1.8m high palisade fence.

The landscape works ie fence, will have negligible impact on the existing landscape and immediate surrounds.

The fence will be located within the tree protections zone, an Arborist should be engaged before and during the fence install, in particularly to monitor minimum tree protection requirements with hand digging during the installation of the steel fence post.

Erosion and Sediment Control

The works are limited to the installation of a metal fence and gate.

The Erosion and Sediment Control will be limited to the installation of the fence posts hence minimal impact on the ground surface.

Drainage Information

The proposed development and associated works i.e./ fence, will not impact the drainage or overland flow on the site.

Noise Management

The increase in children numbers will be contained within Block C. The increase in children to the centre has been discussed in the Noise Management Plan providing a number of recommendations:

Recommendations		Compliance
1	Noise Management Plan	Council has prepared a Noise Management Plan, attached to this report.
2	Existing Windows and glazing	Glass and seals Building B has incorporated the required glass and seals as part of the implementation of DA 17/024 No work required to Building C
3	Air Condition units	Split or ducted system to comply with AS1668.2 Works contained to Block C only. There are a number of existing Air conditioning split and wall mounted units.
4	Out Door play area	1.8m palisade fence, equal to surrounds A new 1.8m palisade fence equal to existing will be installed

PLANNING POLICIES AND CONTROLS

The proposed development has been assessed in accordance with the matters for consideration under Section 79C of the Environmental Planning and Assessment Act 1979, and having regard to those matters, the following documents have been reviewed, with a number of matters addressed:

Penrith Local Environment Plan 2010

The Penrith Local Environmental Plan 2010 is now in force and applies to most of the City. It replaces most of the existing Local Environmental Plans and Interim Development Orders that applied to Penrith, along with the Penrith Planning Scheme.

The proposed work has been reviewed against the Penrith Local Environment Plan 2010 for compliance.

COMPLIANCE TABLE			
Penrith Local Environment Plan 2010			
ITEM	DESCRIPTION	COMMENT	COMPLIANCE Y/N
Part 1	Preliminary	Na	Na
Part 2	Permitted or Prohibited developments	Na	Na
2.1	Land use zone	Land is identified as RE1 Public Recreation	NA
Land Use Table	<p>RE1 Public Recreation</p> <p>1. Objectives of zone</p> <ul style="list-style-type: none"> <input type="checkbox"/> • To enable land to be used for public open space or recreational purposes. <input type="checkbox"/> • To provide a range of recreational settings and activities and compatible land uses. <input type="checkbox"/> • To protect and enhance the natural environment for recreational purposes. <input type="checkbox"/> • To ensure that development is secondary and complementary to the use of land as public open space, and enhances public use, and access to, the open space. <input type="checkbox"/> • To provide land for the development of services and facilities by public authorities for the benefit of the community. <p>2. Permitted without consent Nil</p> <p>3. Permitted with consent Boat launching ramps; Boat</p>	No change to use.	Y No change to existing use.

	sheds; Building identification signs; Business identification signs; Car parks; Charter and tourism boating facilities; Child care centres; Community facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Function centres; Information and education facilities; Jetties; Kiosks; Markets; Moorings; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Water recreation structures; Water storage facilities		
	4.. Prohibited Any other development not specified in item 2 or 3		
Part 3	Exemption and Complying development	Na	Na
Part 4	Principle development standards	Na	Na
Part 5	Miscellaneous	Na	Na
Part 6	Urban release areas	Na	Na
Part 7	Additional Local Provisions	Na	Na
Part 8	Local Provisions - Penrith City Centre	Na	Na
Part 9	Penrith Panthers site	Na	Na

CHILDCARE PLANNING GUIDLEINES 2017

The proposed work has been reviewed against the NSW Planning & Environment Childcare Planning Guidelines 2017 for compliance.

3.0 MATTERS FOR CONSIDERATION

3.1 SITE SELECTION AND LOCATION

Objective:

To ensure that appropriate zone considerations are assessed when selecting a site

C1	For proposed developments in or adjacent to a residential zone consider:
<ul style="list-style-type: none"> Acoustic and privacy impacts of the proposed development on the residential properties 	Noise Management Plan has been prepared by Far West Consulting Engineers Building Services 25 May 2020. The user, Penrith city Council has also prepared a Noise Management Plan for the Centre, which implement a number of measures to reduce the impact of noise created by the Childcare.
<ul style="list-style-type: none"> The setbacks and sitting of buildings within the residential context. 	The existing Childcare facility and the Erskine Park Community Centre are existing facilities setback from the street and sitting within a community precinct some distance and across the road from any neighbouring residence.
<ul style="list-style-type: none"> Traffic and parking impacts of the proposal on residential amenity 	The existing childcare facility and adjoining Erskine Park Community Centre are set within a precinct with its own vehicular driveway access and on-site parking, which minimising impacts to neighbouring residence.
For proposed developments in commercial and industrial zones	
<ul style="list-style-type: none"> Potential impacts on the health, safety and welling of children, staff and visitors with regard to the local environmental or amenity issues such as air or noise pollution and traffic conditions 	Not applicable Proposed develop not in commercial or industrial zone
<ul style="list-style-type: none"> Potential impact of the facility on the viability of existing commercial or industrial uses. 	Not applicable Proposed develop not in commercial or industrial zone
For proposed developments in public in private recreation zones, consider;	
<ul style="list-style-type: none"> The compatibility of the proposal with the 	The site is zoned RE1

operations and nature of the community or private recreational facilities.	(public recreation). The proposed develop is part of an existing group owned by Council dedicated for community use. The use of the building (Erskine Park Community Centre) as an extension of the Erskine Park Children Centre and use as Before and After School care is an appropriate use of a community building.
<ul style="list-style-type: none"> Is the existing premises licensed for alcohol or gambling 	Not applicable The property is not licensed for alcohol or gambling.
<ul style="list-style-type: none"> If the use requires permanent or casual occupation of the premises or site 	The proposed development will only occupy the Erskine Park Community Centre on selected days and only between the hours dedicated for before and after school care.
<ul style="list-style-type: none"> The availability of on site parking 	Erskine Park Community Centre is part of a precinct which has its own dedicated on-site parking.
<ul style="list-style-type: none"> Compatibility of proposed hours or operation with surrounding uses, particularly residential uses. 	The proposed development will operate Monday to Friday and within hours or before and after school care. These hours are compatible with a working schedule for a white and blue collar residential zones.
<ul style="list-style-type: none"> Availability of appropriate and dedicated sanitation facilities for the development 	The existing building has sanitary facilities within the building for its occupants. The children (ages 9-12) who will use these facilities do not required junior size fittings and fixtures..
For proposed developments on school, TAFE or university sites in Special Purpose zones consider;	
<ul style="list-style-type: none"> The compatibility of the proposal with the operation of the institution and its users. 	Not applicable Proposed development not in a Special Purpose zone
<ul style="list-style-type: none"> The proximity of the proposed facility to the other uses on the site, including premises licensed for alcohol and gambling. 	Not applicable
<ul style="list-style-type: none"> Proximity of sources of noise, such as places of entertainment or mechanical workshops 	Not applicable
<ul style="list-style-type: none"> Proximity of odours, particularly at agricultural institutions 	Not applicable

<ul style="list-style-type: none"> • Previous use of a premises such as scientific, medical or chemical laboratories, storage areas and the like 	<p>Not applicable</p>
<p>Objective: To ensure that the site selected for a proposed childcare facility is suitable for use.</p>	
<p>C2</p>	<p>When selecting a site ensure that:</p>
<ul style="list-style-type: none"> • The location and surroundings uses are compatible with the proposed development or use 	<p>Existing facility. The surrounding uses are compatible with the proposal and its use, as there is an existing childcare, community Centre and schools in the immediate vicinity.</p>
<ul style="list-style-type: none"> • The site is environmentally safe including risks such as flooding, land slip, bushfires, coastal hazards 	<p>There are no known environmental hazards associated with the site or in the vicinity.</p>
<ul style="list-style-type: none"> • There are no potential contaminants on the land, in the building or the general proximity and whether hazardous materials remediation needed. 	<p>There are no known contaminant on the site. Asbestos report of the Erskine Park Community Centre attached.</p>
<ul style="list-style-type: none"> • The characteristics of the site are suitable for the scale proposed having regards to: 	
<p>1)size of street frontage, lot configuration, dimension and overall size</p>	<p>The proposed additional B&A school care will occupy an existing property. No changes to the existing scale, type, frontage or lot configuration</p>
<p>2) number of shared boundaries with residential properties</p>	<p>Proposed additional B&A school care will have no shared boundaries with residential properties.</p>
<p>3) The development will not have adverse environmental impacts on the surrounding area, particularly in sensitive environmental or cultural areas.</p>	<p>The proposed additional B&A school care will occupy an existing building with is currently used for community use. New use will not impact the environs to or surrounding the site or cultural areas.</p>
<ul style="list-style-type: none"> • Where the proposal is to occupy or retrofit an existing premises, the interiors and exterior spaces are suitable for the proposed use. 	<p>The proposed additional area for B&A school care will occupy an existing building (Community Centre), which caters for small groups which includes sanitary amenities, meeting rooms and external play areas, all suitable for the new use.</p>
<ul style="list-style-type: none"> • There are suitable drop off and pick up areas, and off-street parking. 	<p>The proposal additional B&A school care will function as</p>

	an extension of the existing Erskine Park Children's Centre to be located immediately next door which has existing drop off, pick up and on street parking which will be used.
<ul style="list-style-type: none"> The type of adjoining roads appropriate and safe for use for the proposed use. 	The adjoining roads are fit for the proposed use, existing facility is located on roadway with traffic carming.
<ul style="list-style-type: none"> It is not located close to incompatible social activities and uses such as restricted premises. 	The proposed additional B&A school care will be located within a community and school precinct, no known restricted premises are in the vicinity.

Objective:

To ensure that sites for child care facilities are appropriately located

C3	A childcare facility should be located:	
<ul style="list-style-type: none"> Near compatible social uses such as schools... community facilities. 		The proposed additional B&A school care will be located in a precinct with a childcare, public schools and community centre and hall.
<ul style="list-style-type: none"> Near or within employment areas, town centres, business centres or shops 		The proposed B&A school care will be located immediately across from the local shopping centre.
<ul style="list-style-type: none"> With access to public transport, including rail, buses and ferries 		There is an existing bus stop along Pepper Tree Drive, immediate cross street and within 100m
<ul style="list-style-type: none"> In areas with pedestrian connectivity to the local community, business, shops and the like. 		There is a pedestrian footpath networks along the road ways providing connectivity to the surrounds and local shops.

Objective:

To ensure that sites for childcare facilities do not incur risk from environmental, health or safety hazards.

C4	A child care facility should be located to avoid risks to children, staff or visitors and adverse environmental conditions arising from:	
<ul style="list-style-type: none"> Proximity to heavy or hazardous industry, waste transfer depots, or landfill sites, LPG tanks or service stations, water cooling and water warming systems, odour generating etc 		There are no known hazardous facilities in the vicinity.
<ul style="list-style-type: none"> Any other identified environmental hazardous or risk relevant to the site and or existing building within the site. 		No known hazards

3.2 Local character, streetscape and the public domain interface

Objective:

To ensure that the childcare facility is compatible with the local character and surrounding streetscape

C5	The proposed develop should	
	<ul style="list-style-type: none"> Contribute to the local area by being designed in character with the locality and streetscape 	Not applicable Building to be used for proposed additional B&A School care is an existing structure.
	<ul style="list-style-type: none"> Reflect the predominant form of surrounding land uses particularly in low density residential 	Not applicable
	<ul style="list-style-type: none"> Recognise predominate streetscape qualities such as building form, scale, materials, and colour 	Not applicable
	<ul style="list-style-type: none"> Include design and architectural treatments that respond to and integrate with the existing streetscape 	Not applicable
	<ul style="list-style-type: none"> Use landscape to positively contribute to the streetscape and neighbouring amenities 	Not applicable
	<ul style="list-style-type: none"> Integrate car parking into the building and site landscaping design in residential areas. 	Not applicable
Objective: To ensure clear definition between child care facility and public spaces.		
C6	Create a threshold with a clear transition between public and private recreation, including	
	<ul style="list-style-type: none"> Fencing to ensure safety for children entering and leaving the facility 	New fencing will connect the existing Erskine Park Childcare Centre and the subject neighbouring building proposed for the B&A School Care
	<ul style="list-style-type: none"> Windows facing the facility towards the public domain provide passive surveillance to the street as a safety measure and connections between facility and the community. 	Building to be used for proposed additional B&A School care is an existing structure set back from the street.
	<ul style="list-style-type: none"> Integrating existing and proposed landscaping with fencing. 	Carefully locate new fencing not to impact existing vegetation such as existing trees. An Arborist to be engaged to assist with the installation of the new fence within the tree protection zone.
C7	On sites with multiple buildings and or entries, and spaces associated with the childcare facility should be differentiated to improve legibility for visitors for visitors and children by changing materials, plant species and colours.	
		Access to and from the new area to be used for the B&A school care will be through Erskine Park Childcare., through a gated access.
C8	Where development adjoins public parks, open space or bushland, the facility should provide an appealing streetscape frontage by adopting some of the following design solutions.	
	<ul style="list-style-type: none"> Clearly defined street access, 	Not applicable

pedestrian paths and building entries	Building to be used for proposed additional B&A School care is an existing structure, set back from the street.
<ul style="list-style-type: none"> Low fences and planting which delineates communal /private open spaces from adjoining public open space. 	Existing vegetated hedge to remain.
<ul style="list-style-type: none"> Minimise use of blank walls and high fences 	High fence will be used 1.8m metal palisade fence to match the adjoining school property.

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.

C9	Front fences and walls within the front setbacks should be constructed of visually permeable materials and treatments. Where the site is listed as a heritage item, adjacent to a heritage item or within a conservation area front fencing should be designed in accordance with local heritage provisions.	The existing building is setback from the front setback, no front fence applicable.
C10	High solid acoustic fencing may be used when shielding the facility from noise on classified roads. The walls should be setback from the property boundary with screen landscaping or similar height between the wall and the boundary.	Not applicable. The site is not located on a classified road.

3.3 Building orientation, envelope and design

Objective:

To respond to the streetscape and site, while optimising solar access and opportunity for shade.

C11	Orient a development on a site and design the building layout to <ul style="list-style-type: none"> Ensure visual privacy and minimise potential noise and overlooking impacts to neighbours. 	Not applicable The building is an existing structure. The building is setback from the front boundaries and has a high school and recreation field to its boundaries, no impact to privacy or noise will occur.
	<ul style="list-style-type: none"> Optimise solar access to internal and external areas 	Not applicable The building to be used for the B&A has large windows facing north to permit solar access onto a covered external area and into a north facing meeting room.
	<ul style="list-style-type: none"> Avoid overshadowing of adjoining residential properties 	Not applicable Residences are located

		across the road and some distance away.
	<ul style="list-style-type: none"> Minimise cut and fill 	Not applicable No cut or fill will occur during the installation of the fence.
	<ul style="list-style-type: none"> Ensure buildings along the street frontage define the street by facing it 	Not applicable Existing building (setback from the street)
	<ul style="list-style-type: none"> Ensure that where a child facility is located above ground level, outdoor play areas are protected. 	Not applicable Single storey existing structure.
C12	The following may be considered to minimise the impacts of the proposal on the local character	
	<ul style="list-style-type: none"> Building heights should be consistent with other buildings in the locality 	Not applicable Existing building
	<ul style="list-style-type: none"> Building heights should respond to the scale and character of the street. 	Not applicable Existing building
	<ul style="list-style-type: none"> Setbacks should allow for adequate privacy for neighbours and children at the proposed childcare facility 	Not applicable Existing building and its setbacks, and location in relation to neighbouring structures provide privacy for both proposed B&A addition and neighbouring buildings.
	<ul style="list-style-type: none"> Setbacks should provide adequate access for building maintenance 	Not applicable Existing building, provides access for maintenance to its surrounds.
	<ul style="list-style-type: none"> Setbacks to the street should be consistent with the existing character. 	Existing building
Objective: To ensure the setbacks from the boundary of a childcare facility are consistent with the predominant development within the immediate context.		
C13	Where there are no prevailing setback controls minimum setback to classified road should be 10m. On other road frontages where there are existing buildings within 50m setbacks should be an average of the two closest buildings. Where there are no buildings within 50m the same setback is required for the predominant adjoining land use.	No applicable Existing building.
C14	On land in a residential zone, side and rear setbacks should observe the prevailing setbacks required for a dwelling house.	Not applicable Existing building
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.		
C15	The built form of the development should contribute to the character of the local area, including how it;	
	<ul style="list-style-type: none"> Respects and responds to the physical context such as adjacent forms, 	Not applicable Existing building

	neighbourhood character, street scape and heritage.	
	<ul style="list-style-type: none"> Contributes to the identity of the place 	Not applicable Existing building
	<ul style="list-style-type: none"> Retains and reinforces existing building form and vegetation where significant 	Not applicable Existing building, no change to existing building fabric.
	<ul style="list-style-type: none"> Consider heritage within the local neighbourhood including identified heritage items and conservation areas. 	Not applicable Existing building, no change to existing building fabric.
	<ul style="list-style-type: none"> Responds to its natural environment including local landscape setting and climate 	Not applicable Existing building
	<ul style="list-style-type: none"> Contributes to the identity of place 	Not applicable Existing building
Objective: To ensure that builds are designed to create safe environments for all users.		
C16	Entry to the facility should be limited to one secure point which is:	
	<ul style="list-style-type: none"> Located to allow ease of access, particular for pedestrians 	Access to additional B&A area will be through the existing Erskine Park Children Centre entry
	<ul style="list-style-type: none"> Directly accessible from the street where possible 	Access to additional B&A area will be through the existing Erskine Park Children Centre entry.
	<ul style="list-style-type: none"> Directly visible from the street frontage 	Access to additional B&A area will be through the existing Erskine Park Children Centre entry.
	<ul style="list-style-type: none"> Easily monitored through natural or camera surveillance 	Access to additional B&A area will be through the existing Erskine Park Children Centre entry.
	<ul style="list-style-type: none"> Not accessible through an outdoor play area 	Access to additional B&A area will be through the existing Erskine Park Children Centre entry.
	<ul style="list-style-type: none"> In a mixed use development, clearly defined and separate from entrances to other uses in the building. 	Access to additional B&A area will be through the existing Erskine Park Children Centre entry.
Objective: To ensure the childcare facilities are designed to be accessible by all potential users.		
C17	Accessible design to be achieved by;	
	<ul style="list-style-type: none"> Provide accessibility to and within the building in accordance with the relevant legislation 	Existing building, no changes to existing building fabric. Space to be used for the additional B&A is level and accessible.
	<ul style="list-style-type: none"> Linking all key areas of the site by level or ramped pathways that are not accessible to prams and wheelchairs, including and between all car parking 	Existing building, no changes to existing building fabric. Space to be used for the additional B&A is level.

	areas and the main building entry.	
	<ul style="list-style-type: none"> Providing a continuous path of travel to and within the building, including access between entry and car parking and main building entrance, avoid platform lift is possible. 	Existing building, no changes to existing building fabric. Space to be used for the additional B&A is level. No continuous accessible path of travel from the main Childcare facility to the additional B&A area. If accessible access required user can access main Erskine Park Childcare Centre.
	<ul style="list-style-type: none"> Minimise ramping by ensuring building entries and ground floors are will located relative to the level of the footpath. 	Not applicable No changes to existing building fabric.
3.4 Landscaping		
Objectives: To provide landscape design that contributes to the streetscape and amenity		
C18	Appropriate planting should be provided along the boundary integrated with fencing.	
	<ul style="list-style-type: none"> Reflecting and reinforcing the local context 	The existing building has existing planting (hedge), within the internal fenced play area. No changes are proposed.
	<ul style="list-style-type: none"> Incorporate natural features of the site, such as trees rocky outcrops and vegetation communities into landscape 	There are no significant natural features within the site. No changes are proposed.
C9	Incorporate car parking into the landscape design of the site	
	<ul style="list-style-type: none"> Plant large shade trees in large carparking area to create a cool outdoor environment and reduce summer heat radiating into buildings. 	Existing site. No proposed changes to carpark planting. Existing carpark has a number of existing large trees surrounding the carpark
	<ul style="list-style-type: none"> Taking into account streetscape, local character and context when siting carparking area within the front setback 	Existing site, with existing carpark, no changes proposed.
	<ul style="list-style-type: none"> Using low level landscaping to soften and screen parking areas 	Existing site, with existing on-site carparking which has some existing low level landscaping.
3.5 Visual and acoustic privacy		
Objective: To protect the privacy and security of children attending the facility.		
C20	Open balconies in mixed use development should not overlook facilities nor overhang outdoor play spaces	Existing facility. There are no balconies to the existing building.
C21	Minimise direct overlooking for indoor rooms and outdoor play spaces from public areas though	

	<ul style="list-style-type: none"> • Appropriate site and building layout 	Not applicable, existing building
	<ul style="list-style-type: none"> • Suitably locating pathways, windows and doors 	Not applicable existing building
	<ul style="list-style-type: none"> • Permanent screening and landscape design 	Outdoor space of additional B&A play area screened by vegetated screen.
C22	Minimise direct overlooking of main internal living area and private open spaces in adjoining development through:	
	<ul style="list-style-type: none"> • Appropriate site and building layout 	Not applicable existing building, its setback from adjoining developments
	<ul style="list-style-type: none"> • Suitable location of pathways, windows and doors 	Not applicable existing building, has suitably located pathways, windows and doors.
	<ul style="list-style-type: none"> • Landscape design and screening 	Not applicable existing landscape and screening, species and location to minimise maintenance to existing building.

Objective:

To minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments.

C23	A new development that includes alterations to more than 50% of the exiting floor area and is located adjacent to residential accommodation should	
	<ul style="list-style-type: none"> • Provide an acoustic fence along any boundary where the adjoining property contains a residential use (an acoustic fence that is solid and gap free) 	There are no adjoining residential properties
	<ul style="list-style-type: none"> • Ensure that mechanical plant and equipment is screened by solid, gap free material and constructed to reduce noise levels. 	No new mechanical plant proposed.
C24	A suitably qualified acoustic professional should prepare an acoustic report which cover the following matters:	
	<ul style="list-style-type: none"> • Identify an appropriate noise level for a child care facility located in residential and other zones 	An Acoustic consultant has been engaged and prepared a report. Attached to this DA submission. And has determined a noise level for this childcare facility
	<ul style="list-style-type: none"> • Determine an appropriate background noise level for outdoor play areas during times they are proposed to be in use. 	The Acoustic consultant has determined a background noise for this facility.
	<ul style="list-style-type: none"> • Determine an appropriate height of any acoustic fence to enable the noise criteria to be met. 	The Acoustic consultant has provided comment and not indicated changes to existing fencing.

3.6 Noise and air pollution

Objective:

To ensure that outside noise levels on the facility are minimised to acceptable levels

C25	Adopt design solutions to minimise the impact of noise, such as:	
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	<ul style="list-style-type: none"> • Creating physical separation between building and the physical noise source 	Existing building, external area to be used by additional B&A school care has a common boundary with existing Erskine Park Children Centre and is setback from the street and from other boundaries, except for neighbouring sporting fields carpark, no impact.
	<ul style="list-style-type: none"> • Orientate the facility perpendicular to the noise source 	Existing facility Noise source (external play area) common boundary with playing field of carparking area.
	<ul style="list-style-type: none"> • Using landscaping to reduce the perception of noise 	Existing building, external play area has an existing landscape hedge
	<ul style="list-style-type: none"> • Limiting the number and size of openings facing noise source 	Not applicable, Existing building
	<ul style="list-style-type: none"> • Using double or acoustic glazing, acoustic louvers or enclosed balconies 	Building to accommodate additions numbers for B&A (building C) no requirement. As per Acoustic report.
	<ul style="list-style-type: none"> • Using materials with mass, or sound insulation or absorption properties 	Building to accommodate additions numbers for B&A (building C) no requirement. As per Acoustic report.
	<ul style="list-style-type: none"> • Locating cot rooms, sleeping areas way from external noise source 	Not applicable. Additional B&A area (dedicated for 9-12years) will not hold any children who will require to sleep while in care.
C26	An acoustic report should identify appropriate noise levels for sleeping areas and other non play areas and examine impacts and noise attenuation where a child facility is proposed in any of the following locations:	
	<ul style="list-style-type: none"> • An industrial zone 	Not applicable
	<ul style="list-style-type: none"> • Where ANEF contour between 20 and 25 consistent with AS2021-2000 	Not applicable
	<ul style="list-style-type: none"> • Along a railway or mass transit corridor as defined by SEPP Infrastructure 2007 	Not applicable
	<ul style="list-style-type: none"> • On a major or busy road 	Not applicable
	<ul style="list-style-type: none"> • Any other land impacted by substantial external noise. 	Not applicable
Objective:		
To ensure air quality is acceptable where childcare facilities are proposed close to external sources of air pollution such as major roads and industrial developments.		
C27	Locate childcare facilities on sites which avoid or minimise the potential of external sources or air pollution such as major roads.	Existing building to be used as additional B&A for the Erskine Park Childcare is not located on a major road
C28	A suitable qualified air quality professional should prepare an air quality	

	assessment report to demonstrate that the proposed childcare facility close to major roads or industrial developments can meet air quality standards in accordance with relevant legislation and guidelines	
	<ul style="list-style-type: none"> Creating an appropriate separation distance between the facility and the pollution source. The play, sleeping and outdoors areas should be as far away as possible from the source 	Not applicable
	<ul style="list-style-type: none"> Using landscape to act as a filter for air pollution 	Not applicable
	<ul style="list-style-type: none"> Incorporate ventilation design into the design 	Not applicable
3.7 Hours of operation		
Objective: To minimise the impact of the childcare facility on the amenity of neighbouring residential developments		
C29	Hours or operations within areas where the predominate land use is residential should be confined to the core hours or 7.00am to 7.00pm	The hours of operation for the additional B&A facility will be confined to the existing hours approved for the Erskine Park Children Childcare B&A facility
C30	Within mixed used areas or predominantly commercial areas the hours of each childcare facility should be assessed with respect to its compatibility with adjoining and co-located area uses.	Not applicable
3.8 Traffic, parking and pedestrian circulation		
Objectives: To provide parking that satisfies the needs of users and demand generated by the centre.		
C31	Off street parking should be provided at the are for childcare facilities specified in a Development Control Plan that applies to the land.	Penrith Council DCP notes: Child Care Centres/Pre Schools 1 space per 10 children plus 1 per employee plus provision for any dwelling. The increase in numbers for the Childcare centre will require a total of 30 car parking for both parents and staff. The existing off site parking has a total of 36 spaces. Although there are other facilities on site, Erskine Park Community Centre is predominately used after hours when the childcare is not used, hence no conflict with parking requirements. Similarly the Erskine Park Community

		Centre will not be occupied by others when the B&A is in use.
C32	In commercial and industrial zones and mixed use development on street parking may be only considered where there are no conflicts with adjoining uses.	Not applicable
C33	A traffic and parking study should be prepared to support the proposal to quantify impacts on the surrounding land uses and demonstrate how impacts on the amenity will be minimised	
	<ul style="list-style-type: none"> The amenities of the surrounding will not be affected 	There is an existing off street parking area. There increase is minimal and is not seen to impact the surrounding amenities
	<ul style="list-style-type: none"> There will be no impacts on the safe operation of the surrounding road network. 	There is an existing driveway with off street parking area. The increase in vehicle numbers are minimal and not seen to impact the road network.
<p>Objective: To provide vehicle access from the street in a safe environment that does not disrupt traffic flow.</p>		
C34	Alternative vehicular access should be provided where child care facilities are on site fronting	
	<ul style="list-style-type: none"> A classified road 	Site is not located on a classified road.
	<ul style="list-style-type: none"> Roads which carry freight traffic or transport dangerous materials 	Not applicable Childcare facility located on local road, not known to carry freight or dangerous material.
<p>Alternative access must have regards to</p>		
	<ul style="list-style-type: none"> The prevailing traffic conditions 	Not applicable No alternative access required
	<ul style="list-style-type: none"> Pedestrian and vehicle safety including bicycle movement 	Not applicable
	<ul style="list-style-type: none"> The likely impact on the development of traffic. 	Not applicable
C35	Childcare facilities proposed within cul-de-sac or narrow lanes should ensure that safe access can be provided to and from the site and from the wider locality in times of emergency.	Not applicable, existing Childcare facility located on a two way road way.
<p>Objective: To provide a safe and connected environment for pedestrians both on and around the site</p>		
C36	The following design solution may be incorporated into a development to help provide a safe pedestrian environment.	
	<ul style="list-style-type: none"> Separate pedestrian access from the car to the facility 	The site has clearly defined footpaths that provide access to the entrance.

<ul style="list-style-type: none"> Defined pedestrian crossing including with large car parking area 	<p>The pedestrian crossing /access is clearly defined with footpaths</p>
<ul style="list-style-type: none"> Separate pedestrian and vehicle entries from the street for parent, children and visitors 	<p>There are separate entrance for pedestrian and vehicles.</p>
<ul style="list-style-type: none"> Pedestrian paths that enable two prams to pass each other 	<p>The footpaths provide areas for two prams to cross.</p>
<ul style="list-style-type: none"> Delivering and loading areas located away from the main pedestrian access to the building an in clearly designated separate facilities 	<p>Existing garage area (skip bins are located near the entrance and some distance from the Childcare entrance</p>
<ul style="list-style-type: none"> In commercial or industrial zones and mixed use development, the path of travel from the car parking to the centre entrance physically separated from any truck circulation or parking area 	<p>The site can be defined as mixed use due to the Erskine park Community Centre and Hall, Although the existing vehicle entrance is used by both cars and trucks the activity on the site, limited to garage truck.</p>
<ul style="list-style-type: none"> Vehicles and enter and leave the site in a forward direction. 	<p>Both vehicle and truck enter and leave in a forward direction. (traffic flow within carpark – one direction.</p>
<p>C37</p>	<p>Mixed used development should include:</p>
<ul style="list-style-type: none"> Driveway access, manoeuvring areas and parking areas for the facility that are separate to manoeuvring areas for trucks 	<p>The site and existing facilities utilised the one driveway access for both vehicles and trucks. The extent of movement for the truck is minimal and contained to garage collection from one point for the Childcare/Community Centre and Community Hall. Garage truck frequency is minimal and predominately out of hours, hence minimal impact with vehicles accessing the existing childcare and additional B&A facility.</p>
<ul style="list-style-type: none"> Drop off and pick up zones that are exclusively available for use during the facilities operating hours with spaces clearly marked accordingly, close to the entrance and preferably at the same floor level. Alternatively direct access should avoided crossing driveways etc 	<p>Not applicable. There is an allocated area for drop off and pick up area used for the mini bus. The off street parking area has dedicated footpath surrounds, permitting safe pedestrian access.</p>
<ul style="list-style-type: none"> Parking that is separate from other uses, location and grouped together and conveniently located near the entrance or access point to the facility. 	<p>The off street parking area is within close proximity of the entrance.</p>

C38	Carparking design should	
	<ul style="list-style-type: none"> • Include a child fence to separate car parking areas from the building entrance and play area 	The existing childcare entrance has an entrance fence. Access to the facility and additional B&A will be via this entrance.
	<ul style="list-style-type: none"> • Provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards 	The existing care park has marked accessible carparking spaces.
	<ul style="list-style-type: none"> • Include wheelchair and pram accessible parking 	The existing carpark has accessible parking

PENRITH DEVELOPMENT CONTROL PLAN 2014

The Penrith Development Control Plan 2014 was adopted by Council on 23 March 2015

The proposed work has been reviewed against the Penrith Development Control Plan 2014 for compliance.

COMPLIANCE TABLE

PENRITH DEVELOPMENT CONTROL PLAN 2014

ITEM	DESCRIPTION	COMMENT	COMPLIANCE Y/N
Part A	Introduction	Na	Na
Part B	Development Control Principles	Na	Na
Part C	City Wide Controls		
C1	Site planning and Design Principles	<p>The proposed develop relates to the Erskine Park Child Centre, – Before and After School care (OOSH) and the use of the neighbouring Erskine park Community Centre.</p> <p>The physical works (fence) will be contained wholly within the site. (Lot 374, DP713863)</p> <p>The use of the Erskine Park Community Centre with an indoor area of 93 msq and an external area of 915 msq (77 m2sq covered will permit addition play area.</p>	<p>Y</p> <p>The carpark has a site area of 1474msq. Currently occupied by 36 car spaces + 1 community space including 3 disabled car spaces No physical change to the carpark is proposed.</p>
C2	Vegetation management	Na No change to existing	Na
C3	Water Management	No Change to existing	Na
C4	Land Management	Minor change to existing. Community Centre to be used by user group ie/ Erskine Park Children Centre.	Y Community Centre to be leased by group.
C5	Waste Management	Minor change – use	Y

		of Erskine Park Community Centre catered for user groups leasing space and associated waste..	Site has skip bins for the site.
C6	Landscape design	Minor change – new fence enclosing area.	Y Identified in plan.
C7	Culture and heritage	No impact to surrounding Culture or heritage	Na
C8	Public Domain	Although both the subject and neighbouring lands are owned by Council and are for the public they function and provide separate and unique services. There is an existing pedestrian thoroughfare from the carpark through to the neighbouring Recreation Peppertree playing fields. The works will install a fence and impeded the pedestrian passage.	Y Although a public entity ie/ Council owns the land both sites operate independently.
C9	Signage and Advertising	Na No change to existing	Na
C10	Transport Access and Parking	The work will not alter the Transport, Parking to the site or surrounds The site has a number of community facilities operate at different times and do not conflict with each other. No extra parking is required based on the current facility programmes.	Y
C11	Subdivision	Na	Na
C12	Noise and Vibration	Noise activity will increase with the additional 28 children for the Before and	Y Noise management plan not provided

		After School Care. The area is within a School precinct and not immediately near residences	due to negligible impact to residence due to the physical distance.
C13	Infrastructure services	Na	Na
D	Land use		
D1	Rural	Na	Na
D2	Residential	Na	Na
D3	Commercial and retail development	Existing facilities Erskine Park Children Services identified as a Childcare ie/ commercial development.	Y Refer to D5
D4	Industrial	Na	Na
D5	Other Land uses - childcare		
Part A	Background	Na	Na
Part B	Objective	Na	Na
Part C	Controls		
C.1	Work based Child Care Centre	No change to existing	Na
C.2	Location	No change to existing	Na
C.3	Design, scale and site frontage	No change to existing	Na
C.4	Built form	No change to built form.	Na
C.5	Vehicle Access, circulation and parking	No change to existing The subject site has 36 + bus (including 3 accessible) the neighbouring sporting field has 164 car spaces.	Y The Facilities (Erskine park children service, Erskine Park Community centre and Community hall all operates at different times which allows the use of the car parking area to be used efficiently.
C.6	Noise	Some increase in noise, however the areas to generate noise will not be near residential development.	Y Noise management recommends a number of recommendations

C.7	Shade	The use of the Erskine Park Community centre has 77.11msq of covered external area.	Y
C.8	Landscaping	No change	Na
C.9	Private dwelling	Na	Na
C.10	Out of School Care	Proposed increase of numbers for before and After School care	Na
C.11	Lifting the Bar	Na	Na
E	Key Precincts	Na	Na
F	Other relevant info	A compliance table has been prepared with regards to Educations and Care Services National Regulations	Y
F4.1	Plans and drawings	Plans provided.	Y
F4.2	Statement of Environmental Effects	Prepared	Y Outlines impacts.
F4.3	Building sustainability	Y Use neighbouring building that is currently under utilised.	Y Utilises existing building rather than building new.
F4.4	Landscape	New fence only	Y Minor works.
F4.5	Erosion Sediment Control	Na No change to the ground , erosion sediment provisions to be included during construction.	Y
F4.6	Stormwater Drainage	Na No change to existing roof plan or building footprint existing veranda or stormwater.	Na
F4.7	Waste management	Managed by existing service which caters for user group within Erskine Park Community Centre	y
F4.8	Transport and Traffic Impact Assessment	Na No impact to parking , vehicular access or transport	Na

F4.9	Works to Trees	Na No change to vegetation	Na
F4.10	Bush Fire Assessment	Na No change to footprint	Na
F4.11	Flood Study	Na No change to footprint	Na
F4.12	Visual Impact	New fence to enclose area between Erskine Park Children Service and Erskine Park community Centre. Site boundaries of subject property contained.	Y Defines property
F4.13	Heritage	Na	Na
F4.15	Contamination	Na	Na
F4.16	Noise Impact Statement	Increase in children however negligible impact due to physical distance between new facility and residential development.	Y Noise Management Plan attached to DA
F4.17	Requirements relating to land stability, excavation and filling	No changes to building footprint	Na
F4.18	Water management	Na	Na
F4.19	Dust Suppression	Na	Na
F4.20	Odour Suppression	Na	Na
F4.21	Social Impact	Increase in before and After School Care will assist increase economic development of area.	Y
F4.22	Economic Impact	Positive impact, 2 x new staffing positions plus 28 new Before and After School care.	Y
F4.23	Environmental Impact	Works will not impact the precinct or natural environment	Y
F4.24	Urban Design	Na	Na
F4.25	Infrastructure delivery	Na	Na
F4.26	3d Modelling	Na	Na

NATIONAL CONSTRUCTION CODE

The proposed work has been reviewed against the National Building Construction Code for compliance.

COMPLIANCE TABLE NATIONAL CONSTRUCTION CODE

ITEM		NOTE	COMMENT	COMPLIANCE
Section A	Building Classification	Class 9b Erskine park Community Centre	Existing facility will have the same Building classification as the Erskine Park Children Centre.	Na No change to existing building Classification.
Section B	Structural Provisions	Existing structure	No changes to existing structure proposed.	Na No structural change to existing
Section C	Fire Resistance and stability	Type of construction required Type C	Existing - Single storey structure with Building Class 9b	Na Retains a Type C construction
	Compartment and separation	Fire compartment well under 2000msq Existing carparking located within allotment	No change to existing	Y Well under 2000msq
Section D	Protection of openings Provision for Escape	Na Both facilities Erskine Park Children Centre and Erskine Park Community Centre have their own fire evacuation plan.	No change to existing. Class 9b- existing exists.	Na Y Attached fire safety statement.
	Construction of Exits	Existing	No change to existing.	Y
	Access for people with a Disability	No change to levels, no step at transition	No change to floor level	Y
Section E	Fire Fighting equipment	No changes to existing equipment proposed.	Existing	Y
	Smoke hazard management	No change to existing.	Existing	Y
	Smoke detection and alarm system	No change to existing	Existing	Y

Section F	Lift Installation	Na	Na	Na
	Emergency lighting, exit signs and warning	No change to existing	Existing	Y
	Damp and waterproofing	No change to existing.	No change to existing	Y
	Sanitary and other facilities	Erskine Park Community Centre has an accessible toilet, 1 x female and 1 x male toilet	No changes to existing. BCA requires 1 x accessible , 1 x male and 1 x female for each 20 person .	Y Sanitary facilities comply
	Room size	Community Centre unencumbered internal area = 93.61m2	Area identified will permit 28 children to utilise the room , based on 3.25msq per child.	Y
	Light and ventilation	Existing operable windows facing north, east and west.	Required natural light to internal play area = 10%, of 93.61msq = 9msq Required ventilation to internal play area = 5% of 93.61msq = 5msq Existing area is mechanically ventilated, New area will also be mechanically ventilated.	Y There are 3 x full height sliding doors leading out to the covered outdoor space with a total glass area of 10.08 sqm
	Sound transmission and insulation	As per Noise Management Plan	Upgraded as per Noise Management Plan	Y conforms with Noise Management plan
Section G	Minor Structures and Components	No change to existing	Na	Na
	Heating Appliances, fire places, chimneys and Flues	Not applicable	Na	Na
	Atrium Construction	Not applicable	Na	Na
	Construction In Alpine Areas	Not applicable	Na	Na
	Construction in	Not applicable	Na	Na

	Bushfire prone areas			
Section H	Theatres, Stages and Public Halls	Erskine Park Community Centre - Foyer and meeting area to be used for children play area.	Existing	Na Existing
	Public Transport Buildings	Not applicable	Na	Na
Section I	Equipment and safety installations	Not applicable	Na	Na
	Energy efficient installation	Na No change to existing	Na	Na
Section J	Energy Efficient	No change to existing	No change to existing	Y
	Building Fabric	No change to existing	No change to existing	Y
	Glazing	No changes to existing Building C	Existing	Na
	Building Sealants	No changes to existing Building C	Existing	Na
	Air-conditioning and ventilation systems	No change to existing.	Na	Na
	Artificial lighting and power	No change to existing	Na	Na
	Hot water supply and swimming pool and spa pool plant	n/a	Na	Na
Access for maintenance and facilities for monitoring	No change to existing	Na	Na	

EDUCATIONS AND CARE SERVICES NATIONAL REGULATIONS

The proposed work has been reviewed against the Education and Care Services National Regulations for compliance. Current version for 2019

COMPLAINEE TABLE:**Education and Care Services National Regulations**

ITEM	DESCRIPTION		COMMENT	COMPLIANCE Y/N
Chapter 1	Preliminary		No Change	Na
Chapter 2	Approvals and Certificates		No Change	Na
Chapter 3	Assessment and ratings		No Change	Na
Chapter 4 Operations Requirements				
Part 4.1	Educational program		No Change	Na
Part 4.2	Children's health and safety		No Change	Na
Part 4.3	Physical Environment		No Change	Na
Division 1	103	Premises, furniture	No Change	Na
Division 1	104	Fencing	No Change	Na
Division 1	105	Furniture	No Change	Na
Division 1	106	Laundry	No Change	Na
Division 1	107	Space – indoor Each child =3.25msq each of unencumbered indoor space	New internal area of Erskine Park Community Centre to be used for B& A care = 93.61m2 permits 28.8 children to occupy the space.	Y
	108	Space-outdoor each child – 7msq each of unencumbered outdoor space	Proposed new outdoor space, of Erskine Park Community Centre to be used for B& A care =915.12 msq permits 130 children	Y Proposed outdoor area within the Erskine Park Community Centre outdoor areas permit the 28 children proposed.
	109	Toilet and hygiene	The new proposed area within the Erskine Park Community Centre to be used for B& A has 1 x female and 1 x male toilet and 1 x children toilet.	Y The gender mix of children to use this service is yet to be determined however based on 28 children and 2 staff members (assuming B& A 14 boys and

				14 girls + 2 female staff) BCA class 9b require 1 per 20, male and 1 per 25 per female, The toilets provided within the Erskine Park community Centre is adequate.
	110	Ventilation and natural light	Facility has a number of existing operable window and air conditioning system units.	Y
	111	Administrative space	No Change	Na (provided within main Centre)
	112	Nappy Change Facility	Not required with the Erskine Park Community Centre for 9-12 ages B & A	Na
	113	Outdoor natural environment	Facility provides an external area with trees and natural vegetation	Y
	114	Outdoor space - shade	Existing Erskine Park Community Centre has an outdoor covered area of 77.11msq	Y The proposed outdoor shaded area included in the total outdoor area.
	115	Premises designed to facilitate supervision	Proposed main indoor area is glazed to provide visual link, between inside and out. The external area and surrounding vegetation	Y If vegetation trimmed around fence.

			around the fences will need to be trimmed to provide visual link	
	116	Assessment of family day care	Na	Na
	117	Glass	Existing Assembly building	Na
Part 4.4	Staffing arrangements		New area to be within the Erskine Park Community Centre and will require 2 staff members for the 28 children at 1:15 ration	Y Two staff members will be employed to facilitate the extension to the services.
Part 4.5	Relationships with Children		No Change	Na
Part 4.6	Collaborative partnerships with families and communities		No Change	Na
Part 4.7	Leadership and service management		No Change	Na
Chapter 5 Review, enforcement and compliance				
Part 5.1	Internal review		No Change	Na
Part 5.2	Enforcement and compliance		No Change	Na
Chapter 6 Administration				
Part 6.1	Australian Children's Education and Care Quality		No Change	Na
Part 6.2	Information, records and privacy		No Change	Na
Part 6.3	Fees		No Change	Na
Part 6.4	Delegations		No Change	Na
Chapter 7 Jurisdiction – specific and transitional and saving provisions				
Part 7.1	General Transitional and saving		No Change	Na
Part 7.2	ACT		Na	Na
Part 7.3	NSW			
Division 1	270	Application of Part 7.3	No Change	Na
Division 2	Minimum number of educators and qualifications and training required			
	271	Educator to child ratios	No change	Na
	272	Early childhood teachers	No Change	Na
Division 3	Additional ongoing requirements			
Division 3	273	Course in child protection	No Change	Na
Division 3	274	Swimming pools	No Change	Na
Division 4	Transitional and savings provisions – staffing arrangements			
Division 4	275	Educator to child ratio – centre based service	No change	Na

	276	Number of children ... family day care educator	Na	Na
	277	Qualifications for educators – centre based services	No Change	Na
	278	Qualifications for primary contact	No Change	Na
	279	Early childhood teacher – centre based fewer than 30 children	Na	Na
Subdivision 2	280	Qualifications for family day-care educators	Na	Na
	281	Qualifications for family day care co-ordinators	Na	Na
Subdivision 5	282	Definition of early childhood teacher interim policy	Na	Na
	283	Early childhood interim policy approval	Na	Na
	284	Application for early childhood teacher interim policy approval	Na	Na
Subdivision 6	285	Space Requirements	Na	Na
	286	School based children's services before 1 July 2008	Na	Na
	287	Declaration out of scope service	Na	Na
Part 7.5	Queensland		Na	Na
Part 7.6	South Australia		Na	Na
Part 7.7	Tasmania		Na	Na
Part 7.8	Victoria		Na	Na

CONCLUSION

The proposed development has been considered in light of Penrith City Council's planning controls, Childcare Planning Guidelines, State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 Australian Standards and National Building Code.

The proposed increase in children numbers ... from 110 to 138, will have positive impact to the Erskine Park Children Services and some minor negative impact to the Erskine Park Community Centre.

The positive impact to the Erskine Park Children Service includes social and economic benefit to the community through the provision of additional Before and After School Care.

While the negative impacts to the Erskine Park Community Centre are contained to the use of the building and impact to the carparking allocated to this facility. These impacts can be mitigated through a) careful programme management of the site by both the Penrith City Council - Children Services and Community Facilities to ensure

there are no conflicts between the user groups and b) integration of the recommendations within the Noise Management Plan.

With the understanding that all the negative impacts can be addressed, minimised and or eliminated, the use of the Erskine Park Community Centre for the additional 28 children will be a positive impact for the local community.

Rosemarie Canales
Penrith City Architectural Supervisor
Architect Registered NSW #7769

APPENDIX A- EXISTING APPROVAL



ECM # 7985401

SERVICE APPROVAL (SE-00007212)
Section 48, Children (Education and Care Services) National Law (NSW)

Name of education and care service
Erskine Park Children's Centre

Location of education and care service
Cnr Swallow & Peppertree Drive, ERSKINE PARK NSW 2759

Name of approved provider
Penrith City Council

Maximum number of children
This service is approved to provide education and care to a maximum of 110 children.

Condition
The approved provider must comply with the conditions of Section 51 of the *Children (Education and Care Services) National Law*, and the requirements of the *Education and Care Services National Regulations*.

This service is subject to special transitional provisions in the *Education and Care Services National Regulations*.

Amended under delegation by:

A handwritten signature in black ink, appearing to be "JH".

R/Senior Approvals Officer
Early Childhood Education
Delegate of the Secretary, Department of Education
Issue date: 8 December 2017

Date Approval Granted: 6 July 2007

APPENDIX B– ERSKINE PARK COMMUNITY CENTRE TERMS AND CONDITIONS



Terms and Conditions of Hire Regular/Casual Bookings

A. BASIS OF HIRE AND USE

1. Regular bookings (12 or more bookings in one calendar year) are reviewed annually by Council through an Expression of Interest process. Permanent bookings are not permitted.
2. Casual bookings (11 or fewer bookings in one calendar year) for the following calendar year will not be confirmed until the Expression of Interest process for regular bookings has been finalised.
3. Application for hire must be made in writing by a person over the age of 21. Proof of identification will be required.
4. Council will advise the hirer in writing if the booking is approved. Council has the right to refuse a booking.
5. The hirer is not permitted to use the facility for any purpose or activities other than what is indicated on the Booking Application Form.
6. The hirer must advise Council of special events or activities at least 7 days prior to the day (including partnership events with Council staff) so that additional services can be organised (eg: extra cleaning, additional garbage collection, security, setup etc).
7. The hirer is responsible for conducting an inspection of the facility upon arrival and report any damages immediately to Council to ensure that the cost to repair the damage is not passed onto the hirer.
8. The hirer must ensure that the number of people attending the activities does not exceed the maximum capacity of the facility as determined by Council in accordance with fire regulations.
9. All persons entering Council property do so at their own risk.
10. The hirer acknowledges that the facility is a shared facility and may be used by other groups or third parties from time to time. Council is not responsible for loss, damage or stolen property belonging to the hirer or the hirer's invitees.
11. A new booking application form must be completed whereby the contact person for the booking and as provided to Council leaves the group/organisation. (Refer to G4).
12. Smoking is prohibited in any part of the premises and within 4 metres of all entrances to any building on the property.
13. Fires of any type are prohibited in Council facilities and on the surrounding grounds.
14. Where participants are under the age of 21, the hirer must ensure that there will be a ratio of 1 (one) person over 21 years of age to every 10 participants under 21 years of age.
15. Entry tickets are not permitted to be sold at the facility.
16. The hirer is not permitted to display promotional materials within the facility except on internal notice boards. Promotional material is not permitted to be displayed outside of the facility without prior written approval from Council. Where approval is granted the hirer must remove the material at the end of each booking session.
17. The hirer must comply with the conditions of this agreement; failure to do so may result in additional fees and charges, forfeiture of the bond and/or cancellation of the booking. (Refer to Appendix 1)
18. Council reserves the right to make changes to the Terms and Conditions of Hire as required during a calendar year. Hirers will be advised of any changes in writing.

B. BONDS, HIRE FEES AND OTHER CHARGES

1. All fees and charges are reviewed annually by Council and subject to change each year on 1 July. All bookings held after this date will be subject to any fee increase.
2. Fee reductions and requests to waive hire fees are not permissible.
3. An administration fee may be incurred where the booking details are changed by the hirer after bookings have been confirmed. (Refer to Appendix 1).
4. The hirer must pay a bond to secure the booking. The bond must be paid within 14 days of making the booking to have the booking confirmed.
5. Hirers with regular bookings will be invoiced monthly. All fees must be paid in full no later than 14 days after the date of invoicing. Partial payments will not be accepted.
6. Hirers with casual bookings are required to pay the full hire fee at least 14 days prior to the commencement of the booking.
7. The bond will be refunded by cheque within 28 days of the event. A cheque will be in the name of the person whose name is on the receipt, unless otherwise negotiated with Council and if the *Terms and Conditions of Hire* has not been breached.

EFT payments can be negotiated upon request through Council's *Application for Refund* form.
8. The bond will not be issued to the hirer until all hire fees and charges have been paid and the keys returned to Council.
9. A charge of no less than \$1,600 will be incurred by the hirer from Fire and Rescue NSW in the event that the smoke alarm is falsely activated and the fire brigade is called to the facility. Additional administration fees will also apply.

C. ACCESS TIMES

1. There is no free time to set up or pack away. Fees will apply from the time the hirer gains access to the facility until the time the alarm is set at the end of the booking period.
2. Unauthorised access will result in additional fees and charges and/or cancellation of the booking.
3. Where the hirer and/or their invitees are late in vacating the facility the hirer will be charge for the extra time plus a 25% penalty per hour and a security call out fee (where applicable).

D. CANCELLATIONS

1. Cancellations of bookings must be made by the hirer in writing to Council. If a booking is cancelled more than 7 days before the scheduled activities the hire fee will not be charged. If the booking is cancelled less than 7 days before the scheduled activities, the full amount of hire fees will apply.
2. The hirer is responsible for advising all participants of the cancellations of bookings.
3. Council retains the right to cancel or relocate bookings at any time where the facility is required for the purpose of the Council. In these instances Council will endeavour to provide the affected parties with due notice and offer an alternative venue where possible or provide a full refund of any fees paid. Council is not liable to the hirer for any loss or damages suffered by the hirer as a result of such cancellation.

E. INSURANCE AND INDEMNITY

1. Hirers must have Public Liability Insurance of no less than \$10 million or an exemption from Council. A copy of the certificate of currency must be submitted with the booking application form.
2. Any requests for exemption of Public Liability Insurance must be made at the time of submitting a booking application form. Requests for exemption from Public Liability Insurance must be

approved in writing by Council prior to commencement of activities. Council reserves the right to decline any requests for exemption.

3. Council does not insure any goods or equipment that is brought into the facility or left in the facility by the hirer or their invitees.
4. Council will not compensate the hirer for any losses of any goods or equipment or consequential losses arising out of the damage or loss of the equipment. Hirers are advised that they should obtain insurance for their own equipment and goods.
5. The hirer will indemnify and release Council in respect of any judgment, action, liability or any matter arising from the negligence of the hirer or its agents and against any act or omission of the hirer or its agents commenced by a third party against the Council.
6. The hirer releases Council from any liability to the hirer except where the damage to the hirer arises from a negligent act or omission by Council.

F. KEYS

1. Hirers with regular bookings will be issued keys by Council for the full booking period. Hirers with casual bookings will be required to collect the keys from Council prior to each booking session.
2. An appointment must be made with Council (4732 8021) to collect keys. Hirers without appointments may experience a long wait time or be requested to make an appointment.
3. Keys will only be issued to the hirer unless otherwise negotiated with Council. Suitable identification must be presented before the keys will be issued.
4. Keys must be returned to Council when the key holder leaves the group and/or activity. Council will reissue the keys to the new contact of the group and/or activity.
5. Keys cannot be given to another person for an interim period without written permission from Council.
6. The hirer will incur additional fees and charges for the replacement of lost or stolen keys.

G. ELECTRICAL EQUIPMENT / HIRE EQUIPMENT

1. The hirer is responsible for checking that all electrical equipment brought into the facility is not damaged or defective in any way. The cost of repair and/or service will apply where failure of the power is a result of the hirer's and/or their invitee's actions (eg: use of damaged, faulty or defective electrical appliances and/or overloading the power circuits).
2. The hirer must obtain prior approval from Council to have amusement rides, jumping castles, jukeboxes, portable stages and/or any other equipment at the facility.
3. The hirer must ensure that any supplier of hired equipment has a Certificate of Currency for Public Liability Insurance of no less than \$10 million.
4. Council will not compensate the hirer or the supplier of goods and services engaged by the hirer, for any losses of any goods or equipment or consequential losses arising for the damage or loss of the equipment and/or use of the facility.

H. MINIMISING RISK & MANAGING EMERGENCIES

1. The hirer is responsible for determining that the facility is fit for purpose and suitable for their activities. Any identified risk and/or damage relating to Council property must be reported immediately to Council on 4732 7777.
2. The hirer is responsible for familiarising themselves with the Evacuation Plan on display at the facility, including the location of emergency exit doors, before commencing any activities.
3. The hirer must provide Council with full details of any incident that occurs during an activity that results in the attendance of the Police, damage to Council property, or injury to a person/s. These details must be reported to Council in writing within 24 hours.

APPENDIX 1 – ADDITIONAL FEES AND CHARGES

Any additional fees and charges incurred by the hirer as a result of a breach of the *Terms and Conditions of Hire* will be applied according to the Fees and Charges Schedule adopted by Penrith City Council. These fees will be invoiced separately to the hirer.

Additional Fees & Charges	Circumstance	Amount
Public Holiday Surcharge	This fee will apply where additional costs are incurred by Council due to the Public Holiday	25% of the hire fee
Administration Fee	Fee for processing a breach to the Terms and Conditions of Hire (eg: damage to facility, additional cleaning, lost or late return of keys, changes to bookings, cancellations etc)	\$69 per hour or part thereof (min \$69)
Lost keys	Fee for lost or stolen keys	\$72 per instance
Unauthorised Access	Cost incurred for accessing the facility outside the approved booking times	\$72 per hour (excluding St Marys Memorial Hall)
Failure to Set the Alarm	Cost incurred where the alarm is not set correctly at the end of the event	\$69 per day
Security Call Out	Cost incurred where security is required to attend the facility (eg: alarm issues, doors not locked, antisocial behaviour, hirer not leaving venue on time etc)	\$69 per call out
Out of Hours Service	Cost incurred where Council is required to attend to an issue relating to the booking that is the responsibility of the hirer and/or their guests. (eg: lost keys)	\$72 per hour or part thereof (min \$72)
Weekend Cleaning Levy	Cost incurred where additional cleaning is required	\$58 per hour
Helium Balloons	Cost incurred to remove helium balloons and/or balloon ties from ceiling fans	\$69 per hour or part thereof (min \$69)
Air Conditioning	Failure to turn off air conditioning resulting in increased electricity costs	\$72 per day
Service Fee	Cost incurred to repair minor damage and/or replace damaged items	\$69 per hour or part thereof (min \$69)
Public Holiday Surcharge	This fee will apply where additional costs are incurred by Council due to the Public Holiday	25% of the hire fee

APPENDIX C- ERSKINE PARK COMMUNITY CENTRE
BOOKING SCHEDULE (Tuesday)

Penrith City Council

Booking Schedule - Confirmed Regular - Erskine Park Community Centre

Reporting Event Date Range: 01/01/2020 - 31/12/2021

Start Date/Time	End Date/Time	Event Name	Pax
28/01/2020 02:00 PM	07:00 PM	[463088] Children's Services - Erskine Park CC - After School Program - Tuesday	20
04/02/2020 02:00 PM	07:00 PM	[463178] Children's Services - Erskine Park CC - After School Program - Tuesday	20
11/02/2020 02:00 PM	07:00 PM	[463180] Children's Services - Erskine Park CC - After School Program - Tuesday	20
18/02/2020 02:00 PM	07:00 PM	[463182] Children's Services - Erskine Park CC - After School Program - Tuesday	20
25/02/2020 02:00 PM	07:00 PM	[463184] Children's Services - Erskine Park CC - After School Program - Tuesday	20
03/03/2020 02:00 PM	07:00 PM	[463186] Children's Services - Erskine Park CC - After School Program - Tuesday	20
10/03/2020 02:00 PM	07:00 PM	[463188] Children's Services - Erskine Park CC - After School Program - Tuesday	20
17/03/2020 02:00 PM	07:00 PM	[463190] Children's Services - Erskine Park CC - After School Program - Tuesday	20
24/03/2020 02:00 PM	07:00 PM	[463192] Children's Services - Erskine Park CC - After School Program - Tuesday	20
31/03/2020 02:00 PM	07:00 PM	[463194] Children's Services - Erskine Park CC - After School Program - Tuesday	20
07/04/2020 02:00 PM	07:00 PM	[463196] Children's Services - Erskine Park CC - After School Program - Tuesday	20
28/04/2020 02:00 PM	07:00 PM	[463198] Children's Services - Erskine Park CC - After School Program - Tuesday	20
05/05/2020 02:00 PM	07:00 PM	[463200] Children's Services - Erskine Park CC - After School Program - Tuesday	20
12/05/2020 02:00 PM	07:00 PM	[463201] Children's Services - Erskine Park CC - After School Program - Tuesday	20
19/05/2020 02:00 PM	07:00 PM	[463202] Children's Services - Erskine Park CC - After School Program - Tuesday	20
26/05/2020 02:00 PM	07:00 PM	[463203] Children's Services - Erskine Park CC - After School Program - Tuesday	20
02/06/2020 02:00 PM	07:00 PM	[463204] Children's Services - Erskine Park CC - After School Program - Tuesday	20
09/06/2020 02:00 PM	07:00 PM	[463205] Children's Services - Erskine Park CC - After School Program - Tuesday	20
16/06/2020 02:00 PM	07:00 PM	[463206] Children's Services - Erskine Park CC - After School Program - Tuesday	20
23/06/2020 02:00 PM	07:00 PM	[463207] Children's Services - Erskine Park CC - After School Program - Tuesday	20
30/06/2020 02:00 PM	07:00 PM	[463208] Children's Services - Erskine Park CC - After School Program - Tuesday	20
21/07/2020 02:00 PM	07:00 PM	[463209] Children's Services - Erskine Park CC - After School Program - Tuesday	20
28/07/2020 02:00 PM	07:00 PM	[463210] Children's Services - Erskine Park CC - After School Program - Tuesday	20
04/08/2020 02:00 PM	07:00 PM	[463211] Children's Services - Erskine Park CC - After School Program - Tuesday	20
11/08/2020 02:00 PM	07:00 PM	[463212] Children's Services - Erskine Park CC - After School Program - Tuesday	20
18/08/2020 02:00 PM	07:00 PM	[463213] Children's Services - Erskine Park CC - After School Program - Tuesday	20
25/08/2020 02:00 PM	07:00 PM	[463214] Children's Services - Erskine Park CC - After School Program - Tuesday	20
01/09/2020 02:00 PM	07:00 PM	[463215] Children's Services - Erskine Park CC - After School Program - Tuesday	20

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Penrith City Council

Booking Schedule - Confirmed Regular - Erskine Park Community Centre

Reporting Event Date Range: 01/01/2020 - 31/12/2021

<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Event Name</u>	<u>Pax</u>
08/09/2020 02:00 PM	07:00 PM	[463216] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
15/09/2020 02:00 PM	07:00 PM	[463217] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
22/09/2020 02:00 PM	07:00 PM	[463218] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
13/10/2020 02:00 PM	07:00 PM	[463219] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
20/10/2020 02:00 PM	07:00 PM	[463220] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
27/10/2020 02:00 PM	07:00 PM	[463221] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
03/11/2020 02:00 PM	07:00 PM	[463222] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
10/11/2020 02:00 PM	07:00 PM	[463223] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
17/11/2020 02:00 PM	07:00 PM	[463224] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
24/11/2020 02:00 PM	07:00 PM	[463225] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
01/12/2020 02:00 PM	07:00 PM	[463226] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
08/12/2020 02:00 PM	07:00 PM	[463227] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
15/12/2020 02:00 PM	07:00 PM	[463228] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
02/02/2021 02:00 PM	07:00 PM	[463229] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
09/02/2021 02:00 PM	07:00 PM	[463230] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
16/02/2021 02:00 PM	07:00 PM	[463231] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
23/02/2021 02:00 PM	07:00 PM	[463232] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
02/03/2021 02:00 PM	07:00 PM	[463233] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
09/03/2021 02:00 PM	07:00 PM	[463234] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
16/03/2021 02:00 PM	07:00 PM	[463235] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
23/03/2021 02:00 PM	07:00 PM	[463236] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
30/03/2021 02:00 PM	07:00 PM	[463237] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
20/04/2021 02:00 PM	07:00 PM	[463238] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
27/04/2021 02:00 PM	07:00 PM	[463239] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
04/05/2021 02:00 PM	07:00 PM	[463240] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
11/05/2021 02:00 PM	07:00 PM	[463241] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
18/05/2021 02:00 PM	07:00 PM	[463242] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
25/05/2021 02:00 PM	07:00 PM	[463243] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20

Printed: 05/12/2019 08:52 AM Booking Schedule - Confirmed Regular - Erskine Park Community Centre / NHF - Confirmed Regular - Erskine Park CC Page: 2 of 3

Penrith City Council

Booking Schedule - Confirmed Regular - Erskine Park Community Centre

Reporting Event Date Range: 01/01/2020 - 31/12/2021

<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Event Name</u>	<u>Pax</u>
01/06/2021 02:00 PM	07:00 PM	[463244] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
08/06/2021 02:00 PM	07:00 PM	[463245] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
15/06/2021 02:00 PM	07:00 PM	[463246] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
22/06/2021 02:00 PM	07:00 PM	[463247] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
13/07/2021 02:00 PM	07:00 PM	[463248] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
20/07/2021 02:00 PM	07:00 PM	[463249] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
27/07/2021 02:00 PM	07:00 PM	[463250] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
03/08/2021 02:00 PM	07:00 PM	[463251] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
10/08/2021 02:00 PM	07:00 PM	[463252] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
17/08/2021 02:00 PM	07:00 PM	[463253] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
24/08/2021 02:00 PM	07:00 PM	[463254] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
31/08/2021 02:00 PM	07:00 PM	[463255] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
07/09/2021 02:00 PM	07:00 PM	[463256] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
14/09/2021 02:00 PM	07:00 PM	[463257] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
05/10/2021 02:00 PM	07:00 PM	[463258] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
12/10/2021 02:00 PM	07:00 PM	[463259] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
19/10/2021 02:00 PM	07:00 PM	[463260] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
26/10/2021 02:00 PM	07:00 PM	[463261] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
02/11/2021 02:00 PM	07:00 PM	[463262] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
09/11/2021 02:00 PM	07:00 PM	[463263] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
16/11/2021 02:00 PM	07:00 PM	[463264] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
23/11/2021 02:00 PM	07:00 PM	[463265] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
30/11/2021 02:00 PM	07:00 PM	[463266] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
07/12/2021 02:00 PM	07:00 PM	[463267] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
14/12/2021 02:00 PM	07:00 PM	[463268] Children's Services - Erskine Park CC - After School Program - Tuesday	Confirmed Regular 20
Total Events: 81		Total Pax: 1,620	

APPENDIX D-ERSKINE PARK COMMUNITY CENTRE
BOOKING SCHEDULE (Thursday)

Penrith City Council

Booking Schedule - Confirmed Regular - Erskine Park Community Centre

Reporting Event Date Range: 01/01/2020 - 31/12/2021

Start Date/Time	End Date/Time	Event Name	Pax
30/01/2020 02:00 PM	07:00 PM	[465439] Children's Services - Erskine Park CC - After School Program - Thursday	20
06/02/2020 02:00 PM	07:00 PM	[466417] Children's Services - Erskine Park CC - After School Program - Thursday	20
13/02/2020 02:00 PM	07:00 PM	[466418] Children's Services - Erskine Park CC - After School Program - Thursday	20
20/02/2020 02:00 PM	07:00 PM	[466419] Children's Services - Erskine Park CC - After School Program - Thursday	20
27/02/2020 02:00 PM	07:00 PM	[466420] Children's Services - Erskine Park CC - After School Program - Thursday	20
05/03/2020 02:00 PM	07:00 PM	[466421] Children's Services - Erskine Park CC - After School Program - Thursday	20
12/03/2020 02:00 PM	07:00 PM	[466422] Children's Services - Erskine Park CC - After School Program - Thursday	20
19/03/2020 02:00 PM	07:00 PM	[466423] Children's Services - Erskine Park CC - After School Program - Thursday	20
26/03/2020 02:00 PM	07:00 PM	[466424] Children's Services - Erskine Park CC - After School Program - Thursday	20
02/04/2020 02:00 PM	07:00 PM	[466425] Children's Services - Erskine Park CC - After School Program - Thursday	20
09/04/2020 02:00 PM	07:00 PM	[466426] Children's Services - Erskine Park CC - After School Program - Thursday	20
30/04/2020 02:00 PM	07:00 PM	[466427] Children's Services - Erskine Park CC - After School Program - Thursday	20
07/05/2020 02:00 PM	07:00 PM	[466428] Children's Services - Erskine Park CC - After School Program - Thursday	20
14/05/2020 02:00 PM	07:00 PM	[466429] Children's Services - Erskine Park CC - After School Program - Thursday	20
21/05/2020 02:00 PM	07:00 PM	[466430] Children's Services - Erskine Park CC - After School Program - Thursday	20
28/05/2020 02:00 PM	07:00 PM	[466431] Children's Services - Erskine Park CC - After School Program - Thursday	20
04/06/2020 02:00 PM	07:00 PM	[466432] Children's Services - Erskine Park CC - After School Program - Thursday	20
11/06/2020 02:00 PM	07:00 PM	[466433] Children's Services - Erskine Park CC - After School Program - Thursday	20
18/06/2020 02:00 PM	07:00 PM	[466434] Children's Services - Erskine Park CC - After School Program - Thursday	20
25/06/2020 02:00 PM	07:00 PM	[466435] Children's Services - Erskine Park CC - After School Program - Thursday	20
02/07/2020 02:00 PM	07:00 PM	[466436] Children's Services - Erskine Park CC - After School Program - Thursday	20
23/07/2020 02:00 PM	07:00 PM	[466437] Children's Services - Erskine Park CC - After School Program - Thursday	20
30/07/2020 02:00 PM	07:00 PM	[466438] Children's Services - Erskine Park CC - After School Program - Thursday	20
06/08/2020 02:00 PM	07:00 PM	[466439] Children's Services - Erskine Park CC - After School Program - Thursday	20
13/08/2020 02:00 PM	07:00 PM	[466440] Children's Services - Erskine Park CC - After School Program - Thursday	20
20/08/2020 02:00 PM	07:00 PM	[466441] Children's Services - Erskine Park CC - After School Program - Thursday	20
27/08/2020 02:00 PM	07:00 PM	[466442] Children's Services - Erskine Park CC - After School Program - Thursday	20
03/09/2020 02:00 PM	07:00 PM	[466443] Children's Services - Erskine Park CC - After School Program - Thursday	20

Printed: 05/12/2019 09:10 AM Booking Schedule - Confirmed Regular - Erskine Park Community Centre / NHF - Confirmed Regular - Erskine Park CC Page: 1 of 3

Penrith City Council

Booking Schedule - Confirmed Regular - Erskine Park Community Centre

Reporting Event Date Range: 01/01/2020 - 31/12/2021

<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Event Name</u>	<u>Pax</u>
27/05/2021 02:00 PM	07:00 PM	[466472] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
03/06/2021 02:00 PM	07:00 PM	[466473] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
10/06/2021 02:00 PM	07:00 PM	[466474] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
17/06/2021 02:00 PM	07:00 PM	[466475] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
24/06/2021 02:00 PM	07:00 PM	[466476] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
15/07/2021 02:00 PM	07:00 PM	[466477] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
22/07/2021 02:00 PM	07:00 PM	[466478] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
29/07/2021 02:00 PM	07:00 PM	[466479] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
05/08/2021 02:00 PM	07:00 PM	[466480] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
12/08/2021 02:00 PM	07:00 PM	[466481] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
19/08/2021 02:00 PM	07:00 PM	[466482] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
26/08/2021 02:00 PM	07:00 PM	[466483] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
02/09/2021 02:00 PM	07:00 PM	[466484] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
09/09/2021 02:00 PM	07:00 PM	[466485] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
16/09/2021 02:00 PM	07:00 PM	[466486] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
07/10/2021 02:00 PM	07:00 PM	[466487] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
14/10/2021 02:00 PM	07:00 PM	[466488] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
21/10/2021 02:00 PM	07:00 PM	[466489] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
28/10/2021 02:00 PM	07:00 PM	[466490] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
04/11/2021 02:00 PM	07:00 PM	[466491] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
11/11/2021 02:00 PM	07:00 PM	[466492] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
18/11/2021 02:00 PM	07:00 PM	[466493] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
25/11/2021 02:00 PM	07:00 PM	[466494] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
02/12/2021 02:00 PM	07:00 PM	[466495] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
09/12/2021 02:00 PM	07:00 PM	[466496] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
16/12/2021 02:00 PM	07:00 PM	[466497] Children's Services - Erskine Park CC - After School Program - Thursday	Confirmed Regular 20
Total Events:	82	Total Pax:	1,640



FAR WEST CONSULTING ENGINEERS NSW

Building Services

2 Dunlop Street NSW 2151

Phone: (02) 88383200 Fax: (02) 9630 0488 E-mail: administration@farwestconsulting.com.au

Our Reference: 203510

Amended2

25 May 2020

ACOUSTICS

NOISE MANAGEMENT PLAN

**PROPOSED EXTENDING CHILDREN'S
NUMBERS FOR THE
ERSKINE PARK CHILDCARE**

CORNER SWALLOW & PEPPERTREE DRIVE

ERSKINE PARK NSW

*Prepared for
Penrith City Council NSW*

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1.0 INTRODUCTION

Far West Consulting Engineers (NSW) has been commissioned by Amanda Collins/ Children's Services Development Officer on behalf of Penrith City Council to amend our report reference no. 163248 dated 6 February 2017.

Council requires a re-extending numbers of children to include the adjacent community Hall building when required extra children in demand as a hiring place from different departments (facilities) within Council.

Penrith City Council seeking increasing numbers of the existing children to include hiring the community hall for children when it demand by the existing *Erskine Park Children's Centre* and to accommodate in total (139) children.

Noise Management Plan (NMP) required to identify the noise sources, potential sensitive receivers, and outlining noise control measures for the operations of the Child Care Centre (OSHC).

Part of the Noise Management Plan is based on a Noise Impact Assessment (NIA), and noise impact assessment has been carried out on the basis of implementation of the following standards & Guidelines:

- Association of Australia Acoustical Consultants – Guideline for Child Care Centre Acoustic Assessment – October 2013;
- EPA's Environmental Guidelines for Road Traffic Noise;
- Industrial Noise Policy;
- NSW/ EPA Draft Noise Guide for Local Government /November 2002;
- AS 2107 – 2000 recommended Design Sound Levels and Reverberation Times for Building Interiors;
- AS 3671 – 1989 – Building Siting and construction; and
- Penrith Development Control Plan 2014 – Part D5
- Building Code of Australia BCA 2016 – Part F5 – Sound Transmission.

The purpose of the assessment is to ensure that the use of the Child Care Centre and OSHC does not cause noise of an intrusive or offensive nature to the nearby residents.

2.0 DESCRIPTION OF THE SITE AND EXISTING AMBIENT NOISE SOURCES

The site located within commercial area surrounded by education, community centre and church buildings. Existing childcare centre has been considered compatible within the existing environment.

Erskine Park Community/Hall centre located approximately 67m to the south and proposed for additional (28) places when demanded by the childcare Centre; and James Erskine Public School located approximately 100m to the community hall (block C).

Shopping centre located 56m to the west crossing Peppertree Drive; and Swallow Drive surrounded the subject site to the north. A block of the residential houses along Swallow Drive are between 56m to 123m far from the existing childcare.

Peppertree & Swallow Drives are service local road and carry low traffic volumes increasing during peak hours throughout the day; vehicle's speed permitted is 50 km/h and 40km/h for School zone.

Ambient noise source is mainly from traffic movement in the area particularly during drop off and pick up children. Road traffic noise contains an intermittent noise characteristic due to the noise level increases and decreases rapidly depending on the type and the speed of vehicles pass-by.

The following aerial photo shows site location and the land uses:

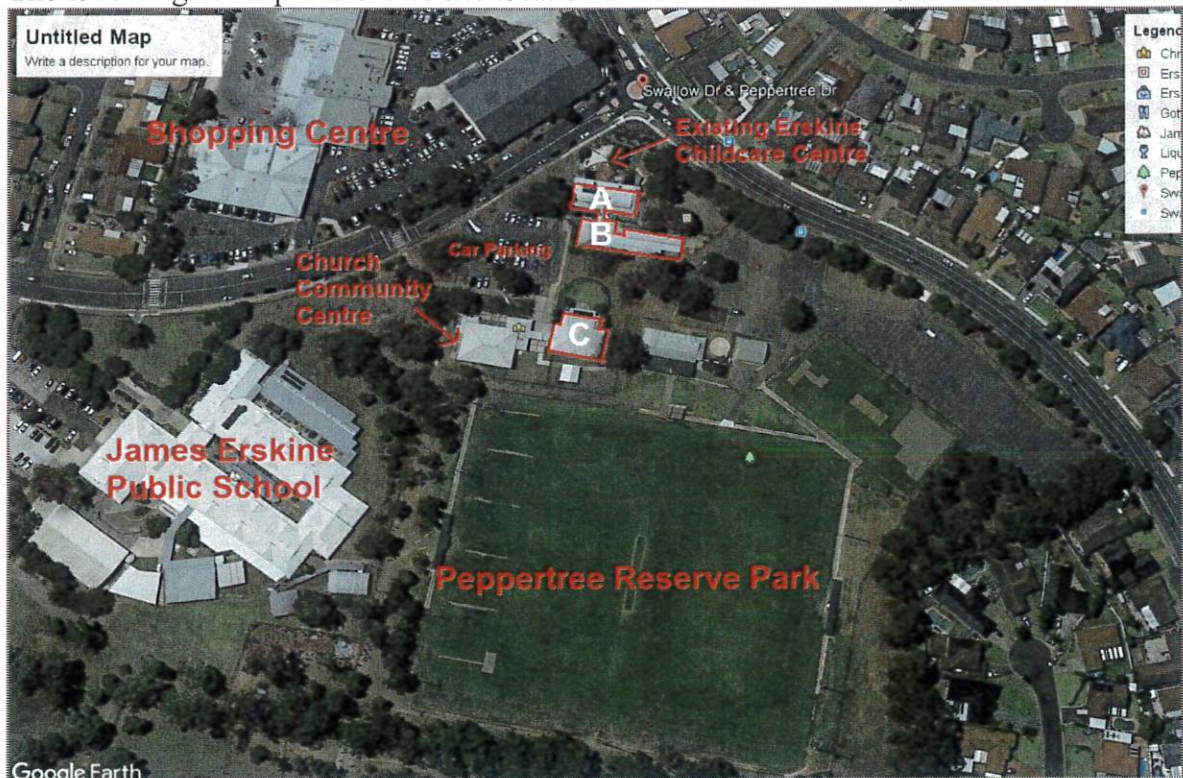


Photo – 1 Site location and the context of the surrounding area

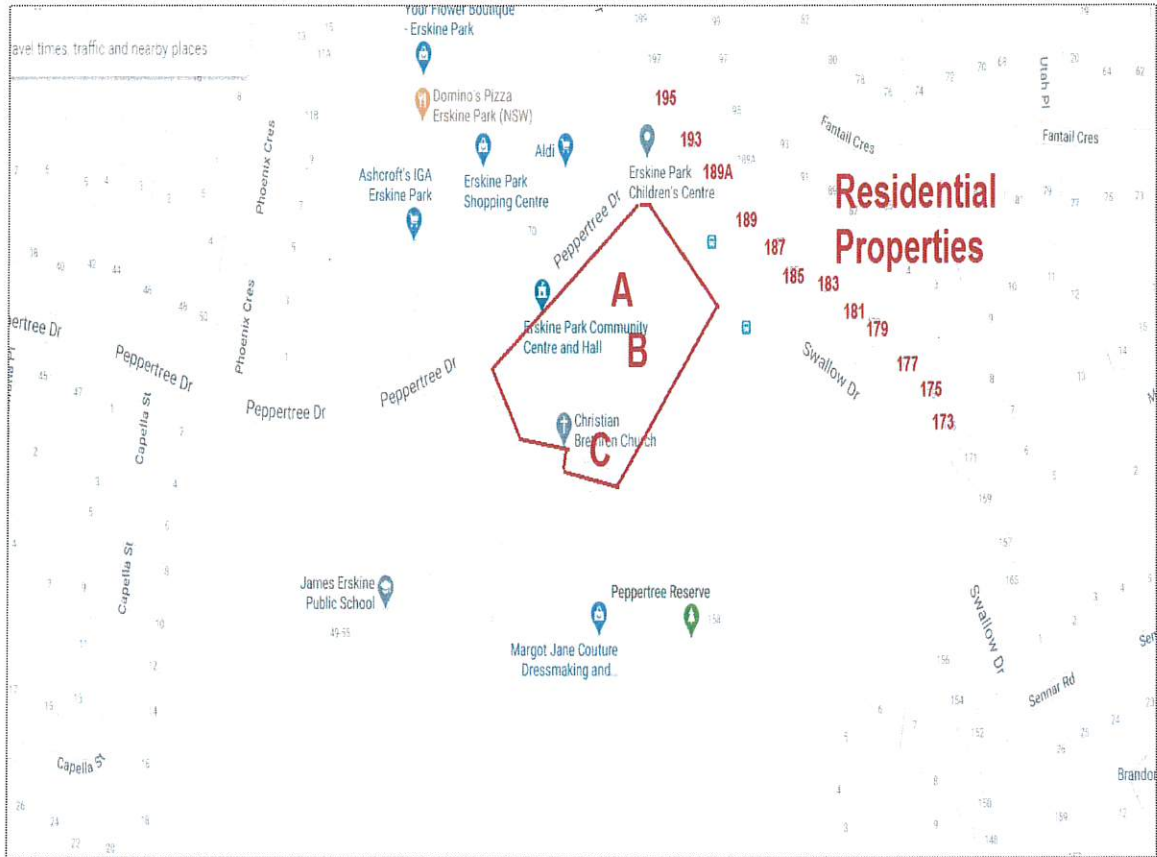


Figure – 1 Location of the site and surrounding neighbours

3.0 THE PROPOSAL AND THE RECEIVERS

Penrith City Council seeks an extending numbers of the existing Out of School Hours Care (OSHC) from (98) to (139) children with aged ranging (0 – 12) years at Erskine Park Childcare Centre.

It has been proposed an alterations of the existing verandah to be enclosed (45m²) and to accommodate an extra of the (13) children; and additional extending of (28) places is required by DA and to be added to the adjacent community hall building/ Block C when it's required by the Centre to hire the place as shown on the architectural plans.

The proposed alteration and extending of the children's number to the existing Erskine childcare consist of the following:

Block A (167.5m²) – accommodate (51) children
Block B (197.7m²) – accommodate (60) children
Block C (93.6m²) – accommodate (28) children

The buildings included indoors play areas, passive play area, active play area, sleep area, office & staff room, kitchen dining area, bathrooms for preschool & children, staff toilet & laundry, storage rooms and quiet room.

Vehicular access to the CCC is from the existing combined Entry/Exist driveway off Peppertree Drive on the west boundary.

Proposed increasing (13) children and additionally extending of the children's number of (28) with aged ranging (6 – 12) years to accommodate total numbers of (139) places for OSHC. The hours of the operation are from Monday to Friday; 6:30am to 6:00pm for long day care, and considered to be allocated as follows:

(0 – 2) years old – 30 children
(3 – 4) years old – 20 children
(4 – 5) years old – 30 children
(5 – 6) years old – 18 children
(6 – 12) years old – 13 children – *proposed new adding to the 98 children OSHC.*
(6 – 12) years old – 28 children – *proposed additional extending OSHC, operating from 3:00pm – 6:30pm when it is required by Childcare Centre to hire the hall for 1-2 days a week.*

Consideration of noise sensitive receivers will be residents (single houses) located to the north boundary along Swallow Drive. A portion of the existing vegetation (outdoor play area) considered as a good barrier for noise attenuation.

4.0 NOISE MEASUREMENTS

Noise measurements have been performed in accordance with the Australian Standard AS 1055 – 1999 ‘Description and measurement of environmental noise – General Procedures’

4.1 Instrumentation

The instrumentation used during the noise survey consists of Type 1 Environmental Noise Logger, Serial no. 15-203-504 Model EL-315. (*Acoustic Research Labs Pty Ltd*).

The calibration of the logger was checked before and after measurement period with acoustic calibrator by (*Acoustic Research Labs Pty Ltd*). No significant drift occurred over the measurement period.

4.2 Measurement Procedure

The measurements were performed on Tuesday 17th to 24th January 2017 for ambient noise levels monitoring. The purpose of noise monitoring is to establish a background noise levels and meantime to measure the noise emanating from the existing CCC.

Measurements taken place on the roof of the existing verandah/outdoor play area, and the meter was positioned on the roof at height of approximately 1.2m, sample measurements were taken continuously every 15 minutes sampling. All measurements were taken on A-weighted fast response mode.

4.3 Measurement Parameters

Noise levels are monitored on a continuous basis and statistical and integrating techniques are used to determine noise description parameters. These parameters are used to measure how much annoyance would be caused by a particular noise source. These main descriptors are:

LA90 – Represents noise level exceeded for 90% of a certain time period, and used as a background noise.

LA10 – Represents noise level exceeded for 10% of a certain time period, and used as the noise source

LAeq. – Represents the average of noise energy during a certain time period.

LAMax. – Represents maximum noise level recorded within a certain time period.

LA1 – Represents noise level exceeded for 1% of a certain time period, and used as a noise disturbance

4.4 Noise Level Results

This section presents the statistical ambient noise levels recorded during an unattended noise monitoring taken place for one week from 17 to 24 January 2017 at outdoor play area. Logarithmic average of $L_{Aeq,15min}$ for each monitoring period has been calculated and results are shown below for the existing ambient noise levels (noise emanating from existing CCC), and the red colour result shows a background noise level during weekend in which the CCC is not in use:

Table – 1 Existing Ambient Noise Level Results in dBA

Period	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Monday
LAeq.							
Day	57	59	57	60	66	55	56
Evening	56	56	56	56	56	55	57
Night	52	51	51	51	51	54	52
LA90							
Day	48	52	49	52	48	46	49
Evening	46	46	48	48	46	47	48
Night	45	41	41	39	37	45	47
LA10							
Day	59	61	59	60	60	58	58.5
Evening	57	58	58	59	58	57	58
Night	52	51	51	52	51	52	53
LAMax							
Day	70	75	72	72	73	70	69
Evening	72	72	71.5	71.5	73	73	75
Night	64	65	67	67	66	66	66

The following table-2 is a summary of daily average results for the three period's measurements time.

Table – 2 Daily average (Noise from outdoor playing children)

Period	LAeq. 15min.	LA90 15min.
Day (7:00am – 6:00pm)	58 dBA	49 dBA
Evening (6:00pm – 10:00pm)	56 dBA	47 dBA
Night (10:00pm – 7:00am)	52 dBA	42 dBA

Sensitive receivers at houses crossing Swallow Drive, the L_{Aeq} noise level is dominated by intermittent traffic noise in form of parents pick up and drop off children. However those receivers anticipated do not have any potential noise impacts from extending (13) children and additionally extending of (28) children as the car parking located on Peppertree Drive other side of the residential properties.

The following table-3 is a background noise levels during week end:

Table – 3 background Noise Levels

Period	LAeq. 15min.	LA90 15min.
Day (7:00am – 6:00pm)	57.5 dBA	47 dBA
Evening (6:00pm – 10:00pm)	56 dBA	46.5 dBA
Night (10:00pm – 7:00am)	53 dBA	41 dBA

5.0 PROJECT-SPECIFIC NOISE LEVELS

There is no specific Australian Standards to control noise emanating from Childcare Centre; reference has been made based on Association of Australian Acoustical Consultants AAAC – Technical guideline/ Childcare Centre Noise Assessment. AAAC suggested that a total time of 2 hours outdoor play per day (i.e. 1 hour in the morning and 1 hour in the afternoon) should allow an additional 5 dBA noise impact.

Up to 2 hours (total) per day – The $L_{Aeq,15min}$ noise level emitted from the outdoor play area shall not exceed the background noise level by more than 10 dBA at the assessment location.

More than 2 hours per day – The $L_{Aeq,15min}$ noise level emitted from the outdoor play area shall not exceed the background noise level by more than 5 dBA at the assessment location.

Referring to EPA Industrial Noise Policy table 2.1 & table 2.2; the project fits the description of residence/suburban, active recreation area (school playground) potential sensitive receivers along Swallow Drive, hence the acceptable noise level (ANL) are as follows:

- Residential receivers – 55 dBA during Day; 45 dBA Evening; and 40 dBA during Night
- Active recreation area (school playground) – 55 dBA when in use;

The intrusiveness criterion playing *up to two hours (total) per a day* is shown in the following Table-4:

Table – 4 Project-specific noise levels criteria

Period	Intrusiveness criterion
Day	57 dBA $L_{Aeq,15 min. (47 + 10)}$
Evening	56.5 dBA $L_{Aeq,15 min. (46.5 + 10)}$
Night	51 dBA $L_{Aeq,15 min. (41 + 10)}$

The intrusiveness criterion playing *more than two hours per a day* is shown in the following Table – 4a:

Period	Intrusiveness criterion
Day	52 dBA $L_{Aeq,15 min. (47 + 5)}$
Evening	51.5 dBA $L_{Aeq,15 min. (46.5 + 5)}$
Night	46 dBA $L_{Aeq,15 min. (41 + 5)}$

In accordance with AAAC guidelines, if the proposed Centre will have two hours outdoor playing per day, one hour in the morning and one hour in the afternoon, therefore the **57dBA** intrusiveness criterion will be applied; and **52 dBA** criterion will be applied for more than (2) hours per a day playing outdoor.

6.0 LOCAL AUTHORITY REQUIREMENTS

6.1 Outdoor Playground Criteria

There are no certain criteria for controlling noise from facilities used by a childcare, schools and playgrounds. The local standard and criteria to be used for control noise emissions from commercial/industrial development is such 'EPA NSW Industrial Noise Policy' which require the acceptable intrusiveness criterion 'background noise plus 5'.

Referring to AAAC, members of this Association have issued a technical guideline for noise assessment emanating from the new child care Centre. This guideline sets out a recommended assessment procedure for the submission of noise impact assessments to accompany Development Application for child care centres, and provides typical recommendations for the control noise from such centres.

AAAC members regard that a total time limit of two hours outdoor play per day (e.g. 1 hour in the morning and 1 hour in the afternoon) should allow an additional 5 dBA noise impact. Hence 'background noise plus 10' and if the play hours more than two hours per a day, the $L_{Aeq,15min}$ noise level emitted from the outdoor play area shall not exceed the background noise level by more than 5 dBA at the assessment location.

6.2 Indoor Play Area, Mechanical Plant Criteria

The $L_{Aeq,15min}$ noise level emitted from the cumulative noise impact of children playing indoors, mechanical plant and traffic on the site shall not exceed the background noise level by more than 5 dBA at the assessment location.

6.3 Road Traffic Noise Criteria

Such report shall demonstrate compliance with AS 2107 – 2000 recommended Design Sound Levels and Reverberation Times for Building Interiors and AS 3671 – 1989 – Building Siting and Construction and the EPA's Environmental Guidelines for Road Traffic Noise. Environmental criteria for sensitive land use are given in the following table-5.

Table – 5 Road Traffic Noise Criteria for sensitive land use

Sensitive Land Use	Criteria	
	Day (7am – 10pm)	Night (10pm – 7am)
1. Proposed school classrooms	$L_{Aeq, (1hr)}$ 40 dBA Internal	--
2. Passive recreation and School Playgrounds	Free ways $L_{Aeq, (15hr)}$ 55 dBA	--
3. Active recreation / tennis courts	$L_{Aeq, (15h)}$ 60 dBA	--

The building shall be designed and constructed taking into full account the requirements for effective sound insulation against external noise in accordance with the Australian Standard AS 2107 – 2000 'Recommended Design Sound Levels and Reverberation Time for Building Interiors'.

----- 10
Noise Management Plan for the proposed increasing numbers of children for existing
'Childcare Centre' located at Cnr Swallow Drive & Peppertree Drive, Erskine Park NSW

This standard recommended satisfactory levels for different areas of occupancy in the Educational Building. These are given in the following Table-6:

Table – 6 Interior Noise Design Criteria

Type of Occupancy	Recommended Design Sound Level LAeq. dBA	
	Satisfactory	Maximum
<i>Educational Buildings / Teaching spaces</i>		
Primary Schools	35	40
Staff common areas	40	45
Toilet/changing/showers	45	55

The Interior Noise Design Criteria shall be met for the existing Child Care Centre either with a natural or mechanical ventilation/ air conditioning system to be provided to the proposed building.

7.0 THE PROPOSAL AND NOISE LEVELS PREDICTION

The existing childcare Centre can be considered as an education/ commercial development; prediction of noise sources emanating from the CCC are mainly form children screaming, outdoor playing, and speaking loudly, increase the movements of traffic in locality due to pick up & drop off children.

The noise level of boys and girls are assumed to be very similar. A typical range of sound pressure levels for group of ten (10) children playing @3m is given below:

10 Children aged (0 – 2) years	60 – 63 dBA
10 Children aged (2 – 3) years	66 – 70 dBA
10 Children aged (3 – 6) years	67 – 73 dBA

Reference AAAC – Technical Guideline

Car parking for drop off & pickup children should be considered as another noise source associated with the operation of the CCC, and shall be considered as a compatible with the existing traffic movements from Community Centre and the existing Public School.

Our data base of noise levels for car parking established from our surveying of noise measurements and searching references are shown in the table below:

Noise measurements of intermittent noise sources @ 10 meters

Noise associate from car parking	Range of noise level L _{Amax} . dBA
Car door closing	50-72
Car starting	50-70
Car accelerating	50-70
Car moving	55-63
People talking (Relaxed, normal, raised)	44-56
Loud, very loud	62-68
Shouting	74

It is usual that the child care building shall be provided with air conditioning system and mechanical ventilation/exhaust fans for kitchen, toilet & laundry.

A typical range of sound pressure levels for mechanical plant is given below @1m from the source:

Small (single fan) condenser/ outdoor unit	57 dBA
Medium (double fan) condenser	62 dBA
Large (double fan) condenser	72 dBA
Small exhaust fan (toilet, garbage room)	52 – 57 dBA
Small kitchen exhaust fan	57 – 67 dBA

Reference AAAC – Technical Guideline

8.0 NOISE LEVELS ANALYSIS AND ASSESSMENT

8.1 External Noise Impacts

External noise must be taking into full account the likely impacts on children, our site investigation takes into consideration the existing ambient noise sources and it has been revealed that the site hasn't been potentially affected by local traffic roads. Peppertree Dr. & Swallow Dr. are service local road carry low traffic volumes and vehicles speed not exceeded 50 km/h will not have any adverse noise impacts on the children.

8.2 Noise Levels at Potential Residential Receivers

As mentioned earlier in this report, there are no actual potential receivers surrounding the existing CCC with exceptional of the existing single houses along Swallow Drive and has approximately 56m away from the CCC boundary.

A number of noise sources are associated with the operation of the proposed development as mentioned in clause 7 of this report are as follows:

Traffic Movements

Noise associated with parents activities arriving & leaving the Centre will have transient or intermittent noise characteristics in the form of voices, talking, starting up of car engines, doors slamming, music in cars, and movement of the cars.

The worst case scenario of maximum noise level is when parents screaming or talking loudly (*rare to happen*) will reach 74 dBA and closing door will reach 72 dBA at 10m to the neighbours.

We anticipate that the use of the existing car parking at the front through a combined driveway off Peppertree Drive will not emanate a noise level above the existing noise levels causing by the existing Community centre.

Outdoor Playing

Major noise source emanating from children group when playing outdoor especially concentrated in the sand pits, swing set area at the middle. If we assume the children playing for two hours outdoor with the nearest distance 5m to the outdoor playground's boundary; therefore prediction noise emanating from children to the boundary at the rear will attenuate as follows:

10 Children aged (0 – 2) years	56 – 59 dBA
10 Children aged (2 – 3) years	62 – 66 dBA
10 Children aged (3 – 6) years	63 – 69 dBA
<i>Assume noise emanating from the group</i>	
15 Children aged (6 – 12) years	70 – 75 dBA

This indicated that the above results have exceeded the project-specific noise level of the intrusiveness criterion for both options playing 2 hours outdoor a day (**57dBA**) and playing outdoor more than 2 hours a day (**52 dBA**) for all children aged groups.

In normal case as we know that the noise level increases by 3 dB for each doubling of the number of noise sources. This applies for noise sources operating simultaneously. In the case of outdoor children activities, doubling the number of children would increase the noise level by around 3 dB if they were close together and making the same noise (i.e. if they all were singing) however; this activity is usually done when the children are indoors.

Mechanical Ventilation Plant & Equipment

In the case of the noise emissions from mechanical ventilation, the existing building has provided with ducted A/C system consists of condensers outside the building, and exhaust fans for the toilet/bathroom discharging on the roof or on the external wall are away from any sensitive receiver.

Noise sources from all plant/ equipment to be used by the proposed childcare must comply with Protection of the Environment Operations Act 1997, and Industrial Noise Policy; (*noise source may be considered acceptable if the LAeq. (15 min.) noise source does not exceed the background noise levels measured in the absence of the noise source, by more than 5 dBA*).

Period	Intrusiveness criterion	Amenity criterion
Day	52 dBA LAeq.15 min. (47 + 5)	48 dBA (58 – 10)
Evening	51.5 dBA LAeq.15 min. (46.5 + 5)	46 dBA (56 – 10)
Night	46 dBA LAeq.15 min. (41 + 5)	43 dBA (53 – 10)

Assessment procedure provided in Industrial Noise Policy has two components; controlling intrusive noise impacts; and maintaining noise level amenity. The most stringent criterion must apply to the project.

9.0 RECOMMENDATION

Noise emanating from the existing CCC and the noise from the proposed increasing number of the existing children associated with children playing outdoor, screaming, parents car parking for pick up & drop off children are required a good **noise management practicing and control measures** to protect neighbour's amenity and keep noise level with the project-specific noise criteria through the following:

- Play times in outdoor areas should be scheduled by director/teachers for morning and afternoon time.
- Outdoor playing kids to be supervised by teacher.
- Limiting of children's number to outdoor playing area.
- Uncontrolled crying of the kids shall be taken into inside the room.
- The proposed blocks A & B buildings should be protected and good building insulated against interior noise emanating from the children playing inside, screaming and crying through the following:

9.1 Noise Management Plan

One of the most effective measures that should be implemented in conjunction with the physical noise control is a noise management plan (NMP). The NMP should be incorporated within the Centre's overall management plan.

The following Noise Management Plan is to be implemented:

- Limiting the number of the children playing outdoor. A reduction in the number of children by half will reduce the noise impact by approximately 3 dBA;
- A separate daily program for both the warmer and cooler months should be established in order to regulate the total time spent outdoors and indoors;
- The program should be made publicly available to parents and neighbours;
- The total time spent outside in the play area to be suggested by teachers based on the childcare's program and weather conditions;
- Crying children should be taken inside the Centre and comforted;
- The behavior of children should be monitored and modified as required by adequately trained childcare worker;
- Staff should be educated to control the level of their voice while outside;
- Outdoor microphone can be used with restriction noise level not exceeding 55 dBA; and
- A contact phone number for the Centre's director should be made available to neighbours to facilitate communication and to resolve any neighbourhood issues that may arise due to operation of the Centre.

9.2 External Windows and Glazing

It is recommended that the glazing for the proposed enclosed veranda in building B must have minimum 10.5mm thick laminated with sound reduction not less than Rw 40 and acoustic seal Q-Lon type.

Care should be taken during installation of the glazing, as it considered as weak element regarding sound transmissions. All glazing frames must be completely fitted in walls and prevent gaps between walls and frame and acoustic seals must be fixed properly.

9.3 Air Conditioning System

Ducted or split air conditioning system is required for the proposed enclosed verandah, a quiet unit should be considered during selection the system and installation to be complied with AS1668.2 and comply with project-specific noise for intrusiveness criteria in this report.

9.4 Outdoor Playing Area Fence

Architectural plans shows all the fences surrounding the site are 1.8m palisade finished in Cottage Green to match public education buildings, public primary and high schools.

10.0 CONCLUSION

Noise levels can vary with time due to various conditions and influences surrounding the area of the measurement period. Outdoor noise monitoring has been taken place for one week to cover all the conditions for the site development.

The assessment has been carried out on the basis of implementation of Industrial Noise Policy and AAAC–Technical Guideline – Child Care Centre Noise Assessment, EPA Industrial Noise Policy; and Criteria for Road Traffic Noise in addition to other statutory noise control guidelines.

The ambient background noise level has been established for the site during weekend while the existing CCC is not in operation. The assessment revealed that the operating of the childcare will exceed project-specific noise level when the children playing outdoor for two and more than two hours during the day. The land uses surrounding the site have described as commercial/residential premises and potential receivers are residential along Swallow Drive will not have potential impacts with a good noise management practicing and control measures.

Alteration has been made only for the veranda in building B, and acoustic treatment of the construction components has been carried out on the basis of implementation of AS 3671 – 1989 for Building Siting and construction, for interior noise attenuation.

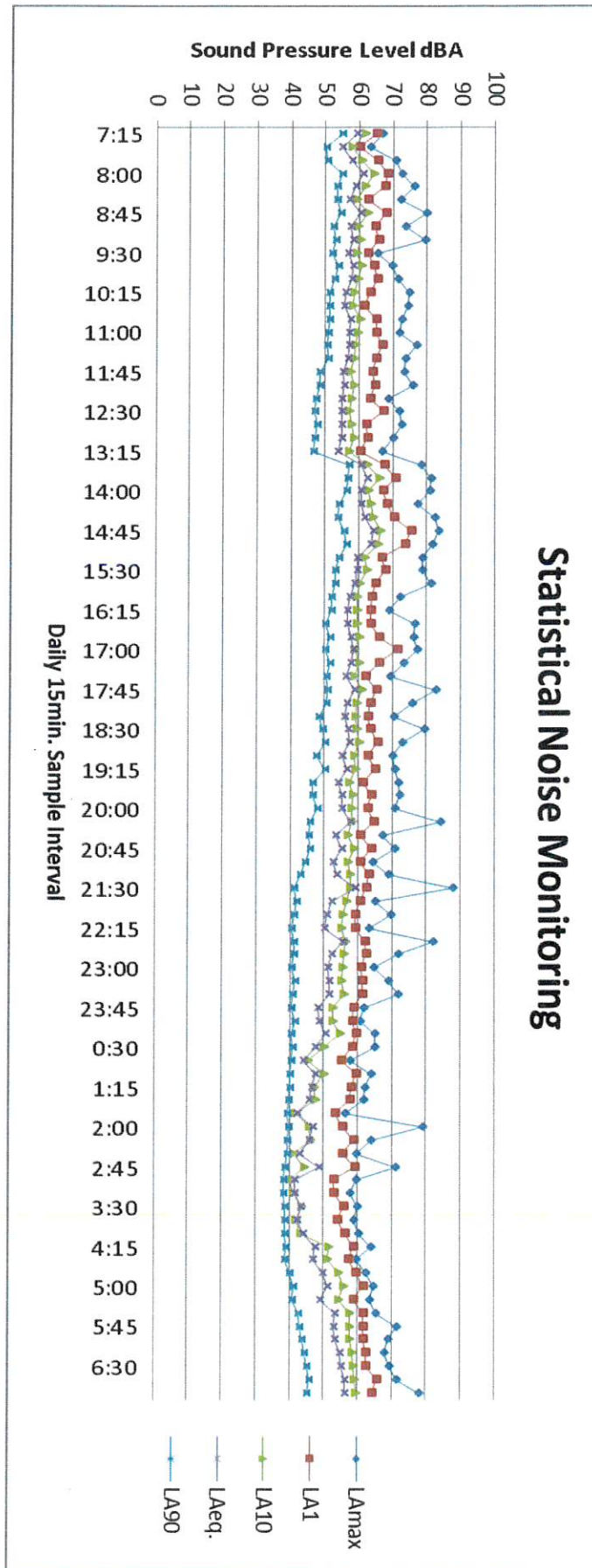
We certify that the childcare Centre with OSHC children located at Cnr Swallow Drive & Peppertree Drive, Erskine Park will meet the requirements as mentioned in this report provided that our recommendations will be fully implemented.

We trust that the information detailed in this report is satisfactory to meet your requirements but should you need any further details please contact us on (02) 8838 2300.



Shony Toma A.A.A.S
Senior Acoustic Engineer
MS. Env. Eng. Mgt.
B. Sc.

**Appendix – A
Daily Statistical Noise
Levels Monitoring
Graphic-Results**

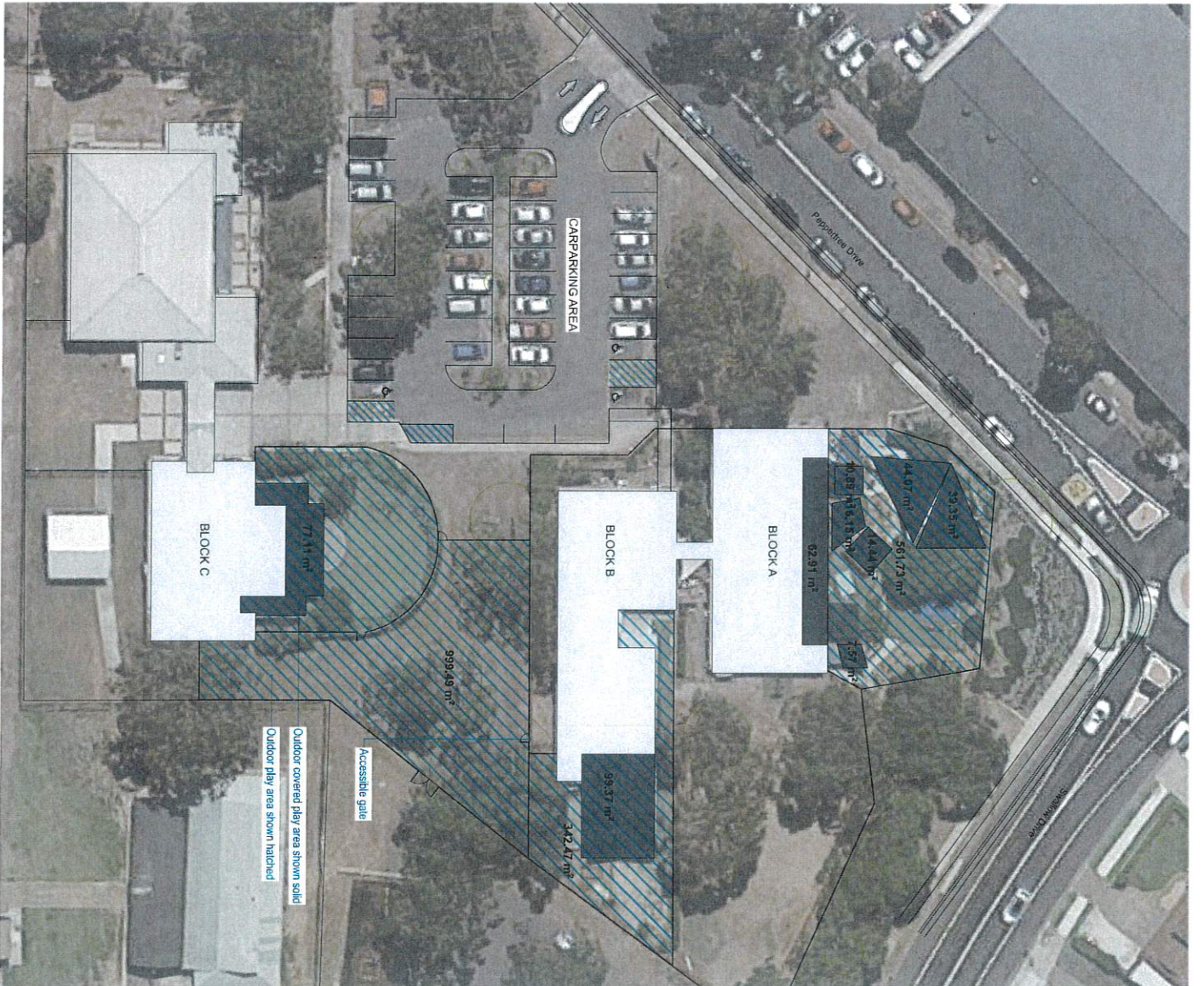


Appendix – B
Project Architectural Plan

PROPOSED BEFORE & AFTER
SCHOOL CARE
@ PEPPERTREE DRIVE ST CLAIR
FOR PCC,
DEVELOPMENT APPROVAL



LOCATION MAP



OUTDOOR AREA PLAN

1:500

issue k:	
issue j:	
issue i:	
issue h:	
issue g:	
issue f:	
issue e:	
issue d:	
issue c:	
issue b: Client Changes	19/12/2019
issue a: Client Sketch	13/11/2019



drawing: **ROOF/SITE ANALYSIS**

project: **PROPOSED BEFORE & AFTER SCHOOL CARE @ PEPPERTREE DRIVE ST CLAIR**

client: **PCC**

drawn: M.K. scale: as shown sheet size: A3 Council

checked: J.E. date: DEC19 ref: 2019-190 PCC

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Erskine Park Children’s Centre Noise Management Plan

To ensure that Erskine Park Children’s Centre is meeting the acoustic requirement of not having more than 50% of children outdoor any given time the service has broken the children into two groups across the four spaces including block C.

The schedule below demonstrates how this would work for the operation of block C. The service will provide ongoing indoor and outdoor play options for children throughout the day to ensure that outdoor play is limited to 69 children at any one time. The service will adjust supervision plans of the outdoor play space to include the limiting of children to no more than 69 children outside at any one time. This will ensure that the service has accurate procedures for the implementation of this requirement.

Limited children would be outside from 7:00 -8.00am and 5:00-6:30pm as fewer children are arriving and leaving the service during these times and the service would not anticipate more than 59 children each day are in attendance during these times. The service will have lower numbers of children outdoors throughout the day as OOSH children aged 5-12 years are attending school between 9:00-3:00pm. Also depending on the season, weather and the individual routines of the rooms such as meal times and rest periods there are limited LDC children aged 3-5 years outdoors during the day between 9:00-3:00pm.

Proposed Schedule of Outdoor Play

Total Children	Group Children	Block and group	Age	7-8 am	8-9 am	9-10 am	10-11 am	11-12 pm	12-1 pm	1-2 pm	2-3 pm	3-4 pm	4-5 pm	5-6:30 pm
22	11	A1	0 to 3		11		11		11		11		11	
	11	A2	0 to 3	8		11		11		11		11		8
28	14	A1	3 to 5		14		14		14		14		14	
	14	A2	3 to 5	7		14		14		14		14		7
60	30	B1	5 to 8		30	0	0	0	0	0	0		30	
	30	B2	5 to 8	30		0	0	0	0	0	0	30		30
28	14	C1	9 to 12		14	0	0	0	0	0	0		14	
	14	C2	9 to 12	14		0	0	0	0	0	0	14		14
138				59	69	25	25	25	25	25	25	69	69	59
	Outdoor play schedule													
	Indoor play schedule													
	Limited children in attendance													

Author: Amanda Collins – Children’s Services Development Officer

Date Prepared: 22 April 2020



12 July 2020

General Manager
Penrith City Council
P O Box 60
PENRITH NSW 2751

Attn: Peter Wood - Development Services Manager

Dear Peter,

**Re: Peer Review – Development Application No. DA 20/0019 - Alterations to a Child Care Centre
– 57 Peppertree Drive & 158-172 Swallow Drive, Erskine Park**

I refer to the above development application, which includes land owned by Penrith City Council for additions to an approved childcare centre including additional indoor and outdoor play area and an increase in children numbers from 110 to 138. No change is proposed to the centre's hours of operation.

I have reviewed the development application documentation and the draft Council Officer's Report prepared by your Development Assessment Planner Sufyan Nguyen. I concur with the findings and recommendations of the draft Report.

It is understood that the existing child care centre and proposed works are on Council's land and Council is the applicant and as such determination is required by the Local Planning Panel.

Notification of the proposal was undertaken to surrounding properties, in accordance with Penrith DCP 2014 and no submissions were received.

The site is primarily zoned RE1 Public Recreation under Penrith Local Environmental Plan 2010 and the proposal is permissible with Council's consent as a centre-based child care centre. The proposal is compatible with the zone objectives and the existing centre, residential area and nearby areas of open space. The proposed works do not alter the height of the building and remains below the height limit.

It is acknowledged that the proposed alterations are also permissible under the State Environmental Planning Policy (Education Establishments and Child Care Facilities) 2017. Clause 23 of the SEPP relates to approval of development applications for centre-based child care facilities. This application increases children numbers and involves changes to internal layout and play area and demonstrates compliance with the design quality principles within the SEPP, including minimum play areas.

The provisions of DCP 2014 relevant to child care centres have been suitably addressed.

It is noted that the expansion of the centre is proposed into meeting rooms associated with a community facility, which are currently experiencing lack of use and that expansion of the centre into those underutilised rooms is considered a greater benefit to the community. I agree with this repurposing given the demand for long day child care spaces in the area and that 28 additional spots

can be achieved within an additional child care centre in doing so. The plans detail minor changes required to repurpose the meeting rooms into children's rooms. The social and community benefits are far reaching, with minimal works required.

An Acoustic Report accompanied the application and recommendations regarding fencing, windows, air conditioning systems and preparation and implementation of a Noise Management Plan. Existing landscaping will be retained and the visual impact from the additional height is considered acceptable. The works are away from residential properties, and the changes to the centre will benefit the surrounding residents with respect to the whole centre operations and overall children number increase.

The existing facility has a large car parking area which accommodates 36 spaces, which services the existing child care centre and community facility. The child care centre generates the need for 30 spaces. The existing community centre which remains on site is primarily utilised during the evening and weekends which is at different times to the child care centre, so there is a dual use of the car parking.

In terms of amenity impacts, an increase in noise impacts from the proposed works have been suitably addressed. The colours and materials are compatible with the existing development and surrounds and the works still ensure provision of covered usable area and sun protection for the children.

I consider that the proposal for additions to an approved childcare centre and an increase in children numbers is well founded and has had regard to the constraints of the site and amenity impacts.

It is concluded that the proposed works are permissible under Penrith Local Environmental Plan 2010 and is in keeping with the zone and objectives and has minimal impact upon the nearby residential dwellings and that the assessment has suitably considered the key considerations of Section 4.15 of the Environmental Planning & Assessment Act, 1979. The recommendation and proposed conditions are considered to be appropriate.

Yours faithfully,



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