



Barbara Tarnawski Architects

# Statement of Environmental Effects

Proposed Upgrading of the Werrington County Child Care Centre,  
Lot 30 DP 578530  
67A John Batman Avenue Corner Henry Lawson Avenue,  
Werrington County.

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**Introduction**

This Statement of Environmental Effects (SEE) accompanies a Development Application for the upgrading of the Werrington County Child Care Centre at Werrington County.

This application has been prepared for and on behalf of Penrith City Council who are the owners of this property.

**The Site**

The site is located on the Southern side of Henry Lawson Avenue and on the corner of John Batman Avenue, Werrington County.

The address is known as 67A John Batman Avenue Werrington County (Lot 30 DP 578530).

The site currently contains a Neighbourhood centre, Tennis courts, a playground and a Childcare centre with associated carparking, driveways and pathways.

The site has an area of approximately 1.623 ha and is irregular in shape.



Source six maps

### **The Proposal**

The proposal is to upgrade the centre and update the exterior of the facility.

The proposed changes are as follows:

#### Interior changes

Demolish the existing accessible bathroom and make compliant with AS1428. Upgrade the existing staff room, office, entry foyer and children's bathrooms, extend the office and entry foyer out to provide additional floor area to these rooms.

Replace the benchtops and some cupboards in the kitchen.

#### External changes

Upgrade the existing pathways and carpark to provide accessible carparking and access to the facility.

Provide new corporate signage.

Upgrade internal lighting and ducted air conditioning.

"Vitrapanel" or similar cladding is to be added to the to the south and western wall as shown on the accompanying plans.

New LED downlights are to replace existing façade lighting.

New corporate signage is to be provided by Penrith City Council on the western wall as shown on elevation 02 on the accompanying architectural plans.

The floor area will be increased by a total of 3.93 sq m which encompasses the extension of the foyer and office under the existing roof line.

**Statutory Planning Controls and Compliance**

**Environmental Planning Policies that apply to this property:**

**· State Environmental Planning Policy (Affordable Rental Housing) 2009: Land Application**

Not applicable

**· State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004: Land Application**

BASIX is not applicable a Section J report accompanies this development application.

**· State Environmental Planning Policy (Concurrences) 2018: Land Application**

not applicable n/a

**· State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017: Land Application**

10 Consultation with councils—development with impacts on council-related infrastructure or services

The proposal will not have any impact on council related infrastructure or services

11 Consultation with councils—development with impacts on local heritage

The proposal will not have any impact on local heritage. There are no heritage items near the site.

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

(i) for development to which regulation 107 (indoor unencumbered space requirements) or 108 (outdoor unencumbered space requirements) of the [Education and Care Services National Regulations](#) applies—the unencumbered area of indoor space and the unencumbered area of outdoor space for the development complies with the requirements of those regulations, or

(ii) for development to which clause 28 (unencumbered indoor space and useable outdoor play space) of the [Children \(Education and Care Services\) Supplementary Provisions Regulation 2012](#) applies—the development complies with the indoor space requirements or the useable outdoor play space requirements in that clause

**Part 3 Early education and care facilities—specific development controls**

The existing facility can cater for 43 children per day.

**The Education and Care Services National Regulation**

Part 4.3 Physical environment

Division 1 Centre-based services and family day care services

## **Childcare Planning Guidelines August 2017**

### **4.1 Indoor space requirements**

#### **A. INTERNAL PHYSICAL ENVIRONMENT**

##### **Regulation 107**

*Education and Care Services National Regulations*

Every child being educated and cared for within a facility must have a minimum of 3.25m<sup>2</sup> of unencumbered indoor space.

*Unencumbered indoor space excludes any of the following:*

- *passageway or thoroughfare (including door swings) used for circulation*
- *toilet and hygiene facilities*
- *nappy changing area or area for preparing bottles*
- *area permanently set aside for the use or storage of cots*
- *area permanently set aside for storage*
- *area or room for staff or administration*
- *kitchens, unless the kitchen is designed to be used predominately by the children as part of an educational program e.g. a learning kitchen*
- *on-site laundry*
- *other space that is not suitable for children*

The proposal provides the required indoor space requirements for 43 children providing 140.45 sq m of unencumbered indoor space.

#### **Storage**

*Storage areas including joinery units are not to be included in the calculation of indoor space. To achieve a functional unencumbered area free of clutter, storage areas must be considered when designing and calculating the spatial requirements of the facility. It is recommended that a child care facility provide:*

- *a minimum of 0.3m<sup>3</sup> per child of external storage space*
- *a minimum of 0.2m<sup>3</sup> per child of internal storage space*

##### Internal Storage

Storage facilities consist of movable accessible safe low height shelving for books, toys and bag store. Internal storage recommendations are 0.2 m<sup>3</sup> per child and 8.64 m<sup>3</sup> in total for 43 children is available.

##### External storage

A minimum of 0.3 sq m of external storage space is required per child. 12.9 m<sup>3</sup> is recommended and are available externally on the veranda in the form of shelving and storage areas.

### **4.2 laundry and hygiene facilities**

A laundry storage area is provided for the storage of soiled clothing, nappies and linen and is located securely away from child access areas.

The proposal meets these requirements the laundry area exist and will not be required to change as part of this application.

### **4.3 Toilet and Hygiene Facilities Regulation 109**

*Education and Care Services National Regulations*

*A service must ensure that adequate, developmentally and age appropriate toilet, washing and drying facilities are provided for*

use by children being educated and cared for by the service; and the location and design of the toilet, washing and drying facilities enable safe use and convenient access by the children.

Child care facilities must comply with the requirements for sanitary facilities that are contained in the National Construction Code Design Guidance

Toilet and hygiene facilities should be designed to maintain the amenity and dignity of the occupants (refer to Figure 3). Design considerations could include:

- junior toilet pans, low level sinks and hand drying facilities for children
- a sink and handwashing facilities in all bathrooms for adults
- direct access from both activity rooms and outdoor play areas
- windows into bathrooms and cubicles without doors to allow supervision by staff
- external windows in locations that prevent observation from neighbouring properties or from side boundaries.

The proposal meets these design requirements.

#### **4.4 Ventilation and natural light Regulation 110**

Education and Care Services National Regulations

Services must be well ventilated, have adequate natural light, and be maintained at a temperature that ensures the safety and wellbeing of children.

Child care facilities must comply with the light and ventilation and minimum ceiling height requirements of the National Construction Code. Ceiling height requirements may be affected by the capacity of the facility

The proposal meets these requirements for light and ventilation.

#### **4.5 Administrative space Regulation 111**

Education and Care Services National Regulations

A service must provide adequate area or areas for the purposes of conducting the administrative functions of the service, consulting with parents of children and conducting private conversations.

The administration space is to be extended to allow for staff and parents to meet. There will be no increase in staffing levels as a result of this application.

#### **4.6 Nappy change facilities Regulation 112**

Education and Care Services National Regulations

Child care facilities must provide for children who wear nappies, including appropriate hygienic facilities for nappy changing and bathing. All nappy changing facilities should be designed and located in an area that prevents unsupervised access by children. Child care facilities must also comply with the requirements for nappy changing and bathing facilities that are contained in the National Construction Code.

The existing nappy change area provides adequate nappy change facilities and meets these requirements.

#### **4.7 Premises designed to facilitate supervision Regulation 115**

##### *Education and Care Services National Regulations*

A centre-based service must ensure that the rooms and facilities within the premises (including toilets, nappy change facilities, indoor and outdoor activity rooms and play spaces) are designed to facilitate supervision of children at all times, having regard to the need to maintain their rights and dignity.

Child care facilities must also comply with any requirements regarding the ability to facilitate supervision that are contained in the *National Construction Code*

The existing facility layout and the proposed changes are designed to facilitate supervision to all indoor and outdoor spaces as per the regulation.

#### **4.8 Emergency and evacuation procedures Regulations 97 and 168**

##### *Education and Care Services National Regulations*

Regulation 168 sets out the list of procedures that a care service must have, including procedures for emergency and evacuation.

Regulation 97 sets out the detail for what those procedures must cover including:

- instructions for what must be done in the event of an emergency
- an emergency and evacuation floor plan, a copy of which is displayed in a prominent position near each exit
- a risk assessment to identify potential emergencies that are relevant to the service.

The facility meets these regulations as it is currently a working facility.

## **B. EXTERNAL PHYSICAL ENVIRONMENT**

#### **4.9 Outdoor space requirements Regulation 108**

##### *Education and Care Services National Regulations*

An education and care service premises must provide for every child being educated and cared for within the facility to have a minimum of 7.0m<sup>2</sup> of unencumbered outdoor space.

Unencumbered outdoor space excludes any of the following:

- pathway or thoroughfare, except where used by children as part of the education and care program
- car parking area
- storage shed or other storage area
- laundry
- other space that is not suitable for children.

When calculating outdoor space requirements, the area required for any additional child may be waived when the child is being cared for in an emergency circumstance as set out in regulation 123(5) or the child is being educated or cared for in exceptional circumstances as set out in regulation 124(5) and (6) of the *National Regulations*

There is no change to the existing outdoor area proposed under this application.

The outdoor area requirements provide 18.5 sq m per child as there is approximately 816 sq m available.

**4.10 Natural environment Regulation 113**

*Education and Care Services National Regulations*

*The approved provider of a centre-based service must ensure that the outdoor spaces allow children to explore and experience the natural environment.*

The existing outdoor space provides this.

**4.11 Shade Regulation 114**

*Education and Care Services National Regulations*

*The approved provider of a centre-based service must ensure that outdoor spaces include adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun.*

The existing outdoor space provides this.



**4.12 Fencing Regulation 104**

*Education and Care Services National Regulations*

*Any outdoor space used by children must be enclosed by a fence or barrier that is of a height and design that children preschool age or under cannot go through, over or under it.*

*This regulation does not apply to a centre-based service that primarily provides education and care to children over preschool age, including a family day care venue where all children are over preschool age.*

*Child care facilities must also comply with the requirements for fencing and protection of outdoor play spaces that are contained in the National Construction Code.*

The existing outdoor space provides this.

**4.13 Soil assessment Regulation 25**

*Education and Care Services National Regulations*

*Subclause (d) of regulation 25 requires an assessment of soil at a proposed site, and in some cases, sites already in use for such purposes as part of an application for service approval.*

*With every service application one of the following is required:*

- a soil assessment for the site of the proposed education and care service premises*
- if a soil assessment for the site of the proposed child care facility has previously been undertaken, a statement to that effect specifying when the soil assessment was undertaken*
- a statement made by the applicant that states, to the best of the applicant's knowledge, the site history does not indicate that the site is likely to be contaminated in a way that poses an unacceptable risk to the health of children.*

The proposal will have no impact on soil within the facility

- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008: Land Application  
n/a
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004:  
Land Application  
n/a
- State Environmental Planning Policy (Infrastructure) 2007: Land Application  
n/a
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries)  
2007: Land Application  
n/a
- State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007: Land  
Application  
n/a
- State Environmental Planning Policy (Primary Production and Rural Development) 2019:  
Land Application  
n/a
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017: Subject Land  
n/a
- State Environmental Planning Policy No 19—Bushland in Urban Areas: Land Application  
n/a
- State Environmental Planning Policy No 1—Development Standards: Land Application  
n/a
- State Environmental Planning Policy No 21—Caravan Parks: Land Application  
n/a
- State Environmental Planning Policy No 33—Hazardous and Offensive Development: Land  
Application  
n/a
- State Environmental Planning Policy No 36—Manufactured Home Estates: Land Application  
n/a
- State Environmental Planning Policy No 50—Canal Estate Development: Land Application  
n/a
- State Environmental Planning Policy No 55—Remediation of Land: Land Application  
n/a
- State Environmental Planning Policy No 64—Advertising and Signage: Land Application
- State Environmental Planning Policy No 65—Design Quality of Residential Apartment  
Development: Land Application  
n/a

- State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes): Land Application n/a
- Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997): Land Application  
The proposal will have minimal impact on the Hawkesbury Nepean River System
- Sydney Regional Environmental Plan No 2  
The proposal will have no impact on the Georges River System

**Local Planning Policies that apply to this property :**

Penrith Local Environmental Plan 2010

Penrith Development Control Plan 2014

**Penrith Local Environmental Plan 2010**

The development is consistent with the zone objectives and the following clauses of this plan:  
The property is zoned RE1 Public Recreation.

Zone RE1 Public Recreation

1 Objectives of zone

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- 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.
- To provide land for the development of services and facilities by public authorities for the benefit of the community.

2 Permitted without consent

Nil

3 Permitted with consent

Aquaculture; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Car parks; Charter and tourism boating facilities; **Centre-based child care facilities**; 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

Childcare facilities are permissible with consent in this zone.

Zone R2 Low density residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To promote the desired future character by ensuring that development reflects features or qualities of traditional detached dwelling houses that are surrounded by private gardens.
- To enhance the essential character and identity of established residential areas.
- To ensure a high level of residential amenity is achieved and maintained.

2 Permitted without consent

Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; **Centre-based child care facilities**; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Information and education facilities; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Residential care facilities; Respite day care centres; Roads; Secondary dwellings; Shop top housing; Tank-based aquaculture

4 Prohibited

Any development not specified in item 2 or 3

Childcare facilities are permissible with consent in this zone.

**Penrith Development Control Plan 2014**

**5.3.1 Part C City Wide Controls**

The proposal conforms to all the relevant requirements contained in this Part.

**C1 Site Planning and Design Principles**

**C1.2.3. Building Form - Height, Bulk and Scale**

The proposal will not change the building form in regards to height, bulk and scale.

**Building Façade Treatment:**

The proposal is to re clad the existing southern and western exterior walls with panelling and repaint other walls to reflect the new corporate colours of Penrith City Council. The roof will be repainted or replaced and coloured "Windspray" to Councils Policy of "Cooling the city"

It will also improve the visual presentation to the façade to enhance the public domain and street character.

**C1.2.5. Safety and Security**

The existing external lighting is to be replaced with LED lighting. This lighting will be orientated to ensure lighting will provide safe and secure lit pathways to the centre from the carpark. The lighting will not impact on adjoining properties due to the distance between these properties and the centre.

Access control

A new security gate and fencing to control access to the centre is proposed as shown on the accompanying plans.

A new accessible parking space will be provided and will be clearly identified by signage.

**C1.2.6 Maximising Access and Adaptability**

The proposal is to upgrade the existing facility, carparking and access from the carpark to the centre to meet current accessibility standards against AS 1428.1, an Access Report accompanies this application.

**C5 Waste Management**

A waste management plan accompanies this application.

**C7 Culture and Heritage**

The proposal will have no impact on Culture or Heritage on the site the works to be done externally are to replace existing ramp and stairs, provide new carparking markings and regrade existing paved areas and kerbs as required to meet accessibility requirements.

**C9.1 General requirements for Signs**

The proposed signage will be located on the western gable as shown on the accompanying plans. This will enable the signage to be seen from the carpark.

The proposal generally meets the aims and objectives of the DCP.

The sign will be approximately 2 x 1 m acrylic signs backlit with the name of the centre in clear acrylic lettering lit with a low voltage led strip light to councils' details.

**C10.5 Carparking, access and driveways**

Existing carparking and access driveways exist for this site. It is proposed to provide a new accessible car space as shown on the accompanying plans.

**Other Matters**

Context & Setting

The existing building and the proposed works will maintain its relationship with the existing context of the locality, which is characterised by single level residential development.

Public Domain

There are no identified public domain issues relative to this application.

Heritage

There are no heritage items surrounding this proposal.

Other Land Resources

There are no land resources that would be affected as a result of this development.

Wastewater

Wastewater connections existing for this building.

Water

Existing stormwater systems exist for this the gutters and downpipes will be replaced.

Flora & Fauna

This proposal will not have any impact on native flora and fauna there are no trees to be removed as part of this application.

Waste

Existing waste management facilities exist for the site and locality.

Noise & Vibration

The proposed works will not cause any nuisance to adjoining properties.

Natural Hazards

There are no natural hazards associated with the site.

Technological Hazards

Not applicable.

Safety, Security & Crime Prevention

Existing security systems will remain in place external lighting will be replaced as previously discussed.

Social Impact in the Locality and in the public interest

The development will have a positive social impact by providing work during construction.

Economic Impact in the Locality

There will be no adverse economic impacts arising from the development.

Cumulative Impacts

There are no identified adverse cumulative impacts arising from the proposal.

The suitability of the site for the development

The site is suitable for development as is consistent with the zone objectives of the LEP provisions.

**Conclusion**

The proposal is to upgrade, repaint and repair where needed the existing Childcare Centre building to meet current Access standards.

No adverse environmental impact will occur as a result of the building and its intended use.

It meets the zone objectives.

There will be a small increase in floor area 3.93 sq m within the existing building footprint as a result of this work.

The proposal is reasonable in all of the circumstances and is considered appropriate for approval by Council.