



STATEMENT OF ENVIRONMENTAL EFFECTS

Demolition of existing structures and construction of a two storey centre-based child care facility with basement parking.

16 Terry Road, Eastwood

Prepared for: Trustee for Y&Z TRD Trust

Ref: M230399

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1. Introduction

This Statement of Environmental Effects has been prepared for the applicant of the proposed development. The report is to accompany a development application to City of Ryde Council seeking consent for construction of a two storey centre-based child centre, with basement parking at No.16 Terry Road, Eastwood.

The centre will cater for 126 children between the ages of 0-5 years old, 17 staff and will provide 24 parking spaces within the basement level. The centre will operate from 7am to 7pm Monday to Friday. The centre will be closed on weekends and public holidays.

A Plan of Management (POM) for the proposed Child Care Centre has been prepared in conjunction with the Architectural Plans prepared by *Janssen Designs* and Acoustic Assessment Report provided by *Day Design* which seeks to reflect a reasonable agreement between the Centre Operators and the Council to minimise any adverse impact upon neighbours and to ensure a high standard of child care provision and management.

The purpose of this Statement is to address the planning issues associated with the development proposal and specifically to assess the likely impact of the development on the environment in accordance with the requirements of S.4.15 of the Environmental Planning & Assessment (EP&A) Act, 1979.

This Statement is divided into five sections. The remaining sections include a locality and site analysis; a description of the proposal; an environmental planning assessment; and a conclusion.

2. Site Analysis and Context

2.1 THE SITE

The site comprises a single allotment known as No. 16 Terry Road, Eastwood. The site has a legal description of Lot 1 in DP 324937.

An aerial image of the site is shown below in **Figure 1** below.



Figure 1 Aerial Image of the site (Source: Six Maps)

The site has an irregular shape with a northern frontage to Terry Road of 23.5m, a southern rear angled boundary of 28.9m, a western side boundary of 64.01m, and an eastern side boundary of 53.58m. The site has a total area of 1487m².

Existing on the site is a vacant two storey brick dwelling house which has been under construction for some time, with construction fencing bordering the street frontage. The site contains limited grassed area at the rear, which is surrounded by larger dintel retaining walls which account for the significant change in ground level the at the rear, where the rear adjoining site sits almost 4m higher than the subject site.

A photograph of the subject site is provided at **Figures 2**.



Figure 2 The subject site, as viewed from Terry Road.

2.2 CONNECTIVITY AND ACCESS TO PUBLIC TRANSPORT

The site is located 1.1km to the west of Eastwood Railway Station which provides direct rail access to the Sydney CBD, North Shore and the Inner West. Furthermore, a bus stop is located at the front of the subject site which is serviced by routes 545, 3598, 603W, that provide regular 7-day services to Parramatta, Carlingford, Epping and Dundas.

2.3 SURROUNDING DEVELOPMENT

The site is zoned R2 Low Density Residential. Surrounding development reflects the areas R2 zoning and is characterised by one and two storey detached dwellings, as well as other low density multi dwelling developments.

Immediately to the west of the site is No. 18-20 Terry Road, which comprises of a townhouse development containing single storey buildings positioned around the boundaries of the site, with vehicle access located through the centre of the site (**Figure 3**).



Figure 3 No. 18-20 Terry Road (West of the subject site)

To the east, the site is adjoined by four separate allotments as a result of the subdivision character, which has produced various irregular shaped allotments, including the subject site itself.

Development adjoining the eastern boundary of the site consists of one and two storey dwelling houses, with the northern most allotments containing larger trees at the rear boundaries (**Figure 4 to 8**).



Figure 4 No. 2 Tarrants Avenue, as viewed from Tarrants Avenue (East of the subject site).



Figure 5 No. 2 Tarrants Avenue, as viewed from Terry Road (East of the subject site).



Figure 6 No. 4 Tarrants Avenue (East of the subject site).





Figure 7 No. 6 Tarrants Avenue (East of the subject site).



Figure 8 No. 8 Tarrants Avenue (East of the subject site).



To the rear, the site is adjoined by No. 32 Wallace Street, which contains a two storey brick dwelling house with a double garage (**Figure 9**).



Figure 9 No. 32 Wallace Street (South of the subject site).

Furthermore, to the south west of the site which is currently under construction for a dual occupancy development at No. 30 Wallace Street (**Figure 10**).



Figure 10 No. 30 Wallace Street (South west of the site).





Development to the north of the site, on the opposite side of Terry Road consists of a single storey dwelling, two storey dwelling and two storey dual occupancy (**Figure 11**).



Figure 11 Development to the north of the subject site.





3. Description of the Proposal

3.1 PROPOSED DEVELOPMENT

The proposed development involves demolition of the existing dwelling and structures and construction of a two storey centre based childcare facility with basement parking.

The proposed childcare centre will provide education and care for 126 children of 0-5 years of age and operate between 7am - 7pm Monday to Friday (excluding public holidays). A detailed Plan of Management (PoM) is submitted in conjunction with this development application providing guidelines and controls for the operation and management of the proposed childcare centre.

The proposed childcare centre provides services for all ages and prepares children for primary education. The proposal will provide the services and facilities required for a traditional child care centre in accordance with the Education and Care Services National Regulations (ECSN Regulations).

Calculations (Child to Educator Ratios)

<i>Age Group</i>	<i>Children</i>	<i>Staff</i>
0-2 years:	16 children	4 (1 staff to 4 children)
2-3 years:	20 children	4 (1 staff to 5 children)
3-5 years:	90 children	9 (1 staff to 10 children)
Total:	126 children & 17 staff	

The childcare centre provides indoor and outdoor play areas in accordance with the requirements of the ECSN Regulations. Use of these areas has been outlined as detailed in the PoM and submitted Acoustic Report.

CALCULATION (INDOOR PLAY AREAS)

Ground Floor

Unencumbered Indoor Play Room 1: 3-5 Years: 99.3m², catering for the proposed 30 children (97.5m² required)

Unencumbered Indoor Play Room 2: 0-2 Years: 65.5m², catering for the proposed 16 children (65m² required)

Unencumbered Indoor Play Room 3: 2-3 Years: 65.6m², catering for the proposed 20 children (52m² required)

Level 1

Unencumbered Indoor Play Room 4: 3-5 Years: 65.3m², catering for the proposed 20 children (65m² required)

Unencumbered Indoor Play Room 5: 3-5 Years: 65.7m², catering for the proposed 20 children (65m² required)

Unencumbered Indoor Play Room 6: 3-5 Years: 65.4m², catering for the proposed 20 children (65m² required)

Total: 426.8m² of indoor area to accommodate proposed 126 children (409.5m² required)

CALCULATIONS (OUTDOOR PLAY AREAS)

Ground Floor

Unencumbered Outdoor Play 545.3m²





Level 1

Unencumbered Outdoor Play 344m²

Total: 889.3m² of outdoor area to accommodate proposed 126 children (882m² required)

The indoor and outdoor areas will operate in accordance with the PoM submitted with this application.

3.2 PROPOSED WORKS

The proposal will involve demolition of the existing dwelling and structures on the site and subsequent construction of a two storey childcare centre, above one level of basement parking.

The proposed works are illustrated on the submitted plans prepared by *Janssen Designs* and are described in detail below.

3.2.1 Basement

The proposal will provide basement parking accessed from Terry Road via a central driveway with one double width vehicle crossover. The basement will provide parking for 24 vehicles, including 10 staff and 14 visitor spaces (of which one is accessible), 5 bicycle parking spaces, laundry, pram store, toilet and lift accessibility to the upper levels, as well as two sets of fire stairs.

3.2.2 Ground Floor Plan

At the ground floor level the proposed centre presents two building wings with outdoor play space located between the built form and at the rear of the site. The proposal will provide pedestrian access from Terry Road Street via a ramped pedestrian walkway and stairs which lead to the centre entry and reception, along the eastern side of the central driveway. The pedestrian walkway also leads to the fire stairs providing access to the basement parking level and stair access to the rear outdoor play area. As well as the reception and fire stair, the front portion of the centre contains a foyer, directors office and lift and stair access. Furthermore, to the western side of the central driveway, the front portion of the building contains the bin storage and additional fire stair access to the basement. A secondary ramped pedestrian access point is also provided along this western side boundary to allow for bins to be wheeled to the street for collection and to provide access along the side of the building.

The remaining building sections contain the indoor play rooms, accessible bathroom, cleaners cupboard, services and corridors. The proposal provides 3 x indoor play rooms – one for 0-2 years (16 children), one for 2-3 years (20 children) and one for 3-5 years (30 children), as well as craft sinks, nappy changing facilities and internal storage for each. The 0-2 year room is provided with 3 x cot rooms and a bottle preparation area, whilst the other rooms are provided with age appropriate bathroom facilities.

Each classroom is provided with direct access to outdoor play space which is provided between the building portions and at the rear of the site. Outdoor play areas are well screened by fencing and boundary vegetation. External storage is provided within the outdoor play areas.

3.2.3 First Floor Plan

The first floor level overhangs various sections of the outdoor play area. The first floor incorporates a staff room with balcony, kitchen, accessible bathroom and three additional classroom for 3-5 years (20 children each). The classrooms contain appropriate bathroom facilities, craft sinks and internal storage. Each classroom is provided with direct access to outdoor play space. The elevated outdoor play space is well screened by acoustic barriers and fencing. External storage is provided within the outdoor play areas. The first floor will also contain stairs and a lift to access the lower levels.



3.3 LANDSCAPING

A Landscape Plan prepared by *Outside Design Group* is submitted under separate cover (see extract at **Figures 12** and **13**) and proposes appropriate planting including native species and canopy trees. Pedestrian access is provided towards the centre of the site frontage off Terry Road. Other than pedestrian and vehicular access, the site frontage is landscaped with high quality vegetation, with the outdoor play areas located behind the boundary vegetation.

The subject site currently provides limited grassed area with no trees or shrubs on the site. The proposal will provide a number of new tree plantings throughout the site and a range of shrubs, grasses and differing surfaces, and as such will enhance the landscape provision on the site. The outdoor play areas have been designed to achieve the objectives of providing permeable landscaped areas, a variety of surfaces and experiences for use by the children and the provision of shaded areas for year round useability.

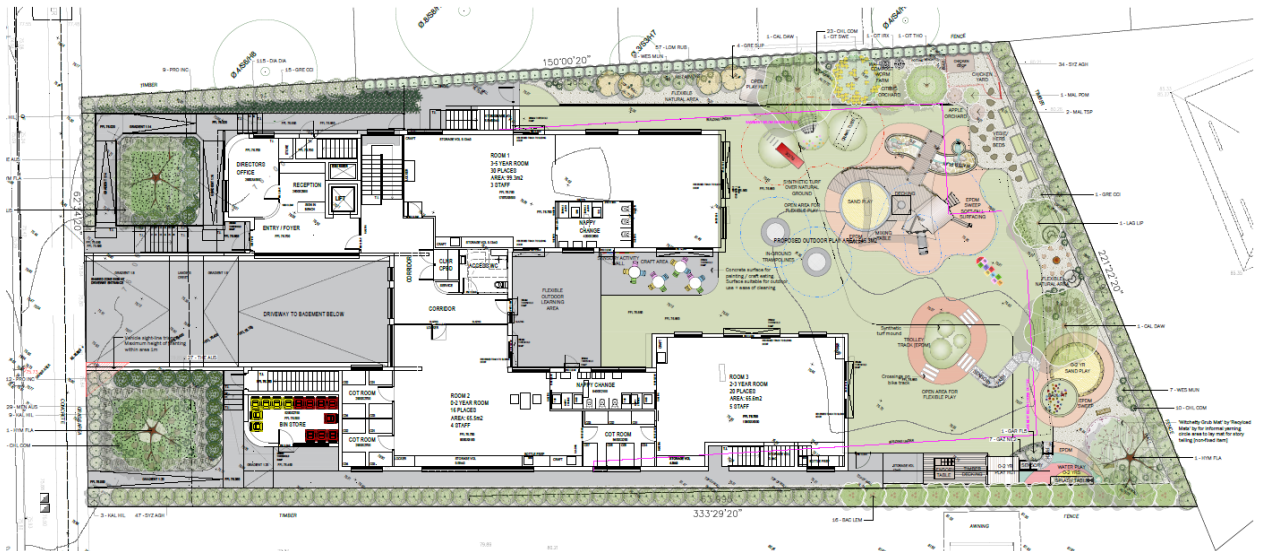


Figure 12 Landscape Plan – Ground Floor

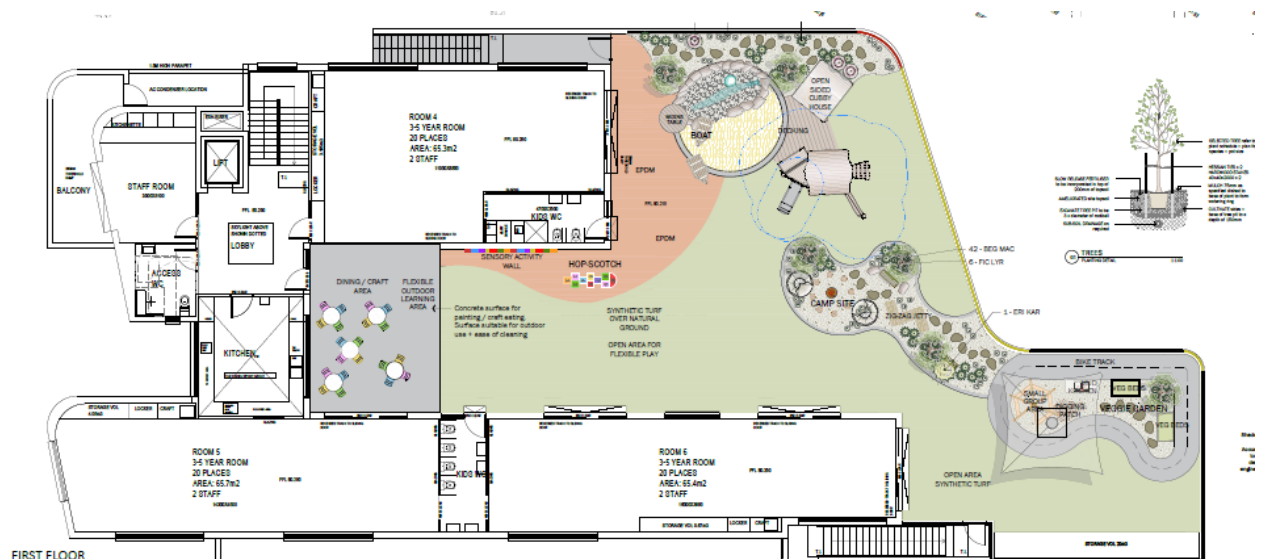


Figure 13 Landscape Plan – First Floor



4. Environmental Planning Assessment

4.1 PREAMBLE

This section of the Statement provides a planning assessment of the proposed development covering all relevant heads of consideration under Section 4.15 of the EP&A Act, 1979.

4.2 STATUTORY AND POLICY COMPLIANCE

The relevant matters for consideration under Section 4.15(1)(a) of the EP&A Act, 1979, are identified in the following Table:

Table 2 Section 4.15 Matters for Consideration				
EP & A Act, 1979.	Matters for Consideration	OK	See Comments	N/A
S.4.15(1)(a)(i)	SEPP (Sustainable Buildings) 2022	✓	✓	
"	SEPP (Resilience and Hazards) 2021	✓	✓	
"	SEPP (Transport and infrastructure) 2021	✓	✓	
"	SEPP (Industry and Employment) 2021	✓	✓	
"	SEPP (Sustainable Buildings) 2022	✓	✓	
"	Ryde LEP 2014	✓	✓	
S.4.15(1)(a)(iii)	Ryde DCP 2014	✓	✓	
S.4.15(1)(a)(iv)	Any other prescribed matter:- <ul style="list-style-type: none">• Government Coastal Policy;			✓

The matters identified in the above Table as requiring specific comment are discussed below. The primary statutory documents that relate to the subject site and the proposed development are the SEPP (Transport and Infrastructure) 2021 and the Ryde Local Environmental Plan (LEP) 2014. The primary non-statutory document relating to the subject site and proposed development is Ryde Development Control Plan (DCP) 2014. The relevant provisions of these documents and other relevant planning controls are summarised below and the proposal's compliance with them assessed.

4.2.1 State Environmental Planning policy (Sustainable Buildings) 2022

State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP) was made in August 2022 and is effective from 1 October 2023.

The SEPP encourages the design and construction of sustainable buildings in order to meet climate change targets.

The proposed development has been designed to respond to the aims of the policy and satisfy the standards for non-residential development.



4.2.2 SEPP (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP) commenced on 1 March 2022, repealing and replacing three former SEPPs related to coastal management, hazardous and offensive development and remediation of land.

Of relevance to the proposed development is the following chapter:

- *Chapter 4 Remediation of Land.*

Chapter 4 Remediation of Land

Chapter 4 of the Resilience and Hazards SEPP 2021 provides planning controls for the remediation of contaminated land and requires an investigation to be made if land contamination is suspected. The consent authority must consider if the land is contaminated and, if so, whether it is suitable, or can be made suitable, for the proposed use.

The site has a long history of use for residential purposes and therefore there is no reason to suspect that the land is contaminated.

Nevertheless, a Preliminary Site Investigation is submitted with this application which confirms that the site is capable of supporting the proposed development.

No further assessment is necessary and the requirements of the SEPP are therefore satisfied.

4.2.3 SEPP (Transport and Infrastructure) 2021

State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP) commenced on 1 March 2022, repealing and replacing four former SEPPs related to infrastructure, transport, education and childcare.

Of relevance to the proposed development is the following chapter:

- *Chapter 3 Educational Establishments and Child Care Facilities*

Chapter 3 Educational Establishments and Child Care Facilities

Chapter 3 of the Transport and Infrastructure SEPP 2021 sets out a range of overarching controls and guidelines for centre-based child care facilities. Under the Education SEPP, a centre-based child care facility is defined as:

centre-based child care facility means:

(a) *a building or place used for the education and care of children that provides any one or more of the following:*

- (i) *long day care,*
- (ii) *occasional child care,*
- (iii) *out-of-school-hours care (including vacation care),*
- (iv) *preschool care, or*

(b) *an approved family day care venue (within the meaning of the [Children \(Education and Care Services\) National Law \(NSW\)](#)),*

Note. *An approved family day care venue is a place, other than a residence, where an approved family day care service (within the meaning of the [Children \(Education and Care Services\) National Law \(NSW\)](#)) is provided.*

but does not include:

(c) a building or place used for home-based child care or school-based child care, or

(d) an office of a family day care service (within the meanings of the Children (Education and Care Services) National Law (NSW)), or

(e) a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or

(f) a child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium) to care for children while the children's parents are using the facility, or

(g) a service that is concerned primarily with providing lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or providing private tutoring, or

(h) a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility.

The proposed development meets the above definition. Part 3.3 of the Transport and Infrastructure SEPP sets out the provisions that apply to child care facilities. These requirements and the proposals performance against them are detailed in **Annexure A** of this Statement.

Child Care Planning Guidelines (September 2021)

The Transport and Infrastructure SEPP states that:

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

Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the Child Care Planning Guideline, in relation to the proposed development.

Therefore, a consent authority must take into consideration this Guideline when assessing a development application (DA) for a centre based child care facility ('child care facility'). It also determines this Guideline will take precedence over a Development Control Plan (DCP), with some exceptions, where the two overlap in relation to a child care facility.

This Guideline informs state and local government, industry and the community about how good design can maximise the safety, health and overall care of young children. A compliance table is provided at **Annexure B** which demonstrates the proposals level of compliance with the relevant controls.

4.2.4 Ryde Local Environmental Plan 2014

Ryde Local Environmental Plan 2014 (RLEP 2014) applies to the subject site. The site is zoned R2 – Low Density Residential under RLEP 2014 and 'centre-based childcare facilities' are a permissible land use with Council's development consent in the zone. The objectives of the R2 zone are reproduced below:

- *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 provide for a variety of housing types.*

The proposal is consistent with these objectives, as the proposed childcare centre provides a service that meets the day to day needs of families residing in the immediate and wider locality. The proposed development will provide a high



quality, contemporary built form which has been designed to improve the streetscape character of the subject site and ensure the proposal will not adversely impact the amenity of neighbouring properties.

A summary of the applicable LEP planning provisions is provided at **Annexure C** of this Statement, where it is demonstrated the proposal achieves full compliance with the relevant development standards.

4.2.5 Ryde Development Control Plan 2014

Ryde Development Control Plan 2014 (RDCP 2014) applies to the subject site. The RDCP 2014 is a document that contains multiple parts to address different land uses and development matters.

The relevant provisions of the DCP are detailed at **Annexure D**. The proposal has been designed to comply with the requirements of the DCP and where the development proposes a variation to a control, justification is provided in the table or discussed below.

4.3 IMPACTS ON NATURAL & BUILT ENVIRONMENT

4.3.1 Topography & Scenic Impacts

The site is historically developed, and the surrounding area is residential in nature. The site does not contain any substantial topographical or scenic features. The proposed excavation will have no significant adverse impact on the natural ground level outside of its footprint.

The proposal will require excavation to accommodate the basement parking area as accessed from Terry Road. The parking area will require excavation of a maximum depth of approximately 3m. The excavation required for the basement will be predominantly hidden from the public domain and will not be overly visible from the public domain or adjoining properties. The utilisation of a basement for parking is considered to be the most efficient use of land and will be suitably screened by design features, materiality and landscaping.

It is noted that the excavation is adequately setback from all site boundaries.

A Geotechnical Report prepared by *LAY Consulting* and is submitted with this application.

With regards to scenic impacts, the proposal has been designed as a two storey development which is compatible with the bulk and scale of the low density residential zone. The proposed development complies with the building height and floor space ratio development standards which apply to the site pursuant to the LEP and results in a form of development that is appropriate to the site, and compatible with the area. Given the basement is contained below the ground level, this ensures that the proposed development is perceived as two storeys from the public domain and will be consistent with the character of the locality.

The proposal integrates landscaping along the site boundaries to ensure the proposed excavation and built form is appropriately softened. The architectural approach, being residential in nature, materiality and landscaping ensures that the development will be compatible with the character of the surrounding properties, particularly those recently constructed and containing basement parking, and that the required excavation will not have an adverse impact on the scenic quality of the site and locality.

4.3.2 Micro-climate Impacts

The proposed development will have no significant impact on the micro-climate of the locality.



4.3.3 Water & Air Quality Impacts

The proposed development will not have any significant or unreasonable impacts on air or water quality in the locality. The completed project will be connected to the sewer and stormwater drainage system to Council's requirements.

4.3.4 Flora & Fauna Impacts

The existing site does not contain any trees and as such the proposed landscaped design, which will provide a number of new trees, shrubs and plantings across the site, particularly within the front setback, will significantly enhance the sites landscape character.

The Landscape Plan also proposes to provide a number of landscape and playground features throughout the site to provide for a high quality outdoor play environment. The proposed vegetation will be well articulated and complement the character of the locality and soften the overall built form when viewed from the public domain. Furthermore, the proposal will also provide landscaping to all boundaries as far as practicable in order to provide an additional visual and acoustic buffer assisting in the protection of privacy for the neighbouring properties.

Accordingly, the flora of the subject site is considered to be improved as part of this application.

4.3.5 External Appearance & Design

The proposed development has been designed to ensure compatibility with the low density, residential character of the surrounding area. The proposed childcare centre has been designed with a bulk and scale which is compliant with the maximum building height and floor space ratio of the RLEP 2014 in order to ensure compatibility with the character of the area.

The proposed development has been designed as a contemporary two storey built form, with natural earthy tones, which has integrated a flat roof, articulated fenestration, materiality and landscaping to ensure the style of residential development within the locality. The architecture of the proposal reflects the typology of its non-residential use and whilst being distinguishable from surrounding residential uses, is compatible with the character of the area. The proposed roof form, articulated structure and window design with the proposed colour scheme reduces the perceived bulk of the building and ensures visual interest when viewed from Terry Road.

The overall modulation of the façade, roof form and fenestration elements ensure that the proposal addresses the streetscape whilst negating any adverse impacts created by bulk and scale. The provision of landscaping throughout the site, particularly along the street frontage, softens the overall built form and is compatible with the character of the neighbouring properties. Additionally, the side and rear boundaries have also incorporated fenestration, materiality and landscaping to ensure the visual outlook from the neighbouring properties is not compromised.

As such, it is considered that the proposed development will positively contribute to the visual character of the area.



Figure 14 Artist impression of the proposed development.

4.3.6 Solar Access

Shadow diagrams of the proposed development have been prepared and are submitted with the development application. The plans show the existing and proposed shadows cast by the development at 9am, 12pm and 3pm at June 21 (midwinter).

The Child Care Planning Guidelines require that development is designed to avoid overshadowing of adjoining residential properties. The proposal has been designed to reduce overshadowing to neighbouring properties as far as practicable by providing appropriate building setbacks and by designing the development to sit entirely below the maximum building height requirement.

In terms of overshadowing and solar access to the private open space and living areas of neighbouring dwellings, the DCP does not contain any provisions for child care centres. As such, the solar access controls for single dwellings, as per Section 2.14.1 of Part 3.3 of the DCP have been referred to, which requires adjoining properties to receive a minimum of 3 hours sunlight to north facing living areas, and in at least 50% of the private open space for 2 hours between 9am and 3pm on 21 June.

At 9am, the proposed child care centre will result in additional overshadowing to the property adjoining the site to the west at No. 18-20 Terry Road. The additional overshadowing will fall over the east facing windows of the townhouses and private open space within the eastern setback. At 12pm, the additional shadowing of the proposed development will fall almost exclusively over the subject site, with only a minor portion of eastern setback of No. 18-20 Terry Road being shadowed. At 12pm, all north facing living areas are unaffected and more than 50% of the private open space of the dwellings at No. 18-20 Terry Road will receive sunlight. By 3pm the shadowing will continue to fall over only the subject site itself and all adjoining properties will receive sunlight.

As such, all adjoining properties will continue to receive in excess of 3 hours of sunlight to primary living areas and private open space during midwinter, as a result of the site orientation and building siting and design.



In regards to the provision of solar access to the proposed child care centre, the Child Care Planning Guidelines provide the following design guidance for outdoor play areas:

Outdoor play areas should:

- *Have a minimum of 2 hours of solar access between 8.00am and 4.00pm during winter months, for at least 30% (or 2.1m²) of the 7.0m² of outdoor space per child required.*
- *Adequate shade for outdoor play areas is to be provided in the form of natural shade such as trees or built shade structures giving protection from ultraviolet radiation to at least 30 per cent of the outdoor play area.*
- *Have evenly distributed shade structures over different activity spaces.*

Solar access diagrams have been prepared and are submitted with this development application to identify the extent of solar access received by the outdoor play areas during winter. The diagrams indicate that between 8am and 1pm during midwinter, at least 174m² (35.5%) of the area receives solar access. Therefore, the play spaces achieve more than the minimum of 2 hours of sunlight during midwinter. Furthermore, the proposed roof overhangs in conjunction with surrounding built form and landscaping, provide adequate levels of shading to the outdoor play areas to ensure that an appropriate balance between solar access and sun protection is achieved evenly across the site. As shown on the diagrams, more than 30% of the outdoor play area is covered.

As such, the proposal is considered to be acceptable with regards to overshadowing to neighbouring properties and solar access to the proposed development.

4.3.7 Views

There are no significant views of iconic buildings, natural landscape or otherwise afforded from the site or from buildings in the immediate vicinity of the site. The proposal is of a scale and form reasonably expected at the site and will not result in any significant or unreasonable view loss impacts.

4.3.8 Aural & Visual Privacy

The proposed centre-based child care facility will provide 126 places for children aged 0 to 5 years old. The proposed hours of operation are Monday to Friday (excluding public holidays) from 7am to 7pm. A detailed PoM is submitted with this application outlining requirement for patterns of usage of indoor and outdoor play areas which will assist in the mitigation of privacy impacts to neighbouring properties.

With regards to aural privacy, an Acoustic Report prepared by *Day Design* has been submitted with the DA which recommends a number of construction methods and the implementation of various elements which will minimise the acoustic impact to neighbouring properties. The Acoustic Report has considered noise generated by mechanical equipment, the basement carpark and noise from children in the outdoor play areas and has provided a number of recommendations to ensure the proposal achieves compliance with the requirements. The Report provides the following recommendations:

8.1 Management Plan

We recommend the Child Care Centre's management implement a Noise Management Plan that should include, but not be limited to, the following:

- *Ensuring all staff and parents are provided with a copy of the Centre's Noise Management Plan and its implications for them during their time at the Centre.*
- *The name and contact details of the Centre's Manager should be clearly displayed at the front of the building to ensure neighbours can contact that person at any time the Centre is operating.*
- *Use of the Outdoor Play Areas are to be restricted to a maximum of 4 hours per day.*

- Ensuring a sufficient number of educators are provided to supervise children within the outdoor play areas to discourage unnecessarily loud activities.
- Carers/staff should be educated to control the level of their voice while outdoors.
- Facilitating children's small group play when outside and encouraging educators to engage in children's play and facilitate friendships between children.
- Crying children should be comforted as quickly as possible and moved indoors.
- Staff arriving prior to 7am and parking in the basement car park should move directly in to the basement car park and avoid idling vehicles for extended periods in the driveway.
- West facing windows to the 2-3 year old indoor playroom on the ground floor should be closed when these rooms are in use.
- East facing windows to Indoor Playroom 1 (3-5's) on the ground floor should be closed when this room is in use.
- West facing windows to Indoor Playroom 2 (2-3's) on the ground floor should be closed when this room is in use.
- All windows to Indoor Playroom 3 (0-2's) on the ground floor may remain open when this room is in use.
- East facing windows to the 3-5 year old Indoor Playroom 4 (3-5's) on the first floor should be closed when this room is in use.
- West facing windows to the 3-5 year old Indoor Playroom 5 (3-5's) on the first floor should be closed when this room is in use.
- West facing windows to Indoor Playroom 6 (3-5's) on the first floor should be closed when this room is in use.
- All other windows and glazed doors to all Indoor Playrooms may be left open when playrooms are in use.

8.2 Permissible Outdoor Play Scenarios

To be implemented in conjunction with the recommendations in Section 8.1 and 8.3.

In order for the outdoor play areas (OPA's) at ground OPA-1 and at first floor OPA-2, to be used all day, the maximum number of children in these OPA's at any one time must be limited to either of the following groups:

Up to 126 children for a maximum of 4 hours per day:

- Up to 16 children, 0-2 years old within OPA-1; and
- Up to 20 children, 2-3 years old within OPA-1; and
- Up to 30 children, 3-5 years old within OPA-1; and
- Up to 60 children, 3-5 years old within OPA-2.

Staff to child ratios shall be maintained in accordance with the requirements stipulated in the National Quality Framework (NQF).

8.3 Sound Barrier Fences

The sound barrier fences, as shown in Appendix C, should be constructed from an impervious material such as sheet metal, masonry, lapped-and-capped timber, clear polycarbonate, toughened glass, a proprietary modular system or a combination, free from holes or gaps.

Should sheet metal or Colorbond fencing be used for outdoor play area fencing, we recommend that screen planting is used in front of this fencing where the fence may be impacted with balls and other items during outdoor play activities.

8.3.1 Site Boundary Fences

- *Min 1 metre fences along the east and west boundaries within the front setback extending from the north boundary of the Site to the north building line.*
- *Min 1.8 metre fences along the east and west boundaries of the Site from the north building line to the south boundary of the Site.*
- *Min 2.1 metre section of fence along the east boundary of the Site adjacent to 'R3'.*
- *Min 1.8 metre fence along the south boundary of the Site.*

8.3.2 Outdoor Play Areas

We recommend the following barrier heights and locations:

- *Construct an acoustic barrier on the eastern boundary of OPA-1, in the section adjacent to 'R3', and along the southern boundary to a minimum height of 2.1 metres above ground level. This fence should comprise of a minimum 1.8 metre straight section with a cantilever extension fixed above to meet the required overall height. The top of the cantilevered extension should extend at least 400mm into the site.*
- *Construct an acoustic barrier along the south perimeter of OPA-2 to a minimum height of 1.8 metres above the FFL of OPA-2.*
- *Construct acoustic barriers along the east and west perimeter of OPA-2 to a minimum height of 1.39 metres above the FFL of OPA-2.*

8.4 Indoor Playrooms

We recommend that the north facing window of Indoor Playroom 5, facing Terry Road, achieves a minimum weighted sound reduction index of R_w 30. This can be achieved with 6.38mm laminated glass in a fixed frame or an operable frame with acoustic seals installed.

Glazing to all other Indoor Playrooms may be of standard construction.

8.3 Mechanical Plant & Equipment – Construction Certificate

The specifications for the mechanical plant have not yet been selected for this development. For typical mechanical plant equipment with sound power levels not exceeding those listed in Table 11, it is reasonable and feasible to acoustically treat the associated plant area (absorptive lining, etc) or equipment itself so that noise will not impact the neighbouring properties.

Once mechanical plant and its location has been selected, a detailed acoustic assessment should be made prior to the issue of a Construction Certificate. We recommend that the mechanical services engineers select mechanical plant equipment with the lowest sound power levels to reduce the amount of acoustic treatment necessary to achieve the noise criteria at nearby residential receivers.

The cumulative noise emissions from the mechanical plant system, and the use of the indoor play areas and carpark, is not to exceed the Project Noise Trigger Levels specified in Section 5.5.

We offer to provide detailed noise controls when specifications of the mechanical plant equipment have been finalised.

Rooms are to be ventilated to the standards set out in clause F6D6 of the Building Code of Australia and Australian Standard AS1688.

8.4 Construction Disclaimer

Recommendations made in this report are intended to resolve acoustical problems only. We make no claims of expertise in other areas of building construction and therefore the recommended noise controls should be implemented into the building design in consultation with other specialists to ensure they meet the structural, fire, thermal or other aspects of building construction.



We encourage clients to check with us before using materials or equipment that are alternative to those specified in our Acoustical Report.

The integrity of acoustic structures is very dependent on installation techniques. Therefore, the use of contractors that are experienced in acoustic construction is encouraged.

Given compliance with the above recommendations, it is concluded that the proposed development will not create any excessive indoor or outdoor aural privacy concerns. As such, the proposal is considered acceptable in terms of aural impacts on adjoining development and the amenity of future residents.

In regard to visual privacy, the proposed development has been designed to ensure overlooking onto neighbouring properties is mitigated where possible. At ground level, the proposal has oriented the majority of windows and openings into the site and to the street frontages in order to maximise visual privacy. Any openings to the side boundaries are considered appropriate given the provision of vegetation and 1.8m high boundary fencing. Similarly, the ground floor outdoor play areas will also be buffered by vegetation and boundary fencing to the neighbouring property.

On the first floor level, the proposal has minimised the number of windows oriented towards the adjoining properties as far as practicable. Where windows are proposed they are highlight windows with high sill heights in order to restrict direct sightlines to the adjoining dwellings. The windows to the first floor level are also well setback from the side boundaries to maximise privacy. The proposed windows are not considered to introduce any adverse privacy impacts given the adjoining dwellings to the west are single storey and the proposed windows are setback 3m from the side boundary, whilst the windows to the east will be screened by the large tree at the rear of the east adjoining dwelling. As such, the windows will not create any direct sight lines to adjoining habitable space and will not overlook into the private open space of the adjoining properties.

With regards to the first floor outdoor play area, the proposed development has been designed with 1.39m acoustic balustrades to ensure that the privacy of the adjoining properties is maintained. Furthermore, adequate setbacks are provided to the side boundary's to minimise aural and visual privacy impacts on adjoining dwellings as far as practicable.

To the rear boundary, the proposal provides a setback which responds to the applicable controls, the established setback of the neighbouring properties and the context of the site. Due to the change in levels between the site and rear adjoining property, the first floor outdoor play area will actually be largely screened from the rear neighbour by the rear boundary and acoustic fencing, ensuring the aural and visual privacy impacts of the play space are reduced.

Furthermore, and most importantly, the first floor outdoor play area has been designed to sit between the built form, shielded from the adjoining properties by the centre itself in order to maximise privacy and minimise acoustic impacts for the neighbouring properties.

As such, it is considered that the proposed development is acceptable with regards to visual and acoustic impacts.

4.4 ECONOMIC & SOCIAL IMPACTS

The proposed development will result in an increase in available child care places in the locality. The proposal addresses a shortage of child care places within the locality and offers an alternate facility if necessary for waiting periods. The subject site enjoys good access to commercial services, local schools and public transport routes. The proposed development will utilise existing infrastructure including electricity, sewer, water and telecommunication services.

Undertaking the demolition and construction works will have some short-term positive economic impacts through employment generation, both direct employment and multiplier effects. Accordingly, it is considered that the proposed development is likely to have only positive social and economic impacts in the locality.



4.5 THE SUITABILITY OF THE SITE

4.5.1 Access to Services

The site is within an established residential area and is currently provided with electricity, telephone, water and sewerage services.

4.5.2 Parking and Access

The Ryde DCP states a parking rate of 1 space per 8 children and 1 space per 2 staff in attendance at the centre. The centre caters for 126 children and 17 staff, and as such 25 spaces are required to be provided on site. The proposed development provides 24 parking spaces within the basement car park, including 14 spaces for parents (including 1 accessible space) and 10 staff parking spaces. As such, the proposed development falls short of the parking requirement by one (1) space.

A Traffic and Parking Impact Assessment Report prepared by *TTPP* has been submitted with the application. The Report supports the proposed parking provision and makes the following comments:

The proposed development includes 24 car spaces, including 10 staff spaces and 14 visitor spaces. The provision is considered appropriate when accounting for the sites proximity to bus stops that are serviced by a bus route with 15-minute frequency linking the site to Parramatta, Eastwood and Macquarie Park. In addition, the site is in a primarily low-density area with unrestricted on-street parking and limited competing demand based on observations of current demand. Therefore, any minor additional demand generated by the site that would occur during the drop-off and pick-up peak periods will have limited impacts on surroundings users.

Furthermore, it is noted that Transport for NSW commissioned updated traffic generation and parking surveys¹ in 2015 that illustrated that car parking demand reduces as the childcare centre size (i.e. number of children) increases, as extracted in Figure 4.1. The rates include both visitor/parent and staff car parking. With the proposal being for a larger centre than surveyed by Transport for NSW, anticipated demand could theoretically be one space per six children if not lower.

The Report further makes the following conclusions in relation to parking, traffic and access:

This transport impact assessment relates to a proposed childcare centre at 16 Terry Road, Eastwood. The key findings from this assessment are provided below:

- *The proposed development comprises the construction of a two-storey childcare centre with one level of basement car park.*
- *The childcare centre is expected to enrol up to 126 children, ranging from under 1 year to 5 years, with an expected staff number of 17.*
- *The proposed basement car park will be accessed via a new two-way driveway to/ from Terry Road. Vehicle swept path shows the proposed driveway can accommodate vehicles entering and exiting the site in a forward direction, without conflicts.*
- *According to Ryde DCP 2014, 16 visitor spaces and 9 staff car spaces would be required (a total of 25 car parking spaces).*
- *It is proposed to provide 24 car parking spaces, including 10 staff spaces and 14 visitor spaces. This is considered appropriate when accounting for proximity to frequent bus services to key destinations, location in a primarily low-density residential area with limited competing demand and not to mention the findings of TfNSW's updated traffic generation and parking study for childcare that car parking demand reduces as the childcare centre size (i.e. number of children) increases.*
- *Kerbside waste collection is proposed with a separate path provided between the site frontage and bin storage room on the west side of the site for bins to be wheeled to the kerbside for collection.*
- *The proposed car park layout has been generally designed in accordance with the requirements of the AS2890 series.*

- *The proposed development is expected to generate 101 vehicle trips in the weekday AM peak period and 88 vehicle trips in the weekday PM peak period.*
- *Intersection modelling completed suggests that development traffic is not expected to compromise the safety and operation of the surrounding road network.*

Overall, the proposal development can be supported from a traffic and parking perspective.

4.5.3 Hazards

The subject site is recognised by Council as being flood prone land. A Flood Impact Assessment has been prepared by *FloodMit Pty Ltd* and is submitted with this application.

The Assessment makes the following conclusions:

FloodMit Pty Ltd was commissioned by the Whitestone Group, on behalf of the Trustee for Y&Z TRD TRUST, to prepare a flood assessment report for a proposed childcare centre at 16 Terry Road, Eastwood (Lot 1 DP 324937).

The site is within the Eastwood and Terrys Creek catchment, and is partially impacted by overland flow down Terry Road to Terrys Creek. Flooding is therefore a consideration to the proposed development.

The assessment of flood risk is based on model results from the Eastwood and Terrys Creek Floodplain Risk Management Study and Plan (Bewsher, 2009). Design flood levels and flood extents for the 100 year and PMF events are provided at Figures 5 and 6 respectively, the depth and velocity of flooding shown on Figure 7; flood hazard categorisation shown on Figure 8; and Flood Risk Management precinct mapping shown on Figure 9.

Only a small corner of the subject site (35m² or 2.3% of the total site) is estimated to be inundated in the 100 year storm. This increases slightly in the extreme PMF event (909m² or 6.0% of the total site). The proposed building footprint and all play areas are located above the PMF flood. Further information on flood behaviour is available from a draft Flood Study Update (WMA Water, 2023), which was on public exhibition until 3rd December 2023. Flooding in the draft Flood Study Update is lower than the previously adopted levels. No part of the site, or the road reserve immediately adjacent to the site, is shown to be inundated in the 100 year flood in the latter study.

A development application for alterations and additions to an existing dwelling house, and change of use to a childcare centre, was previously approved by Council for the site during 2016. The approval included a childcare centre with 43 places over two levels, and outside parking for 10 cars.

Further changes to the proposed childcare centre have now been proposed, which is the subject of a new development application. Changes from the previous application include:

- i) An increase in size from 43 places to 126 places;*
- ii) The removal of the existing dwelling and construction of a new two-storey building in its place. The new footprint has a slightly increased set-back distance from Terry Road, which moves it further away from areas potentially affected by overland flow;*
- iii) The proposed ground floor level is raised from RL 76.43m (existing dwelling) to RL 76.7m AHD to provide a minimum 0.5m freeboard above the maximum 100 year flood levels on Terry Road adjacent to the site. The floor level is also 0.3m above the PMF flood level;*
- iv) Basement parking has been proposed for 24 cars. The crest in the driveway ramp to the basement is at RL 76.4m AHD. This is approximately 0.4m above the 100 year overland flow levels on Terry Road at this*

location, and 0.2m above the PMF overland flow levels. All other openings to the basement will have similar or greater level of protection.

v) No part of the new building footprint, or outside play areas, are located on land potentially affected by flooding.

The current proposal has been assessed against Council's flood risk management controls that are outlined in Ryde LEP 2014 and Ryde DCP 2014. It is considered that the proposed development complies, or can comply with these requirements, subject to the following recommendations:

i) that the front boundary fence be made permeable, or raised 0.20m above natural ground level, so that the fence does not restrict floodwater that enters the site from the upstream property from freely flowing on to Terry Road.

As such, the site is capable of accommodating the proposed development despite the flood risk.

The site is not in an area recognised by Council as being subject to any other particular hazards. The proposed development is not likely to increase the likelihood of such hazards occurring and is considered appropriate in this instance.

4.6 THE PUBLIC INTEREST

The proposal is considered to be compatible with existing development and will provide a balance between protecting residential amenity and the natural environment and providing additional childcare places in the locality.

The proposal complies with the development standards and objectives contained within the SEPP (Transport and Infrastructure) 2021, Ryde LEP 2014 and adequately responds to the provisions of the Ryde DCP 2014.

The proposal will increase the capacity of an existing high quality child care centre in the locality and will have minimal adverse impacts on the natural and built environment. Accordingly, the proposed development is considered to be in the public interest.



5. Conclusion

The impact of the proposed development has been assessed in accordance with the provisions of Section 4.15 of the EP&A Act, 1979 and found to be satisfactory. The proposal is permissible with consent under Ryde LEP 2014 and complies with the aims and objectives of the LEP.

The design and external appearance of the proposal is appropriate to the character of the locality. The proposal does not impact on views, privacy or solar access of neighbouring properties and will have no significant impact on the topography, micro-climate, air or water quality of the locality. Acoustic impacts will be minimised through implementation of mitigation measures as outlined in the acoustic report.

The site is suitable for a child care centre and will generally have acceptable environmental, social and economic impacts on the immediate area. The proposal is unlikely to result in adverse impacts on the amenity of the locality and accordingly, the proposal is considered to be in the public interest and worthy of Council's support.



Annexure A

SEPP (Transport and Infrastructure) 2021 - Compliance Table



SEPP (Transport and Infrastructure) 2021 - Compliance Table

Clause / Control	Requirement	Proposal	Complies?
Chapter 3 Education establishments and child care facilities			
<i>Part 3.3 Early education and care facilities – specific development controls</i>			
3.22 Centre-based child care facility— concurrence of Regulatory Authority required for certain development	(1) This section applies to development for the purpose of a centre-based child care facility if—		
	(a) the floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the Education and Care Services National Regulations, or	The proposal complies with this requirement. See the Child Care Planning Guideline compliance table at Annexure B.	Yes
	(b) the outdoor space requirements for the building or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those Regulations.	As above.	Yes
	(2) The consent authority must not grant development consent to development to which this section applies except with the concurrence of the Regulatory Authority.	Not applicable.	N/A
	(3) The consent authority must, within 7 days of receiving a development application for development to which this section applies—	Not applicable.	N/A
(a) forward a copy of the development application to the Regulatory Authority, and			
(b) notify the Regulatory Authority in writing of the basis on which the Authority's concurrence is required and of the date it received the development application.			
(4) In determining whether to grant or refuse concurrence, the Regulatory Authority is to consider any requirements applicable to the proposed development under the Children (Education and Care Services) National Law (NSW).	Not applicable.	N/A	

SEPP (Transport and Infrastructure) 2021 - Compliance Table

	<p>(5) The Regulatory Authority is to give written notice to the consent authority of the Authority's determination within 28 days after receiving a copy of the development application under subsection (3)</p> <p><i>Note. The effect of section 4.13(11) of the Act is that if the Regulatory Authority fails to inform the consent authority of the decision concerning concurrence within the 28 day period, the consent authority may determine the development application without the concurrence of the Regulatory Authority and a development consent so granted is not voidable on that ground.</i></p> <p>(6) The consent authority must forward a copy of its determination of the development application to the Regulatory Authority within 7 days after making the determination.</p>	<p>Not applicable.</p> <p>Not applicable.</p>	<p>N/A</p> <p>N/A</p>
3.23 Centre-based child care facility—matters for consideration by consent authorities	Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the <i>Child Care Planning Guideline</i> , in relation to the proposed development.	Refer to the Child Care Planning Guideline compliant table at Annexure B.	Yes
3.25 Centre-based child care facility—floor space ratio	<p>(1) Development consent must not be granted for the purposes of a centre-based child care facility in Zone R2 Low Density Residential if the floor space ratio for the building on the site of the facility exceeds 0.5:1.</p> <p>(2) This section does not apply if another environmental planning instrument or a development control plan sets a maximum floor space ratio for the centre-based child care facility.</p>	<p>The proposal has an FSR of 0.46:1.</p> <p>Not applicable.</p>	<p>Yes</p> <p>N/A</p>

SEPP (Transport and Infrastructure) 2021 - Compliance Table

3.26 Centre-based child care facility—non-discretionary development standards	(1) The object of this section is to identify development standards for particular matters relating to a centre-based child care facility that, if complied with, prevent the consent authority from requiring more onerous standards for those matters.	Noted.	-
	(2) The following are non-discretionary development standards for the purposes of section 4.15(2) and (3) of the Act in relation to the carrying out of development for the purposes of a centre-based child care facility—		
	(a) location—the development may be located at any distance from an existing or proposed early education and care facility,	Complies.	Yes
	(b) indoor or outdoor space <ul style="list-style-type: none"> 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, 	Complies. Refer to Child Care Planning Guideline at Annexure B.	Yes
(c) site area and site dimensions—the development may be located on a site of any size and have any length of street frontage or any allotment depth,	Complies.	Yes	
(d) colour of building materials or shade structures—the development may be of any colour or colour scheme unless it is a State or local heritage item or in a heritage conservation area.	N/A – The site is not a heritage item and is not within a heritage conservation area.	N/A	

SEPP (Transport and Infrastructure) 2021 - Compliance Table

	<p>(3) To remove doubt, this section does not prevent a consent authority from—</p> <ul style="list-style-type: none"> (a) refusing a development application in relation to a matter not specified in subsection (2), or (b) granting development consent even though any standard specified in subsection (2) is not complied with. 	<p>Noted.</p> <p>Noted.</p>	<p>-</p> <p>-</p>
<p>3.27 Centre-based child care facility—development control plans</p>	<p>(1) A provision of a development control plan that specifies a requirement, standard or control in relation to any of the following matters (including by reference to ages, age ratios, groupings, numbers or the like, of children) does not apply to development for the purpose of a centre-based child care facility:</p> <ul style="list-style-type: none"> (a) operational or management plans or arrangements (including hours of operation), (b) demonstrated need or demand for child care services, (c) proximity of facility to other early education and care facilities, (d) any matter relating to development for the purpose of a centre-based child care facility contained in: <ul style="list-style-type: none"> (i) the design principles set out in Part 2 of the Child Care Planning Guideline, or (ii) the matters for consideration set out in Part 3 or the regulatory requirements set out in Part 4 of that Guideline (other than those concerning building height, side and rear setbacks or car parking rates). <p>(2) This clause applies regardless of when the development control plan was made.</p>	<p>Noted.</p> <p>Noted.</p>	<p>-</p> <p>-</p>

ANNEXURE B

Child Care Planning Guideline – Compliance Table





Child Care Planning Guideline			
Clause / Control	Requirement	Proposal	Complies?
3. Matters for consideration			
3.1 Site selection and location	C1 For proposed developments in or adjacent to a residential zone, consider: <ul style="list-style-type: none"> • the acoustic and privacy impacts of the proposed development on the residential properties • the setbacks and siting of buildings within the residential context • visual amenity impacts (e.g. additional building bulk and overshadowing, local character) • traffic and parking impacts of the proposal on residential amenity. 	The site is within the R2 Low Density Residential zone.	Yes
		An Acoustic Report has been submitted with the DA, recommendations of which are incorporated into the proposal. Privacy is addressed later in this table.	Yes
		The DCP does not prescribe setbacks for child care centres, however, the proposed development is consistent with the setbacks of the properties on either side of the site and the required setbacks for residential development.	Yes
		The proposal will have suitable amenity impacts on the surrounding properties.	Yes
		A Traffic Report is submitted with the development application.	Yes
	C2 When selecting a site, ensure that: <ul style="list-style-type: none"> • the location and surrounding uses are compatible with the proposed development or use • the site is environmentally safe including risks such as flooding, land slip, bushfires, coastal hazards • there are no potential environmental contaminants on the land, in the building or the general proximity, and whether hazardous materials remediation is needed 	Childcare centres are a common feature within R2 – Low Density Residential zone and is a permissible form of development. Acoustic and traffic reports have been submitted with the application to identify and recommend mitigation to ensure compatibility with the surrounding uses. The site is identified as flood prone land and as such a Flood Impact Assessment has been undertaken and is submitted with this application. The Assessment determines the minimum flood levels and has informed the design of the proposed development.	Yes
		The site appears to have a history of residential use. As such it is unlikely that there are any potential environmental contaminants on the land. Nevertheless, A Preliminary Site Investigation has been undertaken and is submitted with this application.	Yes
			Yes



Child Care Planning Guideline

	<ul style="list-style-type: none"> the characteristics of the site are suitable for the scale and type of development proposed having regard to: <ul style="list-style-type: none"> the length of street frontage, lot configuration, dimensions and overall size number of shared boundaries with residential properties the development will not have adverse environmental impacts on the surrounding area, particularly in sensitive environmental or cultural areas where the proposal is to occupy or retrofit an existing premises, the interior and exterior spaces are suitable for the proposed use there are suitable drop off and pick up areas, and off and on street parking <ul style="list-style-type: none"> the characteristics of the fronting road or roads (for example its operating speed, road classification, traffic volume, heavy vehicle volumes, presence of parking lanes) is appropriate and safe for the proposed use the site avoids direct access to roads with high traffic volumes, high operating speeds, or with high heavy vehicle volumes, especially where there are limited pedestrian crossing facilities it is not located closely to incompatible social activities and uses such as restricted premises, injecting rooms, drug clinics and the like, premises licensed for alcohol or gambling such as hotels, clubs, cellar door premises and sex services premises. 	<p>The proposal provides for the required indoor and outdoor areas and allows suitable setbacks to adjoining properties. Appropriate landscaping and deep soil areas are also provided.</p> <p>Three shared boundaries with residential properties.</p> <p>The development will have no adverse environmental impacts.</p> <p>N/A</p> <p>Drop off is not typical of this type of centre. Rather, carers will park within the basement and sign in children. In addition, there is unrestricted parking on the street.</p> <p>The subject site is accessed via a suitable road which will be appropriate for vehicle entry and exit and pedestrian safety.</p> <p>As above.</p> <p>N/A – the area is residential in nature.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p>
	<p>C3 A child care facility should be located:</p> <ul style="list-style-type: none"> near compatible social uses such as schools and other educational establishments, parks and other public open space, community facilities, places of public worship near or within employment areas, town centres, business centres, shops with access to public transport including rail, buses, ferries 	<p>The site is located within close proximity to Braemar Park, David Hamilton Reserve, Eastwood Park, Marist brothers Eastwood Community, Marist College Eastwood, St. Kevin's Catholic Primary School, St. Kevins Catholic Church and Eastwood Uniting Church.</p> <p>The site is located with 800m walking distance of the Eastwood Town Centre which contains a number of commercial and retail premises.</p> <p>The site is located within 100m walking distance of bus stops along Terry Road and within 1.1km of Eastwood Railway Station.</p>	<p>Yes</p>

Child Care Planning Guideline

	<ul style="list-style-type: none"> • in areas with pedestrian connectivity to the local community, businesses, shops, services and the like. <p>C4 A child care facility should be located to avoid risks to children, staff or visitors and adverse environmental conditions arising from:</p> <ul style="list-style-type: none"> • proximity to: <ul style="list-style-type: none"> - heavy or hazardous industry, waste transfer depots or landfill sites - LPG tanks or service stations - water cooling and water warming systems - odour (and other air pollutant) generating uses and sources or sites which, due to prevailing land use zoning, may in future accommodate noise or odour generating uses. - extractive industries, intensive agriculture, agricultural spraying activities • any other identified environmental hazard or risk relevant to the site and/or existing buildings within the site. 	<p>The site is within walking distance of the Eastwood Town Centre.</p>	
<p>3.2 Local character, streetscape and the public domain interface</p>	<p>C5 The proposed development should:</p> <ul style="list-style-type: none"> • contribute to the local area by being designed in character with the locality and existing streetscape • build on the valued characteristics of the neighbourhood and draw from the physical surrounds, history and culture of place • reflect the predominant form of surrounding land uses, particularly in low density residential areas • recognise and respond to predominant streetscape qualities, such as building form, scale, materials and colours 	<p>The site is located in a residential area and is not in proximity to any such hazardous uses.</p> <p>The site is identified as flood prone land and as such a Flood Impact Assessment is submitted with this application.</p>	<p>Yes</p>
		<p>The proposal has been designed as a two storey building fronting the public domain and has located parking largely below the ground level to ensure reduced visual impact. The proposal has integrated design features including flat roofing, brick and render and glazed openings in order to relate to the character of the area. Landscaping has also been integrated into the front setback to ensure compatibility with the neighbours.</p> <p>The proposed development is consistent with the character of the locality and will sit well within the streetscape.</p> <p>The proposed development is two storeys and complies with the maximum height which is compatible with the low density residential area. The proposal is also compliant with the required setbacks of the locality and FSR.</p> <p>The proposal has been designed within the LEP development standard and DCP controls. The built form is two storeys with a flat roof form, brick and rendered facade, and glazed windows. The proposal is designed to</p>	<p>Yes</p>

Child Care Planning Guideline

	<ul style="list-style-type: none"> include design and architectural treatments that respond to and integrate with the existing streetscape use landscaping to positively contribute to the streetscape and neighbouring amenity integrate car parking into the building and site landscaping design in residential areas. in R2 Low Density Residential zones, limit outdoor play space to the ground level to reduce impacts on amenity from acoustic fences/barriers onto adjoining residence, except when good design solutions can be achieved. 	<p>reflect the low density character of the area. The design of the parking area reduces the visual impact of parking and has been appropriately articulated by landscaping.</p> <p>As above, the proposal is designed to reflect the low density character of the area. Refer to Section 4.3.5 of this Statement.</p> <p>The proposed development has incorporated landscaping which is compatible with the character of the area throughout the front and side setbacks. See submitted Landscape Plan.</p> <p>The proposal includes parking which sits largely below the ground level to minimise impacts onto the streetscape, surrounding neighbours and maximise landscaping.</p> <p>The proposed development contains outdoor play area at the first floor level. The proposed first floor play area is considered acceptable in terms of visual and acoustic privacy impacts and is supported by the Acoustic Report submitted with the application.</p> <p>The design of the first floor level ensures the outdoor play space will not have any adverse impacts on adjoining dwellings. The play space is setback from the site boundaries and is largely shielded from the side adjoining neighbours by the building itself. To the rear, there is a significant difference in level and so the first floor play area will be screened from the rear adjoining dwelling by the rear boundary and acoustic fencing, as shown in the plan sections.</p> <p>Furthermore, the acoustic barriers to the outdoor play area are proposed at an appropriate height to ensure they do not contribute any significant visual bulk that would impact the views of neighbouring sites.</p>	
	<p>C6 Create a threshold with a clear transition between public and private realms, including:</p> <ul style="list-style-type: none"> fencing to ensure safety for children entering and leaving the facility windows facing from the facility towards the public domain to provide passive surveillance to the street as a safety measure and connection between the facility and the community integrating existing and proposed landscaping with fencing. 	<p>Fences and gates, as well as the building line and front setback treatment delineate the public and private realms.</p> <p>The design provides windows overlooking the street frontages.</p> <p>Refer to Landscape Plan.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

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	C7 On sites with multiple buildings and/or entries, pedestrian entries and spaces associated with the child care facility should be differentiated to improve legibility for visitors and children by changes in materials, plant species and colours.	Vehicular and pedestrian entrances have been clearly separated.	Yes
	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, pedestrian paths and building entries • low fences and planting which delineate communal/ private open space from adjoining public open space • minimal use of blank walls and high fences. 	Not applicable.	N/A
	C9 Front fences and walls within the front setback 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.	Not proposed.	N/A
	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 of a similar height between the wall and the boundary.	Not applicable.	N/A
3.3 Building orientation, envelope and design	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 on neighbours by: - facing doors and windows away from private open space, living rooms and bedrooms in adjoining residential properties - placing play equipment away from common boundaries with residential properties - locating outdoor play areas away from residential dwellings and other sensitive uses 	Windows to the side boundaries are limited in number and size and are not located directly opposing private open space or windows. Acoustic screening proposed has been informed by the acoustic consultant. Please refer to the acoustic report (submitted under separate cover) for further details on physical acoustic treatment. The development has been designed to minimise amenity impact on adjoining residential uses informed by Acoustic Consultant advice and design inclusions. The proposed outdoor play areas are designed to minimise adverse amenity impacts on adjoining properties through	Yes Yes

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	<ul style="list-style-type: none"> • optimise solar access to internal and external play areas • avoid overshadowing of adjoining residential properties • minimise cut and fill • ensure buildings along the street frontage define the street by facing it • ensure that where a child care facility is located above ground level, outdoor play areas are protected from wind and other climatic conditions. 	<p>landscaping, siting and acoustic treatment. Please refer to the landscape plans and architectural plans for further details.</p> <p>Internal play areas are provided with adequate solar access through windows proposed, however appropriate measures will be taken to ensure visual privacy. Outdoor play areas include covered and uncovered spaces to also ensure useability throughout the year. The proposal has no detrimental impacts on adjoining properties.</p> <p>The proposed excavation to accommodate the basement parking area which will have a minimal impact on the streetscapes and will retain amenity of the neighbouring residents.</p> <p>The proposed development has been designed to address the street frontages through pedestrian access, glazed openings, landscaping and overall building articulation and will complement the low density character of the locality.</p> <p>The proposed indoor play areas on the first floor will be provided with operable openings to ensure useability throughout the year.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
	<p>C12 The following matters may be considered to minimise the impacts of the proposal on local character:</p> <ul style="list-style-type: none"> • building height should be consistent with other buildings in the locality • building height should respond to the scale and character of the street • setbacks should allow for adequate privacy for neighbours and children at the proposed child care facility • setbacks should provide adequate access for building maintenance • setbacks to the street should be consistent with the existing character. 	<p>The building is two storeys in height and is compliant with the 9.5m LEP height limit. This is consistent with surrounding development.</p> <p>As above.</p> <p>The proposed setbacks allow for adequate privacy and separation and are consistent with DCP requirements.</p> <p>Complies.</p> <p>The proposed setback is consistent with the predominant building line and is consistent/compatible with the setback controls for dwellings.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
	<p>C13 Where there are no prevailing setback controls minimum setback to a classified road should be 10 metres. On other road frontages where there are existing buildings within 50 metres, the setback should be the</p>	<p>The proposal complies with dwelling house front setback control.</p>	<p>Yes</p>

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	average of the two closest buildings. Where there are no buildings within 50 metres, the same setback is required for the predominant adjoining land use.		
	C14 On land in a residential zone, side and rear boundary setbacks should observe the prevailing setbacks required for a dwelling house.	The proposal is largely compliant with dwelling house setback controls as discussed at Annexure D.	Yes
	C15 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, particularly for pedestrians • directly accessible from the street where possible • directly visible from the street frontage • easily monitored through natural or camera surveillance • not accessed through an outdoor play area. • in a mixed-use development, clearly defined and separate from entrances to other uses in the building. 	Pedestrian access to the facility is provided from Terry Road and is easily accessible from the public domain. This will not clash with the vehicular access proposed off Terry Road.	Yes
	C16 Accessible design can be achieved by: <ul style="list-style-type: none"> • providing accessibility to and within the building in accordance with all relevant legislation • linking all key areas of the site by level or ramped pathways that are accessible to prams and wheelchairs, including between all car parking areas and the main building entry • providing a continuous path of travel to and within the building, including access between the street entry and car parking and main building entrance. Platform lifts should be avoided where possible • minimising ramping by ensuring building entries and ground floors are well located relative to the level of the footpath. <p><i>NOTE: The National Construction Code, the Discrimination Disability Act 1992 and the Disability (Access to Premises – Buildings) Standards 2010 set out the requirements for access to buildings for people with disabilities.</i></p>	<p>Accessible path of travel is provided from the street. A lift is provided to access all levels.</p> <p>Prams and wheelchairs will be able to access all parts of the site.</p> <p>A continuous path of travel to and within the building is possible via the lifts provided.</p> <p>Slight ramping is required due to the slope of the site.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

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3.4 Landscaping	<p>C17 Appropriate planting should be provided along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space.</p> <p>Use the existing landscape where feasible to provide a high quality landscaped area by:</p> <ul style="list-style-type: none"> • reflecting and reinforcing the local context • incorporating natural features of the site, such as trees, rocky outcrops and vegetation communities into landscaping. 	The proposed development has been designed with landscaping located throughout the site as indicated in the submitted Landscape Plan.	Yes
	<p>C18 Incorporate car parking into the landscape design of the site by:</p> <ul style="list-style-type: none"> • planting shade trees in large car parking areas to create a cool outdoor environment and reduce summer heat radiating into buildings • taking into account streetscape, local character and context when siting car parking areas within the front setback • using low level landscaping to soften and screen parking areas. 	N/A. Car parking is provided at the basement level.	N/A
3.5 Visual and acoustic privacy	C19 Open balconies in mixed use developments should not overlook facilities nor overhang outdoor play spaces.	N/A – not a mixed use development.	N/A
	<p>C20 Minimise direct overlooking of indoor rooms and outdoor play spaces from public areas through:</p> <ul style="list-style-type: none"> • appropriate site and building layout • suitably locating pathways, windows and doors • permanent screening and landscape design. 	<p>From the street frontage, the proposal has been designed to ensure that opportunities for adverse overlooking from the public domain are minimised.</p> <p>Windows to the children’s play areas are oriented into the site as far as practicable to limit the opportunity for overlooking onto the public domain.</p> <p>Acoustic screening will provide visual privacy of the site and to surrounding neighbours.</p>	Yes
	<p>C21 Minimise direct overlooking of main internal living areas and private open spaces in adjoining developments through:</p> <ul style="list-style-type: none"> • appropriate site and building layout • suitable location of pathways, windows and doors • landscape design and screening. 	As above. The child care centre will not directly overlook main internal living areas of adjoining development.	Yes

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	<p>C22 A new development, or development that includes alterations to more than 50 per cent of the existing floor area, and is located adjacent to residential accommodation should:</p> <ul style="list-style-type: none"> • provide an acoustic fence along any boundary where the adjoining property contains a residential use. (An acoustic fence is one that is a solid, gap free fence). • ensure that mechanical plant or equipment is screened by solid, gap free material and constructed to reduce noise levels e.g. acoustic fence, building, or enclosure. 	An Acoustic Report has been submitted with the application. Acoustic fencing / and treatment is provided per recommendations.	Yes
	<p>C23 A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters:</p> <ul style="list-style-type: none"> • identify an appropriate noise level for a child care facility located in residential and other zones • determine an appropriate background noise level for outdoor play areas during times they are proposed to be in use • determine the appropriate height of any acoustic fence to enable the noise criteria to be met. 	An Acoustic Report has been submitted with the application. Noise mitigation recommendations have been recommended and informed the final building design.	Yes
3.6 Noise and air pollution	<p>C24 Adopt design solutions to minimise the impacts of noise, such as:</p> <ul style="list-style-type: none"> • creating physical separation between buildings and the noise source • orienting the facility perpendicular to the noise source and where possible buffered by other uses • using landscaping to reduce the perception of noise • limiting the number and size of openings facing noise sources • using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens) • using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and soffits • locating cot rooms, sleeping areas and play areas away from external noise sources. 	An Acoustic Report has been submitted with the application. Noise mitigation recommendations have been recommended and informed the final building design.	Yes
	<p>C25 An acoustic report should identify appropriate noise levels for sleeping areas and other non-play areas and examine impacts and noise attenuation measures where a child care facility is proposed in any of the following locations:</p>	An Acoustic Report has been submitted with the application. Noise mitigation recommendations have been recommended and informed the final building design.	Yes

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	<ul style="list-style-type: none"> • on industrial zoned land • where the ANEF contour is between 20 and 25, consistent with AS 2021 – 2000 • along a railway or mass transit corridor, as defined by State Environmental Planning Policy (Infrastructure) 2007 • on a major or busy road • other land that is impacted by substantial external noise 		
	C26 Locate child care facilities on sites which avoid or minimise the potential impact of external sources of air pollution such as major roads and industrial development.	The site is not located near a major road or industrial area.	N/A
	<p>C27 A suitably qualified air quality professional should prepare an air quality assessment report to demonstrate that proposed child care facilities close to major roads or industrial developments can meet air quality standards in accordance with relevant legislation and guidelines. The air quality assessment report should evaluate design considerations to minimise air pollution such as:</p> <ul style="list-style-type: none"> • creating an appropriate separation distance between the facility and the pollution source. The location of play areas, sleeping areas and outdoor areas should be as far as practicable from the major source of air pollution • using landscaping to act as a filter for air pollution generated by traffic and industry. Landscaping has the added benefit of improving aesthetics and minimising visual intrusion from an adjacent roadway • incorporating ventilation design into the design of the facility 	Not applicable.	N/A
3.7 Hours of operation	C28 Hours of operation within areas where the predominant land use is residential should be confined to the core hours of 7.00am to 7.00pm weekdays. The hours of operation of the proposed child care facility may be extended if it adjoins or is adjacent to non-residential land uses.	The hours of operation of the centre are 7am – 7pm (Monday to Friday).	Yes
	C29 Within mixed use areas or predominantly commercial areas, the hours of operation for each child care facility should be assessed with respect to its compatibility with adjoining and co-located land uses.	Not applicable.	N/A

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<p>3.8 Traffic, parking and pedestrian circulation</p>	<p>C30 Off street car parking should be provided at the rates for child care facilities specified in a Development Control Plan that applies to the land.</p> <p>Where a Development Control Plan does not specify car parking rates, off street car parking should be provided at the following rates:</p> <p>Within 400 metres of a metropolitan train station:</p> <ul style="list-style-type: none"> • 1 space per 10 children • 1 space per 2 staff. <p>Staff parking may be stack or tandem parking with no more than 2 spaces in each tandem space.</p> <p>In other areas:</p> <ul style="list-style-type: none"> • 1 space per 4 children. <p>A reduction in car parking rates may be considered where:</p> <ul style="list-style-type: none"> • the proposal is an adaptive re-use of a heritage item • the site is in a B8 Metropolitan Zone or other high density business or residential zone • the site is in proximity to high frequency and well connected public transport • the site is co-located or in proximity to other uses where parking is appropriately provided (for example business centres, schools, public open space, car parks) • there is sufficient on street parking available at appropriate times within proximity of the site. 	<p>The development proposes 24 spaces which results in a minor shortfall given Council's DCP requirements require 25 spaces for the proposed number of children and staff. The proposed parking provision is supported by the Traffic Report prepared by <i>TTPP</i> and submitted with this application.</p>	<p>On Merit</p>
	<p>C31 In commercial or industrial zones and mixed use developments, on street parking may only be considered where there are no conflicts with adjoining uses, that is, no high levels of vehicle movement or potential conflicts with trucks and large vehicles.</p>	<p>Not applicable.</p>	<p>N/A</p>
	<p>C32 A Traffic and Parking Study should be prepared to support the proposal to quantify potential impacts on the surrounding land uses and demonstrate how impacts on amenity will be minimised. The study should</p>	<p>A Traffic and Parking Assessment has been submitted with the application.</p>	<p>Yes</p>

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	<p>also address any proposed variations to parking rates and demonstrate that:</p> <ul style="list-style-type: none"> • the amenity of the surrounding area will not be affected • there will be no impacts on the safe operation of the surrounding road network. 	<p>The report demonstrates that the amenity of the surrounding area will not be affected and that there will be no adverse impacts on the safe operation of the surrounding road network.</p>	
	<p>C33 Alternate vehicular access should be provided where child care facilities are on sites fronting:</p> <ul style="list-style-type: none"> • a classified road • roads which carry freight traffic or transport dangerous goods or hazardous materials. The alternate access must have regard to: • the prevailing traffic conditions • pedestrian and vehicle safety including bicycle movements • the likely impact of the development on traffic. 	<p>Not applicable.</p>	<p>N/A</p>
	<p>C34 Child care facilities proposed within cul-de-sacs or narrow lanes or roads should ensure that safe access can be provided to and from the site, and to and from the wider locality in times of emergency.</p>	<p>Not applicable.</p>	<p>N/A</p>
	<p>C35 The following design solutions may be incorporated into a development to help provide a safe pedestrian environment:</p> <ul style="list-style-type: none"> • separate pedestrian access from the car park to the facility • defined pedestrian crossings included within large car parking areas • separate pedestrian and vehicle entries from the street for parents, children and visitors • pedestrian paths that enable two prams to pass each other • delivery and loading areas located away from the main pedestrian access to the building and in clearly designated, separate facilities • minimise the number of locations where pedestrians and vehicles cross each other 	<p>Separate pedestrian access is provided from the car-park to the facility.</p> <p>Crossings are not considered necessary given the size of the parking area. Complies</p> <p>Complies.</p> <p>It is anticipated that delivery and loading will be possible at off-peak times throughout the day and vehicles will make use of the visitor parking spaces.</p> <p>Noted.</p>	<p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>-</p>

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	<ul style="list-style-type: none"> • in commercial or industrial zones and mixed use developments, the path of travel from the car parking to the centre entrance physically separated from any truck circulation or parking areas • vehicles can enter and leave the site in a forward direction. • clear sightlines are maintained for drivers to child pedestrians, particularly at crossing locations. 	<p>Not applicable.</p> <p>Complies Adequate sightlines will be provided.</p>	<p>N/A</p> <p>Yes Yes</p>
	<p>C36 Mixed use developments should include:</p> <ul style="list-style-type: none"> • driveway access, manoeuvring areas and parking areas for the facility that are separate to parking and manoeuvring areas used by trucks • drop off and pick up zones that are exclusively available for use during the facility's operating hours with spaces clearly marked accordingly, close to the main entrance and preferably at the same floor level. Alternatively, direct access should avoid crossing driveways or manoeuvring areas used by vehicles accessing other parts of the site • parking that is separate from other uses, located and grouped together and conveniently located near the entrance or access point to the facility. 	<p>Not applicable.</p>	<p>N/A</p>
	<p>C37 Car parking design should:</p> <ul style="list-style-type: none"> • include a child safe fence to separate car parking areas from the building entrance and play areas • provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards • include wheelchair and pram accessible parking. 	<p>Parking is separate from play space.</p> <p>Accessible parking is located near the lift core.</p> <p>Accessible parking is provided.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
4. Applying the National Regulations to development proposals			
4.1 Indoor space requirements	<p>Regulation 107 Education and Care Services National Regulations</p> <p>Every child being educated and cared for within a facility must have a minimum of 3.25m² of unencumbered indoor space. (126x3.25m² = 409.5m²)</p> <p>If this requirement is not met, the concurrence of the regulatory authority is required under the SEPP.</p>	<p>426.8m² of unencumbered indoor floor space is provided.</p> <p>The requirement is met.</p>	<p>Yes</p> <p>N/A</p>

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	<p>Unencumbered indoor space excludes any of the following:</p> <ul style="list-style-type: none"> • 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. <p>All unencumbered indoor spaces must be provided as a secure area for children. The design of these spaces should consider the safe supervision of children.</p> <p>When calculating indoor 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.</p> <p>Applicants should also note that regulation 81 requires that the needs for sleep and rest of children at the service be met, having regard to their ages, development stages and individual needs. Development applications should indicate how these needs will be accommodated.</p> <p>Verandahs may be included when calculating indoor space with the written approval from the regulatory authority.</p>	<p>Noted. Spaces have been calculated accordingly.</p> <p>Indoor spaces are secure, highly visible and can be safely supervised.</p> <p>Noted.</p> <p>Noted.</p> <p>Not applicable.</p>	<p>Yes</p> <p>Yes</p> <p>-</p> <p>-</p> <p>N/A</p>
<p>4.2 Laundry and hygiene facilities</p>	<p>Regulation 106 Education and Care Services National Regulations</p> <p>There must be laundry facilities or access to laundry facilities; or other arrangements for dealing with soiled clothing, nappies and linen, including hygienic facilities for storage prior to their disposal or laundering. The laundry and hygienic facilities must be located and maintained in a way that does not pose a risk to children.</p>	<p>A laundry is provided at basement level. Nappy change facilities are provided within the infants and toddlers rooms.</p>	<p>Yes</p>

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	<p>Child care facilities must also comply with the requirements for laundry facilities that are contained in the National Construction Code.</p> <p>On site laundry On site laundry facilities should contain:</p> <ul style="list-style-type: none"> • a washer or washers capable of dealing with the heavy requirements of the facility • a dryer • laundry sinks • adequate storage for soiled items prior to cleaning • an on site laundry cannot be calculated as usable unencumbered play space for children (refer to Figure 2). 		
4.3 Toilet and hygiene facilities	<p>Regulation 109 Education and Care Services National Regulations</p> <p>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.</p> <p>Child care facilities must comply with the requirements for sanitary facilities that are contained in the National Construction Code.</p> <ul style="list-style-type: none"> • 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 	Age-appropriate toilet facilities are provided.	Yes
4.4 Ventilation and natural light	<p>Regulation 110 Education and Care Services National Regulations</p> <p>Services must be well ventilated, have adequate natural light, and be maintained at a temperature that ensures the safety and wellbeing of children.</p>	The proposal is well-ventilated, has appropriate windows to outdoor areas and can be maintained at a safe temperature.	Yes

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	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.		
4.5 Administrative space	<p>Regulation 111 Education and Care Services National Regulations</p> <p>A service must provide adequate area or areas for the purposes of conducting the administrative functions of the service, consulting with parents of children and conducting private conversations.</p>	Office, reception, and staff rooms are provided. Private conversations may take place within the office.	Yes
4.6 Nappy change facilities	<p>Regulation 112 Education and Care Services National Regulations</p> <p>Child care facilities must provide for children who wear nappies, including appropriate hygienic facilities for nappy changing and bathing. All nappy changing facilities should be designed and located in an area that prevents unsupervised access by children.</p> <p>Child care facilities must also comply with the requirements for nappy changing and bathing facilities that are contained in the National Construction Code.</p> <ul style="list-style-type: none"> • properly constructed nappy changing bench or benches • a bench type baby bath within one metre from the nappy change bench • the provision of hand cleansing facilities for adults in the immediate vicinity of the nappy change area • a space to store steps • positioning to enable supervision of the activity and play areas. 	Nappy change facilities are provided.	Yes
4.7 Premises designed to facilitate supervision	<p>Regulation 115 Education and Care Services National Regulations</p> <p>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.</p>	The design ensures adequate supervision of children.	Yes

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	Child care facilities must also comply with any requirements regarding the ability to facilitate supervision that are contained in the National Construction Code.		
4.8 Emergency and evacuation procedures	<p>Regulations 97 and 168 Education and Care Services National Regulations</p> <p>Regulation 168 sets out the list of procedures that a care service must have, including procedures for emergency and evacuation.</p> <p>Regulation 97 sets out the detail for what those procedures must cover including:</p> <ul style="list-style-type: none"> • instructions for what must be done in the event of an emergency • an emergency and evacuation floor plan, a copy of which is displayed in a prominent position near each exit • a risk assessment to identify potential emergencies that are relevant to the service. 	Emergency and evacuation procedures will be provided prior to the issuing of an occupation certificate.	Yes
4.9 Outdoor space requirements	<p>Regulation 108 Education and Care Services National Regulations</p> <p>An education and care service premises must provide for every child being educated and cared for within the facility to have a minimum of 7.0m² of unencumbered outdoor space. (126x7m² = 882m²)</p> <p>If this requirement is not met, the concurrence of the regulatory authority is required under the SEPP.</p> <p>Unencumbered outdoor space excludes any of the following:</p> <ul style="list-style-type: none"> • 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. <p>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</p>	<p>889.3m² of unencumbered outdoor play area is provided.</p> <p>Not applicable.</p> <p>Noted. Spaces have been calculated accordingly.</p> <p>Noted.</p>	<p>Yes</p> <p>N/A</p> <p>Yes</p> <p>-</p>

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	<p>being educated or cared for in exceptional circumstances as set out in regulation 124(5) and (6) of the National Regulations.</p> <p>Applicants should also note that regulation 274 (Part 7.3 NSW Provisions) states that a centre-based service for children preschool age or under must ensure there is no swimming pool on the premises, unless the swimming pool existed before 6 November 1996. Where there is an existing swimming pool, a water safety policy will be required.</p> <p>A verandah that is included within indoor space cannot be included when calculating outdoor space and vice versa.</p>	<p>There is no swimming pool proposed on site.</p> <p>Not applicable.</p>	<p>Yes</p> <p>N/A</p>
4.10 Natural environment	<p>Regulation 113 Education and Care Services National Regulations</p> <p>The approved provider of a centre-based service must ensure that the outdoor spaces allow children to explore and experience the natural environment.</p>	<p>Outdoor play areas incorporate elements of the natural environment. Refer to the Landscape Plan. An extensive variety of outdoor play and educational experiences have been integrated into the design including natural environment features.</p>	<p>Yes</p>
4.11 Shade	<p>Regulation 114 Education and Care Services National Regulations</p> <p>Outdoor play areas should:</p> <ul style="list-style-type: none"> • have a minimum of 2 hours of solar access between 8.00am and 4.00pm during winter months, for at least 30% (or 2.1m²) of the 7.0m² of outdoor space per child required. • adequate shade for outdoor play areas is to be provided in the form of natural shade such as trees or built shade structures giving protection from ultraviolet radiation to at least 30 per cent of the outdoor play area • have evenly distributed shade structures over different activity spaces. 	<p>As shown on the solar access diagrams submitted with this application, during winter more than 30% of the outdoor play area receives solar access for more than 2 hours.</p> <p>The proposed roof overhangs in conjunction with surrounding built form and landscaping, provide adequate levels of shading to the outdoor play areas to ensure that an appropriate balance between solar access and sun protection is achieved evenly across the site.</p>	<p>Yes</p> <p>Yes</p>
4.12 Fencing	<p>Regulation 104 Education and Care Services National Regulations</p> <p>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.</p>	<p>Outdoor spaces will be appropriately fenced. 1.8m-2.4m boundary and acoustic fences are proposed.</p>	<p>Yes</p>

Child Care Planning Guideline

	<p>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.</p> <p>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.</p>		
<p>4.13 Soil assessment</p>	<p>Regulation 25 Education and Care Services National Regulations</p> <p>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.</p> <p>With every service application one of the following is required:</p> <ul style="list-style-type: none"> • 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. 	<p>A Preliminary Site Investigation is submitted with this application and supports the proposed use of the site as a child care centre.</p>	<p>Yes</p>

ANNEXURE C

Ryde LEP 2014 – Compliance Table



RYDE LEP 2014 COMPLIANCE TABLE

Clause / Control	Requirement	Proposal	Complies?
2.1 Land Use Zones	<p>R2 Low Density Residential.</p> <ul style="list-style-type: none"> To provide for the housing needs of the community within a low density residential environment. To enable other land uses that provide facilities or services to meet the day to day needs of residents. To provide for a variety of housing types. 	<p>The proposed development is permissible with consent in the R2 Zone and is consistent with its objectives.</p> <p>The proposed centre based childcare facility will contain a total of 126 children and will provide a service to meet the needs of the community and create employment generation. The development will reflect the built form and landscaped character of the locality and will not generate any unreasonable impacts to the amenity of the neighbouring properties as discussed in this Statement.</p>	Yes
4.3 Height of Buildings	Maximum Height – 9.5m	The proposal sits below the maximum height limit.	Yes
4.4 Floor Space Ratio	Maximum FSR 0.5:1	The proposal provides an FSR of 0.46:1 (685.5m ²)	Yes
5.10 Heritage Conservation	<p>(2) Requirement for consent Development consent is required for any of the following—</p> <p>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—</p> <p>(i) a heritage item,</p> <p>(ii) an Aboriginal object,</p> <p>(iii) a building, work, relic or tree within a heritage conservation area,</p> <p>(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,</p> <p>(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</p> <p>(d) disturbing or excavating an Aboriginal place of heritage significance,</p> <p>(e) erecting a building on land—</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</p> <p>(f) subdividing land—</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p>	The site is not located within a heritage conservation area nor is it identified as a heritage item.	N/A

RYDE LEP 2014 COMPLIANCE TABLE

	(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.		
6.1 Acid Sulfate soils	(2) Development consent is required for the carrying out of works described in the table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.	The site is not identified on the Acid Sulfate Soils Map.	N/A
6.2 Earthworks	(3) In deciding whether to grant development consent for earthworks, or for development involving ancillary earthworks, the consent authority must consider the following matters— (a) the likely disruption of, or detrimental effect on, drainage patterns, soil stability and flooding in the locality of the development, (b) the effect of the development on the likely future use or redevelopment of the land, (c) the quality of the fill or the soil to be excavated, or both, (d) the effect of the development on the existing and likely amenity of adjoining properties, (e) the source of fill material and the destination of excavated material, (f) the likelihood of disturbing relics, (g) the proximity to, and potential for adverse impacts on, a waterway, drinking water catchment or environmentally sensitive area, (h) appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.	A Geotechnical Report is submitted with this application.	Yes
6.5 Stormwater management	(2) Development consent must not be granted to development unless the consent authority is satisfied the development— (a) is designed to maximise the use of water permeable surfaces, having regard to the soil characteristics affecting on-site infiltration of water, and (b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and (c) avoids significant adverse impacts of stormwater runoff on adjoining properties, native bushland, receiving waters and land used for water-based recreation or, if the impacts cannot be reasonably avoided, minimises and mitigates the impacts.	Refer to the Stormwater Plans submitted with this application.	Yes

ANNEXURE D

Ryde DCP 2014 – Compliance Table



RYDE DCP 2014 COMPLIANCE TABLE

Clause / Control	Requirement	Proposal	Complies?
Part 3.2 – Child Care Centres			
2.1.1 Preferred Locations	<p>a. Where single use developments are proposed, the site is to have a street frontage and width of not less than 20 m, except in the case of corner allotments in which case the site can have a frontage/width of not less than 17 m.</p> <p>b. Where single use developments are proposed, the site is to have a minimum site area of 800 m² and be regular in shape.</p> <p>c. Sites for single purpose child care centres are not to be located on arterial and sub-arterial roads, or at busy intersections. Note: Schedule 2 identifies arterial, sub-arterial and collector roads in City of Ryde.</p> <p>d. Child care centres proposed within mixed use developments on large sites with common boundaries to arterial or sub-arterial roads are required to be located distant and facing away from arterial and sub-arterial roads and from busy intersections.</p> <p>e. The site is not to be a battle-axe allotment.</p> <p>f. Sites in culs-de-sac are not preferred. If the site is proposed in a cul-de-sac, the applicant must demonstrate traffic management is adequately provided for including drop off and pickup, queuing of vehicles, manoeuvring and parking and also that potential for impacts on neighbours' amenity is considered.</p> <p>g. Child care centres are not to be located within proximity of a brothel.</p> <p>h. The site should be flat, or gently sloping, and well-drained to:</p> <p>i. Assist design of useable indoor and outdoor areas at the same grade; ii. Provide for accessibility to all areas for all members of the community; and iii. Assist drainage to ensure optimum useability of outdoor spaces after rain. i. The site should have an aspect which permits maximum solar access and natural ventilation, and minimum exposure to unfavourable weather conditions.</p>	<p>Frontage is 23.5m and exceeds 20m in width.</p> <p>Site area exceeds 800sqm.</p> <p>Complies.</p> <p>Not applicable.</p> <p>Complies.</p> <p>Not applicable.</p> <p>Complies.</p> <p>The site is relatively flat.</p> <p>Play space is at the same grade. The proposal achieves accessibility. Refer to Stormwater Plans. Solar access is maximised.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Yes</p>

RYDE DCP 2014 COMPLIANCE TABLE

	<p>j. The site should not be on land affected by adverse overshadowing by existing or likely future development, nor by undue heat load or UV radiation from reflective surfaces of existing and approved proposed buildings on neighbouring sites.</p> <p>k. The site is not to be subject to undue overlooking from surrounding existing and approved proposed uses to ensure privacy and security for users of the centre.</p> <p>l. Preferred locations for larger scale centres in residential areas (particularly low density residential areas), i.e. for centres accommodating 50-90 places, are sites located on street corners, where sites share common boundaries with compatible non-residential uses, or where child care centres can be co-located with compatible uses subject to acceptable traffic and parking requirements being met</p> <p>m. In low density residential zones, it is preferred that sites for larger scale development, (i.e. development proposals which include sites comprising 2 or more average size properties for the purposes of accommodating centres catering for up to 90 child care places), share common boundaries with no more than 3 residential properties.</p> <p>n. Preferred locations for work-based child care centres and centres in mixed use developments are to be adjacent to non-commercial/non-residential components of uses to protect privacy/ amenity of the centre and of neighbouring workers/residents.</p>	<p>Not applicable.</p> <p>The centre achieves high levels of privacy.</p> <p>Clause 3.26(2(a)) of the SEPP (Transport and Infrastructure) 2021, does not place any restrictions on the location of a child care centre, and allows centres to be located at any distance from an existing or proposed centre, allowing for competitive development.</p> <p>As above.</p> <p>Not applicable.</p>	<p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p>
<p>2.1.2 Environmental Risks/Hazards</p>	<p>a. Child care centre developments are not to be located on land which is affected by overland flow as identified by Council for reasons of safety considerations of the children using the centre in event of emergencies involving storm events (refer Part 8.2 Stormwater Management under this DCP). This control also applies because the matters for consideration in areas affected by overland flow also work against the objectives and controls for outdoor play spaces and fencing required under this Part.</p> <p>b. Where existing child care centres are located on land affected by overland flow, any proposals to alter or add to the centre are not to pose a safety or health risk to children due to poor drainage or flooding, nor increase the risk of flooding occurring on adjacent</p>	<p>A Flood Impact Assessment is submitted with this application.</p> <p>Refer to the Flood Impact Assessment.</p>	<p>Yes</p> <p>Yes</p>

RYDE DCP 2014 COMPLIANCE TABLE

	<p>properties. All such applications are to be supported by an Overland Flow Study/Stormwater Drainage Plan prepared by a suitably qualified hydraulic engineer.</p> <p>c. Consideration may be given to development proposed on sites affected by overland flow in the front setback area only if it can be demonstrated that the extent of overland flow does not constitute a flood hazard as described under Part 8.2 of this DCP. The development application will be required to be supported by an Overland Flow Study prepared by a suitably qualified hydraulic engineer.</p> <p>d. It is preferable that child care centre developments are not located on land identified as bush fire prone under the Environmental Planning and Assessment Act 1979 for reasons of safety considerations of the children using the centre in event of emergencies involving bushfire. Note: Where child care centres are located on land identified as bush fire prone, development proposals may require additional matters to be addressed in terms of Integrated Development under the Environmental Planning and Assessment Act 1979 and Rural Fires Act 1997. Applicants should seek advice from Council's Customer Service Centre.</p> <p>e. The location is to take into consideration any other environmental health hazard or risk relevant to the site and/or existing buildings within the site or the surrounding area having regard to the following:</p> <ul style="list-style-type: none"> i. Pollution created by car and other vehicle fumes (from high traffic volumes such as on arterial, sub arterial and collector roads); ii. Existing and potential on and off-site electromagnetic fields; iii. Contaminated land; iv. Lead in painted surfaces, carpets, furnishings and roof void in existing buildings; v. Asbestos or other contamination or poisoning in existing buildings; vi. Proximity to service stations; vii. Proximity to LPG tanks; viii. Proximity to significant noise, odour and other pollutant generating sources, or sites which (due to prevailing land use zoning) may in future accommodate noise or odour generating uses; ix. Proximity to transmission lines, railway lines, mobile phone towers or other sources of electromagnetic energy; x. Mould and mildew in existing buildings; 	<p>As above.</p> <p>Not applicable.</p> <p>The site has been utilised for residential accommodation and therefore is not considered to be hazardous for the proposed development.</p> <p>Refer to the Preliminary Site Investigation submitted with this application.</p>	<p>Yes</p> <p>N/A</p> <p>Yes</p>
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RYDE DCP 2014 COMPLIANCE TABLE

	<p>xi. Proximity to water cooling and water warming systems; and xii. Any other identified environmental hazard or risk relevant to the site and/ or existing buildings within the site.</p> <p>Note: Consideration may be given to sites affected by one or more of the health risks/potential health risks identified above if amelioration to the satisfaction of Council is possible. Otherwise the site is considered unsuitable for child care centre development.</p> <p>f. Where sites are proposed within 125 m of arterial roads, air quality monitoring, and soil quality testing will be required to determine toxicity levels. Noise level testing will also be required. (The 125 metre distance is to be measured from the edge of the road reserve to the nearest point of the site.) Reports by suitably qualified professionals will be required to be submitted for assessment with the Development Application. Consultation should be made with Council prior to testing regarding criteria for testing.</p> <p>g. The site must not have been previously used as a petrol station, automotive repair workshops, or other activity associated with hazardous substances, unless a soil analysis has been conducted to demonstrate that the site is safe for use as a child care centre.</p> <p>h. The site is not to be in a location likely to be affected by emissions of dust, fumes, noise, nor by frequent truck movements. This especially applies in proximity to industrial and business uses.</p> <p>i. Consideration is to be given to the requirements of SEPP 55 and any land contamination policy adopted by Council. In this regard a preliminary site assessment, detailed site assessment, and/ or site audit may be required to be submitted with the development application and/or as a requirement of development consent.</p>	<p>Not applicable.</p> <p>Complies.</p> <p>Complies.</p> <p>Noted.</p>	<p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>2.2 Assessing Child Care Needs and Size of Facility</p>	<p>a. All development applications for child care centres are required to identify:</p> <p>i. Proposed total number of child care places;</p> <p>ii. Proposed number of children by age group; and</p> <p>iii. Proposed number of staff including all full time and part time staff, and role of each staff member.</p>	<p>Noted.</p>	<p>Yes</p>

RYDE DCP 2014 COMPLIANCE TABLE

	<p>b. All development applications for child care centres are required to be supported by justification that the proposed number of children within each age group is consistent with current and projected future needs in the area within which the child care centre is to be located.</p>	<p>It is not considered necessary that needs of the area be submitted with this application. The child care centre would not be proposed on the subject site if a demand for additional child care spaces was not observed, as the development would not be practical or feasible. Regardless of the demand for child care spaces, which is there, Clause 3.26(2(a)) of the SEPP (Transport and Infrastructure) 2021, does not place any restrictions on the location of a child care centre, and allows centres to be located at any distance from an existing or proposed centre, allowing for competitive development.</p>	N/A
2.3 Site Analysis	<p>a. A site analysis is to be submitted with development applications for new child care centres including developments that involve the conversions of existing dwellings/other buildings or a purpose-built centre. The applicant is to demonstrate that the site analysis has been used in preparing the design for the child care centre (refer "Preparing a Site Analysis" guide below).</p> <p>b. A site analysis drawing must be based on a survey drawing produced by a qualified surveyor and contain a reference number and date. All levels are to be provided to AHD.</p>	<p>Complies.</p> <p>Complies.</p>	<p>Yes</p> <p>Yes</p>
3.1 All Child Care Centres	<p>a. Child care centre developments are to be designed in accordance with the principles of the NSW Police Force's Safer by Design (Crime Prevention Through Environmental Design Guidelines). For more information, refer: a. NSW Police website: http://www.police.nsw.gov.au/community_issues/crime_prevention/safer_by_design b. Crime Prevention and the Assessment of Development Applications publication available through the NSW Planning & Infrastructure.</p> <p>b. All new buildings are to be orientated for year round natural light and ventilation and comfort in indoor and outdoor spaces for year round useability (refer also Section 6.2 Play Spaces).</p> <p>c. Building design is to take advantage of natural lighting and opportunities to maximize solar access and natural ventilation.</p>	<p>Noted.</p> <p>Complies.</p> <p>Complies.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

RYDE DCP 2014 COMPLIANCE TABLE

	<p>d. The design and siting is to avoid the proximity to and use of large expanses of UV reflective surfaces (smooth surfaces), including metal sheeting, concrete, asphalt, glass and sand from reflecting into the outdoor play spaces.</p> <p>e. Attention is to be paid in the design to maximize energy efficiency and sustainability and compliance with Part 7.1 Energy Smart, Water Wise under this DCP. Note: Child care centre developments are to be considered as "All other development" for the purposes of applying development policies under Sections 2 (2.6) and the Assessment Summary Table under Section 3.1 of Part 7.1 Energy Smart, Water Wise.</p> <p>f. The choice of building materials, appliances, utilities and fuel sources should be made with consideration for minimising energy requirements and greenhouse gas emissions;</p> <p>g. Energy efficient appliances to be used/installed in the centre should have a minimum 3.5 star rating;</p> <p>h. Child care centres are to be designed to reflect desired/expected character of buildings in the area. In this regard, consideration is to be given to: Part 4 Urban Areas, Part 5 Special Areas, Part 6 Specific Sites.</p> <p>i. Building frontages and entries are to be designed to be readily apparent from the street frontage which they face (corner sites included).</p> <p>j. The Statement of Environmental Effects is to demonstrate how the proposed design responds to the site analysis (refer Section 2.3 of this Part) and is compatible with existing neighbourhood character, and how the development has been designed to benefit from natural light and ventilation.</p> <p>k. To avoid mosquito bite infections all doors and windows should be screened. Note: Mosquito breeding must be minimised by ensuring that drains and gutters are kept clear and/or covered, to ensure on-site water pooling is eliminated. Also dark, damp</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>The proposal reflects the residential character of development within the locality. The proposal will appear largely residential in nature and will sit at a scale which is appropriate for the locality.</p> <p>The proposal has been designed to address the street. The entry is clearly identifiable from the street.</p> <p>Noted.</p> <p>Noted.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
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RYDE DCP 2014 COMPLIANCE TABLE

	<p>areas (e.g. between fences and garden sheds) are to be kept clear of vegetation and clutter.</p> <p>I. In all cases where fill is proposed to be used, clean fill must be used.</p>	Noted.	Yes
3.2 Centres in Residential Areas	<p>In Residential zones, child care centre developments are to be designed to comply with the following criteria:</p> <p>a. Child care centres are to be designed to appear domestic in scale and character and shall have a bulk, height, scale and appearance which is compatible with the existing surrounding development;</p> <p>b. The existing streetscape and character of the locality should be maintained as much as possible through the use of appropriate building materials, finishes, landscape design and fencing;</p> <p>c. In low density residential areas, child care centres are encouraged to be single storey in height for reasons of safety and access. In the case of 2 storey buildings, the second storey should only be used for the purposes of storage and staff facilities;</p> <p>d. In low density residential areas, except as otherwise required under this Part, child care centre developments are to be designed to comply with the built form controls under Part 3.3 Dwelling Houses and Dual Occupancy of this DCP, for example, FSR, height, setbacks; and</p> <p>e. The bulk and scale of building form is to be compatible with existing and expected future desirable character of the context of the site. Where the development involves the consolidation of 2 or more properties, the child care centre development is to be designed in a manner which reflects the existing subdivision pattern and pattern of building bulk in the streetscape in terms of expected pattern of building/ space/ building/ space/ building / space. Explanation of this control is provided in Figure 3.2.06.</p>	<p>The proposal is consistent with the residential character of the area, presenting as a contemporary two storey built form, whilst ensuring the use is distinguishable from a dwelling.</p> <p>The proposed materials and finishes are consistent with the streetscape character and the provision of landscaping within the front setback is consistent with the residential landscape character within the locality.</p> <p>The proposal is for a two storey child care centre. This is considered acceptable given the site is zoned for R3 Medium Density Residential land use. The proposal will sit at a bulk and scale which is appropriate for the site, and compatible with the streetscape character along Terry Road.</p> <p>Noted.</p> <p>The bulk and scale of development is consistent with the scale of development permitted on the site and existing development within the locality.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

RYDE DCP 2014 COMPLIANCE TABLE

<p>3.5 Fencing, Gates and Security</p>	<p>a. For child care centres in low density residential areas, consideration is to be given to requirements under Part 3.2 Dwellings and Duplexes.</p> <p>b. Consideration is to be given to the use of appropriate building materials and finishes to complement the streetscape and desired character of the locality.</p> <p>c. Designated outdoor play areas must be fenced on all sides. The design and height of fencing are to prevent children scaling fencing and / or crawling under, and must impede intruders from entering premises through it or from scaling it and to prevent unlawful access to children.</p> <p>d. Gates are to be designed to prevent children leaving/entering unsupervised by use of childproof locking systems.</p> <p>e. All raised areas, including any stairs, are to be enclosed to prevent a child from falling or crawling through gaps.</p> <p>f. Adequate safety provision is to be made to prevent children gaining access to other parts of the building/site unsupervised.</p> <p>g. Fencing and gates are to be designed to ensure adequate sightlines for vehicles and pedestrian safety in accordance with Australian Standards and RMS Traffic Management Guidelines.</p>	<p>Noted.</p> <p>Noted.</p> <p>Outdoor play areas are fenced on all sides.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Adequate sightlines will be provided.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>4.1 Acoustic privacy for children in the centre</p>	<p>a. Sites affected by heavy traffic or other external noises are to be designed so as to locate sleep rooms and play areas away from the noise source. The impact of noise should also be reduced by design measures including barriers such as solid fencing and laminated or double glazing where relevant.</p> <p>b. Design measures to minimize internal noise levels should be designed to meet recommended design sound levels equivalent to Australian Standards AS/NZS 2107 (e.g. sleep areas 30dBa, internal activity areas 40dBa).</p>	<p>Not applicable.</p> <p>Noted. The proposal meets the applicable Australian Standards.</p>	<p>N/A</p> <p>Yes</p>

RYDE DCP 2014 COMPLIANCE TABLE

4.2 Acoustic privacy for adjoining residents	<p>a. Noise impacts on neighbouring properties are to be minimised by design measures including:</p> <p>i. Orientating the facility having regard to neighbouring property layout, including locating playroom windows and doorways away from neighbouring bedrooms and living areas; ii. Orientating playgrounds/outdoor play areas away from private open space areas, bedrooms and living areas on neighbouring residential properties (refer diagram below);</p> <p>iii. Using laminated or double glazing where necessary; and</p> <p>iv. Designing fencing which minimises noise transmission and loss of privacy (e.g. lapped and capped timber fencing, brick).</p>	<p>The proposal has been designed to maximise acoustic privacy. Refer to the Acoustic Report submitted with this application.</p>	Yes
	<p>b. For freestanding child care centres in residential areas with a side boundary set back of less than 3 m, noise buffering measures should be considered such as allocating the internal rooms closest to the boundaries to be used for low noise generating uses, for example administration, storage, staff rooms, kitchen, to reduce potential noise impacts on adjoining property owners.</p>	<p>Side boundary setbacks of 3m are provided to all play rooms, only administration rooms and fire stairs are located within this setback.</p>	Yes
	<p>c. Applicants may be required to submit an acoustic report prepared by a suitably qualified practitioner which includes recommendations for noise attenuation measures. The report must specify pre and post development noise levels and abatement measures.</p>	<p>An Acoustic Report is submitted with this application.</p>	Yes
	<p>d. Roof and walls of the child care centre should be sound insulated.</p>	<p>Noted.</p>	Yes
	<p>e. Elevated play and transition areas are to be avoided.</p>	<p>The elevated play space will not have any adverse acoustic impacts. The play space provides adequate setbacks and is largely shielded by the building to maximise acoustic privacy for adjoining properties. Refer to the Acoustic Report submitted with this application.</p>	Yes
	<p>f. Information about practical design measures incorporated in the design to minimise potential noise impact, including insulation and other acoustic elements, are to be identified in the Development Application.</p>	<p>Refer to the Acoustic Report..</p>	Yes

RYDE DCP 2014 COMPLIANCE TABLE

	<p>g. Location details of noise sources (such as air conditioning condenser units) are to be included in the Development Application.</p>	As above.	Yes
	<p>h. Information regarding how groups are proposed to be managed in the outdoor play spaces and where time will be spent, group sizes and how rotated may be required to be submitted with the Development Application.</p>	As above.	Yes
4.3 Visual privacy for children in the centre	<p>a. Indoor areas adjacent to public areas shall be screened to prevent direct sight lines into child care centres where appropriate whilst maintaining an opportunity for children to view community life.</p>	Play space is located at the rear, out of sight from public areas.	Yes
	<p>b. Direct overlooking of indoor amenities and outdoor play spaces from public areas should be minimised through design features including:</p> <p>i. Appropriate site and building layout;</p> <p>ii. Suitable location of pathways, windows and doors; and</p> <p>iii. Permanent screening and landscape design.</p>	As above.	Yes
	<p>c. Where relevant, consideration should be given to incorporating design features in walls, screens, fencing (such as peeping holes of varying heights) to suit viewing out to public areas by children.</p>	Noted.	Yes
	<p>d. Windows and doors in the proposed centre are to be sited in locations which maximise security for children attending the centre, whilst maintaining an opportunity for children to view community life.</p>	Where possible windows to the public domain are provided so children can view community life.	Yes
4.4 Visual privacy for adjoining residents	<p>a. Direct overlooking of adjoining main internal living areas and private open spaces should be minimised through:</p> <p>i. Appropriate site and building layout;</p> <p>ii. Suitable location of pathways, windows and doors; and</p> <p>iii. Landscape design and screening.</p>	Overlooking is minimised through window placement, high sills and boundary fencing and landscaping.	Yes
	<p>b. Windows and doors in the proposed centre are to be sited in locations which minimise loss of privacy to adjoining residences.</p>	Noted.	Yes
5.1 Car parking	<p>a. All on-site parking areas are to be designed in accordance with Australian Standard AS 2890.1 and AS 2890.2.</p>	Complies.	Yes

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	<p>b. Off-street parking is to be provided at the rate of 1 space per 8 children, and 1 space per 2 staff. Stack or tandem parking may only be used for staff parking and with no more than 2 spaces in each tandem space.</p> <p>c. Where calculations for car parking result in a fraction, the number is to be rounded up to the nearest whole number.</p> <p>d. One off-street accessible parking space (3.6 metre width) is to be provided for use by persons using mobility aids (refer Section 5.5 Accessibility). It is to be located close to the continuous path of travel and have a minimum height clearance of 2.5 m.</p> <p>e. Developments for new centres shall comply with the access requirements contained within Section 5.5 of this Part, and Part 9.2 of this DCP.</p> <p>f. Underground parking is not permitted in low density residential areas.</p> <p>g. The parking and driveway area is not to dominate the streetscape (refer Section 6.1 Landscape Design for treatment of these areas).</p> <p>h. Consideration may be given to reducing the on-site parking requirements, in terms of drop off/ pick up component, where convenient and safe on-street parking is available (e.g. indented parking bays) in streets which experience low traffic volumes. This is subject to not adversely affecting the safety and amenity of the adjacent area or causing traffic problems.</p>	<p>A shortfall of one (1) space is proposed. This is supported by the Traffic Report submitted with this application.</p> <p>Noted.</p> <p>Complies.</p> <p>Noted.</p> <p>Basement parking is considered appropriate to ensure parking does not dominate the street frontage and instead the proposal can adequately address the streetscape and match the character of development within the locality.</p> <p>Underground parking ensures parking does not dominate the streetscape.</p> <p>Noted.</p>	<p>On Merit</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
5.2 On site manoeuvrability	<p>a. The site must be able to accommodate a “U” shaped one-way driveway system with sufficient driveway turning area in addition to the parking spaces to enable vehicles to enter and leave in a forward direction.</p> <p>b. Variation on the requirement for a “U” shaped driveway may be considered, for example on corner lots, where it can be demonstrated that a one-way driveway system can be provided in another way which still meets the following criteria:</p>	<p>Not proposed.</p> <p>The proposed access arrangement is considered appropriate for the site and ensures all vehicles can enter and exit the site in a forward direction.</p>	<p>N/A</p> <p>Yes</p>

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	<p>i. To provide a separate entrance and exit driveway access at a minimum safe distance from each other;</p> <p>ii. To enable vehicles to leave the site in a forward direction;</p> <p>iii. To enable vehicles using the entrances and exits to not endanger persons and vehicles using those accesses; and</p> <p>iv. To ensure the front setback is not given over to traffic circulation and parking requirements which may negatively impact on the streetscape and the opportunity for landscape design to meet the requirements of Section 6 of this Part.</p> <p>c. Where separation of the entrance and exit driveway is proposed, the separation must be not less than 9 m on a turning circle of 15 m. A minimum width of 12 m between driveway laybacks is to be provided to assist retention of on-street parking spaces between the driveways.</p> <p>d. The driveways and parking area are to be designed so that no vehicle will encroach on pedestrian accessways. Use of barriers such as bollards, raised footways, platforms, wheels tops etc, are permissible subject to full details being provided with the development application and barriers not compromising the continuous path of access (refer Accessibility).</p> <p>e. The driveway area is to be treated with a variation in pavement treatment to distinguish it from the car parking spaces and to reduce the visual impact of the hard surfaces.</p>	<p>A single driveway is proposed.</p> <p>Complies.</p> <p>Noted.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>5.3 Impact on traffic flow</p>	<p>a. All vehicles must be able to enter and leave the site in a forward direction. The area required for drop off/pick up is to be designed as a separate area to that required for manoeuvring in and out of parking spaces.</p> <p>b. The applicant is required to address in the Statement of Environmental Effects whether or not traffic associated with the proposed child care development is likely to have impacts on the amenity of the existing street(s) where it is proposed to be located.</p> <p>c. A Traffic Impact Assessment prepared by a suitably qualified practitioner shall be prepared and submitted with the development application for all new child care centre</p>	<p>Complies.</p> <p>Noted.</p> <p>A Traffic Report is submitted with this application.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

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	<p>developments, and may be required for applications involving the expansion of an existing child care centre in the vicinity of other traffic generating developments.</p> <p>d. Child care centres are not encouraged on roads carrying high volumes of traffic (refer Section 2 of this Part). Where developments involve sites located on a road which carries significant volumes of traffic, including arterial and sub-arterial roads, measures must be applied to alleviate the associated traffic problems (refer Schedule 2 regarding road hierarchy information).</p> <p>e. A Road Safety Audit is required to be submitted with all applications for child care centre developments on collector roads where traffic volumes exceed 5000 Annual Average Daily Traffic (AADT) (refer Schedule 2 of this Part and Council's Traffic Engineer).</p>	<p>Complies.</p> <p>Not applicable.</p>	<p>Yes</p> <p>N/A</p>
5.4 Pedestrian safety	<p>a. Pedestrian access must be segregated from vehicular access with clearly defined paths to and from the facility.</p> <p>b. On site parking and drop off/pick up points must be provided in a convenient location (at no more than 30 m distance from the main entrance), clearly lit, and allow safe movement of children to and from the centre.</p> <p>c. On-site vehicular movements must be separated from pedestrian access by safety fencing, gates and other means.</p>	<p>Complies.</p> <p>The parking area provides clear pedestrian pathways.</p> <p>Complies.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
5.5 Accessibility	<p>a. Access should be provided and designed in accordance with AS 1428.1 Design for Access and Mobility, and in all respects comply with Part D of the Building Code of Australia for the relevant class of building. Refer also Part 9.2 Access for People with Disabilities of this DCP. Reference to these requirements should be made in the early stages of the design to ensure the development complies with the relevant standards.</p> <p>b. In the case of minor alterations to child care centres, not involving structural alterations, or major refurbishment, accessibility is not to be made worse by the proposed work. Applicants are encouraged to improve accessibility where possible.</p>	<p>The proposal achieves full compliance. Refer to the BCA Report submitted with this application.</p> <p>Not applicable.</p>	<p>Yes</p> <p>N/A</p>

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	<p>c. In addition to the provisions of the Building Code of Australia for disabled access and toilet facilities, other matters to be considered in the design of child care centre developments include :</p> <p>i. Provision of access for people with mobility disabilities by a continuous path of travel from the street and/or parking area into and within every room and outdoor area used by children and staff.</p> <p>ii. Hard paved surfaces leading into the entry of a play environment and continuing inside that will allow children and adults with mobility aids as well as toddlers in strollers to enter with ease.</p> <p>iii. Design of the car parking area should incorporate kerb cuts which eliminate a barrier for prams or individuals using mobility aids (such as wheel chairs or crutches).</p> <p>iv. Pathways with extra width (1200 mm - 1500 mm) and grades no steeper than 1:14 to allow easy circulation throughout the site.</p> <p>v. One on-site parking space 3.6 m wide with a height clearance of minimum 2.5 m to permit ease of use for arrivals and departures of individuals using mobility aids.</p>	<p>Complies.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Complies.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<p>6.1 General Landscape Design Requirement</p>	<p>a. Development Applications must include a detailed landscape plan showing existing and proposed planting, including a schedule of species. The plan is to be prepared by a suitably qualified landscape architect with experience/skills in designing early childhood environments.</p> <p>b. The landscape plan must:</p> <p>i. Identify significant trees/vegetation to be retained (with respect to Council's Tree Preservation Order) and outline a program for their management during the construction period;</p> <p>ii. Avoid plant species likely to present a hazard to children, such as poisonous plants, and any vegetation that can lead to injury or harm or severe discomfort (e.g. plants which are allergy producing, which contain sharp prickles or thorns, or which produce small nuts or fruits);</p> <p>iii. Avoid plant species and landscape materials which may constitute a choking hazard in areas designed for use by babies and toddlers;</p> <p>iv. Incorporate landscape design of the outdoor play spaces in accordance with the requirements of Section 6.2.2 of this Part;</p> <p>v. Consider the effects of outdoor play on the compaction and erosion of soil and vegetation in choice of treatments;</p>	<p>See the Landscape Plan submitted with this application.</p> <p>Complies.</p>	<p>Yes</p> <p>Yes</p>

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	<p>vi. Specify plants and surface treatments that consider the potential for tree roots to up-lift outdoor surfaces (footpaths, cycle tracks) and create hazards;</p> <p>vii. Identify opportunities for deep soil planting and choice of appropriate species to suit the conditions; and viii. Include shrubs and trees which offer a range of textures, colours and scents for the children's learning experience, such as the opportunity to observe a variety of native birds and insects attracted by plants.</p> <p>c. The landscape design is to consider the site analysis and pay attention to use of treatments which manage the effect of sunlight, shading, wind protection and temperature moderation in relation to the care of young children.</p> <p>d. Irrigation should be designed to use rainwater or recycled water.</p> <p>e. A landscape setback of minimum width 2 m is to be provided along the front boundary of all new child care centres in residential zones to assist in preserving streetscape amenity and provide screening. Care is to be taken in design of the setback to avoid vegetation impeding sightlines from vehicles entering/exiting the site, and to consider the use of materials and finishes to complement the neighbouring streetscape.</p> <p>f. A landscape buffer is to be provided along the side and rear boundaries of the site for child care centres in residential zones of a minimum width of 1 metre.</p> <p>g. Landscape setbacks/buffers may need to be provided for centres in commercial and industrial zones depending on the context of the development.</p>	<p>Noted.</p> <p>Noted.</p> <p>Provided.</p> <p>Landscape buffer is provided where possible, with the exception of areas where access is required.</p> <p>Not applicable.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p>
<p>6.2.1 Size and functionality of play spaces</p>	<p>a. All new child care centres are to provide indoor play spaces, outdoor play spaces and transition areas.</p> <p>b. All play spaces are to be designed of regular shapes and with convenient access between them to maximize opportunities for supervision of children by staff.</p> <p>c. The location of outdoor play spaces in the front setback should be avoided.</p>	<p>Complies.</p> <p>Complies.</p> <p>Not proposed.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

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	<p>d. All new child care centres are to provide at least 10 m² of unencumbered outdoor play space for each licensed child care place, inclusive of transition areas provided in accordance with Section 6.2.4 of this Part. Note: Calculation of unencumbered (total 'useable') outdoor play space, is not to include areas where children are prevented from using the space, and where they cannot be readily supervised such as areas used for car parking, storage sheds, garden beds, hedges, or side boundary setbacks. A reduction in this minimum area requirement (to no less than the DEC's minimum requirement) may be considered subject to satisfactory compliance with the general landscape design requirements under Section 6.1, and design of the outdoor play spaces in accordance with Section 6.2.2 Outdoor Play Spaces and 6.2.4 Transition Areas.</p> <p>e. All new child care centres are to provide at least 4.5 m² of unencumbered indoor play space for each licensed child care place, exclusive of transition areas provided in accordance with Section 6.2.4 of this Part.</p>	<p>Not applicable. The SEPP prevails.</p> <p>Not applicable. The SEPP prevails.</p>	<p>N/A</p> <p>N/A</p>
6.2.2 Outdoor play spaces	<p>a. The design of the outdoor area is to be of a shape which maximizes supervision and useable space, and also stimulates early learning. Freeform approaches in design are encouraged.</p> <p>b. Outdoor play spaces are to be designed to:</p> <ol style="list-style-type: none"> Be well-drained to permit clearing of water quickly after rain; and Incorporate existing natural features and vegetation. <p>c. Designs are to aim for:</p> <ol style="list-style-type: none"> 30% natural planting area (excluding turf); 30% turfed area; and 40% hard surfaces (sand, paving, timber platforms). <p>d. Distinct areas within the outdoor play space design must include:</p> <ol style="list-style-type: none"> An open grassed area for gross motor skills (e.g. running, ball games); Formal quiet areas, for focused play (must include a sandpit - see point below and a minimum of 2 formal quiet areas for activities such as storytelling and finger painting); An active area (e.g. climbing structure, digging patch); A transition area (refer Section 6.2.4 of this Part); and Storage area(s). 	<p>Complies.</p> <p>Complies.</p> <p>The proposal has been designed to aim for those areas.</p> <p>Complies. Refer to the landscape Plan submitted with this application.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

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	<p>i. Designs should consider access opportunities for maintenance of outdoor play areas. Outdoor play space should not be occupied by any service vehicles during the centre's operating hours.</p>	<p>Pedestrian paths are provided to ensure maintenance.</p>	<p>Yes</p>
<p>6.2.3 Indoor play space</p>	<p>a. Indoor play spaces shall be designed to:</p> <ul style="list-style-type: none"> i. Achieve passive surveillance from all rooms; ii. Provide direct access to play areas; iii. Allow maximum supervision of the indoor and outdoor play spaces; iv. Allow subspaces to be set up with discernible divisions to offer a variety of play areas. 	<p>Complies.</p>	<p>Yes</p>
<p>7.1 Centre facilities</p>	<p>a. Each new child care centre must provide rooms, not areas, for the following specific uses:</p> <ul style="list-style-type: none"> i. Office areas for administration of the service; and ii. Staff respite. <p>b. The offices are to be located adjacent to the entry area for security purposes and include a minimum floorspace calculated at the rate of 10 m² per person occupying the offices (e.g. director/administrative staff).</p> <p>c. The staff room is to include a minimum floorspace of 20 m².</p> <p>d. In centres where children under the age of 2 years are proposed to be cared for the following are to be provided:</p> <ul style="list-style-type: none"> i. A sleeping room with 2.5 m² of floorspace per cot and a maximum of 10 cots per room; and ii. A nappy change area adjacent to the cot room with good vision to the play room to enable good supervision of children, and including suitable storage (within the staff's reach) for nappy changing needs. <p>e. All child care centres are to provide laundry facilities. Consideration should be given to the installation of washing lines in the outdoor areas to reduce the need for clothes dryers.</p>	<p>Not applicable, the SEPP prevails, however the proposal provides an office and staff room.</p> <p>Not applicable, the SEPP prevails, however the office exceeds 10sqm.</p> <p>Not applicable, the SEPP prevails. The staff room is of an appropriate size and is provided with a balcony for amenity.</p> <p>Not applicable, the SEPP prevails, however sleeping rooms and nappy change areas are provided where necessary.</p> <p>Not applicable, the SEPP prevails, however, a laundry is provided.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

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	f. Consideration should be given to the provision of a pram storage area. Informal pram storage can be an occupational health and safety risk.	Pram storage is provided.	Yes
7.2 Signage	a. All advertising and signage must be designed to comply with Part 9.1 Advertising Signs.	Not proposed.	N/A
7.3 Exterior Lighting	a. Lighting is to be provided to assist access via the main entrance. b. The street number of the building must be provided for identification. It is to be visible from the street day and night, by lighting and/or reflective material, to ensure easy identification for visitors including emergency services. c. The locations and design of all proposed external lighting must not have an adverse impact on adjoining properties. Where possible, sensor lighting and energy efficient lighting should be used. The use of spotlights is discouraged.	Lighting will be provided. Noted. Noted.	Yes Yes Yes
7.4 Waste Storage and Management	a. A waste management plan is to be submitted for all proposed demolition and construction waste in accordance with Part 7.2 Waste Minimisation and Management under this DCP. b. Adequate provision must be made for the storage and collection of waste and recycling receptacles in accordance with Part 7.2 of this DCP. Note: Child care centre developments are to be considered as “commercial and retail premises” for the purposes of location and design of waste management and minimisation of waste relating to the ongoing operation of the centre. c. In addition to the requirements of Part 7.2 of this Plan, applications for child care centre development are to address the following considerations: i. whether a special removal service will be required for the removal/disposal of soiled nappies; ii. the frequency of removal of waste to ensure regular removal and avoid undue build up of garbage; iii. opportunities for avoidance, reuse and recycling of waste; iv. convenience for staff of the location of bins, and where relevant, the size and path of travel required transporting bins to access collection points (unobstructed access to usual collection points); v. security of waste from access by children; vi. likely requirements for waste from kitchen facilities; and	A Waste Management Plan is submitted with this application. A bin storage room is provided. Noted.	Yes Yes Yes

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	<p>vii. impact of waste storage and collection on adjoining residential developments in terms of unsightliness, odour and noise.</p> <p>d. Where a new child care centre is proposed, the waste and recycling storage area must be designed to be visually and physically integrated into the design of the development, and not stored within the front setback to avoid visual clutter. Waste facilities are not to be sited within the areas required for car parking, vehicular and pedestrian access, landscaping and outdoor play areas.</p> <p>e. Where expansion of an existing child care centre is proposed, the waste and recycling storage area is to be designed as far as possible to be visually and physically integrated into the design of the development. Waste facilities are not to be sited within the areas required for car parking, vehicular or pedestrian access or outdoor play areas. In cases where the waste storage area is likely to be visible from the street, design elements such as fencing, landscaping and roof treatments may be used to screen the waste and recycling storage area so as not to detract from the aesthetics of the streetscape.</p> <p>f. Where food preparation is carried out on the premises, the waste storage area is to be designed with a cover to exclude rainwater and a floor to be graded and drained to the sewerage system. The area is to be located readily accessible for servicing and suitably screened from public view.</p> <p>g. In residential areas, developments are not to be designed to store waste facilities of a size and scale which can only be managed by side arm waste collection vehicles. There is to be no onsite access by waste collection vehicles.</p> <p>h. Any proposed composting area is to be in a location that will not impact on the amenity of adjoining premises nor on the amenity of users of the centre.</p> <p>i. Where separate collection services are proposed which differ from the regular Council service to surrounding properties, consideration is to be given to frequency and times of collection to minimise impacts of waste vehicle noise on neighbouring properties.</p>	<p>Waste storage is integrated into the building design.</p> <p>Not proposed.</p> <p>Noted.</p> <p>Not proposed.</p> <p>Not proposed.</p> <p>Not applicable.</p>	<p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p>
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7.5 Emergency Evacuation	<p>a. Prior to the issue of an Occupation Certificate for all new child care centres, and for developments resulting in an increase in number of places in existing child care centre, a Fire Safety and Evacuation Plan complying with Australian Standard AS3745 is to be prepared by a suitably qualified person and submitted to the Principal Certifying Authority.</p> <p>b. The Fire Safety and Evacuation Plan is to address:</p> <p>i. The mobility of children and how this is to be accommodated during an evacuation;</p> <p>ii. The location of a safe congregation area, away from the evacuated building, busy roads and other hazards, and away from evacuation points for use by other occupants/tenants of the same building or of surrounding buildings; and</p> <p>iii. The supervision of children during the evacuation and at the congregation area with regard to the capacity of the child care centre (including child to staff ratios).</p>	Noted.	Yes												
Part 3.3 Dwelling Houses and Dual Occupancy															
2.7 Floor space ratio	<p>a. The floor space ratio must not be greater than 0.5:1 as per Ryde Local Environmental Plan 2014 Floor Space Ratio Map.</p> <p>b. A floor area of 36 m² may be excluded from the gross floor area when this area accommodates 2 car parking spaces. An area of 18 m² may be excluded when the area accommodates 1 car parking space</p>	Complies.	Yes												
2.8.1 Building height	<p>a. Building heights are to be in accordance with the Building Height Table below.</p> <p>Building Height Table</p> <table border="1" data-bbox="448 1090 1055 1334"> <thead> <tr> <th></th> <th>DWELLING HOUSE AND DUAL OCCUPANCY (ATTACHED) BUILDING</th> <th>OUTBUILDINGS, INCLUDING GARAGES AND CARPORTS</th> </tr> </thead> <tbody> <tr> <td>Maximum building height</td> <td>9.5 m</td> <td>4.5 m</td> </tr> <tr> <td>Maximum wall plate height</td> <td>7.5 m or 8 m for a roof which has a continuous parapet</td> <td>2.8 m</td> </tr> <tr> <td>Maximum number of storeys</td> <td>2, but a maximum of 1 floor level of the building including car parking level can be located above a garage which is attached to a dwelling, whether a semi-basement garage or a garage at grade.</td> <td>1</td> </tr> </tbody> </table>		DWELLING HOUSE AND DUAL OCCUPANCY (ATTACHED) BUILDING	OUTBUILDINGS, INCLUDING GARAGES AND CARPORTS	Maximum building height	9.5 m	4.5 m	Maximum wall plate height	7.5 m or 8 m for a roof which has a continuous parapet	2.8 m	Maximum number of storeys	2, but a maximum of 1 floor level of the building including car parking level can be located above a garage which is attached to a dwelling, whether a semi-basement garage or a garage at grade.	1	The proposal complies with the maximum building height and storey requirements, noting that the parking area is not attached to a dwelling.	Yes
	DWELLING HOUSE AND DUAL OCCUPANCY (ATTACHED) BUILDING	OUTBUILDINGS, INCLUDING GARAGES AND CARPORTS													
Maximum building height	9.5 m	4.5 m													
Maximum wall plate height	7.5 m or 8 m for a roof which has a continuous parapet	2.8 m													
Maximum number of storeys	2, but a maximum of 1 floor level of the building including car parking level can be located above a garage which is attached to a dwelling, whether a semi-basement garage or a garage at grade.	1													
2.8.2 Ceiling height	a. The minimum ceiling height for habitable rooms is to be 2.4 m.	Complies.	Ye												

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2.9.1 Front setbacks	<p>a. Dwellings are generally to be set back 6 m from the street front boundary.</p> <p>b. On corner sites, the setback along the secondary street (the street to which the house has its secondary frontage) is to be a minimum of 2 m.</p> <p>c. Garages and carports, including semi-basement garages and attached garages, are to be set back a minimum of 1 m from the dwelling's front façade.</p> <p>d. The front setback is to be free of structures, and ancillary elements such as rainwater tanks and air conditioning units. The exception is car parking structures which comply with section 2.11.</p> <p>e. Attached garages, including semi-basement garages, on secondary street frontages do not need to be set back 1 m from the adjacent façade but are not to protrude forward of the adjacent facade. The exception is garages located on battleaxe (hatchet shaped) allotments. These garages do not need to be setback.</p> <p>f. The outside face of a wall built above a garage which faces the street is to align with the outside face of the garage wall below.</p>	<p>Complies.</p> <p>Not applicable.</p> <p>The basement is well setback from the building façade.</p> <p>Not proposed.</p> <p>Not applicable.</p> <p>Noted.</p>	<p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p>
2.9.2 Side setbacks	<p>a. The outside walls of a one storey dwelling are to be set back from the side boundaries not less than 900 mm.</p> <p>b. The outside walls of a two storey dwelling are to be set back from side boundaries not less than 1.5 m.</p> <p>c. The outside walls of a second storey addition to a single storey dwelling are to be set back not less than 1.5 m from the side boundaries.</p> <p>d. Allotments which are wider than they are long, are to have one side setback a minimum of 20% of the width of the allotment or 8 m, whichever is the greater.</p>	<p>Complies.</p> <p>Complies.</p> <p>Not applicable.</p> <p>Not applicable.</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p> <p>N/A</p>
2.9.3 Rear setbacks	<p>a. The rear of the dwelling is to be set back from the rear boundary a minimum distance of 25% of the length of the site or 8 m, whichever is the greater.</p>	<p>The building setback achieves full compliance with the 25% length requirement. The first floor outdoor play area will however</p>	<p>On Merit</p>



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		<p>extend into the rear setback due to the irregular shape of the site and angled rear boundary, with a minimum setback of 6.239m.</p> <p>The section of the upper outdoor play area which extends into the rear setback is considered acceptable given the rear setback of the adjoining townhouse development is 3.5m.</p> <p>The reduced setback does not present any adverse privacy impacts on the adjoining sites since the storage at the upper level, as well as balustrading, provide screening to the play space. Furthermore, there is a significant difference in levels between the site and rear adjoining site, as shown in the building sections, and the rear boundary fencing will largely screen the first floor outdoor play area from the rear adjoining site.</p>	
Pat 7.1 Energy Smart, Water Wise			
2.6 All Other Developments	<p>a. Ceiling/roof and walls must be fitted with insulation. Ceiling/roof insulation must be rated R3.0 or equivalent and wall insulation must have an R1.5 or equivalent rating. Insulation of cavity brick walls is not required.</p> <p>b. Any hot water system/s installed as part of a development or as a replacement must consider the most efficient option available to minimise greenhouse gas emissions (see diagram below as a guide).</p> <p>c. Any products installed as part of a development or as a replacement that are regulated for energy efficiency under the Australian Standards for Products and/or Minimum Energy Performance Standards (MEPS) must achieve a Minimum energy rating of 4.5 stars.</p> <p>d. Any products installed as part of a development or as a replacement that are regulated for water efficiency under Water Efficiency Labelling and Standards (WELS) Scheme must obtain a Minimum WELS rating of 4.5 stars. Products that carry a star water label and are regulated under WELS include clothes washing machines and dishwashers. The water star rating as well as date of purchase of the product should be visible on the product at all times. The federal governments WELS website has a</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

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	<p>comprehensive list of efficient appliances based on star ratings. http://www.waterrating.gov.au</p> <p>e. Wherever practicable, orient the development to reduce the need for artificial lighting by maximizing daylight in habitable areas, whilst minimizing heat and glare. Ways to achieve this includes skylights, atriums or light shafts and adjustable shading.</p>	The development achieve quality natural lighting.	Yes
Pat 7.2 Waste Minimisation and Management			
2.3 All developments	<p>a. Developments must provide space on-site for the sorting and storage of waste in containers suitable for collection.</p> <p>b. The size of storage areas and number of storage containers required must be sufficient to handle and store the waste likely to be generated and stored on the premises between collections. The space is to be calculated using information in Schedule 1 Indicative Bins Sizes, Schedule 2 Standard Waste and Recycling Bins for Residential Developments and Schedule 3 Commercial Waste/ Recycling Generation Rates attached to this Part. The type and requirements of storage spaces may differ depending on development or land use type (refer Sections 2.4, 2.5, 2.6, 2.7, 2.8 and 2.9 in this Part.)</p> <p>c. Additional space must be provided for the storage of bulky wastes where appropriate.</p> <p>d. Allowance must be made for the storage of green waste where relevant.</p> <p>e. All waste containers must be stored within the boundaries of the site unless otherwise approved by Council under Section 68 of the Local Government Act 1993.</p> <p>f. All applications for development, including demolition, construction and the ongoing use of a site/premises, must be accompanied by: i. a Site Waste Minimisation and Management Plan (SWMMP); ii. location and design details of waste storage facilities on the site. Relevant details of waste storage, waste facility design and access thereto proposed as part of the development must be clearly illustrated on the plans of the proposed development accompanying the development application. Details of waste</p>	<p>Waste storage room is provided.</p> <p>Complies.</p> <p>Not applicable.</p> <p>Noted.</p> <p>Waste storage room provided within the site.</p> <p>Noted. Refer to the Waste Management Plan submitted with this application.</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>



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	<p>storage rooms/areas should include floor plan, elevations and cross section drawings of the room, and details on materials and finishes. Drawings are to be submitted to scale clearly indicating the location of and provision for the storage and collection of waste and recyclables during: - demolition - construction - ongoing operation.</p> <p>g. In all development, waste and recycling storage areas and facilities should be provided and be located in positions that: i. provide easy, direct and convenient access for the users of the facility; ii. permit easy transfer of bins to the collection point if relocation of bins is required; iii. permit easy, direct and convenient access for collection service providers; iv. do not intrude on car parking, landscaping, access and turning areas required for the type and scale of development; v. do not reduce amenity (minimises the potential for noise, odour and other amenity and environmental impacts on residents and other occupants); vi. maximize protection of trees and significant vegetation.</p> <p>h. In cases where the waste storage areas and facilities are likely to be visible from the street, the design and location of waste storage areas/facilities should be such that they compliment the design of both the development and the surrounding streetscape. Design elements such as fencing, landscaping and roof treatments may be used.</p> <p>i. No incineration devices are permitted.</p> <p>j. A collection point for waste collection is to be identified on the plans submitted with the development application. The collection point must be conveniently located for users and services purposes and sited so that waste collection vehicles do not impede the access to the site or car parking facilities when servicing the bins so that waste can be safely and easily collected.</p> <p>k. The path for wheeling bins between the waste and recycling storage room/area and the vehicle collection point must be free of steps and kerbs and, in the case of residential development, of a gradient of less than 14:1, and for all other development types, of a grade to the satisfaction of Council. The waste storage area must be as close as practicable to the collection point.</p>	<p>The waste storage room is easily accessible and close to the street for collection purposes. The room is integrated into the built form and has no impact on the landscaping on the site.</p> <p>The waste storage room is integrated into the built form and will not be visible from the street.</p> <p>Not proposed.</p> <p>Collection will occur at the street frontage.</p> <p>The path is free of steps.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
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	<p>l. Access driveways and service areas for waste collection vehicles must be designed in accordance with Australian Standard AS 2890.2-2002 Parking Facilities – Part 2: Off-street commercial vehicle facilities.</p> <p>m. All waste facilities must comply with the Building Code of Australia (BCA) and all relevant Australian Standards (AS).</p> <p>n. Heritage conservation considerations may alter requirements of this Part in the refurbishment of existing buildings. Designs should be discussed with Council's Heritage Advisor.</p> <p>o. Any equipment, such as volume reducing equipment, will be required to be installed in accordance with the manufacturer's instructions.</p> <p>p. Where commercial food preparation is carried out on the premises, the waste storage area is to be designed with a cover to exclude rainwater and a floor to be graded and drained to the sewerage system. The area is to be readily accessible for servicing and suitably screened from public view</p>	<p>Noted.</p> <p>Noted.</p> <p>Not applicable.</p> <p>Not proposed.</p> <p>Not proposed.</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>
2.4 Demolition and Construction	<p>a. Demolition activity must comply with relevant Australian Standards and WorkCover requirements.</p> <p>b. Demolition is to be carried out using the process of deconstruction where materials are carefully dismantled and sorted. A Demolition Work Plan is required to be submitted. c. A dedicated area is to be allocated on-site for the stockpile of materials for reuse, recycling or disposal and for site waste bins (for surplus and unwanted materials). The siting is to take into account environmental factors including slope, drainage, location of watercourses proximity to native vegetation and amenity impacts (including impacts of emissions from the waste, noise from collection activity) on occupants of neighbouring properties. d. Construction materials are to be stored away from the waste materials stored on-site for collection to enable easy access for waste collectors</p>	<p>Noted.</p> <p>Noted.</p>	<p>Yes</p> <p>Yes</p>
2.8 Commercial and Retail	<p>a. All commercial premises must have a dedicated waste and recycling storage room or area, which has adequate storage space to meet the needs of the land use activity.</p>	<p>Waste room is provided on site.</p>	<p>Yes</p>



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	<p>Indicative waste generation rates for various commercial developments are listed in Schedule 3 Commercial Waste/Recycling Generation Rates attached to this Part. Note: Depending upon the size and type of the development, it may be necessary to include a separate waste/recycling storage room/area for each tenancy.</p> <p>b. All waste and recycling storage rooms and areas must be designed and constructed in accordance with the requirements of Schedule 4 (refer S4.2 Waste and Recycling Storage Rooms and S4.5. External Waste and Recycling Storage Areas).</p> <p>c. The waste and recycling storage room or area must provide separate containers for the separation of recyclable materials from general waste. Standard and consistent signage on how to use the waste management facilities should be clearly displayed.</p> <p>d. Space must be provided in each occupancy for the temporary storage of garbage and recyclables generated in that area.</p> <p>e. Hazardous and special waste is to be stored in accordance with relevant occupational, health and safety and environmental protection legislation.</p> <p>f. In multi storey developments, consideration must be given to the convenient transportation of waste and recycling from the various floors to the central storage area. Such transportation system may include a passenger or goods lifts, or a garbage chute system.</p> <p>g. Separate space must be allocated for the storage of liquid wastes and oils etc. The liquid waste storage areas must be undercover and bunded to prevent the escape of spills or leaks.</p> <p>h. Space must be provided for the installation of grease traps or other wastewater pre-treatment equipment required by Sydney Water Corporation. Grease traps must be installed outside the building or in a dedicated grease trap room. Grease traps must not be accessed through food handling and storage areas.</p>	<p>Complies.</p> <p>Noted.</p> <p>Not applicable.</p> <p>Not applicable.</p> <p>Not applicable.</p> <p>Not applicable.</p> <p>Not applicable.</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>
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	<p>i. In premises where more than 50 litres of seafood, poultry or meat waste per day is generated, the waste must be stored in a refrigerated waste room until collected or have that waste collected daily.</p> <p>j. Space is to be provided for compactors and for any other equipment necessary to manage the waste and recycling likely to be generated on the premises. Sufficient space is also required for storage of the waste (such as cardboard boxes) prior to processing.</p> <p>k. Sufficient space in the development must be allocated to store bulky items such as used pallets and crates to prevent illegal dumping in the public domain.</p> <p>l. Adequate access must be provided for the users, waste collection staff and collection vehicles. Where collection vehicles are required to drive into a property to collect waste and recycling: i. The site must be designed to allow collection vehicles to enter and exit the property in a forward direction with minimal need for reversing and to be operated with adequate clearances; and ii. The driveway and any basement space needed are to be suitable for collection vehicles in terms of pavement strength, spatial design, access width, and height clearances. Appendix C Collection Vehicles and Appendix D Vehicle access/Turning Circles under the Better Practice Guide for Waste Management in Multi-Unit Dwellings, DECC 2008 are to be used as a guide.</p>	<p>Not applicable.</p> <p>Noted.</p> <p>Not applicable.</p> <p>Collection will occur from the street.</p>	<p>N/A</p> <p>Yes</p> <p>N/A</p> <p>Yes</p>
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