

## Statement of Environmental Effects

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FOR THE CONSTRUCTION OF A PART THREE, PART FOUR STOREY MIXED USE DEVELOPMENT COMPRISING A 68SQM RETAIL TENANCY (Café), A 91 PLACE CENTRE-BASED CHILD CARE FACILITY AND SHOP TOP HOUSING (29 DWELLINGS) OVER BASEMENT CAR PARKING ACCOMMODATING 69 SPACES AT 10 WICKFIELD CIRCUIT, AMBARVALE.



*Prepared by: **Think Planners Pty Ltd***  
*Document Date: 9 November 2021*  
*Consent Authority: Campbelltown City Council*



## QUALITY ASSURANCE

**PROJECT:** Statement of Environmental Effects – Mixed Use  
**ADDRESS:** Lot 2 in DP 1185139: 10 Wickfield Circuit, Ambarvale  
**COUNCIL:** Campbelltown City Council  
**AUTHOR:** Think Planners Pty Ltd

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## Executive Summary

This revised Statement of Environmental Effects has been provided to address a Request for Additional Information (RFI) received from Campbelltown City Council for a Development Application currently under assessment (1786/2020/DA-C). The development application proposes the construction of a part three, part four storey mixed use development comprising a retail tenancy (café) a centre-based child care facility and shop top housing over basement car parking at 10 Wickfield Circuit, Ambarvale.

A revised application has been prepared which addresses the matters raised in the RFI. The comments in council's RFI letter have been addressed in a document prepared by Architetx that is included as part of this application.

The development site is zoned B1 Neighbourhood Centre under the provisions of the Campbelltown LEP 2015. *Business premises*, particular categories of *retail premises*, *centre-based child care facilities* and *shop top housing* are permissible with consent within the zone and the proposal aligns with the zone objectives.

The proposal has been assessed against relevant planning instruments and guidelines including SEPP (Educational Establishments and Child Care Facilities) 2017, the Child Care Planning Guideline, SEPP (Design Quality of Residential Apartment Development) and the Apartment Design Guide. Our assessment has found that the proposal aligns with the objectives of these instruments and guidelines.

This report explains that the broader locality is ideal for future urban intensification and infill development of the nature proposed by this development application as it is located within an established neighbourhood centre, is proximate to the Campbelltown-Macarthur 'Metropolitan City Cluster' and is close to bus stops, established schools and public open space. The proposal aligns with the direction of the Draft Greater Sydney Region Plan 2017.

We have found that the site is suitable for the development in that the land is zoned to permit the proposed uses and the development has been designed to respond to the characteristics of the site and its context. The site lends itself to a centre-based child care facility and residential units given proximity to complementary uses such as schools and public open spaces.

Our planning assessment confirms that the development will have no significant adverse impact on the natural or built environment and will have positive social and economic impacts in the short and long term. On this basis, the proposal is in the public interest and Think Planners Pty Ltd recommends approval subject to appropriate and reasonable conditions of consent.

## Site Description

The site is situated at 10 Wickfield Circuit, Ambarvale and is legally described as Lot 2 DP 1185139. An aerial image is provided at Figure 1 with the site identified by the green pin.

The land is 2,697sqm in area and is an irregular shape. The site has three street frontages being Wickfield Circuit to the north and the east and an unnamed lane to the east. The land slopes downwards from the southeast corner to the western property boundary. The site is only sparsely vegetated.

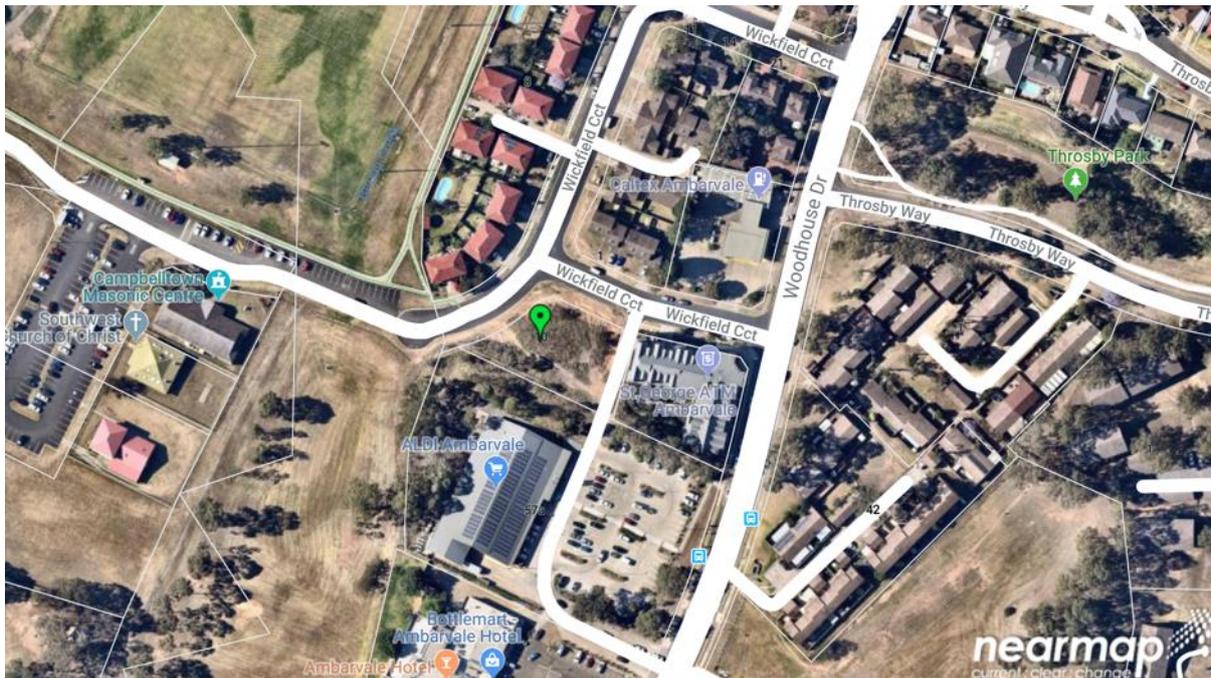


Figure 1: Aerial image of site (Source: Near Map)

Land to the south is occupied by a single storey supermarket building. The unnamed road along the eastern property boundary provides an alternative means of vehicular access and ingress to the supermarket carpark (the primary access point is from Woodhouse Drive).

Land to the east is occupied by a part three and part four storey mixed use development comprising retail premises and residential accommodation. The western end of the building where it interfaces the subject site is of a four-storey scale.

To the north and northwest land is occupied by multi-dwelling housing and dual occupancy development of a two-storey scale. The site is at a zone interface and change in building typology and scale is reflective of the zone change.

## **Zoning**

The subject site is within Zone B1 Neighbourhood Centre under Campbelltown Local Environmental Plan 2015. An extract of the zoning map is provided below with the site identified in yellow outline. The proposed mixed use development is permissible in the zone as described later within this report.



**Figure 2:** Zoning Map (Source: Campbelltown LEP 2015)

## **Broader Locality Extract**

The site is situated in the Ambarvale Neighbourhood Centre near education establishments, public open space and business and retail premises. Bus routes to Campbelltown train station are situated near the site on Woodhouse Drive. Nearby features are identified on the locality map at Figure 3.

The Metropolis of 3 Cities – Sydney’s Greater Regional Plan supports increased residential development in Southwest Sydney to accommodate future population growth, and Campbelltown Council has zoned the subject site as B1 Neighbourhood Centre which encourages mixed developments within the subject site of up to 9m.

The broader locality is ideal for future urban intensification and infill development of the nature proposed by this development application as it is located within an established neighbourhood centre, is proximate to the Campbelltown-Macarthur ‘Metropolitan City Cluster’ and is close to bus stops, established schools and public open space.

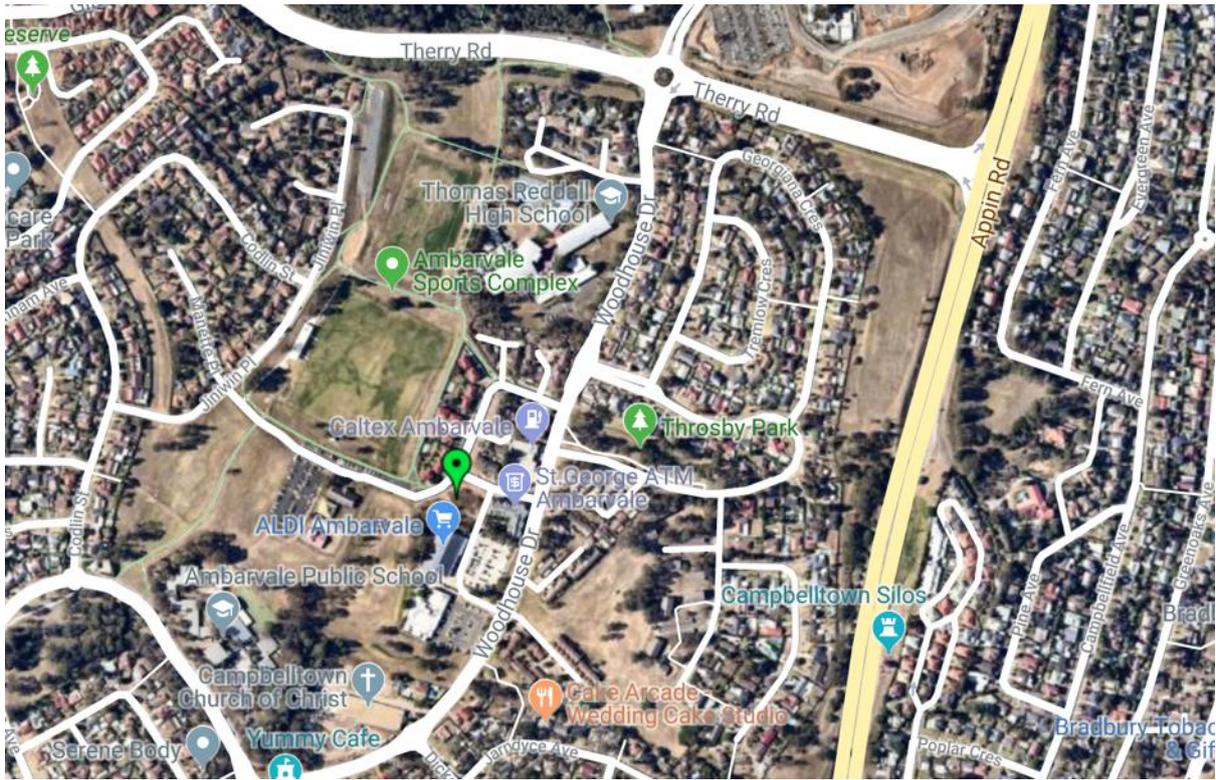


Figure 3: Aerial Map of locality (Source: Near Maps)



## **Description of Proposal**

This Statement of Environmental Effects has been provided to address a Request for Additional Information (RFI) received from Campbelltown City Council for a Development Application currently under assessment (1786/2020/DA-C). The development application proposes the construction of a part three, part four storey mixed use development comprising a retail tenancy (café) a centre-based child care facility and shop top housing over basement car parking at 10 Wickfield Circuit, Ambarvale.

A revised application has been prepared, which addresses the matters raised in the RFI. The comments in council's RFI letter have been addressed in a document prepared by Architex that is included as part of this application.

The revisions made primarily address matters regarding; traffic, stormwater, waste management and minor details in plans and reports. It is considered that the development will remain substantially the same in terms of bulk, scale and the provision commercial floor spaces, child care placements and residential units.

The development is of a scale and volume that is appropriate to context and responsive to site. The ground level is a podium or base for the development and two distinct building elements are arranged above the podium and contain the residential accommodation.

The massing arrangement and staggered building height responds to site orientation and will optimise solar access and aspect for each component of the development, as well as to neighbouring properties. Façade articulation work in tandem with external materials to achieve a fine-grained appearance and human scale.

The architectural plans for the proposal have been prepared by Architex and are submitted with the application. This report should be read in conjunction with the architectural plans.

### **Retail Tenancy (Café)**

A single business/retail tenancy with a floor area of 68sqm is situated at ground level and presents to the corner of Wickfield Circuit.

This space is to be used as a café that will also double as the lobby for the child care centre, noting that secure separate access is still afforded to the child care component.

### **Centre-Based Child Care Facility**

The centre-based child care facility will have a maximum capacity of 91 places with the following age groups:

- 0-2 years: 16 places;
- 2-3 years: 35 places; and



- 3-5 years: 40 places.

The facility will be located exclusively on the ground floor of the development including the unencumbered indoor and outdoor play areas and administration areas such as the staff room, office and kitchen.

The facility provides a total of 317m<sup>2</sup> or 3.48m<sup>2</sup> of unencumbered indoor play area per child, and a total of 639.06m<sup>2</sup> or >7m<sup>2</sup> of unencumbered outdoor play area per child in accordance with the *Child Care Planning Guidelines & the Education and Care Service National Regulations 2012*.

The facility will operate between 7:00am to 7:00pm Monday – Friday (excluding public holidays).

### Residential Accommodation

Access to residential units is via one of two lift cores servicing Building A and Building B. Stair access between levels is also provided.

A total of 29 residential units with the following mix:

- 2 x 1 bedroom unit (6.8%)
- 24 x 2 bedroom unit (82.7%); and
- 3 x 3 bedroom unit (10%).

The residential component includes three adaptable dwellings and three silver level universal dwellings.

Compliant communal open space is provided at podium and roof levels. Communal open space includes furniture and barbeque facilities, shade structures, landscaping and an outdoor gym.

### Parking and Access

A single vehicular access point is proposed from Wickfield Circuit at the low point of the site. The access is a combined access and egress point and permits entry to the basement ramp. Parking and manoeuvring changes have been made to address the RFI from council. This is addressed in the document prepared by Architex that is included as part of this application.

The revised development proposal includes a total of 69 parking spaces across two basement levels with the following parking breakdown:

- Residential: 30 spaces
- Retail/Business: 16 parking spaces;
- Child Care Centre: 23 spaces including 1 accessible car parking space; and



An updated traffic and parking assessment has been undertaken and report prepared demonstrating that parking and access arrangements accord to relevant Australian Standards and that the development will have no adverse impact on the safety or function of the local road network.

### **Signage**

Business identification signage will be subject to future DAs.

### **Waste Management**

Waste storage areas for each component of the development are situated at the ground level. The waste storage rooms for each component are separate. On site waste collection is proposed from the loading dock on the ground floor via a separate driveway access point. The matters raised in the RFI recommendations have been addressed in a document prepared by Architex that is included as part of this application.

A revised waste management plan detailing management and collection during operation has been prepared and is submitted with this application.

### **Landscaping**

Landscaping is provided at the perimeter of the site where deep soil is retained and throughout the development as integrated landscaping in the form of raised planter beds. The landscape arrangement is appropriate to the Business Zone context.

A revised landscape plan has been prepared and submitted with the application.

The proposal complies with key planning requirements as addressed in this report. The matters raised in the RFI recommendations have been addressed in a document prepared by Architex that is included as part of this application.



## **Planning Controls**

### **Statutory Controls**

The relevant Statutory Planning Controls include: -

- State Environmental Planning Policy BASIX
- State Environmental Planning Policy No. 55 – Contaminated Land
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No. 64 – Advertising and Signage
- State Environmental Planning Policy – (Vegetation in Non-Rural Areas) 2017
- State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
- Greater Metropolitan Regional Environmental Plan No 2—Georges River Catchment
- Campbelltown Local Environmental Plan 2015

### **Policy Controls**

The applicable policy control documents are: -

- Campbelltown Sustainable Cities Development Control Plan 2015
- The Apartment Design Guide
- Child Care Planning Guideline



## Consideration of Planning Controls

The following summarises the relevant planning controls in relation to the proposal and the compliance of each.

### State Environmental Planning Policy BASIX

A revised BASIX certificate detailing the water and energy commitments of each dwelling has been supplied with the development application.

### State Environmental Planning Policy No. 55 – Contaminated Land

Clause 7 of SEPP 55 provides:

- (1) A consent authority must not consent to the carrying out of any development on land unless:*
- (a) it has considered whether the land is contaminated, and*
  - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
  - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

The Detailed Site Investigation (DSI) has been amended to include the information required by the NSW Guidelines for Consultants Reporting on contaminated sites. Refer to the DSI for detail.

### State Environmental Planning Policy (Infrastructure) 2007

Clause 102 of the SEPP requires that a consent authority considers the impact of road noise and vibration on buildings used for residential purposes. Wickfield Circuit is not a classified road, nor does the average daily traffic volume along Wickfield Circuit exceed 20,000 vehicles. Consideration under this clause is not required in relation to this development.

Clause 104 identifies categories of development that constitute 'traffic generating development' and require the concurrence of Roads and Maritime Services in determining the application. The current proposal does not constitute traffic generating development as it does not trigger the threshold requirements. Concurrence from the RMS is not required.

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

No signage is proposed at this stage noting signage will be addressed within future development applications, if consent for signage is required.



### **State Environmental Planning Policy – (Vegetation in Non-Rural Areas) 2017**

This SEPP seeks to protect the biodiversity values of trees and other vegetation in non-rural areas of the state, and to preserve the amenity of non-rural areas through the appropriate preservation of trees and other vegetation.

The site is within Zone B1 and contains only limited vegetation. An Arborist assessment has been undertaken and has determined that existing tree is in good health however it cannot be retained due to the building footprint. However, replacement plantings are proposed that will offset its removal- noting that Spotted Gum (7) and Rough Barked Apple trees (1) are to be planted to provide canopy plantings. It is noted that the Arborist has been amended to address the matters raised in the RFI. Refer to the amended report for detail.

The development application proposes appropriate landscape works including perimeter landscaping and integrated landscaping in the form of podium planters, as detailed on the submitted landscape plans. Landscaping will ensure that the redevelopment contributes vegetation in an urban context.

### **Greater Metropolitan Regional Environmental Plan No 2—Georges River Catchment**

The site is within the Georges River Catchment and therefore *Greater Metropolitan Regional Environmental Plan No 2—Georges River Catchment* (GMREP No 2) applies.

In broad terms, GMREP No 2 aims to maintain and improve water quality and river flows of the Georges River through the application of specific planning principles and controls that must be considered by the consent authority when determining an application for development.

A stormwater management plan has been prepared and is submitted with the application. The plan details how stormwater will be captured, treated before it is discharged from the site.

The stormwater management regime will ensure that the quality and volume of stormwater leaving the site post-development is comparable to pre-development scenario.



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

The SEPP Educational Establishments and Child Care Facilities and Child Care Planning Guidelines were gazetted on the 1<sup>st</sup> of September 2017. The SEPP has been introduced to facilitate the effective delivery of educational establishments and early education and care facilities across the State of NSW.

The proposed development is defined as a *centre-based child care facility* under the SEPP. The child care centre component of the development aligns with the relevant aims of the SEPP, specifically those relating to delivery of child care facilities in accordance with prescribed regulatory frameworks.

SEPP	Comment
<b>Part 3 Early education and care facilities – specific development controls</b>	
<p><b>22 Centre-based child care facility—concurrence of Regulatory Authority required for certain development</b>            (1) This clause applies to development for the purpose of a centre-based child care facility if—            (a) the floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the Education and Care Services National Regulations, or            (b) the outdoor space requirements for the building or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those Regulations.</p>	<p>The proposal satisfies clause 107 and 108 of the Regulation in respect of indoor and outdoor floor space requirements and therefore this clause is not applicable to the proposal.</p>
<p><b>23 Centre-based child care facility – matters for consideration by consent authorities</b>            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 Guidelines</i>, in relation to the proposed development.</p>	<p>Applicable provisions under the Child Care Planning Guidelines has been addressed in a separate compliance table.</p>
<p><b>25 Centre-based child care facility – non-discretionary development standards</b>            (1) The objective of this clause is to identify development standards for particular matters relating to a centre-based child care facility that, if complied with, prevents the consent authority from requiring more onerous standards for those matters.            (2) The following are non-discretionary development standards for the purpose of section 79C (2) and (3) of the Act in relation to the carrying out of development for the purpose of a centre-based child care facility:</p>	

<p>(a) <b>location</b> – the development may be located at any distance from an existing or proposed early education and care facility,</p> <p>(b) <b>indoor or outdoor space</b></p> <p>(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</p> <p>(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,</p> <ul style="list-style-type: none"> <li>- Indoor play space required = 3.25m<sup>2</sup> for each child</li> <li>- Outdoor place space required = 7m<sup>2</sup> for each child</li> </ul> <p>(c) <b>site area and site dimensions</b> – the development may be located on a site of any size and have any length of street frontage or any allotment depth,</p> <p>(d) <b>colour of building materials or shade structures</b> – 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.</p>	<p>Noted.</p> <p>The proposed centre-based child care facility provides:</p> <ul style="list-style-type: none"> <li>• unencumbered indoor play space at a rate of 3.5sqm per child; and</li> <li>• unencumbered outdoor play space at a rate of &gt;7sqm per child</li> </ul> <p>which satisfies the indoor and outdoor unencumbered space requirements of the <i>Education and Care Services National Regulations</i>.</p> <p>Noted.</p> <p>Noted</p>
<p><b>26 Centre-based child care facility – development control plans</b></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 age, age ratios, grouping, numbers of the like, of children) does not apply to development for the purpose of a centre-based child care facility:</p> <p>(a) operational or management plans or arrangements (including hours of operation),</p> <p>(b) demonstrated need or demand for child care services,</p> <p>(c) proximity of facility to other early childhood education and care facilities,</p>	<p>Noted.</p>

<p>(d) any matter relating to development for the purpose of a centre-based child care facility contained in:</p> <ul style="list-style-type: none"> <li>(i) the design principles set out in Part 2 of the <i>Child Care Planning Guidelines</i>, or</li> <li>(ii) the matters for consideration set out in Part 2 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).</li> </ul>	
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### Child Care Planning Guideline

Under the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017, the *Child Care Planning Guideline* is to be taken into consideration when undertaking a development for a child care facility.

The planning guideline also takes precedence over a *Development Control Plan*, with some exceptions, where the two overlap in relation to a child care facility.

The table below provides detail on the relevant development standards relevant to the current proposal.

Child Care Planning Guideline	Comment
<p><b>Objectives</b> The planning objectives of this Guidelines are to:</p> <ul style="list-style-type: none"> <li>• promote high quality planning and design of child care facilities in accordance with the physical requirements of the National Regulations</li> <li>• ensure that child care facilities are compatible with the existing streetscape, context and neighbouring land uses</li> <li>• minimise any adverse impacts of development on adjoining properties and the neighbourhood, including the natural and built environment</li> </ul>	<p>The development results in a high quality child care facility designed to comply with the requirements of the National Regulations.</p> <p>The child care facility is part of a mixed use development and is visually compatible with the streetscape and is a contextually appropriate land use given the neighbourhood centre designation of the area.</p> <p>The development has been designed to minimise adverse impacts on neighbouring properties in terms of privacy, acoustic and overshadowing.</p>

<b>Part 3 Matters for consideration</b>	
<b>3.1 Site selection and location</b>	
<p><b>C1</b> – For proposed development in or adjacent to a residential zone, consider:</p> <ul style="list-style-type: none"> <li>the acoustic and privacy impacts of the proposed development on the residential properties</li> </ul>	<p>An acoustic assessment has been undertaken and report prepared which confirms that, subject to implementing recommendations, the development can be delivered and managed without significant adverse impact on the acoustic amenity of neighbours.</p> <p>The child care facility has been designed to minimise privacy impacts of neighbouring properties. Levels are such that the centre will be situated largely below the level of existing ground at property boundaries thus negating cross viewing from these spaces.</p> <p>It is noted that as a response to the RFI and amended acoustic report;</p> <p>A 1.8 metre high acoustic barrier is to be integrated into the development and these details have been added to the architectural drawings; and</p> <p>The amended architectural details for the proposed acoustic fence includes transparent panelling to create a more aesthetic and visual connection with the public domain.</p>
<ul style="list-style-type: none"> <li>the setback and siting of buildings within the residential context</li> <li>traffic and parking impacts of the proposal on residential amenity</li> </ul>	<p>The development complies with setback requirements under the DCP.</p> <p>Parking is provided within a basement level to minimise impact to the streetscape. A traffic and parking assessment has been undertaken and report prepared which demonstrates that, subject to implementation of recommendations, the development will have no adverse amenity impacts as a result of traffic volumes or parking arrangement.</p>
<p><b>C2</b> – When selecting a site, ensure that:</p> <ul style="list-style-type: none"> <li>the location and surrounding uses are compatible with the proposed development or use</li> <li>the site is environmentally safe including risk such as</li> </ul>	<p>Child care facilities are a permissible and compatible land use within Zone B1.</p> <p>Site is not identified as being affected by any environmental risks.</p>

<p>flooding, land slip, bushfires, coastal hazards</p> <ul style="list-style-type: none"> <li>• there are no potential environmental contaminants on the land, in the building or the general proximity, and whether hazardous material remediation is needed</li> <li>• the characteristics of the site are suitable for the scale and type of development proposed having regards to <ul style="list-style-type: none"> <li>- size of street frontage, lot configuration, dimensions and overall size</li> <li>- number of shared boundaries with residential properties</li> <li>- will have no adverse environmental impacts on the surrounding area, particularly in sensitive environmental or cultural areas</li> </ul> </li> <li>• where the proposal is to occupy or retrofit an existing premises, the interior and exterior spaces are suitable for the proposed use</li> <li>• there are suitable drop off and pick up areas, and off and on street parking</li> <li>• the type of adjoining road (for example classified, arterial, local road, cul-de-sac) is appropriate and safe for the proposed use</li> <li>• not located closely to incompatible social activities</li> </ul>	<p>The Detailed Site Investigation (DSI) has been amended to include the information required by the NSW Guidelines for Consultants Reporting on contaminated sites. See the report for detail.</p> <p>The site is of an adequate size and is appropriately proportioned to accommodate the proposed child care facility. The design demonstrates that site size and configuration is not an obstacle to the development.</p> <p>The site has not shared boundaries with residential properties (though the land on the opposite side of Wickfield Circuit to the north is within a residential zone) and this makes the land ideal for the proposed child care centre use.</p> <p>The development site is not located within a sensitive environmental or cultural area and will not result in adverse environmental impacts on surrounding areas.</p> <p>The proposal is for a new building.</p> <p>The proposal contains the required number of parking spaces within the basement and it is intended that drop off and pick up will occur in the basement. Refer to the traffic and parking report submitted with the application for more detail.</p> <p>The revised traffic and parking assessment accurately demonstrates that the local road network has capacity for the anticipated additional vehicular movements.</p> <p>Subject site not located closely to incompatible social activities and uses.</p>
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<p>and uses such as restricted premises, injection rooms, drug clinics and the like, premises licensed for alcohol or gambling such as hotels, clubs, cellar door premises and sex services premises</p>	
<p><b>C3</b> – A child care facility should be located:</p> <ul style="list-style-type: none"> <li>• near compatible social uses such as schools and other educational establishments, parks and other public open space, community facilities, places of public worship</li> <li>• near or within employment areas, town centres, business centres, shops</li> <li>• with access to public transport including rail, buses, ferries</li> <li>• in areas with pedestrian connectivity to the local community, businesses, shops, services and the like</li> </ul>	<p>The site is located in close proximity to Ambarvale Public School, Ambarvale Sports Complex and Campbelltown Church of Christ.</p> <p>The site is within the Ambarvale Neighbourhood Centre and is adjacent to various business and retail land uses including an Aldi supermarket.</p> <p>There are bus stops on nearby Woodhouse Drive and Macarthur Train Station to the north.</p> <p>A footpath networks throughout adjacent streets offers pedestrian connectivity to local community facilities, shops and public transport.</p>
<p><b>C4</b> – 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"> <li>• proximity to <ul style="list-style-type: none"> <li>- heavy or hazardous industry, waste transfer depots or landfill sites</li> <li>- LPG tanks or service stations</li> <li>- water cooling and water warming systems</li> <li>- odour (and other air pollutant) generating uses and sources or sites which, due to prevailing</li> </ul> </li> </ul>	<p>The site is located near any heavy or hazardous industry or landfill site, water cooling or warming systems or odour generating uses. It is noted that a Caltex Service Station is situated to the northeast.</p>

<p>land use zoning, may in future accommodate noise or odour generating uses</p>	
<p><b>3.2 Local character, streetscape and the public domain interface</b></p>	
<p><b>C5</b> – The proposed development should:</p> <ul style="list-style-type: none"> <li>• contribute to the local area by being designed in character with the locality and existing streetscape</li> <li>• reflect the predominant form of surrounding land uses, particularly in low density residential areas</li> <li>• recognise predominant streetscape qualities, such as building form, scale, materials and colours</li> <li>• include design and architectural treatments that responds to and integrate with the existing streetscape</li> <li>• use landscaping to positively contribute to the streetscape and neighbouring amenity</li> <li>• integrate car parking into the building and site landscaping design in residential areas</li> </ul>	<p>Land to the north and northwest is within Zone R2 and comprises of several multi-storey dual occupancy buildings. Immediately to the east and also within Zone B1, is a three to four storey mixed use development incorporating shop top housing.</p> <p>The proposal respects the character of the locality by adopting an appropriate massing arrangement to reflect the transition between zones. The building volume and scale takes cues from the existing mixed-use building.</p> <p>Design features such as articulation in the building façade, projecting balconies and variation in materiality. The revised design includes laser-cut screens with an organic motif pattern that responds to and integrates with the existing streetscape. See the revised architectural plans for detail.</p> <p>Car parking is to be provided within a basement level to negate streetscape impact.</p>
<p><b>C6</b> – Create a threshold with a clear transition between public and private realms, including:</p> <ul style="list-style-type: none"> <li>• fencing to ensure safety for children entering and leaving the facility</li> <li>• windows facing from the facility towards the public domain to provide passive surveillance to the street as a safety measure and</li> </ul>	<p>Fencing is proposed and clearly delineates between the centre and public realm, as well as the residential and business/retail uses.</p> <p>The child care centre is situated below existing ground level at some points of the site, and this is a function of site topography. Where the centre is above ground level, glazing and outward-facing outdoor play space allows for passive surveillance of the street.</p>

<p>connection between the facility and the community</p> <ul style="list-style-type: none"> <li>integrating existing and proposed landscaping with fencing</li> </ul>	<p>Landscaping is to be provided at the perimeter of the site adjacent to boundary fencing.</p>
<p><b>C7</b> – 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 visitor and children by changes in materials, plant species and colours</p>	<p>Direct access to the child care facility is via a dedicated lift from the basement. The child care lobby can be accessed from the street and is clearly identifiable and there is a child-care/commercial lift from the basement.</p>
<p><b>C9</b> – 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:</p> <ul style="list-style-type: none"> <li>clearly defined street access, pedestrian paths and building entries</li> <li>low fences and planting which delineate communal/private open space from adjoining public open space</li> <li>minimal use of blank walls and high fences</li> </ul>	<p>The subject site does not adjoin a public park, open space or bushland, however the development continues to provide clearly defined access, pedestrian paths and building entries. Refer to attached plans for detail.</p> <p>No fencing is proposed considering the sites location with an existing commercial centre, however controlled entry points will provides secure access to and from the proposed mix use building.</p> <p>The overall mixed use building incorporates architectural features and articulation to provide an attractive part 4-part 5 storey built form.</p>
<p><b>C8</b> – 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:</p> <ul style="list-style-type: none"> <li>clearly defined street access, pedestrian paths and building entries</li> <li>low fences and planting which delineate communal/ private</li> </ul>	<p>A public reserve is situated to the west of the site. The design provides for clearly defined points of access along the Wickfield Circuit frontage. Low fences are provided along this frontage and blank, unadorned walls are limited.</p>

<p>open space from adjoining public open space</p> <ul style="list-style-type: none"> <li>minimal use of blank walls and high fences.</li> </ul>	
<p><b>C9</b> – Front fences and walls within the front setback should be constructed of visually permeable materials and treatments.</p> <p>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.</p>	<p>The amended architectural details for the proposed acoustic fence includes transparent panelling to create a more aesthetic and visual connection with the public domain.</p> <p>Subject site is not listed as a heritage item or is it within a conservation area, nor are there any heritage items within close proximity to the development site.</p>
<p><b>C10</b> – 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.</p>	<p>The site is not adjacent a classified road and therefore an acoustic fence is not required for this purpose.</p>
<p><b>3.3 Building orientation, envelope and design</b></p>	
<p><b>C11</b> – Orient a development on a site and design the building layout to:</p> <ul style="list-style-type: none"> <li>ensure visual privacy and minimise potential noise and overlooking impacts on neighbours by <ul style="list-style-type: none"> <li>facing doors and windows away from private open space, living rooms and bedrooms in adjoining residential properties</li> <li>placing play equipment away from common boundaries within residential properties</li> <li>locating outdoor play areas away from residential dwellings and other sensitive uses</li> </ul> </li> <li>optimise solar access to internal and external play areas</li> </ul>	<p>The site is within a neighbourhood centre where mixed use development is both permissible and encouraged by the controls. Some tension between uses is therefore anticipated.</p> <p>To mitigate adverse acoustic and visual privacy impacts, the child care centre is situated, for the most part, below natural ground level where adjacent to neighbouring residential properties. Cross viewing from outdoor play spaces is limited and noise emanating from this area is minimised.</p> <p>An Operational Management Plan has been prepared to manage outdoor play times and the number of children accessing outdoor area at any one time that aims to minimise acoustic impact to neighbouring properties.</p> <p>The child care facility is oriented to the north and north-west, including a portion of the external play area, to maximise solar access.</p>

<ul style="list-style-type: none"> <li>• avoid overshadowing of adjoining residential properties</li> <li>• ensure buildings along the street frontage define the street by facing it</li> <li>• ensure that where a child care facility is located above ground level, outdoor play areas are protected from wind and other climate conditions</li> </ul>	<p>The proposed mixed use building has been designed to reduce the potential for overshadowing of neighbouring properties.</p> <p>Shadow impact on neighbouring properties is acceptable and this is supported by the shadow diagrams submitted with the application.</p> <p>The building is designed to address each primary street frontage.</p> <p>The level difference between the child care centre and natural ground level, along with perimeter fencing and structures above, will serve to protect outdoor play areas from wind and climate conditions.</p>
<p><b>C12</b> – The following matters may be considered to minimise the impacts of the proposal on local character</p> <ul style="list-style-type: none"> <li>• building height should be consistent with other buildings in the locality</li> <li>• building height should respond to the scale and character of the street</li> <li>• setbacks should allow for adequate privacy for neighbours and children at the proposed child care facility</li> <li>• setbacks should provide adequate access for building maintenance</li> <li>• setbacks to the street should be consistent with the existing character</li> </ul>	<p>The height of the building satisfies the applicable building height development standard prescribed by CLEP with exception of part of the roof structures and forms. A clause 4.6 variation is provided as part of this application.</p> <p>The height of the building is comparable to that of the neighbouring mixed use development to the east and the staggered building setbacks ensure that building scale responds to buildings to the north and northwest within Zone R2.</p> <p>Setbacks proposed are consistent with those stipulated in CDCP. Level difference between the child care centre and adjoining land is such that cross viewing is not anticipated to be a concern.</p> <p>The setbacks proposed will allow for building maintenance.</p> <p>Setbacks proposed are contextually appropriate and respect the fact that the site is at a zone interface.</p>
<p><b>C13</b> – Where there are no prevailing setback controls minimum setback to a classified road should be 10 metres.</p>	<p>The site is not situated on a classified road.</p>

<p><b>C14</b> – On land in a residential zone, side and rear boundary setbacks should observe the prevailing setback required for a dwelling house.</p>	<p>The site is not within a residential zone.</p>
<p><b>C15</b> – The built form of the development should contribute to the character of the local area, including how it:</p> <ul style="list-style-type: none"> <li>• respect and responds to its physical context such as adjacent built form, neighbourhood character, streetscape quality and heritage</li> <li>• contributes to the identity of the place</li> <li>• retains and reinforces existing built form and vegetation where significant</li> <li>• considers heritage within the local neighbourhood including identified heritage items and conservation areas</li> <li>• responds to its natural environment including local landscape setting and climate</li> <li>• contributes to the identify of place</li> </ul>	<p>The proposed building adopts a form, scale and arrangement that responds to its context. The existing mixed-use building to the east is of a comparable scale and form while the staggered setbacks proposed provides for an appropriate visual transition between the site and neighbouring Zone R2.</p> <p>The building is of a contemporary appearance and will make a positive contribution the identity of the locality, noting that the site is presently vacant.</p> <p>As per the revised arborist report, all existing trees on the site are to be removed to facilitate the development. The development propose to strength the landscape character of the site with extensive landscape works as per the landscape plan. See the arborist report and landscape plan for detail.</p> <p>The site is not a heritage item or within a heritage conservation area, nor is the site adjacent to a heritage item.</p> <p>The landscape design is contextually appropriate and incorporates species suitable to the local climate. A landscape plan has been prepared and is submitted with the application.</p>
<p><b>C16</b> – Entry to the facility should be limited to one secure point which is:</p> <ul style="list-style-type: none"> <li>• located to allow ease of access, particularly for pedestrians</li> <li>• directly accessible from the street where possible</li> <li>• directly visible from the street frontage</li> <li>• easily monitored through natural or camera surveillance</li> </ul>	<p>Access to the child care centre is via a dedicated lobby which is directly accessible form Wickfield Circuit and visible from the street frontage. The lobby will contain a reception and can be monitored through both natural and camera surveillance. Access via outdoor play areas is not provided.</p>

<ul style="list-style-type: none"> <li>not accessible through an outdoor play area</li> </ul>	
<p><b>C17</b> – Accessible design can be achieved by:</p> <ul style="list-style-type: none"> <li>providing accessibility to and within the building in accordance with all relevant legislation</li> <li>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</li> <li>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</li> <li>minimising ramping by ensuring building entries and ground floors are well located relative to the level of the footpath.</li> </ul>	<p>The development is designed to comply with all relevant accessibility legislation. Lift access is provided between basement and child care centre level.</p> <p>Development provides appropriate continuous path of travel to and within the building, including access between the street entry and lobby entrance, as well as from the basement.</p>
<p><b>3.4 Landscaping</b></p>	
<p><b>C18</b> – 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"> <li>reflecting and reinforcing the local context</li> <li>incorporating natural features of the site, such as trees, rocky outcrops and vegetation communities into landscaping</li> </ul>	<p>Landscaping is provided within the property boundaries where it will be integrated with fencing. Existing vegetation is to be removed to allow for the development, however, has not been identified as significant or worthy of retention. A revised landscape plan and arborist report have been submitted with the development application.</p>
<p><b>C19</b> – Incorporate car parking into the landscape design of the site by:</p>	<p>Parking is provided within a basement to reduce visual impact, integrating the parking areas into the site. The vehicular access points are well integrated into the site</p>

<ul style="list-style-type: none"> <li>planting shade trees in large car parking areas to create a cool outdoor environment and reduce summer heat radiating into buildings</li> <li>taking into account streetscape, local character and context when siting car parking areas within the front setback</li> <li>using low level landscaping to soften and screen parking areas</li> </ul>	<p>through the provision of extensive landscaping. See the landscaping plan for detail.</p>
<p><b>3.5 Visual and acoustic privacy</b></p>	
<p><b>C20</b> – Open balconies in mixed use development should not overlook facilities nor overhand outdoor play spaces.</p>	<p>Balconies associated with the residential component of the development have been designed to minimise potential overlooking of outdoor play spaces by incorporating high balustrades or horizontal louvres.</p>
<p><b>C21</b> – Minimise direct overlooking of indoor rooms and outdoor play spaces from public areas through:</p> <ul style="list-style-type: none"> <li>appropriate site and building layout</li> <li>suitable locating pathways, windows and doors</li> <li>permanent screening and landscape design</li> </ul>	<p>The development has been designed to minimise direct overlooking of indoor rooms and outdoor play spaces from public areas through appropriate site layout and building arrangement. The difference between the level of the child care facility and the street along with permanent screening limits cross-viewing.</p>
<p><b>C22</b> – Minimise direct overlooking of main internal living areas and private open spaces in adjoining developments through:</p> <ul style="list-style-type: none"> <li>appropriate site and building layout</li> <li>suitable locating pathways, windows and doors</li> <li>permanent screening and landscape design</li> </ul>	<p>Level difference between the child care centre and neighbouring residences ensures potential for cross-viewing is limited.</p>
<p><b>C23</b> – 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"> <li>provide an acoustic fence along any boundary where</li> </ul>	<p>An acoustic assessment has been undertaken and report submitted with this application. The report confirms that,</p>

<p>the adjoining property contains a residential use. (An acoustic fence is one that is a solid, gap free fence)</p> <ul style="list-style-type: none"> <li>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</li> </ul>	<p>subject to implementation of recommendations, the child care facility can operate without significant adverse acoustic impact on neighbouring residential properties. Designated enclosed space for plant and equipment is situated in the basement and ground floor. The revised plans fully incorporate the recommendations made in the acoustic report, including the provision of the 1.8m high acoustic barrier. It is noted that the acoustic fence includes transparent panelling to create a more aesthetic and visual connection with the public domain.</p>
<p><b>3.6 Noise and air pollution</b></p>	
<p><b>C25</b> – Adopt design solution to minimise the impacts of noise, such as:</p> <ul style="list-style-type: none"> <li>creating physical separation between buildings and the noise source</li> <li>orienting the facility perpendicular to the noise source and where possible buffered by other uses</li> <li>using landscaping to reduce the perception of noise</li> <li>limiting the number and size of opening facing noise sources</li> <li>using double or acoustic glazing, acoustic louvers or enclosed balconies (wintergardens)</li> <li>using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and soffits</li> <li>locating cot rooms, sleeping areas and play areas away from external noise sources</li> </ul>	<p>The site is not located near major roads, rail lines, beneath flight paths or other noisy environments. Appropriate design (e.g. situating part of the centre below natural ground level) and arrangement of the child care centre will ensure noise sensitive spaces within the centre are not adversely impacted.</p> <p>An acoustic assessment has been undertaken and report submitted with this application. The report demonstrates that, subject to implementation of recommendations, the building is capable of achieving the necessary internal acoustic amenity.</p>
<p><b>C26</b> – 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</p>	

<p>care facility is proposed in any of the following locations:</p> <ul style="list-style-type: none"> <li>• on industrial zoned land</li> <li>• where an ANEF contours is between 20 and 25, consistent with AS 2021 - 2000</li> <li>• along a railway or mass transit corridor, as defined by <i>State Environmental Planning Policy (Infrastructure) 2007</i></li> <li>• on a major or busy road</li> <li>• other land that is impacted by substantial external noise</li> </ul>	<p>The subject site is not located on industrial land, where an ANEF contours is between 20 and 25, along a railway or mass transit corridor, on a major or busy road or other land that is impacted by substantial external noise.</p>
<p><b>C27</b> – Locate child care facilities on sites which avoid or minimise the potential impact of external source of air pollution such as major roads and industrial development.</p>	<p>The site is not situated adjacent to or nearby potential sources of air pollution that would render the site unsuitable for the development.</p>
<p><b>C28</b> – A suitable qualified air quality professional should prepare an air quality assessment report to demonstrate that the proposed child care facilities close to major roads or industrial development can meet air quality standards in accordance with relevant legislation and guidelines.</p>	<p>The subject site is not located near a major road or industrial development and therefore an air quality report is not required.</p>
<p><b>3.7 Hours of operation</b></p>	
<p><b>C29</b> – 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.</p>	<p>The proposed hours of operation are 7am to 7pm Monday to Friday which aligns with C29.</p>
<p><b>C30</b> – Within mixed use areas or predominantly commercial areas, the hours of operation of each child care facility should be assessed with respect to its compatibility with adjoining and co-located land uses.</p>	<p>Noted.</p>
<p><b>3.8 Traffic, parking and pedestrian circulation</b></p>	
<p><b>C31</b> – 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>The development provides basement level parking including 23 spaces for the child care centre which complies with the control.</p>

<p>Where a Development Control Plan does not specify car parking rates, off street car parking should be provided at the following rate: Within 400m of a metropolitan train station:</p> <ul style="list-style-type: none"> <li>• 1 space per 10 children</li> <li>• 1 space per 2 staff. Staff parking may be stacked or tandem parking with no more than 2 spaces in each tandem space.</li> </ul> <p>In other areas:</p> <ul style="list-style-type: none"> <li>• 1 space per 4 children</li> </ul>	<p>A traffic and parking assessment has been undertaken and report prepared which demonstrates that confirms the extent of parking is sufficient for the development.</p>
<p><b>C32</b> – 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 vehicular movement or potential conflicts with truck and large vehicles.</p>	<p>All parking is to be provided within the basement levels.</p>
<p><b>C33</b> – 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 and demonstrate that:</p> <ul style="list-style-type: none"> <li>• the amenity of the surrounding area will not be affected</li> <li>• there will be no impacts on the safe operation of the surrounding road network</li> </ul>	<p>A traffic and parking assessment has been undertaken and report prepared which demonstrates that, subject to implementation of recommendations, vehicular movements associated with the development will have no adverse impact on the amenity of the surrounding area of the operation of the local road network.</p>
<p><b>C34</b> – Alternate vehicular access should be provided where child care facilities are on site fronting:</p> <ul style="list-style-type: none"> <li>• a classified road</li> <li>• roads which carry freight traffic or transport dangerous goods or hazardous materials</li> </ul>	<p>No applicable as the site does not front a classified road or a road which carries freight traffic or transport dangerous goods or hazardous materials.</p>

<p>The alternate access must have regard to</p> <ul style="list-style-type: none"> <li>• the prevailing traffic conditions</li> <li>• pedestrian and vehicle safety including bicycle movements</li> <li>• the likely impact of the development on traffic</li> </ul>	
<p><b>C35</b> – 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 sider locality in times of emergency.</p>	<p>Development site is not within a cul-de-sac or narrow lanes or road. Not applicable.</p>
<p><b>C36</b> – The following design solutions may be incorporated into a development to help provide a safe pedestrian environment:</p> <ul style="list-style-type: none"> <li>• separate pedestrian access from the car park to the facility</li> <li>• defined pedestrian crossings including within large car parking areas</li> <li>• separate pedestrian and vehicle entries from the street for parents, children and visitors</li> <li>• pedestrian paths that enable two prams to pass each other</li> <li>• delivery and loading areas located away from the main pedestrian access to the building and in clearly designated, separate facilities</li> <li>• vehicles can enter and leave the site in a forward direction</li> </ul>	<p>The development provides separate pedestrian and vehicular access. The pedestrian entrance to the child care centre is a safe distance from the vehicular entry point. Vehicles, including delivery and waste management vehicles, can enter and exit the site in a forward direction. The revised application ensure that the vehicular access areas are compliant with the Australian standards.</p>
<p><b>C37</b> – Mixed use developments should include:</p> <ul style="list-style-type: none"> <li>• driveway access, manoeuvring areas and parking areas for the facility that are separate to parking and manoeuvring areas used by trucks</li> </ul>	<p>The manoeuvring area used for trucks is accessed via the ramp to the basement levels and therefore movements of delivery and waste vehicles will not conflict with the parking area for residents and visitors to the child care centre.</p>

<ul style="list-style-type: none"> <li>• 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</li> <li>• parking that is separate from other uses, located and grouped together and conveniently located near the entrance or access point to the facility</li> </ul>	<p>Parking for the child care centre is situated within the basement car park and will be identified accordingly. Parking for the residential component of the development is situated beyond a security gate.</p>
<p><b>C38</b> – Car parking design should:</p> <ul style="list-style-type: none"> <li>• include a child safe fence to separate car parking areas from the building entrance to play areas</li> <li>• provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards</li> <li>• include wheelchair and pram accessible parking</li> </ul>	<p>Car parking located within the basement level and as such is not located near building entrance or outdoor play area.</p> <p>Accessible car parking space allocated to the child care facility is provided within basement and is located near the lift. Spaces allocated to the child care centre are wider than those allocated to the residential units.</p>
<p><b>4. Applying the National Regulations to development proposals</b></p>	
<p><b>4.1 Indoor space requirements</b></p>	
<p><b>Regulation 107</b> <b>Education and Care Services National Regulations</b> Every child being educated and cared for within a facility must have a minimum of 3.25m<sup>2</sup> of unencumbered indoor space.</p>	<p>The proposal provides 317sqm of unencumbered indoor play space which equates to &gt;3.25m<sup>2</sup> of space per child in care.</p>
<p><b>Design Guidance</b> <b>Verandahs as indoor space</b> For a verandah to be included as unencumbered indoor space, any opening must be able to be fully</p>	<p>No verandah is to be included as unencumbered indoor space. Not applicable.</p>

<p>closed during inclement weather. It can only be counted once and therefore cannot be counted as outdoor space as well as indoor space.</p>	
<p><b>Design Guidance</b> <b>Storage</b> It is recommended that a child care facility provide:</p> <ul style="list-style-type: none"> <li>• a minimum of 0.3m<sup>3</sup> per child of external storage space</li> <li>• a minimum of 0.2m<sup>3</sup> per child of internal storage space</li> </ul>	<p>The proposal provides appropriate internal and external storage areas.</p>
<p><b>4.2 Laundry and hygiene facilities</b></p>	
<p><b>Regulation 106</b> <b>Education and Care Services National Regulations</b> 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.</p> <p>Laundry and hygienic facilities must be located and maintained in a way that does not pose a risk to children.</p> <p>Child care facilities must also comply with the requirements for laundry facilities that are contained in the <i>National Construction Code</i>.</p>	<p>On site laundry facilities are provided.</p> <p>Designed to comply i.e. by limiting access to these spaces.</p> <p>Laundry designed to comply with relevant requirements under the National Construction Code.</p>
<p><b>Design Guidance</b> <b>On site laundry</b> On site laundry facilities should contain:</p> <ul style="list-style-type: none"> <li>• a washer or washers capable of dealing with a heavy requirements of the facility</li> <li>• a dryer</li> <li>• laundry sinks</li> <li>• adequate storage for soiled items prior to cleaning</li> </ul>	<p>Onsite laundry facilities are of an adequate size and proportion to accommodate necessary washers, dryers and so on.</p>

<ul style="list-style-type: none"> <li>an on-site laundry cannot be calculated as usable unencumbered play space for children</li> </ul>	
<p><b>4.3 Toilet and hygiene facilities</b></p>	
<p><b>Regulation 109</b> <b>Education and Care Services National Regulations</b> 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 <i>National Construction Code</i>.</p>	<p>Toilet facilities for both the children and staff are provided.</p> <p>Sanitary facilities designed to comply with relevant requirements under the National Construction Code.</p>
<p><b>4.4 Ventilation and natural light</b></p>	
<p><b>Regulation 110</b> <b>Education and Care Services National Regulations</b> Services must be well ventilated, have adequate natural light, and be maintained at a temperature that ensures the safety and wellbeing of children.</p> <p>Child care facilities must comply with the light and ventilation and minimum ceiling height requirements of the <i>National Construction Code</i>.</p>	<p>The proposed facility has been designed to adequate ventilation, receive sufficient natural light and be temperature controlled during extreme external temperatures.</p> <p>Light and ventilation and minimum ceiling heights designed to comply with relevant requirements under the National Construction Code.</p>
<p><b>Design Guidance</b> <b>Natural light</b> When designing child care facilities consideration should be given to:</p> <ul style="list-style-type: none"> <li>providing windows facing different orientations</li> <li>using skylights as appropriate</li> <li>ceiling heights</li> </ul>	<p>Building arrangement, window orientation and room depth to window size ratio will ensure adequate natural light within play rooms.</p>
<p><b>4.5 Administrative space</b></p>	

<p><b>Regulation 111</b> <b>Education and Care Services National Regulations</b></p> <p>Services must provide adequate area or areas for the purpose of conducting the administrative functions of the services, consulting with parents of children and conducting private conversations.</p>	<p>Adequate space for administrative tasks being conducted on site are proposed within the reception area, staff and meeting rooms.</p>
<p><b>4.6 Nappy change facilities</b></p>	
<p><b>Regulation 112</b> <b>Education and Care Services National Regulations</b></p> <p>Child care facilities must provide for children who wear nappies, including appropriate hygienic facilities for nappy changing and bathing.</p> <p>All nappy changing facilities should be designed and located in an area that prevents unsupervised access to children.</p> <p>Child care facilities must also comply with the requirements for nappy changing and bathing facilities that are contained in the <i>National Construction Code</i>.</p>	<p>Nappy change and bathing facilities are provided for the facility where necessary.</p> <p>Nappy change area is within a room preventing unsupervised access to children.</p> <p>Nappy changing and bathing facilities designed to comply with relevant requirements under the National Construction Code.</p>
<p><b>Design Guidance</b></p> <p>In circumstances where nappy change facilities must be provided, design considerations could include:</p> <ul style="list-style-type: none"> <li>• properly constructed nappy changing bench or benches</li> <li>• a bench type baby bath within one metre from the nappy change bench</li> <li>• the provision of hand cleansing facilities for adults in the immediate vicinity of the nappy change area</li> <li>• a space to store steps</li> <li>• positioning to enable supervision of the activity and play areas</li> </ul>	<p>The nappy change area has been designed to facilitate, or be capable of facilitating, the features identified by this design guide.</p>
<p><b>4.7 Premises designed to facilitate supervision</b></p>	

<p><b>Regulation 115</b> <b>Education and Care Services National Regulations</b></p> <p>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 regards to the needs to maintain their right and dignity.</p> <p>Child care facilities must also comply with any requirements regarding the ability to facilitate supervision that are contained in the <i>National Construction Code</i>.</p>	<p>The proposed layout ensure that children can be readily supervised i.e. the room arrangement does not afford opportunities for concealment.</p> <p>The development is designed to comply with the <i>National Construction Code</i>.</p>
<p><b>4.8 Emergency and evacuation procedures</b></p>	
<p><b>Regulations 97 and 168</b> <b>Education and Care Services National Regulations</b></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"> <li>• instructions for what must be done in the event of an emergency</li> <li>• an emergency and evacuation floor plan, a copy of which is displayed in a prominent position near each exit</li> <li>• a risk assessment to identify potential emergencies that are relevant to the service</li> </ul>	<p>The proposed child care facility has been design and incorporate features that provide for the safe and managed evacuation of children and staff from the facility in the event of a fire or other emergency.</p>
<p><b>Design Guidance</b></p> <p>An emergency and evaluation plan should be submitted with a DA and should consider:</p> <ul style="list-style-type: none"> <li>• the mobility of children and how this is to be accommodated during an evacuation</li> </ul>	<p>An Emergency and Evaluation Plan has been prepared in accordance with Regulation 97 and design guidance contained within this Guideline and is submitted with this application.</p>

<ul style="list-style-type: none"> <li>• the location of a safe congregation/assembly point, away from the evacuated building, busy road and other hazards, and away from evacuation points used by other occupants or tenants of the same building or of surrounding buildings</li> <li>• how children will be supervised during the evacuation and at the congregation/assembly, relative to the capacity of the facility and governing child-to-staff ratios</li> </ul>	
<p><b>4.9 Outdoor space requirements</b></p>	
<p><b>Regulations 108</b> <b>Education and Care Services National Regulations</b></p> <p>Every child being educated and cared for within a facility must have a minimum of 7.0m<sup>2</sup> of unencumbered outdoor space.</p> <p>A verandah that is included within indoor space cannot be included when calculating outdoor space and vice versa.</p>	<p>The proposal provides 639.06sqm of unencumbered outdoor play space which equates to &gt;7sqm per child.</p> <p>The play space has been calculated in accordance with the unencumbered guidelines of this Guideline. Exploration and leaning within the outdoor play area will be maximised with the use of facilities such as the outdoor play equipment.</p> <p>Not applicable.</p>
<p><b>Design Guidance</b></p> <p>Calculating unencumbered space for outdoor areas should not include areas of dense hedges or planting along boundaries which are designed for landscaping purpose and not for children’s play.</p>	<p>Complies, no areas of dense hedges or planting along boundaries are used to calculate unencumbered space for outdoor areas.</p>

<b>4.10 Natural environment</b>	
<p><b>Regulations 113</b>  <b>Education and Care Services National Regulations</b>            The approved provider of a centre-based service must ensure that the outdoor space allow children to explore and experience the natural environment</p>	<p>The landscape plan shows the required level of interactive space and landscaping treatments to align with this.</p>
<p><b>Design Guidance</b>            Shrubs and trees selected for the play space must be safe for children. Avoid plant species that risk the health, safety and welfare of the facility’s occupants, such as those which:</p> <ul style="list-style-type: none"> <li>• are known to be poisonous, produce toxins or have toxic leave or berries</li> <li>• have seed pods or stone fruit, attract bees, have thrones, spikes or prickly foliage or drop branches</li> </ul> <p>The outdoor space should be designed to:</p> <ul style="list-style-type: none"> <li>• provide a variety of experience that facilitate the development of cognitive and physical skills, provide opportunities for social interaction and appreciation of the natural environment</li> <li>• assist supervision and minimise opportunities for bullying and antisocial behaviour</li> <li>• enhance outdoor learning, socialisation and recreation by positioning outdoor urban furniture and play equipment in configurations that facilities interaction.</li> <li>• sand pits and water play areas</li> <li>• furniture made of logs and stepped logs</li> <li>• dense indoor planting and green vegetated walls</li> </ul>	<p>Species selection avoids poisonous or toxic species and species with thorns, seed pods and so on. Refer to landscape plan submitted with this application.</p> <p>The outdoor space has been designed to provide a variety of experience that facilitate the development of cognitive and physical skills, provide opportunities for social interaction and appreciation of the natural environment.</p>

<ul style="list-style-type: none"> <li>• climbing frames, walking and/or bike tracks</li> <li>• vegetable gardens and gardening tubs.</li> </ul>	
<p><b>4.11 Shade</b></p>	
<p><b>Regulations 114</b> <b>Education and Care Services National Regulations</b></p> <p>The approved provider of a centre-based service must ensure that the outdoor space includes adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun.</p>	<p>The building elements above project over portions of the outdoor space and will provide shade and protection against sun.</p>
<p><b>4.12 Fencing</b></p>	
<p><b>Regulations 104</b> <b>Education and Care Services National Regulations</b></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>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 <i>National Construction Code</i>.</p>	<p>Appropriate perimeter fencing will be installed at the edge of the outdoor plan area.</p>
<p><b>Design Guidance</b></p> <p>Fencing at child care facilities must provide a secure, safe environment for children and minimise access to</p>	<p>The fencing and retaining structures proposed will prevent children from leaving the facility, will prevent people outside gaining unauthorised access to the facility</p>

<p>dangerous areas. Fencing also needs to positively contribute to the visual amenity of the streetscape and surrounding areas. In general, fencing around outdoor play areas should:</p> <ul style="list-style-type: none"> <li>• prevent children climbing over, under or through fencing</li> <li>• prevent people outside the facility from gaining access by climbing over, under or through the fencing</li> <li>• not create a sense of enclosure.</li> </ul> <p>Fencing and gates should be designed to ensure adequate sightlines for vehicles and pedestrian safety in accordance with Australian Standards and Roads and Maritime Services Traffic Management Guidelines.</p> <p>Gates should be designed to prevent children leaving/entering unsupervised by use of childproof locking systems.</p>	<p>and where possible, will be designed with open elements to mitigate sense of enclosure.</p> <p>Fencing is situated a suitable distance from street corners and manoeuvring spaces to avoid obscuring sight lines.</p> <p>Designed to comply.</p>
<p><b>4.13 Soil assessment</b></p>	
<p><b>Regulations 25</b> <b>Education and Care Services National Regulations</b></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 purpose as part of an application for serviced approval.</p>	<p>This is addressed under SEPP 55. See the earlier discussion for detail.</p>

## State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development & Apartment Design Guide

The development application is accompanied by a design verification statement verifying that an accredited architect (Robert Del Pizzo) has directed and designed the proposal, and that the design quality principles set out in Part 2 of the SEPP are achieved for the residential component of this development.

A description of compliance with the applicable development controls such as setbacks, building heights, etc. is provided in the local planning controls discussion and tables below. The table below provides a detailed discussion against the relevant provisions of the Apartment Design Guide.

ADG Element	Design Criteria/Design Guideline	Proposed	Compliance
<b>Part 3 – Siting the Development</b>			
3A Site Analysis	Appendix 1 of the ADG	Provided	YES
3B Orientation	Building to define the street, by facing it and incorporating direct access from the street	The building presents to the primary street frontages and provides direct access to residential lobbies from Wickfield Circuit. It is noted that the western elevation has been revised to include a kitchen window, creating a more active street frontage.	YES
	Where the street frontage is to the north or south, overshadowing to the south should be minimised and buildings behind the street frontage should be orientated to the east and west (see figure 3B.2)	The site to the south is an Aldi supermarket and therefore not sensitive to overshadowing. Building arrangement is optimal given site orientation.	YES
	Solar access to living rooms, balconies and private open spaces of neighbours should be considered	Adjoining residential buildings will be largely unaffected due to ideal site orientation and appropriate building design.	YES
	Overshadowing should be minimised to the south or downhill by	+ While overshadowing to the south is not considered to be an issue	N/A

	<p>increased upper level setbacks</p> <p>4 hours of solar access should be retained to solar collectors on neighbouring buildings</p>	<p>given adjoining land use, upper levels have been setback.</p> <p>Adjoining properties do not contain solar collectors</p>	
3C Public Domain Interface	<p>Terraces, balconies should have direct street entry, where appropriate.</p> <p>Upper level balconies overlook public domain.</p> <p>Length of solid walls limited along street frontages.</p> <p>Opportunities should be provided for casual interaction between residents and the public domain. Design solutions may include seating at building entries, near letter boxes and in private courtyards adjacent to streets</p> <p>In developments with multiple buildings and/or entries, pedestrian entries and spaces associated with individual buildings/entries should be differentiated to improve legibility for residents.</p>	<p>Residential component of the building is above ground floor therefore no opportunity for direct street entry.</p> <p>Balconies are street oriented where possible.</p> <p>The design makes for an open street scape appearance with limited blank walls, noting that the western modification has been revised to be a more active street frontage.</p> <p>Casual interaction may occur as a result of street-oriented balconies.</p> <p>Building entries to Building A and B, as well as child care centre lobby, are separate and clearly delineated.</p>	<p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p>

	<p>Mail boxes should be located in lobbies, perpendicular to the street alignment or integrated into front fences where individual street entries are provided</p> <p>Substations, pump rooms, garbage storage rooms and other service rooms should be located in the basement carpark or out of view</p> <p>Ramping for accessibility should be minimised by building entry location and setting ground floor levels in relation to footpath levels</p> <p>On sloping sites protrusion of car parking above ground level should be minimised by using split levels to step underground car parking</p>	<p>Mail boxes are situated on the street-facing wall of the Building A lobby.</p> <p>Plant and equipment will be located in the basement or concealed at ground level, other than the substation which is at the street frontage as required by service authorities.</p> <p>Ramping is largely avoided due to well-positioned points of entry.</p> <p>The design of basement levels is such that the structure will not be visible above ground level.</p>	<p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p>
3D Communal and Public Open Space	<p><u>Design Criteria:</u> Communal open space has a minimum area equal to 25% of the site</p>	<p>The development proposes an area of communal open space at podium level, a rooftop communal open space on both Building A and B and an outdoor gym. The combined total area of the communal open spaces is 771.31sqm which equates to 28.6% of the site area.</p>	<p>YES</p> <p>YES</p>

	<p>50% of the principal COS should receive 2 hours of sunlight between 9am and 3pm</p> <p><u>Design Guidelines:</u> Communal open space should be consolidated into a well-designed, easily identified and usable area</p> <p>Communal open space should have a minimum dimension of 3m, and larger developments should consider greater dimensions</p> <p>Communal open space should be co-located with deep soil areas</p> <p>Direct, equitable access should be provided to communal open space areas from common circulation areas, entries and lobbies</p> <p>Where communal open space cannot be provided at ground level, it should be provided on a podium or roof</p> <p>Facilities are provided within communal open spaces and common spaces for a range of age groups, incorporating some of the following elements:</p> <ul style="list-style-type: none"> <li>• seating for individual or groups</li> <li>• barbecue areas</li> </ul>	<p>The communal open space areas at roof top will receive sunlight throughout the day.</p> <p>The communal open space areas proposed are functional and easily identifiable.</p> <p>The communal spaces proposed have generous proportions.</p> <p>Not viable in this case given the residential component is on the upper levels up the development.</p> <p>Communal open space areas are directly accessible from lift lobbies and circulation space.</p> <p>Communal open space is provided at podium and roof top.</p> <p>Communal open space areas incorporate seating, barbecue areas and an outdoor gym.</p>	<p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p>
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	<ul style="list-style-type: none"> <li>• play equipment or play area</li> <li>• swimming pools, gyms, tennis courts or common rooms</li> </ul> <p>The location of facilities responds to microclimate and site conditions with access to sun in winter, shade in summer and shelter from strong winds and down drafts</p> <p>Communal open space and the public domain should be readily visible from habitable room and private open space areas while maintaining privacy</p>	<p>The communal open spaces has access to direct sunlight and incorporate shade structures to ensure usability throughout the year.</p> <p>Communal open spaces can be discretely observed from private open spaces without compromising privacy (due to distance).</p>	<p>YES</p> <p>YES</p>
<p>3E Deep Soil Zones</p>	<p><u>Design Criteria:</u> A deep soil zone equivalent to 7% of the site area must be provided</p>	<p>The development provides deep soil zones at the perimeter of the site for landscaping. This is despite the Business Zone designation of the land.</p> <p>439.8sqm of deep soil is provided which equates to 16.3% of the site area.</p>	<p>YES</p>
<p>3F Visual Privacy Building Separation Up to 4 storeys</p>	<p><u>Design Criteria:</u> 6m between habitable rooms 3m between non habitable rooms Double the distance for separation between buildings on the same site.</p>	<p>The site benefits from the fact that it is bound on three sides by public road which afford an adequate buffer between the development and neighbouring land uses.</p> <p>Setbacks from the southern property boundary range from 3m (to gallery circulation) and 4.5m (to habitable room windows).</p>	<p>ON MERIT</p>

	<p>Generally one step in the built form as the height increases due to building separations is desirable. Additional steps should be careful not to cause a 'ziggurat' appearance</p> <p>Balconies and private terraces should be located in front of living</p>	<p>While numerically non-compliant, the proposal is acceptable as follows:</p> <ul style="list-style-type: none"> <li>• The development to the south is a supermarket and is not sensitive to overlooking.</li> <li>• The residential units adjacent the southern boundary are oriented north i.e. private open spaces and living areas face away from neighbours.</li> <li>• Windows that are oriented south are associated with bedrooms i.e. not highly frequented therefore potential for overlooking minimised.</li> <li>• The gallery circulation is intermittently used, and privacy structures are proposed to limit cross viewing.</li> </ul> <p>The separation distance between Buildings A and B is 9.15m-10.65m and therefore marginally non-compliant however design ensures no opposing windows and appropriately positioned privacy structures to minimise cross-viewing.</p> <p>The building design has appropriate setbacks.</p> <p>Balconies are situated adjacent to living rooms.</p>	<p>YES</p> <p>YES</p>
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	rooms to increase internal privacy  Windows should be offset from the windows of adjacent buildings	Windows between buildings are offset as required.	YES
3G Pedestrian Access and Entries	Multiple entries (including communal building entries and individual ground floor entries) should be provided to activate the street edge	Multiple entries are provided for the various proposed uses.	YES
	Building entries should be clearly identifiable and communal entries should be clearly distinguishable from private entries	Building entries are clearly distinguishable due to appropriate orientation and design.	YES
	Building access areas including lift lobbies, stairwells and hallways should be clearly visible from the public domain and communal spaces	Design ensures access areas are visible from the public domain and communal spaces.	YES
	The design of ground floors and underground car parks minimise level changes along pathways and entries	Ground floor is a uniform level.	YES
	Pedestrian links through sites facilitate direct connections to open space, main streets, centres and public transport	Pedestrian links are not appropriate or achievable at this site.	N/A
3H Vehicle Access	Car park access should be integrated with the building's overall façade	Vehicle access point to the basement level is integrated with the building façade.	YES

	Car park entries should be located behind the building line	Basement entry point is behind the front building line and therefore recessive.	YES
	Vehicle entries should be located at the lowest point of the site minimising ramp lengths, excavation and impacts on the building form and layout	Situated at the low part of the site in an optimal location along the street frontage.	YES
	Car park entry and access should be located on secondary streets or lanes where available	The secondary road would be an inferior location for vehicular entry due to site topography.	ON MERIT
	Access point locations should avoid headlight glare to habitable rooms	This is not an issue due to residences being on the first floor and above.	YES
	Adequate separation distances should be provided between vehicle entries and street intersections	Traffic and parking assessment confirms the distance between vehicular entry and intersection is safe and appropriate.	YES
	The need for large vehicles to enter or turn around within the site should be avoided	Waste management and delivery vehicles will be accommodated on site. It is noted that the application has been revised to allow for improved bin access. See the RFI letter prepared by Architex for detail.	YES
	Garbage collection, loading and servicing areas are screened	Waste collection and delivery area is concealed at ground level.	YES
	Pedestrian and vehicle access should be separated and distinguishable	Pedestrian and vehicle access to the site are separate.	

<p>3J Carparking</p>	<p><u>Design Criteria:</u> Carparking for sites within 800m of a railway station or light rail stop can provide parking at the rate of: <b>&gt;20 units</b> <u>Metropolitan Sub-Regional Centres:</u> 0.6 spaces per 1 bedroom unit. 0.9 spaces per 2 bedroom unit. 1.40 spaces per 3 bedroom unit. 1 space per 5 units (visitor parking)</p> <p><u>Design Guidelines:</u> Conveniently located and sufficient numbers of parking spaces should be provided for motorbikes and scooters</p> <p>Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas</p> <p>Supporting facilities within car parks, including garbage, plant and switch rooms, storage areas and car wash bays can be accessed without crossing car parking spaces</p> <p>A clearly defined and visible lobby or waiting area should be provided to lifts and stairs</p>	<p>The site is not within 800m of a railway station and therefore the CDCP rates apply to this proposal.</p> <p>The CDCP requires that 1 space is provided per dwelling. 29 units are proposed, and 30 spaces are provided at basement level, thus satisfying the numeric requirement.</p> <p>Suitable parking areas are provided.</p> <p>A bicycle storage area is provided within the basement.</p> <p>Designed accordingly.</p> <p>Lobby areas and/or waiting space has been incorporated into the design of the basement car park.</p>	<p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p>
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	Car parking layout should be well organised, using a logical, efficient structural grid and double loaded aisles	Logical layout provided with efficient circulation arrangement and double loaded aisles.	YES
<b>Part 4 – Designing the Building</b>			
4A Solar Access	<u>Design Criteria:</u> Living rooms and private open space of at least 70% of units to receive 2 Hours Solar Access between 9am and 3pm Mid-Winter	23 units receive required direct sunlight. This equates to 79.3% of units in the development.	YES
	A maximum of 15% of apartments receive no direct sunlight between 9am and 3pm Mid-Winter	0 units will receive no sunlight in midwinter equating to 0% of units in the development.	YES
4B Natural Ventilation	<u>Design Criteria:</u> 60% of Units are cross ventilated in a building up to 9 storeys	25 units are cross ventilated which equates to 86.2% of units in the development.	YES
	Overall width of a cross over or cross through apartment is < 18m	Apartment widths are less than 18m.	YES
	<u>Design Guidelines:</u> The building should include dual aspect apartments, cross through apartments and corner apartments and limit apartment depths	The development contains a combination of dual aspect and corner apartments.	YES
4C Ceiling Height	<u>Design Criteria:</u> 3.3m ground & first floor; 2.7m for habitable; and 2.4m for non-habitable.	The floor to ceiling height of the ground cafe is 3.1m and for the child care facility is 2.8m.	ON MERIT

		<p>Although the ground level floor to ceiling height is numerically non-compliant, it is considered acceptable because:</p> <ul style="list-style-type: none"> <li>the space is purpose built for the purposes of a child care centre and the proposed floor to ceiling height is adequate for this purpose; and</li> <li>Adjusting levels would unduly raise the height of the building or require additional excavation.</li> </ul> <p>The upper levels have compliant floor to ceiling heights.</p>	
4D Unit Sizes	<p><u>Design Criteria:</u> 1 bed – 50sqm 2 bed – 70sqm 3 bed – 90sqm + 5m<sup>2</sup> for each unit with more than 1 bathroom.</p>	All units satisfy the area requirements of the ADG.	YES
Habitable Room Depths	<p>Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10%</p> <p><u>Design Guidelines:</u> Limited to 2.5m x Ceiling Height</p>	Every habitable room is provided with a window.	YES
Bedroom sizes	<p>Master – 10m<sup>2</sup> Other – 9m<sup>2</sup></p>	Designed to comply.	YES
Bedroom dimensions	<p>Minimum of 3m</p>	Designed to comply.	YES

Living rooms width	Studio/1 bed – 3.6m 2br/ 3 bed – 4m	Designed to comply. Designed to comply.	YES
Cross through apartments	4m minimum width	Designed to comply.	YES
4E Private Open Space			
Balcony Sizes	<u>Design Criteria:</u> 1 bed – 8sqm and 2m depth 2 bed – 10sqm and 2m depth 3 bed – 12sqm and 2.4m depth	Designed to comply.	YES
Ground level/ podium apartments			
4F Common Circulation and Spaces	<u>Design Criteria:</u> Maximum number of apartments off a single circulation core on a single level is 8.	Maximum number of apartments on a single level off a single circulation core is 8.	YES
4G Storage	<u>Design criteria</u> 1 bed 6m <sup>3</sup> 2 bed 8m <sup>3</sup> 3 bed 10m <sup>3</sup>  Min 50% of required storage is within the apartment	The proposal provides storage for units both within the apartment and in the basement. Storage space is shown in yellow on the drawings.	YES
4H Acoustic Privacy	Adequate building separation is provided within the development and from neighboring buildings/adjacent uses	The development provides appropriate separation distance between buildings on the site and neighbouring development, as discussed previously.	YES
	Windows and door openings are generally orientated away from noise source	Doors and windows are appropriately oriented to achieve acceptable levels of internal amenity.	YES

4K Apartment Mix	A variety of apartment types is provided	The development provides a combination of single, 2 and 3 bedroom apartments to cater for a range of household compositions.	YES
4M Facades	Building facades should be well resolved with an appropriate scale and proportion to the streetscape and human scale	Building facades have a suitable degree of articulation along the horizontal and vertical planes and, in combination with materiality, this results in a fine-grained appearance with appropriate proportions and a human scale. It is noted that the kitchen window in the western façade has been modified to create a more active street frontage.	YES
4O Landscape Design	Where site area is greater than 1,500sqm, 1 large or 2 medium trees per 80sqm of deep soil to be provided.	Appropriate landscaping is provided within the Business Zone context. A landscape plan has been prepared and is submitted with the application.	YES
4Q Universal Design	20% of total apartments achieve Liveable House Guidelines silver level universal design features	The development provides three apartments that align with the Liveable Housing Guidelines and a further three apartments which are adaptable as per AS4299. A total of six units (i.e. >20%) are flexible and promote aging in place.	ON MERIT
4S Mixed Use	<p><u>Design Guidelines:</u> Mixed use development should be concentrated around public transport and centres</p> <p>Mixed use development positively contribute to the public domain. Design solution may include:</p> <ul style="list-style-type: none"> <li>development addresses the street</li> </ul>	<p>The development is situated within a Neighbourhood Centre.</p> <p>The development contributes to the public domain through appropriate orientation and street presentation, active ground floor use and attractive façade design. It is noted that the kitchen window in the western façade has been modified to create a more active street frontage.</p>	<p>YES</p> <p>YES</p>

	<ul style="list-style-type: none"> <li>• active frontage are provided</li> <li>• diverse activities and uses</li> <li>• avoiding blank walls at the ground level</li> </ul> <p>Residential circulation areas should be clearly defined.</p> <p>Landscaped communal open space should be provided at podium or roof level.</p>	<p>The primary residential entry is clearly separated from commercial and child care centre entry points.</p> <p>Landscaping is provided within the communal open spaces areas at both podium and rooftop levels.</p>	<p>YES</p> <p>YES</p>
4U Energy Efficiency	<p>Adequate natural light is provided to habitable rooms</p> <p>Well located, screened outdoor areas should be provided for clothes drying</p>	<p>The development site enjoys optimal orientation and the units will receive direct sunlight.</p> <p>Balcony spaces provide opportunity for clothes drying in areas that are concealed from view to avoid adverse visual impacts.</p>	<p>YES</p>
4V Water Management and Conservation	<p>Water efficient fittings, appliances and wastewater reuse should be incorporated</p> <p>Apartments should be individually metered</p> <p>Rainwater should be collected, stored and reused on site</p> <p>Drought tolerant, low water use plants should be used within landscaped areas</p>	<p>Fittings and appliances will be provided as per BASIX commitments.</p> <p>Noted</p> <p>Noted. Refer to stormwater management plan for details relating to collection of rainwater.</p> <p>Plant species have been selected with ADG design criteria in mind. Refer to landscape plan for details.</p>	<p>YES</p>
4W Waste Management	<p>Adequately sized storage areas for rubbish bins should be located discreetly away from the front of the</p>	<p>Waste storage is situated at ground level and is not visible from the public domain. Waste storage access has been revised to adhere to the RFI comments.</p>	<p>YES</p>



*Mixed Use Building: 10 Wickfield Circuit, Ambarvale*

	development or in the basement car park		
	Waste and recycling storage areas should be well ventilated	Waste storage areas will be ventilated to comply with National Construction Code.	YES
	Temporary storage should be provided for large bulk items such as mattresses	Bulk waste storage provided at ground level.	YES
	A waste management plan should be prepared	Supplied with the application.	YES

## Campbelltown Local Environmental Plan 2015

As shown on the zoning map extract provided below, the development site is zoned B1 Neighbourhood Centre under the provisions of the Campbelltown LEP 2015.



Figure 4: Zoning Map (Source: Campbelltown LEP 2015)

Particular categories of *retail premises*, *centre-based child care facilities* and *shop top housing* are permissible with consent within the zone and the proposal is consistent with the respective land use definitions contained within the LEP:

Particular categories of **retail premises** are permitted in this zone including:

- a) *hardware and building supplies;*
- b) *neighbourhood shops;*
- c) *restaurants or cafes;* and
- d) *takeaway food and drink premises.*

The fit out and use of the ground floor suite is a café which is a direct form of retail premises.

***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...

**Shop top housing** means one or more dwellings located above ground floor retail premises or business premises.

The development proposal is also consistent with the prescribed zone objectives that are stipulated as:

- To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.
- To support public transport patronage and encourage walking and cycling.
- To achieve an accessible, attractive and safe public domain.
- To allow small-scale residential development in conjunction with retail, business and commercial uses in a manner that increases the vitality of the surrounding neighbourhood.

The proposed development provides a small-scale ground floor suite as a café. The centre-based child care facility similarly provides a use which will serve an important community need being child care.

In relation to permissibility the proposal is suitably defined as shop top housing when having regard to LEC case law.

In particular:

- Hrsto v Canterbury City Council (No 2) [2014] NSWLEC 121
- Arco Iris Trading Pty Ltd v North Sydney Council [2015] NSWLEC 1113

These judgments talk to the definition of shop top housing. Paragraph 21 of the Hrsto case relevantly states:

*"His Honour held that it was necessary for the purpose of the definition of shop top housing for the lowest point of any dwelling that was proposed to be regarded as shop top housing to be entirely above ground floor retail premises or business premises, that is there have to be a vertical surmounting of the shop top housing from the underlying qualifying premises. However, importantly for these proceedings, his Honour also made it clear that **it was possible for there to be a lateral displacement in such circumstances, in that there did not need to be a true directly vertical correlation between the shop top housing and the qualifying premises at the lower level.**"*

The proposal satisfies this approach noting all residential units are at a level higher than the café (when considering RL's).

The site is proximate to Macarthur train station and users and residents of the development will be encouraged to make use of available public transport. The proposed residential units will complement the existing retail and commercial uses in the vicinity and will increase activity and vitality of the neighbourhood centre.

The table below provides detail on the development standards relevant to the current proposal as well as other relevant LEP provisions.

<b>Campbelltown Local Environmental Plan 2015 – Compliance Table</b>			
<b>Relevant Clause</b>	<b>Control</b>	<b>Comment</b>	<b>Complies</b>
Zoning	B1 Neighbourhood Centre	As described above, centre-based child care facilities, business premises, particular categories of retail premises, as well as shop top housing is permissible in this zone.	Yes
<b>Part 2 Permitted or prohibited development</b>			
	Zoning Objectives and Land Use Table	The proposal is consistent with the zoning objectives of the B1 Neighbourhood Centre zone through the provision of uses that serve the needs of the people who live and work in Ambarvale, and delivery of residential units to complement business and retail uses in the neighbourhood.	Yes
2.6	Subdivision – Consent Requirements	Council consent is not sought for strata subdivision at this stage.	N/A
<b>Part 4 Principle development standards</b>			
4.3	Height of Buildings: 9m	The proposed development is situated below the 9m height plane as indicated on sections with the exception of part of the roof forms. Accordingly a Clause 4.6 variation request is provided with this application.	YES
4.3A	Height restrictions for certain residential accommodation	A dwelling that forms part of shop top housing can be no more than 2 storeys. The proposed dwellings are single storey design.	YES

4.4	Floor Space Ratio	No maximum FSR controls apply.	N/A
4.6	Exception to Development Standards	The building height marginally exceeds the maximum building height control.	YES
<b>Part 5 Miscellaneous Provisions</b>			
5.6	Architectural Roof Features	The upper level roof form elements could arguably be considered an architectural roof feature given the integrated design of the common area roof element- however regardless a Clause 4.6 variation has been prepared in relation to the building height.	Yes
5.10	Heritage Conservation	There are no heritage items located within the subject site or within the vicinity of the site.	N/A
<b>Part 7 Additional Local Provisions</b>			
7.1	Earthworks	This application seeks Council consent for the excavation of the site for basement car parking as per the attached plans.  It is considered that the proposal results in an appropriate outcome when considering the nature of the development, the characteristics of the site and compliance with relevant controls.	YES
7.2	Flood Planning	The subject site is not identified as been flood prone. Not applicable.	N/A
7.3	Riparian Land and Watercourses	The subject site is not identified to be within riparian land and watercourse. Not applicable.	N/A
7.4	Salinity	This is addressed under SEPP 55.	YES
7.7	Considerations for Development on Environmentally Constrained Land	The subject site is not identified as being an environmentally constrained land under Council's Environmental Constraints Map.	N/A
7.10	Essential Services	The development site is serviced by water and sewer and the required	YES



*Mixed Use Building: 10 Wickfield Circuit, Ambarvale*

		utility clearances will be obtained prior to works commencing on site.	
7.18	Restrictions on access to or from public roads	The proposal involves a new vehicular access to Wickfield Circuit and therefore consent is required under this clause. The access is not to or from a road within Zone SP2.	YES

## Campbelltown Development Control Plan 2015 – Part 2 Requirements Applying to all Types of Development

Relevant controls have been identified and considered in the following compliance table.

<b>Campbelltown Development Control Plan 2015 Part 2 – Requirements Applying to all Types of Development Compliance Table</b>			
<b>Clause</b>	<b>Controls</b>	<b>Comment</b>	<b>Complies</b>
2.2	Site Analysis	A site analysis plan addressing the matters identified in this section of the DCP has been prepared and is included with this application.	YES
2.3	Views and Vistas	The proposed scale and volume of the proposed buildings is anticipated by the planning controls. The buildings are arranged to permit views through the central part of the site to the west.	YES
2.4	Sustainable Building Design	<u>2.4.3 Natural Ventilation</u> The proposal adopts a design that supports natural ventilation, noting that the proposal satisfies ADG requirements for cross-ventilation.	YES
		<u>2.4.5 BASIX</u> A revised BASIX is provided as part of the application.	YES
2.5	Landscaping	A revised Landscape Plan providing details concerning species selection, anticipated height and so on has been prepared and included with this application.	YES
2.7	Erosion and Sediment Control	An Erosion and Sediment Control Plan detailing erosion mitigation and sediment controls has been prepared and is included with this application.	YES
2.8	Cut, Fill and Floor Levels	<u>2.8.1 Cut and Fill</u> Excavation is required to facilitate basement parking and to provide a suitable area for the development. Land modification adjacent to property boundaries has largely been avoided thus mitigating the visual impact of excavation. A cut and fill plan has been	YES

		<p>prepared and is included with this application.</p> <p><u>2.8.2 Surface Water and Floor Levels</u> The subject site is not identified as being affected by flooding. Not relevant.</p>	N/A
2.9	Demolition	No demolition proposed. Not applicable.	YES
2.10	Water Cycle Management	<p><u>2.10.1 Water Cycle Management</u> Details of stormwater collection and treatment are provided on stormwater management plans which have been prepared and submitted with this development application.</p> <p><u>2.10.2 and 3 Stormwater</u> Stormwater details are included on the plans submitted as part of this application.</p>	<p>YES</p> <p>YES</p>
2.11	Heritage Conservation	There are no heritage items located within the subject site or within the vicinity of the site.	N/A
2.12	Retaining Walls	Retaining walls have been designed by a suitably qualified person. Retaining structures are generally limited to the perimeter of the site near the southern and eastern property boundaries. These walls are situated the required distance from property boundaries.	YES
2.13	Security	<p>Active ground level land uses and street-facing private open spaces are proposed and will allow passive surveillance to occur.</p> <p>The proposed landscaping and fencing is appropriate when considering CPTED principles and will not permit easy concealment of intruders.</p> <p>The proposal incorporates built elements and landscaping that distinguishes between the public and private domain.</p>	YES



Mixed Use Building: 10 Wickfield Circuit, Ambarvale

2.14	Risk Management	<p><u>2.14.1 Contaminated Land</u> Refer to SEPP No. 55 discussion.</p> <p><u>2.14.2 Salinity</u> See report by Anderson Environmental.</p> <p><u>2.14.3 Bushfire</u> The site is not identified as being bush fire prone land. Not relevant.</p> <p><u>2.14.4 Subsidence</u> The side is not identified as being within a mine subsidence district. Not applicable.</p>	<p>YES</p> <p>YES</p> <p>N/A</p> <p>N/A</p>
2.15	Waste Management	<p><u>2.15.1 Waste management plan</u> A Waste Management Plan has been prepared in accordance with the DCP and is submitted with this application.</p> <p>Waste storage rooms for each of the proposed uses are located at ground level adjacent to the loading bay within Building B. A secondary waste storage room is located at ground floor within Building A.</p>	YES
2.16	Provision of Services	The development site is serviced by water and sewer and the required utility clearances will be obtained prior to works commencing on site.	Yes

## Campbelltown Development Control Plan 2015 – Part 5 Residential Flat Buildings and Mixed-Use Development

All relevant controls have been identified and considered in the following compliance table.

14. Additionally, the Statement of Environmental Effects does not address Part 5.4.8 which is required as part of 5.7.6 a) of Council's (Sustainable City) Development Control Plan 2015.

<b>Campbelltown Development Control Plan 2015 Part 5 – Residential Flat Buildings and Mixed-Use Development Compliance Table – 5.7 Mixed Use Development (Zones RU5, B1 and B2)</b>			
<b>Clause</b>	<b>Controls</b>	<b>Comment</b>	<b>Complies</b>
<b>5.4</b>	<b>It is noted that the majority of these controls do not apply as the site is not in the R4, B3 and B4 zones.</b>	<b>It is noted that the majority of these controls do not apply as the site is not in the R4, B3 and B4 zones.</b>	<b>N/A</b>
<b>5.4.8</b>	<p>Waste Management 240l bin per 2.5 dwellings or 1100L bulk bins. Chutes- 4 storeys or more</p> <p>Bin storage Room</p> <p>Waste Collection</p>	<p>The building does not have 4 storeys or more- however a chute system is provided to reflect Councils feedback.</p> <p>Suitable provision is made for a suitably sized room and this area is capable of being graded and drained to a Sydney Water drainage junction. Detailed design will occur at CC stage however this can be reinforced with conditions of consent.</p> <p>The bin storage rooms are also located in a suitable location and the building manager will move the bins to the holding area- see WMP for further detail. A bulky waste storage area is provided of greater than 10sqm in the loading bay area.</p> <p>A separated waste collection area with a turntable is provided to enable entry and egress in a forward direction and suitable clearances are provided. There will be no conflict with the driveway as they are separated. The area will be designed to meet Council standards in terms of construction- i.e. the weight and grades. It is noted that</p>	<b>YES</b>

		the waste storage and collection has been revised to comply with the RFI comments. See the letter addressing the RFI prepared by Architex for detail.	
<b>5.7.1</b>	<b>General</b>		
	a) Mixed use developments shall only be occupied at ground level by retail and/or commercial or like uses.	The proposal delivers a ground floor café and child care facility.	YES
	b) Ventilation for food premises.	The mechanical ventilation system proposed for the café and child care centre is a ducted system and shall comply with AS1168, with more details to be provided at the Construction Certificate Stage.	YES
	c) Separate residential and commercial entry.	Separate entry points to the centre-based child care facility, the residential component and the business/retail suite is provided.	YES
	d) Each dwelling having an identifiable address.	Lobby entry points from Wickfield Circuit will be readily identifiable from the street by way of directional signage or because they are visible from the public realm.	YES
	e) Advertising not permitted on the residential part.	There is no advertising proposed at this stage.	YES
	f) Balconies shall address the street and any open space.	Dwellings incorporate street-facing balconies where possible. Balconies are otherwise internally oriented.	YES
	g) Exterior lighting to be low.	Lighting will be designed to mitigate light spill.	YES
	h) Static lighting only permitted.	All lighting will be static.	YES

	<p>i) Stairs shall be enclosed.</p> <p>j) Blank walls avoided.</p>	<p>The proposed stairs providing access to residential accommodation are enclosed.</p> <p>The proposed building is well articulated on each elevation both along horizontal and vertical planes. Variation in materiality also serves to provide a highly attractive building façade. It is noted that the kitchen window in the western façade has been modified to create a more active street frontage.</p>	<p>YES</p> <p>YES</p>
<b>5.7.2</b>	<b>Solar Access</b>		
	<p>a) Maximise northern solar access</p> <p>b) 20m<sup>2</sup> of private open space on adjoining land having 3 hours sunlight.</p>	<p>The site enjoys northern aspect and the residential component of the building has been designed to maximise solar access to living spaces and balconies. Cleverly, building heights have been staggered and separation between Buildings A and B has been incorporated to optimise solar access.</p> <p>Land to the south contains a supermarket. Land to the east contains a residential flat building and solar diagrams confirm that private open space areas will be largely unaffected by the proposal.</p>	<p>YES</p> <p>YES</p>
<b>5.7.3</b>	<b>Setbacks</b>		
	<ul style="list-style-type: none"> <li>- Zero to primary street</li> <li>- 3m to secondary street</li> <li>- 3m side boundary (where adjoins residential)</li> <li>- 0.9m side (in any other case)</li> <li>- 6m from rear (where adjoins residential or open space)</li> <li>- 3m rear (in other cases)</li> </ul> <p>Despite the above, Council can permit mixed use development where it is a continuation of an</p>	<p>The site has three street frontages and therefore the classification of site boundaries is open to interpretation.</p> <p>The design treats Wickfield Circuit as a primary street frontage (northern and western property boundaries), the service lane to the east as a secondary street boundary and the southern property boundary as a side boundary.</p> <p>The building is situated 3.6m or more from Wickfield Circuit and the setback generally increases at each level of the</p>	<p>YES</p>

	<p>adjacent development within the same section of streetscape.</p> <p>Reduced rear setbacks considered on merits.</p>	<p>building. The exception is the outdoor play area at the northern elevation which is setback 1m from Wickfield Circuit.</p> <p>The external façade of the building is setback 3m from the eastern property boundary, being the secondary street frontage.</p> <p>The building is permitted to be setback 0.9m from the southern (or side) property boundary, however a 3m setback to external façade of the building has been adopted.</p>	<p>YES</p> <p>YES</p>
<p><b>5.7.4</b></p>	<p><b>Car parking and access</b></p> <p>a) 1 car parking space per dwelling</p> <p>b) Residential and commercial car parking separated</p> <p>c) Café= 1.5 spaces per 10sqm</p> <p>d) Pedestrian access separate for residential and commercial.</p> <p>e) Onsite parking, loading and delivery vehicles.</p>	<p>Each dwelling is provided with a basement parking space, in compliance with the DCP- noting 30 resident spaces are provided.</p> <p>The spaces designated for residential parking are separated from child care centre and business/retail parking, noting that solely the residential parking is provided on basement level 2.</p> <p>The development proposes 68qm of café floor space and 16 spaces are proposed within the basement, therefore satisfying the numeric control.</p> <p>A separate lobby to access the residential and child care centre components of the building from the basement car park is provided.</p> <p>Onsite parking is provided within the basement levels of the development. A loading dock is situated at ground level and will not be visible from the street and the design is considered suitable noting the submitted traffic report contains further detail.</p>	<p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p>

<p><b>5.7.5</b></p>	<p><b>Balconies and ground level courtyards</b></p> <ul style="list-style-type: none"> <li>a) Dwellings to have a courtyard or balcony</li> <li>b) Balconies to be 8m<sup>2</sup> and 2m deep</li> <li>c) Clearly defined for private use</li> <li>d) Accessible from main living area from dwelling</li> </ul>	<p>Each dwelling has a balcony or terrace space.</p> <p>Balcony spaces are clearly defined, and privacy screens provided where necessary i.e. to eliminate cross-viewing or overlooking.</p> <p>Each balcony is accessible from the living area of the corresponding dwelling.</p>	<p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p>
<p><b>5.7.6.</b></p>	<p><b>Mixed use and Waste Management</b></p> <ul style="list-style-type: none"> <li>a) Waste management to be self-contained and lockable areas.</li> <li>b) Separate areas for residential and commercial.</li> </ul>	<p>Bin storage areas are self-contained and within lockable areas at the ground floor of the development.</p> <p>Separate waste rooms for residential, business/retail and child care centre components of the development are provided.</p>	<p>YES</p> <p>YES</p>
<p><b>5.7.7</b></p>	<p><b>Access for People with Disabilities</b></p> <p>Compliance required with the BCA, Access to Premises Standards and AS 1428.</p>	<p>An Access report is provided that gives detail on this aspect of the development.</p>	<p>YES</p>

## Campbelltown Development Control Plan 2015 – Part 8 Centre-Based Child Care Facilities

All relevant controls have been identified and considered in the following compliance table.

Campbelltown Development Control Plan 2015 Part 8 – Centre-Based Child Care Facilities			
Clause	Controls	Comment	Complies
8.3.1	<p><b>Locality requirements</b></p> <p>a) Centre-based Child Care Facilities shall not be located on an allotment that:</p> <p>(i) is accessed from a State road ( refer to Table 8.3.1 for a list of State roads in Campbelltown LGA);</p> <p>(ii) is within 100 metres of the intersection of a State road;</p> <p>(iii) is within a no through road;</p> <p>(iv) has vehicular access to a road where the carriageway is less than 6.5 metres in width;</p> <p>(v) has a building erected upon it that is constructed of materials that contain asbestos or lead paint;</p> <p>(vi) is adjacent to a:</p> <ul style="list-style-type: none"> <li>- potentially hazardous industry;</li> <li>- hazardous industry;</li> <li>- potentially offensive industry; - offensive industry;</li> <li>- agricultural produce industries;</li> <li>- livestock processing industries;</li> <li>- heavy industrial storage establishments; or - waste or resource management facility.</li> </ul>	<p>The site is not accessed from a State road.</p> <p>The site is not within 100m of the intersection of a State road.</p> <p>The site is not within a no through road. Wickfield Circuit is of an appropriate width.</p> <p>There is no building on the site.</p> <p>The site is not adjacent any of the hazardous land uses referred to by this control.</p>	<p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p>

	<p>(vii) is within a 150 metre radius of a sex restricted premises; sex services premises or home occupation (sex services);</p> <p>(viii) presents a potential safety hazard for vehicle and pedestrian traffic, unless it can be demonstrated to Council's satisfaction that there would be no vehicular/ pedestrian conflict (refer to Figure 8.3.1);</p> <p>b) Centre-based Child Care Facilities shall not be located within a basement of a building (excluding storage rooms and offices ancillary to the Centre-based Child Care Facility).</p> <p>c) Centre-based Child Care Facilities shall not be permitted on a local street, unless it can be demonstrated to Council's satisfaction that:</p> <p>(i) the proposed Centre-based Child Care Facility will not impact negatively on the local traffic network;</p> <p>(ii) the proposed Centre-based Child Care Facility has adequate on-site parking and manoeuvring/turning spaces; and</p> <p>(iii) the amenity of the surrounding properties is maintained.</p>	<p>The site is not within 150m of any known sex service premises.</p> <p>The site is on a corner lot which is identified by the DCP as a lot that may present a hazard for traffic. A traffic and parking assessment has been undertaken and report prepared which indicates that the development can function without adverse traffic impacts.</p> <p>The traffic and parking assessment found that the development will not impact on the function or safety of the local road network.</p> <p>The development has sufficient parking and manoeuvring space.</p> <p>Throughout this report it has been demonstrated that the development will have no significant adverse</p>	<p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p>
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	<p>d) Where a Centre-based Child Care Facility is proposed to be located in a building on land within Business zones, the Centre-based Child Care Facility (excluding storage rooms and offices) shall:</p> <p>(i) be directly accessible by car;</p> <p>(ii) not occupy more than one (1) storey; and</p> <p>(iii) be located no higher than the first floor to ensure the easy evacuation of children in case of emergency.</p>	<p>impact on the amenity of neighbouring properties.</p> <p>The centre is directly accessible by car via the basement parking area.</p> <p>The centre occupies the ground floor of the development.</p> <p>As above.</p>	<p>YES</p> <p>YES</p> <p>YES</p>
<b>8.3.2</b>	<p><b>Site requirements</b></p> <p>a) Council may consider a proposal for a Centrebased Child Care Facility within an existing building on sites within areas zoned B3, B4 or B5 that do not necessarily meet the site width requirement.</p>	<p>The facility is proposed within a new building.</p>	<p>N/A</p>
<b>8.3.3</b>	<p><b>Streetscape</b></p> <p>a) The design of new purpose built buildings (including facade treatments, building massing, roof design and entrance features, setbacks and landscaping) shall complement the scale of surrounding development, character and qualities of the desired streetscape.</p>	<p>The design of the development is considered to complement buildings in the immediate context. The scale and arrangement of the building is comparable to the mixed use building to the east while the staggered setbacks at the Wickfield Circuit frontage is suitable given this frontage interfaces with Zone R2.</p>	<p>YES</p>

	<p>b) Notwithstanding Clause 8.3.1 a) viii) new buildings on corner sites shall incorporate facade treatments that address both street frontages and achieve positive articulation in building design.</p> <p>c) Clothes lines and air conditioning units shall be screened and not visible by the public when viewed from a public area.</p> <p>d) The built form, design and layout of all outdoor play areas shall relate to the natural land form and setting to ensure that the amenity (visual and acoustic privacy) of adjoining properties is protected.</p>	<p>The building addresses all street frontages and is well-articulated in both vertical and horizontal planes.</p> <p>These features will be appropriately concealed.</p> <p>The sloping nature of the site dictates that some excavation is required. The facility will be situated below natural ground level towards the eastern and southern portions of the site, and this has the benefit of creating a buffer between the facility and neighbouring properties, thus mitigating visual and acoustic privacy impacts.</p>	<p>YES</p> <p>YES</p> <p>YES</p>
<p><b>8.3.4</b></p>	<p><b>Fencing</b></p> <p>a) Fencing along the primary and secondary street boundaries shall:</p> <p>(i) not be constructed of bonded sheet metal;</p> <p>(ii) not be higher than 1.2 metres;</p> <p>(iii) be articulated, incorporate landscape treatments and complement the design and finish of the development.</p> <p>b) Fencing to the rear and side boundaries shall be:</p> <p>(i) located behind the primary and secondary street setbacks; and</p>	<p>The fence will not be constructed of sheet metal.</p> <p>Fencing will be designed to comply.</p> <p>The fencing design complements materials used throughout the building. Edge landscaping ameliorates visual impacts. It is noted that the amended architectural details for the proposed acoustic fence includes transparent panelling to create a more aesthetic and visual connection with the public domain;</p> <p>Fencing will be designed to comply.</p>	<p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p>

	<ul style="list-style-type: none"> <li>(ii) a maximum of 2.1 metres in height (excluding retaining walls).</li> <li>c) Bonded sheet metal fencing shall only be permitted where all of the following criteria have been met: <ul style="list-style-type: none"> <li>(i) the fence is located behind a 1.5 metre wide landscaped buffer; and</li> <li>(ii) the fence is located behind the building line of all street frontages.</li> </ul> </li> </ul>	Bonded sheet metal is not proposed.	N/A
<b>8.3.5</b>	<p><b>Visual and acoustic privacy</b></p> <ul style="list-style-type: none"> <li>a) An acoustic report prepared by a suitably qualified person shall be submitted with all Centre-based Child Care Facility development applications demonstrating : <ul style="list-style-type: none"> <li>(i) that the noise levels generated from the Centre-based Child Care Facility, when measured over a 15 minute period, does not exceed the background noise by more than 5 dBA;</li> <li>(ii) that the noise levels comply with the requirement of the Protection of The Environment Operations Act 1997; and</li> <li>(iii) illustrating ways to minimise the impacts of noise on adjoining properties.</li> </ul> </li> </ul>	An acoustic assessment has been undertaken and report prepared which is submitted with this application. The report contains recommendations for noise mitigation and demonstrates that prescribed noise levels are achieved. It is noted that the Acoustic Report recommends a 1.8 metre high acoustic barrier be integrated into the development and these details have been added to the architectural drawings.	YES

	<p>b) Direct views to and from neighbouring and surrounding properties shall be minimised through:</p> <p>(i) appropriate building design and location of outdoor play areas; and</p> <p>(ii) the use of fencing and landscaping buffers.</p>	<p>The level difference between the facility and the street level, in combination with fencing and landscaping, ensures cross-viewing to and from neighbouring properties is limited.</p>	<p>YES</p>
<b>8.3.8</b>	<b>Waste management</b>		
	<p>a) Waste storage, collection areas and service/delivery areas shall be screened from public view and located to minimise adverse impacts on adjoining properties.</p>	<p>The waste storage and collection areas are contained within the building and will not be visible from the street or adjoining properties.</p>	<p>YES</p>
	<p>b) The waste collection area shall be located and designed to minimise safety hazards for any person within the site or within the adjacent private/public areas.</p>	<p>The waste collection area is located adjacent waste storage on the southern side of the building, separate from pedestrian footpaths and lobby areas to avoid conflict.</p>	<p>YES</p>
	<p>c) A waste management plan shall be submitted for all Centre-based Child Care Facility developments including information with regard to the storage and disposal of used nappies, general waste and recycling.</p>	<p>A waste management plan is submitted with the application.</p>	<p>YES</p>
<b>8.4.1</b>	<b>Car parking</b>		
	<p>a) Car parking areas shall be setback a minimum of 3 metres from the front boundary and any secondary boundary.</p>	<p>Car parking is proposed within the basement.</p>	<p>YES</p>
	<p>b) A minimum of one (1) on site car parking space</p>	<p>The facility is proposed to accommodate 91 children therefore</p>	<p>YES</p>

	<p>shall be provided for every four (4) children approved to attend the Centre-based Child Care Facility.</p>	<p>23 spaces are required. 23 spaces are provided.</p>	
	<p>c) Off street parking and loading shall be designed in accordance with Australian Standards 2890.1 and 2 (as amended), except as otherwise provided by this Plan.</p>	<p>The parking and loading areas comply with relevant Australian Standards.</p>	<p>YES</p>
	<p>d) No required car parking space shall be designed in a stacked configuration.</p>	<p>No stacked parking is proposed.</p>	<p>YES</p>
	<p>e) Parking spaces that are stacked will not be considered for the purpose of parking calculations.</p>	<p>Noted.</p>	<p>N/A</p>
	<p>f) Pedestrian access shall be separated from vehicular access with clearly defined paths to and from the building</p>	<p>Vehicular and pedestrian access is separated.</p>	<p>YES</p>
	<p>g) Each site shall have a maximum of one ingress and one egress driveway.</p>	<p>The development has a combined access and egress point.</p>	<p>YES</p>
	<p>h) The minimum width of a driveway shall be:</p> <p>(i) three (3) metres for one way traffic movement; and</p> <p>(ii) six (6) metres for two way traffic movement.</p>	<p>Driveway is 6m in width.</p>	<p>YES</p>
	<p>i) Driveways shall be located a minimum distance of six (6) metres from the tangent point of any unsignalled intersection.</p>	<p>The driveway is located greater than 6m from the nearest intersection.</p>	<p>YES</p>
			<p>YES</p>

	<p>j) Sufficient space shall be provided on site so that no vehicle shall be required to make more than a three-point turn to exit the site in a forward direction.</p> <p>k) All car parking spaces shall be line marked and delineated with appropriate signage and pavement marking.</p> <p>l) Development applications Centrebased Child Care Facilities catering for 20 or more children shall include a Traffic Impact Statement, prepared by a suitably qualified person addressing the following criteria:</p> <ul style="list-style-type: none"> <li>(iii) the existing traffic environment;</li> <li>(iv) anticipated traffic generation from the proposed development;</li> <li>(v) the potential cumulative impact on the locality;</li> <li>(vi) the need for local traffic improvements in the locality;</li> <li>(vii) traffic egress/ingress; and</li> <li>(viii) sight distance and other relevant safety issues including vehicular/ pedestrian movements.</li> </ul>	<p>There is sufficient manoeuvring space within the car park to allow forward entry and exist of all vehicles entering the site.</p> <p>Line marking and signage will be provided.</p> <p>A traffic and parking assessment has been undertaken and report prepared addressing each of the elements referenced by this control.</p>	<p>YES</p> <p>YES</p>
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<p><b>8.4.2</b></p>	<p><b>Access for people with disabilities</b></p> <p>a) Centre-based Child Care Facilities shall comply with the minimum access requirements contained within the 8.4 BCA, the Disability (Access to Premises — Buildings) Standards 2010 and Australian Standard 1428 – Design for Access and Mobility (as amended).</p>	<p>An access report has been prepared and is submitted with this application. The access report confirms that the development is capable of complying with relevant access standards.</p>	<p>YES</p>
<p><b>8.4.3</b></p>	<p><b>Emergency evacuation</b></p> <p>a) Development applications for Centrebased Child Care Facilities catering for 20 or more children shall include an Emergency Evacuation Plan prepared by a suitably qualified person in accordance with Australian Standard 3745 Emergency Control Organization and Procedures for Buildings, Structures and Workplaces (as amended), addressing:</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, other hazards and the evacuation points of other residents or tenants within the</p>	<p>An emergency evacuation plan prepared in accordance with relevant Australian Standards has been prepared and submitted with the application.</p>	<p>YES</p>

	<p>building or surrounding buildings;</p> <p>(iii) where the Centre-based Child Care Facility is part of a larger building or complex, that the emergency evacuation plan for the Centre-based Child Care Facility is complementary and consistent with other emergency evacuation plans for the complex; and</p> <p>(iv) the supervision of children during an evacuation and at the safe congregation area, giving regard to the capacity of the Centre-based Child Care Facility and its approved child: staff ratios.</p>		
<p><b>8.5</b></p>	<p><b>Landscaping</b></p> <p>a) Landscaping shall be provided to a minimum of a:</p> <p>(i) 3 metre wide strip along the primary and secondary street frontage (other than vehicle driveways); and</p> <p>(ii) 1.5 metre wide strip along the full length of side and rear setbacks.</p> <p>b) Native mature trees on site shall be retained.</p>	<p>Landscaping strips are provided along each property boundary as required by these controls. The northern frontage to Wickfield Circuit has a 1m landscape strip proposed however the variation to the numeric standard is acceptable in this context given the permitted building setback in Zone B1 is 0m to this frontage.</p> <p>Existing vegetation is proposed to be removed to allow for redevelopment of the site. No mature trees have been identified as worthy or capable of retention.</p>	<p>ON MERIT</p> <p>N/A</p>



	(ii) be appropriately designed and located to minimise noise impacts to adjoining properties; and	The play areas are located to minimise impact on neighbours in that they are situated below the street level (thus providing a physical buffer against noise) or oriented toward the street, away from noise sensitive neighbours.	YES
	(iii) be naturally lit and ventilated.	All spaces enjoy natural light and ventilation.	YES
	b) The siting of outdoor play areas shall:		YES
	(i) be located on a predominantly flat gradient;	Play areas are situated on level ground.	YES
	(ii) allow direct supervision from within the centre; and	Outdoor play areas can be observed from within the centre.	YES
	(iii) provide adequate fencing.	Fencing is provided at the perimeter of play areas.	YES
	c) Where a Centre-based Child Care Facility is proposed to be located on the first floor of a building (in the case of a Centrebased Child Care Facility proposed within a comprehensive centre zone), the designated play areas shall:	The facility is on the ground floor of the building.	YES
	(i) be provided on the same level and directly accessible from the Centrebased Child Care Facility;		
	(ii) have a minimum ceiling height of 2.7 metres; and		
	(iii) be physically separated from the indoor space area.		



## Conclusion

Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts. The planning assessment of the proposed mixed use development in this report finds the following:

- The proposed mixed use development is consistent with the objectives and provisions of the relevant statutory planning instruments and design guidelines including the provisions of the Campbelltown LEP 2015, Campbelltown DCP 2015, SEPP (Educational Establishments and Child Care Facilities) 2017 and Child Care Planning Guideline, SEPP – Design Quality of Residential Apartment Development and Apartment Design Guide;
- The proposed development is permitted with consent in the Zone B1 Neighbourhood Centre on the site and consistent with relevant zone objectives;
- The mix of uses proposed within the development will complement those uses existing within the Ambarvale neighbourhood centre as well as established education facilities and public open spaces in the immediate locality, delivering a broader range of business and community uses as well as housing stock in Ambarvale;
- The scale, density and arrangement of the proposed building is compatible with the adjacent mixed use building, respectful of the fact that the site is at an interface with a residential zone,
- The building design incorporates both vertical and horizontal articulation and, in combination with appropriate material selection and integrated landscaping, this ensures that the building will have a high-quality aesthetic with a fine-grained appearance and human scale, suitable to context;
- Appropriate massing arrangement and clever design of noise generating spaces ensures neighbouring buildings are not unreasonably impacted in terms of overshadowing, cross-viewing and noise generation, noting that some tension between uses is anticipated within Business Zones where mixed use development is encouraged;
- The development will have no significant adverse impact on the natural environment and represents a positive contribution to the built environment in that it will realise the potential of a presently undeveloped and neglected site. The development will have positive short and long terms economic and social impact through job creation and housing supply.
- The site is suitable for the development in that the land is zoned to permit the proposed uses and the development has been designed to respond to the characteristics of the site and its context. The site lends itself to a centre-based child care facility and residential units given proximity to complementary uses such as schools and public open spaces.
- The proposed development aligns with zone objectives and is broadly compliant with relevant standards and controls contained within applicable planning instruments, policies and guidelines. Our planning assessment confirms that the development will have no significant adverse impact on the natural or built environment and will have positive social and economic impacts in the short and long term. On this basis, the proposal is in the public interest.

Following a review of the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.