



STATEMENT OF ENVIRONMENTAL EFFECTS

Alterations and additions to an existing building to provide a centre based child care facility

133 Peter Street, Wagga Wagga

Prepared for: Innovate Architects

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1. Introduction

This Statement of Environmental Effects has been prepared for the applicant of the proposed development. The report is to accompany a development application to Wagga Wagga City Council seeking consent for '*Alterations and additions to an existing building to provide a centre based child care facility*' at No. 133 Peter Street, Wagga Wagga. The proposal will provide a 60 place centre based child care facility accommodating 0-5 year olds in a high quality environment with suitable internal and external play areas, building services and ground level parking for 5 vehicles (including one accessible space).

The child care centre includes a maximum of 11 staff (including mixture of full time and part time staff). The facility will operate from 6am to 6pm Monday to Saturday. The proposal has been designed in accordance with the *Education and Care Services National Regulations*. The proposed childcare centre is suitably located within the Wagga Wagga commercial core and is within close proximity to various land uses and will support numerous members of the local community.

This Statement demonstrates that the development meets the objectives of the B3 Commercial Core zone and is a desirable development outcome in the locality. The proposal is compliant with the relevant provision of the *Wagga Wagga Local Environmental Plan 2010* (WWLEP 2010) and *Wagga Wagga Development Control Plan 2010* (WWDGP 2010).

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

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



2. Site Analysis and Context

2.1 THE SITE

The subject site is located on the eastern side of Peter Street and the western side of Tongaboo Lane (**Figure 1**) and is known as No. 133 Peter Street, Wagga Wagga with a legal description of Lot 1 in DP 85685.

The site is rectangular in shape with a frontage to Peter Street and secondary rear frontage to Tongaboo Lane of 20.115m. The site has northern and southern side boundary lengths of 50.245m giving a total site area of 1010.68m². The terrain across the site is relatively flat.

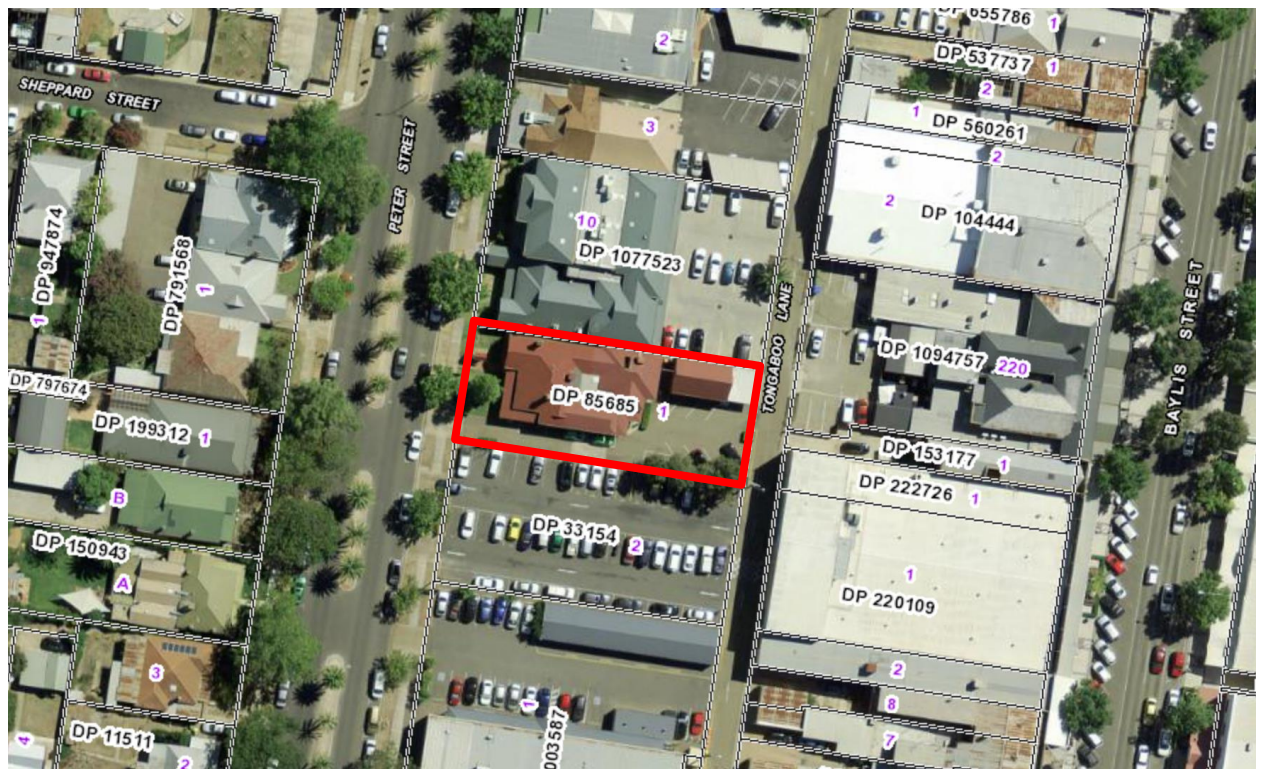


Figure 1 Site Locality plan (site edged red)

The subject site is occupied by a commercial premises within a converted single storey federation era building. There is vehicular access offered to the site from both Peter Street and Tongaboo Lane. There is a tree located within the front setback which is to be retained and another four trees to the shared southern boundary. The existing development on the site is shown in **Figures 2 and 3**.



Figure 2 Subject site viewed from Peter Street



Figure 3 Subject site viewed from Tongaboo Lane

2.2 CONNECTIVITY AND ACCESS TO PUBLIC TRANSPORT

The subject site is located within the Wagga Wagga commercial core. A multitude of buses depart approximately 100m to the east from Baylis Street, with regular services northbound to Charles Sturt University and surrounding suburbs bordering the Murrumbidgee River, whilst southbound services operate regularly to suburbs including Tolland, Glenfield Park and Koorringal.

2.3 SURROUNDING DEVELOPMENT

The site is located within Wagga Wagga CBD in the B3 Commercial Core Zone. The surrounding area is characterised by residential and commercial development, noting the site is located on the boundary with the R1 General Residential zone and the Wagga Wagga Heritage Conservation Area, opposite Peter Street to the west.

Nos. 135-137 Peter Street located directly to the north of the site contains an attached part one, part two storey commercial premises, constructed of federation era architecture. Adjoining the subject site to the south is a public car park, known as No. 131 Peter Street (**Figures 4 to 6**)

To the east and opposite Tongaboo Lane are Nos. 210-216 Baylis Street. These commercial tenancies fronting Baylis Street are offered rear lane vehicle access from Tongaboo Lane (**Figure 7**).



Figure 4 Property to the north viewed from Peter Street



Figure 5 Property to the north viewed from Tongaboo Lane



Figure 6 Public car park viewed from Peter Street



Figure 7 Nos. 210-216 Baylis Street viewed from Tongaboo Lane

To the west is Nos. 128-132 Peter Street which is a single storey commercial premise constructed of brick with a corrugated metal roof and occupied by the Peter Street Medical Centre. This building is located within the Wagga Wagga Conservation Area.



Located one block to the east is Baylis Street, Wagga Wagga's primary retail and commercial high street. Sturt Mall and Wagga Wagga Marketplace are located approximately 300m to the south-east. Compatible land uses including parks and schools are also located within a 300m walking distance of the subject site, including Victory Memorial Gardens, Collins Park and Wagga Wagga Public School.





3. Description of the Proposal

3.1 BACKGROUND

On 7 December 2020, a Pre-DA meeting (PDA) was held with City of Wagga Wagga Council to discuss the proposed development seeking alterations and additions to the existing commercial building to provide a centre based childcare facility containing 60 children and 5 at-grade parking spaces. The comments of the proposal from the PDA meeting can be summarised as:

- Design discussion regarding the layout of indoor and outdoor areas;
- Hours and Days of operation;
- Discussion regarding the provision of on-site staff parking and on-street visitor parking;
- Discussion regarding the architectural design qualities and external appearance;
- Discussion regarding the proposed fencing to Peter Street; and
- Discussion regarding location of waste storage and collection from Tongaboo Lane.

The comments of the PDA meeting have been considered in the detailed design on the proposed development. Compliance with the relevant State Environmental Planning Policies and Wagga Wagga LEP and DCP are addressed in Section 4.

3.2 PROPOSED USE

The existing commercial building is proposed to be modified through alterations and additions for use as a centre-based child care facility.

The proposed centre will provide education and care for 60 children of 0-5 years of age and operate between 6am-6pm (Monday to Saturday). The hours of operation, as discussed in the Pre-DA Meeting with Council, are consistent with numerous approvals for child care centres within the Wagga Wagga Local Government Area. Given the sites location within the commercial core and its suitable separation from residential dwellings, the proposed hours of operation are considered acceptable. Further to the above, the proposed operation of the centre on Saturday is also a result of the sites location within the commercial core and numerous facilities within proximity to the site (retail premises, healthcare and government employment (i.e. military)) which would elicit the usage of this centre outside of the standard weekdays.

A Plan of Management (PoM) is submitted in conjunction with this development application providing guidelines and controls for the operation and management of the proposed childcare.

The proposed childcare centre provide services for all ages and prepares children for primary education. The proposal will provide the services and facilities required for a traditional child care centre in accordance with the Education and Care Services National Regulations (ECSN Regulations). The centre will service the Wagga Wagga commercial core and is within proximity to residential, employment, educational and recreational facilities.

Calculations (Child to Educator Ratios)

0-2 years:	20 children	5 staff	(1 staff per 4 children)
2-3 years:	20 children	4 staff	(1 staff per 5 children)
3-5 years:	20 children	2 staff	(1 staff per 10 children)





Total: 60 Children & 11 Staff

The centre provides high quality indoor and outdoor play spaces which are compatible with the ECSN Regulations requirements. These areas are detailed as follows:

Calculation (Indoor Play Areas) (3.25m² per child)

<i>Ground Floor Area</i>	<i>Internal Area</i>	<i>Number of Children</i>
Playroom 1	47.4m ²	14
Playroom 2	50.3m ²	15
Playroom 3	69.9m ²	21
Playroom 4	36m ²	10

Total Ground Floor Indoor Area: 203.6m² containing 60 Children and 11 staff

Calculations (Outdoor Play Areas) (7m² per child)

Total Ground Floor Outdoor Area: 438.5m² containing 60 Children

3.3 PROPOSED WORKS

The existing building is to undergo internal and external alterations in order to provide a high quality educational space and to upgrade the building in accordance with BCA Standards and Council controls. The proposed works will involve demolition to certain internal and external walls to create high quality indoor and outdoor play areas and to provide the relevant services required for the operation of the centre.

The proposal will predominately retain the building footprint, envelope and design, however will result in alterations which will increase the gross floor area of the development on the site by 51.7m².

Ground Floor

The site is accessible from the front and rear boundary via a secure gate system. Visitor entrance to the site is provided from Peter Street which allows access to the outdoor play area and indoor lobby. To the rear of the subject site, the proposal will include the provision of 5 staff car-parking spaces accessed from Tongaboo Lane. An additional secure gate system is provided at the rear and will generally be utilised by staff members.

Internally, the ground floor will provide four playrooms (divided based on age bracket), two (2) cot rooms, 2 children's bathrooms (one including nappy change area), accessible WC, laundry, kitchen and small secondary office (reception) space. The playroom to the rear of the property is to replace the current garage found on site and will be connected to the primary building through the lightweight bathroom link between playrooms 3 and 4. The proposal will also include the provision of a pram storage area which will encourage active transport (i.e. walking) to the subject site. It is noted that a bin store is provided at the rear of the subject site accessed directly from Tongaboo Lane.

The proposed outdoor play areas have been designed to include the provision of covered and uncovered spaces to permit year round use. The design of outdoor play areas is in accordance with the Landscape Plan prepared by *Site Design Studios* which is submitted with this application and includes the provision of various vegetation, surfaces and materials to enable tactile and educational experiences. Externally, three outdoor play spaces are provided, including an undercover play space to the south-east, large open space along the southern boundary and smaller outdoor play space to the north-western corner of the site.





The proposed development has also been designed with 1.8m high fencing bounding the periphery of the site. The proposed fencing is designed to complement the existing building character and opposing heritage conservation area. Fronting Peter Street, the proposal provides a 1.8m high fence which is setback 600mm from the boundary and provides vegetative screening to reduce the prominence of this element from the public domain. It is noted that the front boundary fence also includes the provision of identification signage, '*Peter Street – Early Learning Centre*'.

First Floor

The existing detached garage (to be converted to an indoor play area) contains a first floor which is accessed via an internal staircase and will provide access to two office spaces.

Overall, the proposed alterations and additions to the existing dwelling have been designed in order to maintain the existing façade, streetscape character and scale of the residential development opposite.

3.4 LANDSCAPING

The existing site provides vegetation to the front façade only, with a soft landscaped area accompanied by a tree and lined shrubbery. The proposed landscaping works include the retention of the tree within the front setback and the tree within the Council's nature strip whilst significantly increasing the landscaped area and planting throughout the site. The proposal will include the provision of vegetation within the western front and southern side boundary, and will significantly improve the vegetation found on site.

In addition to the above, the site is proposed to be secured via 1.8m high fencing which will provide security for children and staff occupying the centre. The front fence addressing Peter Street is setback 0.6m and includes the provision of landscaped elements to soften the height of the proposed fencing.

A Landscape Plan prepared *Site Design Studios* is submitted with the application. The outdoor play areas have been designed to achieve the objectives of providing permeable landscaped area, a variety of surfaces and experiences for use by the children and the provision of shaded areas for year round useability. The proposal will improve the streetscape character of the site and surrounding locality and will respect the Wagga Wagga Heritage Conservation Area to the west of the site.

3.5 WASTE MANAGEMENT

The proposal incorporates a bin storage room located within the rear that will accommodate the required number of bins. Waste and recycling will be transported to kerbside on Tongaboo Lane for Council pick-up via the building manager. Bins will be serviced directly from the waste room via wheel-in/wheel out.

A Waste Management Plan has been submitted with the application detailing the nature and volumes of waste as a result of the demolition and construction phases as well as the intended disposal and recycling of those materials, and ongoing operational waste management.





4. Environmental Planning Assessment

4.1 PREAMBLE

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

4.2 STATUTORY AND POLICY COMPLIANCE

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

Table 1 Section 4.15 Matters for Consideration				
EP & A Act, 1979.	Matters for Consideration	OK	See Comments	N/A
S.4.15(1)(a)(i)	SEPP No.55 – Remediation of Land	✓	✓	
"	SEPP (Educational Establishments and Child Care Facilities) 2017	✓	✓	
"	SEPP No. 64 – Advertising and Signage	✓	✓	
"	Wagga Wagga LEP 2010	✓	✓	
S.4.15(1)(a)(ii)	Draft Education SEPP	✓	✓	
S.4.15(1)(a)(iii)	Wagga Wagga DCP 2010	✓	✓	
S.4.15(1)(a)(iv)	Any other prescribed matter:- <ul style="list-style-type: none">Government Coastal Policy;AS 2601-1991: Demolition of structures.	✓		✓

The matters identified in the above Table as requiring specific comment are discussed below. The primary statutory documents that relate to the subject site and the proposed development are the *SEPP (Educational Establishments and Child Care Facilities) 2017* and the *Wagga Wagga Local Environmental Plan 2010* (WWLEP 2010). The primary non-statutory document relating to the subject site and proposed development is *Wagga Wagga Development Control Plan 2010* (WWDCP 2010). The relevant provisions of these documents and other relevant planning controls are summarised below and the proposal's compliance with them assessed.

4.2.1 SEPP No.55 – Remediation of Land

This State Environmental Planning Policy (SEPP) was gazetted on 28 August 1989 and applies to the whole State. It introduces planning controls for the remediation of contaminated land and requires an investigation to be made if land contamination is suspected.

There is no reason to suspect the site is contaminated as the subject site has been used for residential uses since the land was originally subdivided.



4.2.2 SEPP (Educational Establishments and Child Care Facilities) 2017

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (the Education SEPP) was gazetted on 1 September 2017 and applies to the whole State. The Education SEPP sets out a range of overarching controls and guidelines for centre-based child care facilities. Under the Education SEPP, a centre-based child care facility is defined as:

centre-based child care facility means:

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

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

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

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

but does not include:

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

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

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

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

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

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

The proposed development meets the above definition. Part 3 of the Education SEPP sets out the provisions that apply to child care facilities. These requirements and the proposals performance against them are detailed in Annexure A of this Statement.

Child Care Planning Guidelines (August 2017)

The Education SEPP states that:

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

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

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

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

4.2.3 SEPP No. 64 – Advertising & Signage

The State Environmental Planning Policy No. 64 – Advertising and Signage was gazetted on 16 March 2001 and applies to all signage that can be displayed with or without development consent and is visible from any public space. The proposal includes the provision of building identification signage on the fencing fronting Peter Street which states 'Peter Street Early Learning Centre' as demonstrated in **Figure 8** below.



Figure 8 Proposed signage (circled)

The relevant objectives set out in clause 3(1)(a) and the applicable assessment criteria specified in Schedule 1 of the Instrument have been addressed below in **Table 2**.

Table 2 SEPP No. 64 Assessment		
Criteria	Requirement	Discussion
3(1)(a)	(a) to ensure that signage (including advertising): (i) is compatible with the desired amenity and visual character of an area, and (ii) provides effective communication in suitable locations, and (iii) is of high quality design and finish	The proposed signage is located at the frontage of the site on the fencing. This signage elements will be and finished to match the existing building and heritage area opposite. The signage will be of a simple in design and will utilise prefabricated materials for a high quality

Table 2 SEPP No. 64 Assessment

		finish which will not be obtrusive when viewed from the public domain or conservation area.
1 Character of the area	• Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The signage is simple in appearance and is well coordinated. The proposed signage will be located on the fencing and will be limited in its overall size. The proposed sign is compatible with the land use envisaged in the zone.
	• Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The locality of the area does not identify a particular theme for signage. The proposed sign is modest in scale and is compatible with the traditional facade. The sign is not visually intrusive as identified through this analysis.
2 Special areas	• Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The subject site is not situated within an environmentally sensitive area, heritage conservation area, open space area, or the like. The site is located within proximity to the Wagga Wagga Conservation Area, however signage is modest and is not overbearing with regards to size, scale and materials.
3 Views and vistas	• Does the proposal obscure or compromise important views?	There are no significant view obtained from or through the site.
	• Does the proposal dominate the skyline and reduce the quality of vistas?	The signage proposed will be situated below the line of the roof and will not impact the skyline in any significant way.
	• Does the proposal respect the viewing rights of other advertisers?	The proposed signage will not comprise the viewing rights of other advertisers.
4 Streetscape, setting or landscape	• Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signage on the fencing facing Peter Street is compatible with the traditional facade. The proposed sign is to complement conservation area through the proposed colours and style. The proposed sign is a simplified building identification.
	• Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposal has been designed with intent to integrate and identify the site use via wayfinding without being visually obtrusive.
	• Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed signage scheme has been designed and is compatible with the façade. The design is simple and does not create any visual impact to the surroundings. The proposed signage provides a rational and effective means of communication and will not adversely impact streetscape character.

Table 2 SEPP No. 64 Assessment

	<ul style="list-style-type: none"> • Does the proposal screen unsightliness? 	The proposed signage will ensure that the appearance of the development is of high quality. The proposed signage provides wayfinding and that will not appear as unsightly or obtrusive.
	<ul style="list-style-type: none"> • Does the proposal protrude above buildings, structures or tree canopies in the area or locality? 	The signage affixed to the fencing and is situated below the line of the roof and will not extend above any buildings, structures or trees in the locality.
	<ul style="list-style-type: none"> • Does the proposal require ongoing vegetation management? 	The proposed signage will not require any ongoing vegetation management.
5 Site and building	<ul style="list-style-type: none"> • Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? 	The signage is designed to complement the building.
	<ul style="list-style-type: none"> • Does the proposal respect important features of the site or building, or both? 	The signage scheme in combination with the façade proposed will retain the aesthetic qualities of the building.
	<ul style="list-style-type: none"> • Does the proposal show innovation and imagination in its relationship to the site or building, or both? 	The signage scheme is of a simple design and utilises emerging technologies for a high quality finish.
6 Associated devices and logos with advertisements and advertising structures	<ul style="list-style-type: none"> • Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed? 	No lighting proposed for signage.
7 Illumination	<ul style="list-style-type: none"> • Would illumination result in unacceptable glare? 	No lighting proposed.
	<ul style="list-style-type: none"> • Would illumination affect safety for pedestrians, vehicles or aircraft? 	No lighting proposed.
	<ul style="list-style-type: none"> • Would illumination detract from the amenity of any residence or other form of accommodation? 	No lighting proposed.
	<ul style="list-style-type: none"> • Can the intensity of the illumination be adjusted, if necessary? 	No lighting proposed.
	<ul style="list-style-type: none"> • Is the illumination subject to a curfew? 	No lighting proposed.
8 Safety	<ul style="list-style-type: none"> • Would the proposal reduce the safety for any public road? 	The proposed signage is modest in terms of scale and design. No lighting is proposed.
	<ul style="list-style-type: none"> • Would the proposal reduce the safety for pedestrians or bicyclists? 	As above.

Table 2 SEPP No. 64 Assessment

• Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?

The proposed signage will have no impact to the sightlines for pedestrians (including children) or vehicles.

4.2.4 Draft Education SEPP

The Department of Planning, Industry and Environment is exhibiting an Explanation of Intended Effect (EIE) for a reviewed State Environmental Planning Policy (SEPP) that aims to improve the operation, efficiency and useability of the current Education SEPP 2017 that will support the delivery of education infrastructure. This will allow the education and child-care providers to build high quality facilities to meet the demands of the community. The following amendments to the Education SEPP (as detailed per the EIE) include;

- *clarify existing provisions to better reflect the policy intent,*
- *facilitate ongoing assessment commensurate with impacts and capital investment values,*
- *update organisation names, definitions and legislation references,*
- *introduce measures to support two-storey buildings being development without consent, without changing car parking or student number limits,*
- *increase the capital investment value trigger for new schools and alterations and additions to existing schools and tertiary institutions to better reflect the nature and impact of these developments,*
- *include hours of operation for the use of school-based child care in the exempt development pathway,*
- *clarify investigations, including geotechnical and other testing, surveying and sampling as exempt development,*
- *extend the timeframe for short-term portable classrooms under the exempt development pathway from 24 months to 48 months,*
- *update provisions to prevent child care centres within close proximity of each other, in low density residential zones (R2),*
- *provide clearer guidance on evacuation considerations for child care centres and references to the National Construction Code,*
- *provide a clearer planning pathway for student housing to be built on existing schools, universities and TAFE sites,*
- *provide an opportunity for innovation hubs for commercial uses to be permitted on existing tertiary institution sites*

The Explanation of Intended Effect (EIE) ends exhibition on 17 December 2020. The specific legislation detailed in the amended Education SEPP has not been released and there are no relevant matters for consideration in draft form. As such, no further consideration is required at this stage.

4.2.5 Wagga Wagga Local Environmental Plan 2010

Wagga Wagga Local Environmental Plan 2010 (WWLEP 2010) applies to the subject site. Under the LEP the subject site is located within the B3 Commercial Core zone and *Centre-based child care facilities* are permissible with consent. The objectives of the B3 zone are reproduced below:

- *To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.*
- *To encourage appropriate employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To ensure the maintenance and improvement of the historic, architectural and aesthetic character of the commercial core area.*

The proposal is consistent with these objectives as the proposed childcare will provide a use which will directly benefit the surrounding commercial, community, recreational and residential zones. The proposal will provide employment opportunities within the core whilst encouraging dual purpose trips and reduced reliance on vehicles. Furthermore, the proposal will retain the character and envelope of the existing building and ensure that the Wagga Wagga heritage conservation area will be maintained.

An assessment of the proposal is provided in the WWLEP 2010 compliance table located at Annexure B of this report and demonstrates that the proposal complies with all relevant LEP controls.

4.2.5.1 Heritage

The subject building is not identified as a heritage item, nor is it located within a heritage conservation area. However, the subject site is located on the boundary (opposite Peter Street) of the *Wagga Wagga Heritage Conservation Area* (**Figure 9**) and is located within close proximity to a multiple heritage listed items as recognised under Clause 5.10 of the WWLEP 2010. These heritage items include I263 (*Fire Station Building and Residence (former)*), I264 (*Electrical Substation*), I92 (*Residence (former)*), I93 (*Residence (former)*) and I280 (*Palm Tree Avenue*).

The proposed development will predominantly maintain the built form and character of the existing building, preserving the buildings federation era elements, with the exception of minor external changes and updated roofing. Whilst acknowledging the surrounding heritage conservation area and heritage items, the proposed development will not impede on these items during the construction or operation phase and is therefore considered acceptable.



Figure 9 Wagga Wagga heritage Conservation Area; Subject site in foreground

4.2.6 Wagga Wagga DCP 2011

Where relevant, the *SEPP (Educational Establishments and Child Care Facilities) 2017* repeals the controls of the *Wagga Wagga Development Control Plan 2010* (WWDCP 2010). A response to the requirements of the WWDCP 2010 is provided in Annexure D, where it is demonstrated that the proposed development is consistent with most of the relevant provisions either numerically or on merit. Merit consideration is necessary given the proposed use, site's location and constraints. Justification for any variation proposed is provided below or within the compliance table.

4.2.6.1 Fencing

The proposal has been designed with 1.8m high fencing to all boundaries of the subject site in order to ensure the safety and security of children and staff attending the childcare centre. In accordance with WWDCP 2011, it is noted that *Part 10.1 City Centre*, specifically, the *Baylis Street Precinct – Peter Street*, does not contain any controls pertaining to the provision of boundary fencing (namely fronting Peter Street). However, it is noted that the WWDCP 2011 and *Childcare Planning Guidelines* permits the provision of 1.8m high fencing to the outdoor play areas for centre-based childcare facilities. Accordingly and as stipulated, the proposal therefore provides 1.8m high fencing to all boundaries of the subject site.

Despite the above, it is noted that the proposed 1.8m high fencing is not commonly found along the streetscape of Peter Street. Further, the *Childcare Planning Guidelines* specifically state the following:

C9 Front fences and walls within the front setback should be constructed of visually permeable materials and treatments. Where the site is listed as a heritage item, adjacent to a heritage item or within a conservation area front fencing should be designed in accordance with local heritage provisions.

In order to reduce the impact of the 1.8m front fence on the public domain, this has been setback 0.6m from the front boundary to permit the provision of vegetative screening. The proposed vegetation (refer to submitted Landscape Plan)



will soften the edge of the fence and ensure compatibility with the public domain. Where the front fencing abuts the boundary, this is limited to a relatively minor width of 3.5m and includes the provision of the centre signage. This will permit suitable wayfinding for visitors however will not result in any visual impact to the public domain. Additionally, the proposal also includes the provision of a face brick and timber framed entry structure which will similarly define visitor entry and directly complement the character of the area, namely the Wagga Wagga Conservation Area opposite the site.

Further to the above, the nature of the proposal (being alterations and additions) limits the location of outdoor play areas within the front setback. As such, the proposed 1.8m fencing has been provided along the front setback to ensure the safety of children occupying the outdoor play areas. Notwithstanding, the fencing has been designed with a degree of permeability and is buffered with landscaping to ensure compatibility with the character of Peter Street and Wagga Wagga Conservation Area to the west.

As such, the proposed 1.8m front boundary fencing is considered acceptable in accordance with the abovementioned design measures and limitations of the site.

4.2.6.2 Parking Provisions

The proposal provides 5 parking spaces (including 1 accessible space) at the rear of the site accessed from Tongaboo Lane. The proposed parking arrangement is a result of the site specific constraints and nature of the proposal, being alterations and additions. In accordance WWDCP 2011 and *Childcare Planning Guidelines*, centre-based childcare facilities require the provision of 1 parking space per 4 children. The proposed 60 child centre would therefore elicit a total parking requirement of 15 parking spaces. Furthermore, the proposed age mix (as stipulated in this Statement) requires 11 staff as mandatory under the *ECSN Regulations*. These spaces are integrated into the parking rates stipulated by the WWDCP 2011 and therefore does not generate any additional parking requirements.

Despite falling short of the DCP requirement, this is considered acceptable given the nature of the proposal, location of the subject site within the Wagga Wagga Commercial Core and ample provision of on-street parking as discussed in detail below and within the Traffic Impact and Parking Assessment prepared by *McLaren Traffic Engineering*.

Importantly, the proposal is constrained with regards to the provision of on-site parking. The alterations and additions proposed as part of this application limits the availability of on-site parking given the building envelope is to be retained in addition to the provision of indoor and outdoor play areas per the *ECSN Regulations*. The reliance of on-street parking for visitors and alternative transport arrangements for staff is considered to be a superior outcome as opposed to dominating the subject site with hard paved areas (as is existing). The provision of high quality landscaping throughout the site and reduced parking will ensure the character of the built form and surrounding locality will be retained. Where basement parking would ordinarily be proposed, this cannot be achieved given the nature of the proposal and therefore the proposed design is considered the most appropriate outcome.

In accordance with the above and specifically pertaining to visitor parking, the proposal will rely on the provision of on-street parking along Peter Street and with the Council carpark adjoining the subject site to the south. As detailed in the *RMS Guidelines to Traffic Generating Development (Section 5.12.3 Childcare Centres)*, the following is noted:

'Given the short length of stay (the RTA's surveys found an average length of 6.8 minutes), parking must be provided in a convenient location, allowing safe movement of children to and from the centre.'

'Consideration could be given to reducing the parking required if convenient and safe on-street parking is available (e.g. indented parking bays), provided that the use of such parking does not adversely affect the amenity of the adjacent area'

In accordance with the above, the proposal will seek to utilise the on-street parking surrounding the subject site for the pick-up and drop-off of children. Given the shorter timeframe anticipated for this action, this will not result in any



significant impact to the surrounding locality. The Traffic and Parking Impact Assessment prepared by *McLaren Traffic Engineering* also identified that during the peak pick-up and drop-off periods, ample parking spaces will be available on-street (and within the Council carpark) to accommodate the proposed development. Furthermore, the proposal will remove the existing driveway from Peter Street (a desired outcome in accordance with the WWDCP 2011) and will therefore afford the public domain an additional on-street parking space.

It is also noted that the subject site is located within the Commercial Core which will also encourage dual purpose trips. That is, parents dropping off children will possibly work within the locality or utilise the various retail, commercial, community and recreational facilities within close proximity to the site. This will further reduce the demand of on-street parking given parents will be utilising existing facilities throughout the locality. The sites location within proximity to key facilities throughout the city centre, including (but not limited to) the Wagga Wagga Hospital, Wagga Wagga Market Place, Wagga Wagga Public School and the National Art Gallery will further encourage dual purpose trips. Although not within close proximity to the subject site, it is also noted that Local Government Area serves two NSW Military Bases in which the proposed child care will offer its services and also reduce the reliance of on-street parking.

Upon enrolment, parents will be made aware of the on-street parking arrangement per the Plan of Management (PoM). The proposal also includes the provision of pram storage which will encourage active transport (i.e. walking) and is considered acceptable given the subject sites central location within proximity to various land uses and residential zones. It is also noted that the subject site is located 100m walking distance to numerous bus routes along Baylis Street which will encourage the use of public transport.

In terms of staff parking, the proposal will provide 5 parking spaces which falls short of the 11 staff required per the ESCN Regulations. Given the restricted (timed) parking along the street, the possibility for full day on-street parking for staff will not be available. This will therefore encourage staff members to utilise alternative forms of transport, such as carpooling, walking, cycling or public transport and directly reflect the desired intent of the B3 Commercial Core. The proposal will also provide for ample bicycle parking for use of the staff to reduce reliance on vehicular travel. As discussed above, the sites location within a highly accessible area further reduces this reliance as staff will be provided with numerous opportunities for alternative forms of travel and is therefore considered acceptable in this regard. Further discussion regarding this shortfall is discussed in Traffic and Parking Impact Assessment submitted with this application.

In accordance with *Part 2.2 Off-Street Parking* of the WWDCP 2011, the following is stipulated:

'C6 In the case of redevelopment or change of use within the B3 zone where there is no increase in gross floor area, no additional car parking spaces will be required, except in the following instances:

- a. Outbuildings are proposed to be used in association with the development, or*
- b. A Traffic Impact Assessment (TIA) is required by Council for the development...*

C8 A traffic and parking study may be required for certain proposals, including but not limited to proposals for schools and other education uses including child care centres, business parks, hospitals, cinemas and gyms.'

Although it is noted that the proposal has been submitted with a Traffic and Parking Impact Assessment (and therefore this control does not strictly apply), the proposed development will result in a relatively minor increase in GFA over the existing development. In its current arrangement, the proposal provides a commercial tenancy with an internal area of 370m². The proposed childcare centre will provide a total area of 422.5m² and is therefore relatively minor. As such, the proposal is considered acceptable given the objectives of the B3 Commercial Core which is to encourage employment opportunities in accessible locations and maximise public transport patronage, walking and cycling. The Traffic and Parking Impact Assessment concludes the following:

- The proposal includes a total of 5 staff car parking spaces within a proposed at-grade carpark, resulting in a shortfall of 10 spaces when compared to the relevant controls applicable to the development, including Council's DCP requirements.
 - The parent/visitor car parking demand is conservatively 9 spaces, which can be easily accommodated within the adjacent Council car park during peak pick up / drop off periods
 - Staff will be encouraged to carpool and utilise public and alternative transport methods. Five (5) staff spaces is considered adequate for the site setting.
- Council's DCP does not require the provision of bicycle and motorcycle parking facilities.
- The parking areas of the site have been assessed against the relevant sections of AS2890.1 and have been found to satisfy the objectives of each standard with any acceptable variances have been outlined in Section 3.8. Swept Path Testing has been undertaken and is reproduced within Annexure D.
- The traffic generation of the proposed development has been estimated to be some 48 trips in the AM peak period (24 IN, 24 OUT) and 42 trips in the PM peak period (21 IN, 21 OUT). The impacts of the traffic generation have been modelled using SIDRA INTERSECTION 8.0, indicating that there will be no detrimental impact to the performance of the intersections or on residential amenity surrounding the site as a result of the generated traffic.

4.3 IMPACTS ON NATURAL & BUILT ENVIRONMENT

4.3.1 Topography & Scenic Impacts

The development does not propose any significant excavation with the majority of the development contained within the existing built form. Where excavation is proposed, this pertains to the increased building footprint (and footings) and landscaped works. The proposed excavation will not result in any visible impact when viewed from the public domain and is therefore considered acceptable.

With regards to scenic impacts, the proposal will provide an uplift to the existing building on site which respects the *Wagga Wagga Heritage Conservation Area* to the west whilst maintaining the commercial use of the building. As detailed above, the proposed excavation is minimal and will not result in any visual impact to the character of the site and existing building when viewed from Peter Street or Tongaboo Lane. The architectural approach which encompasses retainment (and improvement) to the existing building, in conjunction with landscaping, ensures that the proposal will not have an adverse impact on the scenic quality of the site and locality.

4.3.2 Micro-climate Impacts

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

4.3.3 Water & Air Quality Impacts

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

The subject site is recognised under Clause 7.5 of the WWLEP 2010 as "Groundwater". The land is recognised for its sensitivity on the natural resources including the nearby Murrumbidgee River and Wollundry Lagoon. The subject development does not involve significant excavation, is not agricultural in nature and therefore adverse water extraction

will not be imposed upon the surrounding waterways. Furthermore, it is also noted that the proposed change of use (into a child care centre) will not adversely impact upon the water quality or ecosystems found within the waterways.

It is therefore considered there will be no adverse impacts upon the water or air quality of the site.

4.3.4 Flora & Fauna Impacts

The proposed works will not result in any negative impacts on the quality of flora and fauna at the site. Rather, the development proposes a significant improvement to the vegetation found on site. The existing site provides soft landscaping within the front setback and includes a larger tree (to be retained) and lined shrubbery. The proposal will involve the considerable enhancement of vegetation found on site, particularly to the site boundaries, providing a visual buffer between the public domain and outdoor play spaces. Furthermore, two trees, one located within the front setback and second with Council's nature strip, are both proposed to be retained given their contributory value.

A Landscape Plan prepared by *Site Design Studios* has been prepared and submitted with the application. It is considered that all landscaped works will assist in the vegetation network and character of the area.

4.3.5 External Appearance & Design

The proposed development has been designed in order to maintain and enhance the existing building façade, allowing a significant improvement of its quality to ensure that the streetscape character and scale of the development is consistent and sympathetic to the surrounding area and neighbouring *Wagga Wagga Heritage Conservation Area*. The proposed external alterations to the built form, roofing and boundary fencing will provide a building which is of a high quality design respecting the period heritage elements of the building.

The proposal will predominantly retain the materiality of the existing building to deliver an outcome which has a strong relationship to the surrounding built form and respects the existing building on site. New Colorbond roofing and boundary fencing will complement the character of the existing building on the subject site. Importantly, the proposed fencing to Peter Street has been softened through the provision of additional planting forward of this element to reduce its visual impact when viewed from the public domain. It is noted that the rear façade visible from Tongaboo Lane has been designed with a simple rectilinear form containing cladding and glazed openings. This represents a considerable improvement when compared to the existing garage and carport currently on the subject site whilst simultaneously activating the laneway frontage and providing natural surveillance.

Furthermore, the improvement to landscaping will further compliment the external appearance of the building and soften the built form and visual impact of the neighbouring public carpark. The proposed landscaping will include a variety of native vegetation of differing mature heights to improve the landscaped character of the locality. The development will maintain the building height and only slightly increase the floor area, both of which are compliant with the WWLEP 2010, therefore ensuring the bulk and scale of the development on the site is compatible with the streetscape.

Images of the development are illustrated in **Figures 10** and **11** below.



Figure 10 Peter Street Elevation



Figure 11 Tongaboo Lane Elevation

4.3.6 Solar Access

Shadow diagrams have been submitted with this development application and demonstrate the shadow impact of the proposed development at 9am, 12pm and 3pm during mid-winter.

The DCP does not contain specific controls for child care centres, nor sites located within a business zone in relation to solar access. The controls for residential development in Section 9.3.4 have been used as a guide for the purposes of assessing the solar access impact on the neighbouring properties.

C6 For any adjacent dwellings that have north facing living areas, maintain 3 hours sunlight access to the windows of the living areas between 9am and 3pm in mid-winter (June 22).

The centre does not propose any increase to the existing building height and increase to GFA is relatively minor. Accordingly, no adverse overshadowing is to be cast upon the neighbouring properties to the east, whilst outdoor play areas have been located to the south of the site for protection from the sun, as per the recommendations of the *Child Care Planning Guidelines*.

4.3.7 Views

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

4.3.8 Aural & Visual Privacy

The proposed centre-based child care facility has been designed to provide 60 places for children aged 0 to 6 years old. The proposed hours of operation are Monday to Saturday 6am-6pm, with no outdoor areas to be utilised prior to 7am. A PoM is provided in conjunction with this SEE outlining usage of indoor and outdoor play area in order to manage aural privacy.

In accordance with the above, it is important to note that the subject site is located within the commercial core and does not share any common boundaries with residential properties. This therefore limits concerns regarding adverse aural impacts to the surrounding locality. Notwithstanding, in order to protect the amenity of the neighbouring commercial property to the north this application has been submitted with an Acoustic Report prepared by *Acoustic Logic*. The Acoustic Report submitted with this application includes recommendations which have been implemented within the proposed design in order to limit the aural impact to the neighbouring properties.

In accordance with the above, it is concluded that the proposed development will not create any excessive indoor or outdoor aural privacy concerns if the Acoustic Report recommendations are followed as required. As such, the proposal is considered acceptable in terms of aural impacts on adjoining development and the amenity of future residents.

In regards to visual privacy, the proposed development has been designed in order to ensure overlooking onto neighbouring properties is mitigated where possible whilst passive surveillance is enhanced. Specifically, the proposed development has retained the location of openings and ensures that the indoor and outdoor play areas are orientated internally towards the subject site and externally to the public domain. The proposed outdoor play areas have been specifically designed to address Peter Street and the public carpark to mitigate visual privacy concerns.

Furthermore, the northern elevation involves no changes to the existing number of windows which mitigates overlooking concerns to the commercial building to the north. In order to maximise solar gain whilst maintaining visual privacy, the proposal retains the western windows where practicable. Additionally, the proposed bathroom link between the primary and secondary building will be provided with a highlight window in order to reduce potential overlooking.

As such, the proposal is considered acceptable with regards to visual and aural privacy.

4.4 ECONOMIC & SOCIAL IMPACTS

The proposed development will result in an increase in available child care places in the locality. The subject site enjoys good access to commercial and retail services, schools and public transport routes. The proposed development will utilise existing infrastructure including electricity, sewer, water and telecommunication services. The objectives stipulated in *CI 7.9 Primacy of Zone B3 Commercial Core* of the WWLEP 2010 are;



(a) to maintain the primacy of Zone B3 Commercial Core as the principal business, office and retail hub of the Wagga Wagga city centre and to ensure that development does not conflict with the hierarchy of commercial centres,

(b) to strengthen Wagga Wagga's position as an eminent regional centre by creating employment opportunities for tourism, commerce, education, health care, culture and the arts.

The proposed development will achieve these objectives and stimulate positive economic and social impacts for the Wagga Wagga City Centre through creating employment opportunities in the education sector. The development will strengthen the economic output of the current commercial tenancy located on site. Undertaking the demolition and construction works will have some short-term positive economic impacts through employment generation, both direct employment and multiplier effects.

Accordingly, it is considered that the proposed development is likely to have only positive social and economic impacts in the locality.

4.5 THE SUITABILITY OF THE SITE

4.5.1 Access to Services

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

4.5.2 Hazards

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

It is noted that the subject site is located within the probable maximum flood and is considered acceptable given no changes are proposed to the floor levels of the development.

4.6 THE PUBLIC INTEREST

The proposal is compatible with existing development and will provide a balance between protecting amenity and the natural environment, and providing additional childcare places in the locality. The proposal largely complies with the development standards and objectives contained within the SEPP (Educational Establishments and Child Care Facilities) 2017, Child Care Planning Guidelines, WWLEP 2010 and adequately responds to the parking provisions of the WWDCP 2010.

The proposal will provide 60 new child care places within a highly accessible location and compliment the child care needs of the Wagga Wagga City Centre and employment hub. The fit out, including alterations and additions, will have minimal adverse impacts on the natural and built environment. Accordingly, the proposed development is considered to be in the public interest.





5. Conclusion

The impact of the proposed development has been assessed in accordance with the provisions of Section 4.15 of the EP&A Act, 1979 and found to be satisfactory. The proposal is permissible with consent and complies with the aims and objectives of the WWLEP 2010.

The design and external appearance of the proposal is appropriate to the character of the locality. The proposal does not impact on views or privacy of neighbouring properties and will have no significant impact on the topography, micro-climate, air or water quality of the locality. Acoustic impacts will be minimised through implementation of mitigation measures as outlined in the Acoustic Report prepared by *Acoustic Logic*. Similarly, traffic is considered acceptable given the provision of on-site parking and availability of on-street parking as outlined in this Statement and the Traffic Report prepared by *McLaren Traffic Engineering*.

The proposal provides a medium scale centre-based childcare centre for 60 children in close proximity to the Wagga Wagga City Centre and employment hub. The proposed alterations and additions provide high quality indoor and outdoor play areas which will benefit the children utilising the centre.

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



ANNEXURE A

SEPP (Educational Establishments and Child Care Facilities) 2017 - Compliance Table



SEPP (Educational Establishments and Child Care Facilities) 2017 - Compliance Table

Clause / Control	Requirement	Proposal	Complies?
Part 3 Early education and care facilities – specific development controls			
22 Centre-based child care facility— concurrence of Regulatory Authority required for certain development	(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.	The proposal complies with this requirement. See the Child Care Planning Guideline compliance table at Annexure B.	N/A
		As above.	N/A
	(2) The consent authority must not grant development consent to development to which this clause applies except with the concurrence of the Regulatory Authority.	Not applicable.	N/A
	(3) The consent authority must, within 7 days of receiving a development application for development to which this clause applies: (a) forward a copy of the development application to the Regulatory Authority, and (b) notify the Regulatory Authority in writing of the basis on which the Authority's concurrence is required and of the date it received the development application.	Not applicable.	N/A
	(4) In determining whether to grant or refuse concurrence, the Regulatory Authority is to consider any requirements applicable to the proposed development under the Children (Education and Care Services) National Law (NSW).	Not applicable.	N/A

SEPP (Educational Establishments and Child Care Facilities) 2017 - Compliance Table

	<p>(5) The Regulatory Authority is to give written notice to the consent authority of the Authority's determination within 28 days after receiving a copy of the development application under subclause (3). Note. The effect of section 4.13 (11) of the Act is that if the Regulatory Authority fails to inform the consent authority of the decision concerning concurrence within the 28 day period, the consent authority may determine the development application without the concurrence of the Regulatory Authority and a development consent so granted is not voidable on that ground.</p> <p>(6) The consent authority must forward a copy of its determination of the development application to the Regulatory Authority within 7 days after making the determination.</p>	<p>Not applicable.</p> <p>Not applicable.</p>	<p>N/A</p> <p>N/A</p>
23 Centre-based child care facility—matters for consideration by consent authorities	Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the Child Care Planning Guideline, in relation to the proposed development.	Refer to the Child Care Planning Guideline compliance table at Annexure B.	Yes
25 Centre-based child care facility—non-discretionary development standards	(1) The object of this clause is to identify development standards for particular matters relating to a centre-based child care facility that, if complied with, prevent the consent authority from requiring more onerous standards for those matters.	Noted.	-



<p>(2) The following are non-discretionary development standards for the purposes of section 4.15 (2) and (3) of the Act in relation to the carrying out of development for the purposes of a centre-based child care facility:</p> <p>(a) location—the development may be located at any distance from an existing or proposed early education and care facility,</p> <p>(b) indoor or outdoor space</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> <p>(c) site area and site dimensions—the development may be located on a site of any size and have any length of street frontage or any allotment depth,</p> <p>(d) colour of building materials or shade structures—the development may be of any colour or colour scheme unless it is a State or local heritage item or in a heritage conservation area.</p> <p>(3) To remove doubt, this clause does not prevent a consent authority from:</p>	<p>Complies.</p> <p>Complies. Refer to Child Care Planning Guideline at Annexure B.</p> <p>Complies.</p> <p>Complies. The site is not a heritage item and is not located in a heritage conservation area.</p> <p>Noted.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>-</p>
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SEPP (Educational Establishments and Child Care Facilities) 2017 - Compliance Table

	<p>(a) refusing a development application in relation to a matter not specified in subclause (2), or</p> <p>(b) granting development consent even though any standard specified in subclause (2) is not complied with.</p>	Noted.	-
26 Centre-based child care facility—development control plans	<p>(1) A provision of a development control plan that specifies a requirement, standard or control in relation to any of the following matters (including by reference to ages, age ratios, groupings, numbers or the like, of children) does not apply to development for the purpose of a centre-based child care facility:</p> <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 education and care facilities,</p> <p>(d) any matter relating to development for the purpose of a centre-based child care facility contained in:</p> <p style="padding-left: 40px;">(i) the design principles set out in Part 2 of the Child Care Planning Guideline, or</p> <p style="padding-left: 40px;">(ii) the matters for consideration set out in Part 3 or the regulatory requirements set out in Part 4 of that Guideline (other than those concerning building height, side and rear setbacks or car parking rates).</p> <p>(2) This clause applies regardless of when the development control plan was made.</p>	<p>Noted.</p> <p>Noted.</p>	-

ANNEXURE B

Child Care Planning Guideline – Compliance Table



Child Care Planning Guideline

Clause / Control	Requirement	Proposal	Complies?
3.1 Site selection and location	<p>C1 For proposed developments in or adjacent to a residential zone, consider:</p> <ul style="list-style-type: none"> • the acoustic and privacy impacts of the proposed development on the residential properties • the setbacks and siting of buildings within the residential context • traffic and parking impacts of the proposal on residential amenity. <p>For proposed developments in commercial and industrial zones, consider:</p> <ul style="list-style-type: none"> • potential impacts on the health, safety and wellbeing of children, staff and visitors with regard to local environmental or amenity issues such as air or noise pollution and local traffic conditions • the potential impact of the facility on the viability of existing commercial or industrial uses. <p>For proposed developments in public or private recreation zones, consider:</p> <ul style="list-style-type: none"> • the compatibility of the proposal with the operations and nature of the community or private recreational facilities • if the existing premises is licensed for alcohol or gambling • if the use requires permanent or casual occupation of the premises or site • the availability of on site parking • compatibility of proposed hours of operation with surrounding uses, particularly residential uses • the availability of appropriate and dedicated sanitation facilities for the development. 	Not applicable	N/A
		The site is located within the B3 Commercial Core zone.	Yes
		Site located on border of R1 General Residential zone. Air and noise pollution are minimal whilst Peter Street maintains pedestrian friendly traffic conditions.	Yes
		The proposal will contribute to and enhance the primacy of the B3 Commercial Core.	Yes
		Not applicable	N/A
	For proposed developments on school, TAFE or university sites in Special Purpose zones, consider:	Not applicable	N/A

Child Care Planning Guideline

	<ul style="list-style-type: none"> • the compatibility of the proposal with the operation of the institution and its users • the proximity of the proposed facility to other uses on the site, including premises licensed for alcohol or gambling • proximity to sources of noise, such as places of entertainment or mechanical workshops • proximity to odours, particularly at agricultural institutions • previous uses of a premises such as scientific, medical or chemical laboratories, storage areas and the like. 		
	<p>C2 When selecting a site, ensure that:</p> <ul style="list-style-type: none"> • the location and surrounding uses are compatible with the proposed development or use • the site is environmentally safe including risks such as flooding, land slip, bushfires, coastal hazards • there are no potential environmental contaminants on the land, in the building or the general proximity, and whether hazardous materials remediation is needed • the characteristics of the site are suitable for the scale and type of development proposed having regard to: <ul style="list-style-type: none"> - size of street frontage, lot configuration, dimensions and overall size - number of shared boundaries with residential properties - the development will not have adverse environmental impacts on the surrounding area, particularly in sensitive environmental or cultural areas • where the proposal is to occupy or retrofit an existing premises, the interior and exterior spaces are suitable for the proposed use • there are suitable drop off and pick up areas, and off and on street parking • the type of adjoining road (for example classified, arterial, local road, cul-de-sac) is appropriate and safe for the proposed use • it is not located closely to incompatible social activities and uses such as restricted premises, injecting rooms, drug clinics and the like, premises licensed for alcohol or gambling such as hotels, clubs, cellar door premises and sex services premises. 	<p>The proposal is located at the intersect of residential land use and the Wagga Wagga employment and commercial core.</p> <p>The proposal is considered acceptable in this regard.</p> <p>The subject site does not contain any potentially hazardous materials.</p> <p>The site is sufficient in size for the proposed development, whilst surrounding parking area and commercial premises can continue to operate with no adverse impact.</p> <p>The proposed retrofit of the existing building is suitable to occupy a child-care centre.</p> <p>Parking and drop off and pick up is subject to on street arrangements. Refer to discussion in Section 4.2.4.2 of this Statement.</p> <p>Peter Street is a local road.</p> <p>Not applicable.</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p> <p>N/a</p> <p>Yes</p> <p>On-merit</p> <p>Yes</p> <p>N/A</p>

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	<p>C3 A child care facility should be located:</p> <ul style="list-style-type: none"> • near compatible social uses such as schools and other educational establishments, parks and other public open space, community facilities, places of public worship • near or within employment areas, town centres, business centres, shops • with access to public transport including rail, buses, ferries • in areas with pedestrian connectivity to the local community, businesses, shops, services and the like. <p>C4 A child care facility should be located to avoid risks to children, staff or visitors and adverse environmental conditions arising from:</p> <ul style="list-style-type: none"> • proximity to: <ul style="list-style-type: none"> - heavy or hazardous industry, waste transfer depots or landfill sites - LPG tanks or service stations - water cooling and water warming systems - odour (and other air pollutant) generating uses and sources or sites which, due to prevailing land use zoning, may in future accommodate noise or odour generating uses - extractive industries, intensive agriculture, agricultural spraying activities • any other identified environmental hazard or risk relevant to the site and/or existing buildings within the site. 	<p>The site is located within a 200m radius of Wagga Wagga Public School, Collins Park and Victory Memorial Park, both of which include a recreational playground, whilst bus stops line Baylis Street 50m to the east. The site is also within proximity to Wagga Wagga Hospital and other community facilities.</p> <p>The site is not located in proximity to any hazardous land uses or risks.</p>	<p>Yes</p> <p>Yes</p>
3.2 Local character, streetscape and the public domain interface	<p>C5 The proposed development should:</p> <ul style="list-style-type: none"> • contribute to the local area by being designed in character with the locality and existing streetscape • reflect the predominant form of surrounding land uses, particularly in low density residential areas • recognise predominant streetscape qualities, such as building form, scale, materials and colours • include design and architectural treatments that respond to and integrate with the existing streetscape 	<p>The centre has been designed to complement the heritage conservation area opposite Peter Street, provides suitable setbacks to the adjoining property to the north, and provides landscaping within the street setback and in the southern outdoor play area.</p>	<p>Yes</p>

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	<ul style="list-style-type: none"> • use landscaping to positively contribute to the streetscape and neighbouring amenity • integrate car parking into the building and site landscaping design in residential areas. 		
	<p>C6 Create a threshold with a clear transition between public and private realms, including:</p> <ul style="list-style-type: none"> • fencing to ensure safety for children entering and leaving the facility • windows facing from the facility towards the public domain to provide passive surveillance to the street as a safety measure and connection between the facility and the community • integrating existing and proposed landscaping with fencing. 	<p>The front fence delineates the public and private realms. The design provides windows overlooking the street and southern frontage.</p> <p>Landscaping is visible through the fencing and gates.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
	<p>C7 On sites with multiple buildings and/or entries, pedestrian entries and spaces associated with the child care facility should be differentiated to improve legibility for visitors and children by changes in materials, plant species and colours.</p>	<p>There are two (2) pedestrian entrances to the site. Double gates with tall fences and extensive landscaping differentiate space for visitors and children. The proposal provides play areas within the front setback however will be under the surveillance of staff to ensure surveillance of visitors entering the site.</p>	<p>Yes</p>
	<p>C8 Where development adjoins public parks, open space or bushland, the facility should provide an appealing streetscape frontage by adopting some of the following design solutions:</p> <ul style="list-style-type: none"> • clearly defined street access, pedestrian paths and building entries • low fences and planting which delineate communal/ private open space from adjoining public open space • minimal use of blank walls and high fences. 	<p>Not applicable</p>	<p>N/A</p>
	<p>C9 Front fences and walls within the front setback should be constructed of visually permeable materials and treatments. Where the site is listed as a heritage item, adjacent to a heritage item or within a conservation area front fencing should be designed in accordance with local heritage provisions.</p>	<p>The proposed fencing is semi-permeable and buffered by landscaping to ensure the streetscape character of the site is retained.</p> <p>The site is not heritage listed or adjacent to a heritage item.</p>	<p>Yes</p> <p>Yes</p>
	<p>C10 High solid acoustic fencing may be used when shielding the facility from noise on classified roads. The walls should be setback from the</p>	<p>Not applicable.</p>	<p>N/A</p>

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	property boundary with screen landscaping of a similar height between the wall and the boundary.		
3.3 Building orientation, envelope and design	<p>C11 Orient a development on a site and design the building layout to:</p> <ul style="list-style-type: none"> • ensure visual privacy and minimise potential noise and overlooking impacts on neighbours by: <ul style="list-style-type: none"> - facing doors and windows away from private open space, living rooms and bedrooms in adjoining residential properties - placing play equipment away from common boundaries with residential properties - locating outdoor play areas away from residential dwellings and other sensitive uses • optimise solar access to internal and external play areas • avoid overshadowing of adjoining residential properties • minimise cut and fill • ensure buildings along the street frontage define the street by facing it • ensure that where a child care facility is located above ground level, outdoor play areas are protected from wind and other climatic conditions. 	<p>A majority of windows and doors are oriented to the front and southern boundary with a reduced number of north facing side boundaries. No surrounding properties are residential use.</p> <p>The outdoor play areas are located to the southern and western boundaries, adjoining the council car park and Peter Street. Appropriate landscaped screening is provided around the periphery of the site.</p> <p>The play areas are oriented to the west and south with solar access also afforded from the north given the built form location. Site does not adjoin residential properties.</p> <p>Minimal cut and fill is required. The building addresses Peter Street and Tongaboo Lane. The proposal is located entirely at ground floor.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
	<p>C12 The following matters may be considered to minimise the impacts of the proposal on local character:</p> <ul style="list-style-type: none"> • building height should be consistent with other buildings in the locality • building height should respond to the scale and character of the street • setbacks should allow for adequate privacy for neighbours and children at the proposed child care facility 	<p>The building involves alterations to the existing building. The single storey federation period building is consistent with surrounding development.</p> <p>The building has the scale and height which is compatible with the existing streetscape and heritage character to the west.</p> <p>The existing setbacks are retained and windows on the northern side boundary are minimised.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

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	<ul style="list-style-type: none"> • setbacks should provide adequate access for building maintenance • setbacks to the street should be consistent with the existing character. 	<p>Access is suitably provided along the southern and northern side boundary.</p> <p>There is no change to the existing front setback of the building. Landscaping will enhance the front façade.</p>	<p>Yes</p> <p>Yes</p>
	C13 Where there are no prevailing setback controls minimum setback to a classified road should be 10 metres. On other road frontages where there are existing buildings within 50 metres, the setback should be the average of the two closest buildings. Where there are no buildings within 50 metres, the same setback is required for the predominant adjoining land use.	There is no change to the existing front setback of the building.	Yes
	C14 On land in a residential zone, side and rear boundary setbacks should observe the prevailing setbacks required for a dwelling house.	N/A	N/A
	<p>C15 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"> • respects and responds to its physical context such as adjacent built form, neighbourhood character, streetscape quality and heritage • contributes to the identity of the place • retains and reinforces existing built form and vegetation where significant • considers heritage within the local neighbourhood including identified heritage items and conservation areas • responds to its natural environment including local landscape setting and climate 	<p>The building has the scale and height which is compatible with the character of the locality and respects the Wagga Wagga Heritage Conservation Area opposite Peter Street</p> <p>The building retains the existing scale and appearance. Landscaping is retained and improved as part of the proposed development.</p> <p>The proposal respects the federation era building on site and nearby heritage conservation area.</p> <p>Landscaping is provided in the front setback and outdoor play area at the side of the site.</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p>
	<p>C16 Entry to the facility should be limited to one secure point which is:</p> <ul style="list-style-type: none"> • located to allow ease of access, particularly for pedestrians • directly accessible from the street where possible • directly visible from the street frontage • easily monitored through natural or camera surveillance • not accessed through an outdoor play area. 	The entry to the centre is accessed directly from the street via a pathway to the front entry. It is noted that an additional entry is provided to the rear however this is generally to be utilised by staff.	Yes

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	<ul style="list-style-type: none"> • in a mixed-use development, clearly defined and separate from entrances to other uses in the building. 		
	<p>C17 Accessible design can be achieved by:</p> <ul style="list-style-type: none"> • providing accessibility to and within the building in accordance with all relevant legislation • linking all key areas of the site by level or ramped pathways that are accessible to prams and wheelchairs, including between all car parking areas and the main building entry • providing a continuous path of travel to and within the building, including access between the street entry and car parking and main building entrance. Platform lifts should be avoided where possible • minimising ramping by ensuring building entries and ground floors are well located relative to the level of the footpath. <p><i>NOTE: The National Construction Code, the Discrimination Disability Act 1992 and the Disability (Access to Premises – Buildings) Standards 2010 set out the requirements for access to buildings for people with disabilities.</i></p>	Refer to Access Report submitted with this application.	Yes
3.4 Landscaping	<p>C18 Appropriate planting should be provided along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space. Use the existing landscape where feasible to provide a high quality landscaped area by:</p> <ul style="list-style-type: none"> • reflecting and reinforcing the local context • incorporating natural features of the site, such as trees, rocky outcrops and vegetation communities into landscaping. 	Landscaping is provided to the outdoor play area at the front, rear and side of the site – a Landscape Plan has been submitted with the application.	Yes
	<p>C19 Incorporate car parking into the landscape design of the site by:</p> <ul style="list-style-type: none"> • planting shade trees in large car parking areas to create a cool outdoor environment and reduce summer heat radiating into buildings • taking into account streetscape, local character and context when siting car parking areas within the front setback 	The proposed car parking is located directly off Tongaboo Lane as is existing. Vegetation is provided within the outdoor play area to the west of the on-site parking to reduce its impact as far as practicable, however	Yes

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	<ul style="list-style-type: none"> • using low level landscaping to soften and screen parking areas. 	this is constrained by the existing site conditions and alterations additions.	
3.5 Visual and acoustic privacy	C20 Open balconies in mixed use developments should not overlook facilities nor overhang outdoor play spaces.	Not applicable.	N/A
	<p>C21 Minimise direct overlooking of indoor rooms and outdoor play spaces from public areas through:</p> <ul style="list-style-type: none"> • appropriate site and building layout • suitably locating pathways, windows and doors • permanent screening and landscape design. 	Indoor play areas setback from the streetscape as is existing and are separated sufficiently from the public domain. Appropriate landscaping and fencing is provided to the front, rear and southern side boundary to provide a visual buffer from the public domain to outdoor play spaces.	Yes
	<p>C22 Minimise direct overlooking of main internal living areas and private open spaces in adjoining developments through:</p> <ul style="list-style-type: none"> • appropriate site and building layout • suitable location of pathways, windows and doors • landscape design and screening. 	No residential developments surround the subject site. Only three existing windows are north facing towards No. 135-137 Peter Street.	Yes
	<p>C23 A new development, or development that includes alterations to more than 50 per cent of the existing floor area, and is located adjacent to residential accommodation should:</p> <ul style="list-style-type: none"> • provide an acoustic fence along any boundary where the adjoining property contains a residential use. (An acoustic fence is one that is a solid, gap free fence). • ensure that mechanical plant or equipment is screened by solid, gap free material and constructed to reduce noise levels e.g. acoustic fence, building, or enclosure. 	Development does not adjoin residential land use.	Yes
	C24 A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters:	An Acoustic Assessment Report has been submitted with the DA.	Yes

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	<ul style="list-style-type: none"> • identify an appropriate noise level for a child care facility located in residential and other zones • determine an appropriate background noise level for outdoor play areas during times they are proposed to be in use • determine the appropriate height of any acoustic fence to enable the noise criteria to be met. 		
3.6 Noise and air pollution	<p>C25 Adopt design solutions to minimise the impacts of noise, such as:</p> <ul style="list-style-type: none"> • creating physical separation between buildings and the noise source • orienting the facility perpendicular to the noise source and where possible buffered by other uses • using landscaping to reduce the perception of noise • limiting the number and size of openings facing noise sources • using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens) • using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and soffits • locating cot rooms, sleeping areas and play areas away from external noise sources. 	An Acoustic Assessment Report has been submitted with the DA.	Yes
	<p>C26 An acoustic report should identify appropriate noise levels for sleeping areas and other non play areas and examine impacts and noise attenuation measures where a child care facility is proposed in any of the following locations:</p> <ul style="list-style-type: none"> • on industrial zoned land • where the ANEF contour is between 20 and 25, consistent with AS 2021 – 2000 • along a railway or mass transit corridor, as defined by State Environmental Planning Policy (Infrastructure) 2007 • on a major or busy road • other land that is impacted by substantial external noise 	An Acoustic Assessment Report has been submitted with the DA.	Yes

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	C27 Locate child care facilities on sites which avoid or minimise the potential impact of external sources of air pollution such as major roads and industrial development.	Not applicable.	N/A
	<p>C28 A suitably qualified air quality professional should prepare an air quality assessment report to demonstrate that proposed child care facilities close to major roads or industrial developments can meet air quality standards in accordance with relevant legislation and guidelines. The air quality assessment report should evaluate design considerations to minimise air pollution such as:</p> <ul style="list-style-type: none"> • creating an appropriate separation distance between the facility and the pollution source. The location of play areas, sleeping areas and outdoor areas should be as far as practicable from the major source of air pollution • using landscaping to act as a filter for air pollution generated by traffic and industry. Landscaping has the added benefit of improving aesthetics and minimising visual intrusion from an adjacent roadway • incorporating ventilation design into the design of the facility 	Not applicable.	N/A
3.7 Hours of operation	C29 Hours of operation within areas where the predominant land use is residential should be confined to the core hours of 7.00am to 7.00pm weekdays. The hours of operation of the proposed child care facility may be extended if it adjoins or is adjacent to non-residential land uses.	The hours of operation of the centre are proposed to be 6am-6pm from Monday to Saturday. The proposed opening hours are considered acceptable given the site is located within the commercial core as opposed to a residential zone.	Yes
	C30 Within mixed use areas or predominantly commercial areas, the hours of operation for each child care facility should be assessed with respect to its compatibility with adjoining and co-located land uses.	The proposed 6am to 6pm opening hours are considered acceptable with regards to the commercial core and will appropriately serve parents working within the centre.	N/A
3.8 Traffic, parking and pedestrian circulation	<p>C31 Off street car parking should be provided at the rates for child care facilities specified in a Development Control Plan that applies to the land.</p> <p>Where a Development Control Plan does not specify car parking rates, off street car parking should be provided at the following rates:</p> <p>Within 400 metres of a metropolitan train station:</p> <ul style="list-style-type: none"> • 1 space per 10 children 	<p>The proposed development will provide five (5) staff parking spaces.</p> <p>The site is located within the B3 Commercial Core, primary commercial and employment hub of the Wagga Wagga region. The site is within proximity to high frequency public transport along Baylis Street and further compatible land uses, such as educational facilities, public open space and directly adjoining a council carpark.</p>	Refer to Section 4.2.4.2 for discussion

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	<ul style="list-style-type: none"> • 1 space per 2 staff. <p>Staff parking may be stack or tandem parking with no more than 2 spaces in each tandem space. In other areas:</p> <ul style="list-style-type: none"> • 1 space per 4 children. <p>A reduction in car parking rates may be considered where:</p> <ul style="list-style-type: none"> • the proposal is an adaptive re-use of a heritage item • the site is in a B8 Metropolitan Zone or other high density business or residential zone • the site is in proximity to high frequency and well connected public transport • the site is co-located or in proximity to other uses where parking is appropriately provided (for example business centres, schools, public open space, car parks) • there is sufficient on street parking available at appropriate times within proximity of the site. 	WWDCP 2010 specifies parking rates – refer to discussion in Section 4.2.4.2 of this Statement.	
	C32 In commercial or industrial zones and mixed use developments, on street parking may only be considered where there are no conflicts with adjoining uses, that is, no high levels of vehicle movement or potential conflicts with trucks and large vehicles.	Peter Street is a local road with a maximum 50km/h speed limit. Vehicle movement is relatively low and the adjoining council car park also provides ample parking spaces to meet the needs of the subject development and existing commercial premises.	Yes
	<p>C33 A Traffic and Parking Study should be prepared to support the proposal to quantify potential impacts on the surrounding land uses and demonstrate how impacts on amenity will be minimised. The study should also address any proposed variations to parking rates and demonstrate that:</p> <ul style="list-style-type: none"> • the amenity of the surrounding area will not be affected • there will be no impacts on the safe operation of the surrounding road network. 	A Traffic Report has been submitted with the DA.	Yes
	C34 Alternate vehicular access should be provided where child care facilities are on sites fronting:	Not applicable	N/A

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	<ul style="list-style-type: none"> • a classified road • roads which carry freight traffic or transport dangerous goods or hazardous materials. The alternate access must have regard to: • the prevailing traffic conditions • pedestrian and vehicle safety including bicycle movements • the likely impact of the development on traffic. 		
	C35 Child care facilities proposed within cul-de-sacs or narrow lanes or roads should ensure that safe access can be provided to and from the site, and to and from the wider locality in times of emergency.	N/A	N/A
	<p>C36 The following design solutions may be incorporated into a development to help provide a safe pedestrian environment:</p> <ul style="list-style-type: none"> • separate pedestrian access from the car park to the facility • defined pedestrian crossings included within large car parking areas • separate pedestrian and vehicle entries from the street for parents, children and visitors • pedestrian paths that enable two prams to pass each other • delivery and loading areas located away from the main pedestrian access to the building and in clearly designated, separate facilities • in commercial or industrial zones and mixed use developments, the path of travel from the car parking to the centre entrance physically separated from any truck circulation or parking areas • vehicles can enter and leave the site in a forward direction. 	<p>Primary pedestrian entry is separate from the car park. N/A</p> <p>The proposal provides visitor and parent access from Peter Street and staff access from Tongaboo Lane.</p> <p>The pedestrian access is considered acceptable with regards to the passing of prams.</p> <p>Delivery vehicles will park on the street. This is considered acceptable by the provided Traffic Report.</p> <p>Not applicable.</p> <p>Parking for staff only accessed via rear services lane.</p>	<p>N/A N/A</p> <p>Yes Yes</p> <p>N/A</p> <p>On merit</p>
	<p>C37 Mixed use developments should include:</p> <ul style="list-style-type: none"> • driveway access, manoeuvring areas and parking areas for the facility that are separate to parking and manoeuvring areas used by trucks • drop off and pick up zones that are exclusively available for use during the facility's operating hours with spaces clearly marked accordingly, close to the main entrance and preferably at the same floor level. Alternatively, direct access should avoid crossing driveways or manoeuvring areas used by vehicles accessing other parts of the site 	Not applicable.	N/A

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	<ul style="list-style-type: none"> • parking that is separate from other uses, located and grouped together and conveniently located near the entrance or access point to the facility. 		
	<p>C38 Car parking design should:</p> <ul style="list-style-type: none"> • include a child safe fence to separate car parking areas from the building entrance and play areas • provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards • include wheelchair and pram accessible parking. 	Parking for staff only accessed via rear services lane. This is separated by two child safe fences.	On merit
4. Applying the National Regulations to development proposals			
4.1 Indoor space requirements	<p>Regulation 107 Education and Care Services National Regulations</p> <p>Every child being educated and cared for within a facility must have a minimum of 3.25m² of unencumbered indoor space.</p> <p>If this requirement is not met, the concurrence of the regulatory authority is required under the SEPP.</p> <p>Unencumbered indoor space excludes any of the following:</p> <ul style="list-style-type: none"> • passageway or thoroughfare (including door swings) used for circulation • toilet and hygiene facilities • nappy changing area or area for preparing bottles • area permanently set aside for the use or storage of cots • area permanently set aside for storage • area or room for staff or administration • kitchens, unless the kitchen is designed to be used predominately by the children as part of an educational program e.g. a learning kitchen • on-site laundry • other space that is not suitable for children. 	<p>Every child has a minimum 3.25m² of unencumbered indoor space. The subject site provides an unencumbered indoor area of 203m².</p> <p>Noted. Spaces have been calculated accordingly.</p>	<p>Yes</p> <p>Yes</p>

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	<p>All unencumbered indoor spaces must be provided as a secure area for children. The design of these spaces should consider the safe supervision of children.</p> <p>When calculating indoor space requirements, the area required for any additional child may be waived when the child is being cared for in an emergency circumstance as set out in regulation 123(5) or the child is being educated or cared for in exceptional circumstances as set out in regulation 124(5) and (6) of the National Regulations.</p> <p>Applicants should also note that regulation 81 requires that the needs for sleep and rest of children at the service be met, having regard to their ages, development stages and individual needs. Development applications should indicate how these needs will be accommodated.</p> <p>Verandahs may be included when calculating indoor space with the written approval from the regulatory authority.</p>	<p>Indoor spaces are secure, highly visible and can be safely supervised.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>	<p>Yes</p> <p>-</p> <p>Yes</p> <p>-</p>
4.2 Laundry and hygiene facilities	<p>Regulation 106 Education and Care Services National Regulations</p> <p>There must be laundry facilities or access to laundry facilities; or other arrangements for dealing with soiled clothing, nappies and linen, including hygienic facilities for storage prior to their disposal or laundering. The laundry and hygienic facilities must be located and maintained in a way that does not pose a risk to children.</p> <p>Child care facilities must also comply with the requirements for laundry facilities that are contained in the National Construction Code.</p>	<p>A laundry is provided at the rear of the site. Nappy change facilities are also provided at the rear.</p>	<p>Yes</p>
4.3 Toilet and hygiene facilities	<p>Regulation 109 Education and Care Services National Regulations</p> <p>A service must ensure that adequate, developmentally and age appropriate toilet, washing and drying facilities are provided for use by</p>	<p>Age-appropriate toilet facilities are provided.</p>	<p>Yes</p>

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	<p>children being educated and cared for by the service; and the location and design of the toilet, washing and drying facilities enable safe use and convenient access by the children.</p> <p>Child care facilities must comply with the requirements for sanitary facilities that are contained in the National Construction Code.</p>		
4.4 Ventilation and natural light	<p>Regulation 110 Education and Care Services National Regulations</p> <p>Services must be well ventilated, have adequate natural light, and be maintained at a temperature that ensures the safety and wellbeing of children.</p> <p>Child care facilities must comply with the light and ventilation and minimum ceiling height requirements of the National Construction Code. Ceiling height requirements may be affected by the capacity of the facility.</p>	The proposal is well-ventilated, has appropriate windows to outdoor areas and can be maintained at a safe temperature.	Yes
4.5 Administrative space	<p>Regulation 111 Education and Care Services National Regulations</p> <p>A service must provide adequate area or areas for the purposes of conducting the administrative functions of the service, consulting with parents of children and conducting private conversations.</p>	The proposal incorporates a reception at ground level and staff room on the first floor rear structures. Private conversations may take place within the staff room.	Yes
4.6 Nappy change facilities	<p>Regulation 112 Education and Care Services National Regulations</p> <p>Child care facilities must provide for children who wear nappies, including appropriate hygienic facilities for nappy changing and bathing. All nappy changing facilities should be designed and located in an area that prevents unsupervised access by children.</p> <p>Child care facilities must also comply with the requirements for nappy changing and bathing facilities that are contained in the National Construction Code.</p>	Nappy change facilities are provided between playroom 3 and 4 at ground level.	Yes

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4.7 Premises designed to facilitate supervision	<p>Regulation 115 Education and Care Services National Regulations</p> <p>A centre-based service must ensure that the rooms and facilities within the premises (including toilets, nappy change facilities, indoor and outdoor activity rooms and play spaces) are designed to facilitate supervision of children at all times, having regard to the need to maintain their rights and dignity.</p> <p>Child care facilities must also comply with any requirements regarding the ability to facilitate supervision that are contained in the National Construction Code.</p>	The design ensures adequate supervision of children.	Yes
4.8 Emergency and evacuation procedures	<p>Regulations 97 and 168 Education and Care Services National Regulations</p> <p>Regulation 168 sets out the list of procedures that a care service must have, including procedures for emergency and evacuation.</p> <p>Regulation 97 sets out the detail for what those procedures must cover including:</p> <ul style="list-style-type: none"> • instructions for what must be done in the event of an emergency • an emergency and evacuation floor plan, a copy of which is displayed in a prominent position near each exit • a risk assessment to identify potential emergencies that are relevant to the service. 	Emergency and evacuation procedures will be provided prior to the issuing of an occupation certificate, once a service provider has been confirmed for the child care centre.	Yes
4.9 Outdoor space requirements	<p>Regulation 108 Education and Care Services National Regulations</p> <p>An education and care service premises must provide for every child being educated and cared for within the facility to have a minimum of 7.0m² of unencumbered outdoor space.</p>	Every child has 7m ² of unencumbered outdoor space.	Yes

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	<p>If this requirement is not met, the concurrence of the regulatory authority is required under the SEPP.</p>	Not applicable.	N/A
	<p>Unencumbered outdoor space excludes any of the following:</p> <ul style="list-style-type: none"> • pathway or thoroughfare, except where used by children as part of the education and care program • car parking area • storage shed or other storage area • laundry • other space that is not suitable for children. 	Noted. Spaces have been calculated accordingly.	Yes
	<p>When calculating outdoor space requirements, the area required for any additional child may be waived when the child is being cared for in an emergency circumstance as set out in regulation 123(5) or the child is being educated or cared for in exceptional circumstances as set out in regulation 124(5) and (6) of the National Regulations.</p>	Noted.	-
	<p>Applicants should also note that regulation 274 (Part 7.3 NSW Provisions) states that a centre-based service for children preschool age or under must ensure there is no swimming pool on the premises, unless the swimming pool existed before 6 November 1996. Where there is an existing swimming pool, a water safety policy will be required.</p>	There is no swimming pool existing or proposed on site.	Yes
	<p>A verandah that is included within indoor space cannot be included when calculating outdoor space and vice versa.</p>	Noted.	-
	<p>Verandahs as outdoor space Where a covered space such as a verandah is to be included in outdoor space it should:</p> <ul style="list-style-type: none"> • be open on at least one third of its perimeter • have a clear height of 2.1 metres • have a wall height of less than 1.4 metres where a wall with an opening forms the perimeter • have adequate flooring and roofing • be designed to provide adequate protection from the elements (refer to Figure 8). 	Noted.	-

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4.10 Natural environment	<p>Regulation 113 Education and Care Services National Regulations</p> <p>The approved provider of a centre-based service must ensure that the outdoor spaces allow children to explore and experience the natural environment.</p>	<p>Outdoor play areas incorporate elements of the natural environment. Refer to the Landscape Plan prepared by <i>Site Design Studios</i>. An extensive variety of outdoor play and educational experiences have been integrated into the design including natural environment features.</p>	Yes
4.11 Shade	<p>Regulation 114 Education and Care Services National Regulations</p> <p>The approved provider of a centre-based service must ensure that outdoor spaces include adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun.</p> <p>Solar access</p> <p>Controlled exposure to daylight for limited periods is essential as sunlight provides vitamin D which promotes healthy muscles, bones and overall wellbeing. Outdoor play areas should be provided with controlled solar access throughout the year. Outdoor play areas should:</p> <ul style="list-style-type: none"> • have year-round solar access to at least 30 per cent of the ground area, with no more than 60 per cent of the outdoor space covered. • provide shade in the form of trees or built shade structures giving protection from ultraviolet radiation to at least 30 per cent of the outdoor play area 	<p>Shaded areas in combination with landscaping provide year round useable outdoor spaces.</p> <p>The proposed development will fall short of this requirement however is predicated on the existing site conditions and nature of the proposed development, being alterations and additions. It is noted that the proposal will not provide more than 60% of outdoor space as covered and is acceptable in this regard.</p>	<p>Yes</p> <p>& On merit</p>
4.12 Fencing	<p>Regulation 104 Education and Care Services National Regulations</p> <p>Any outdoor space used by children must be enclosed by a fence or barrier that is of a height and design that children preschool age or under cannot go through, over or under it.</p>	<p>1.8m boundary and acoustic fences enclose outdoor spaces.</p>	Yes

Child Care Planning Guideline

	<p>This regulation does not apply to a centre-based service that primarily provides education and care to children over preschool age, including a family day care venue where all children are over preschool age.</p> <p>Child care facilities must also comply with the requirements for fencing and protection of outdoor play spaces that are contained in the National Construction Code.</p>		
4.13 Soil assessment	<p>Regulation 25 Education and Care Services National Regulations</p> <p>Subclause (d) of regulation 25 requires an assessment of soil at a proposed site, and in some cases, sites already in use for such purposes as part of an application for service approval.</p> <p>With every service application one of the following is required:</p> <ul style="list-style-type: none"> • a soil assessment for the site of the proposed education and care service premises • if a soil assessment for the site of the proposed child care facility has previously been undertaken, a statement to that effect specifying when the soil assessment was undertaken • a statement made by the applicant that states, to the best of the applicant's knowledge, the site history does not indicate that the site is likely to be contaminated in a way that poses an unacceptable risk to the health of children. 	<p>The subject site contains a commercial premises that has been utilised for a non-hazardous uses for a considerable period of time. Therefore, given the site history it is not likely to be contaminated and therefore the health and safety of children is maintained.</p>	Yes

ANNEXURE C

Wagga Wagga LEP 2010 – Compliance Table



WAGGA WAGGA LEP 2010 COMPLIANCE TABLE

Clause / Control	Requirement	Proposal	Complies?
2.3 Zone Objectives & Land Use Table	<p>Zone B3 Commercial Core</p> <p>Objectives of Zone:</p> <ul style="list-style-type: none"> • To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community. • To encourage appropriate employment opportunities in accessible locations. • To maximise public transport patronage and encourage walking and cycling. • To ensure the maintenance and improvement of the historic, architectural and aesthetic character of the commercial core area. 	The proposed development is consistent with the objectives of the zone. The proposal will provide a childcare centre near compatible land uses including retail and commercial facilities, schools and public open spaces. The site is located in a highly accessible location and will provide employment opportunities.	Yes
4.3 – Height of Buildings	25m maximum building height.	8.4m to chimney of existing building.	Yes
4.4 – Floor Space Ratio	Maximum FSR is 4:1.	The FSR is 0.42 : 1.	Yes
5.10 – Heritage Conservation	<p>(2) Requirement for consent Development consent is required for any of the following—</p> <p>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—</p> <p>(i) a heritage item,</p> <p>(ii) an Aboriginal object,</p> <p>(iii) a building, work, relic or tree within a heritage conservation area,</p> <p>(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,</p>	<p>The subject site is not identified as a heritage item or located within a heritage conservation area, however, sits opposite the Wagga Wagga Conservation Area and is within proximity to a number of heritage items.</p> <p>These items include I263 (<i>Fire Station Building and Residence (former)</i>), I264 (<i>Electrical Substation</i>), I92 (<i>Residence (former)</i>), I93 (<i>Residence (former)</i>) and I280 (<i>Palm Tree Avenue</i>).</p> <p>The proposed development will predominately maintain the built form and character of the existing building. As such, the proposed use of the childcare centre will not result in any impact to the heritage conservation area or surrounding heritage items given the minimal external alterations proposed.</p>	Yes

WAGGA WAGGA LEP 2010 COMPLIANCE TABLE

	<p>(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</p> <p>(d) disturbing or excavating an Aboriginal place of heritage significance,</p> <p>(e) erecting a building on land—</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</p> <p>(f) subdividing land—</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.</p>		
7.2 Flood Planning	<p>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—</p> <p>(a) is compatible with the flood hazard of the land, and</p> <p>(b) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and</p> <p>(c) incorporates appropriate measures to manage risk to life from flood, and</p> <p>(d) will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and</p> <p>(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.</p>	The proposal involves a change of use and is considered acceptable in this regard.	Yes

WAGGA WAGGA LEP 2010 COMPLIANCE TABLE

7.5 – Riparian lands and waterways	<p>Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered the following matters—</p> <p>(a) any potential adverse impact on any of the following—</p> <p>(i) water quality within the waterway,</p> <p>(ii) aquatic and riparian habitats and ecosystems,</p> <p>(iii) stability of the bed, shore and banks of the waterway,</p> <p>(iv) the free passage of fish and other aquatic organisms within or along the waterway,</p> <p>(v) habitat of any threatened species, population or ecological community,</p> <p>(b) whether or not it is likely that the development will increase water extraction from the waterway for domestic or stock use and the potential impact of any extraction on the waterway,</p> <p>(c) proposed measures to ameliorate any potential adverse impact.</p>	The subject site is identified as containing 'groundwater'. The proposal will not result in any adverse excavation and is therefore considered acceptable in this regard.	Yes
7.9 - Primacy of Zone B3 Commercial Core	(2) Development consent must not be granted to development on any land unless the consent authority is satisfied that the development maintains the primacy of Zone B3 Commercial Core as the principal business, office and retail hub of Wagga Wagga.	The proposed centre based childcare facility is permissible within the B3 Commercial Core and will provide a use which will directly benefit the core principles of the locality and support the surrounding business, office and retail hub of Wagga Wagga.	Yes

ANNEXURE D

Wagga Wagga DCP 2010 – Compliance Table



Wagga Wagga DCP 2010 Compliance Table

Clause / Control	Requirement	Proposal	Complies?				
Part A Section 2: Controls that apply to all development							
2.1 Vehicle Access and Movement	C1 Access should be from an alternative secondary frontage or other non-arterial road where possible.	Vehicle access is via the sites secondary frontage off Tongaboo Lane.	Yes				
	C2 A Traffic Impact Study may be required where adverse local traffic impacts may result from the development. The traffic impact study is to include the suitability of the proposal in terms of the design and location of the proposed access, and the likely nature, volume or frequency of traffic to be generated by the development.	A Traffic Impact Assessment has been prepared by McLaren Traffic Engineering and is submitted with this development application.	Yes				
	C3 Vehicles are to enter and leave in a forward direction unless it can be demonstrated that site conditions prevent it.	A Traffic Report has been submitted with this development application and outlines why the parking arrangements is satisfactory in the constraints of the site.	On merit				
	C4 Provide adequate areas for loading and unloading of goods on site. The loading space and facilities are to be appropriate to the scale of development.	Loading and unloading can be accounted in the within the proposed parking area.	Yes				
2.2 Off-Street Parking	C1 Parking is to be provided in accordance with the table below. For uses not listed, similar land uses should be used as a guide in assessing car parking requirements.	60 children = 15 spaces. The proposal provides 5 parking spaces and is discussed in Section 4.2.4.2 of this Statement.	No, refer to section 4.2.4.2.				
	<table><tr><th>Land Use</th><th>Car Parking Requirement</th></tr><tr><td>Preschools and childcare centres</td><td>1 Space per 4 children in attendance</td></tr></table>	Land Use	Car Parking Requirement	Preschools and childcare centres	1 Space per 4 children in attendance		
	Land Use	Car Parking Requirement					
	Preschools and childcare centres	1 Space per 4 children in attendance					
C3 Parking spaces are to be provided for disabled persons. Accessible parking spaces to comply with the relevant Australian Standard at the time of lodgement of an application.	The proposal provides 1 accessible space.	Yes					
C6 In the case of redevelopment or change of use within the B3 zone where there is no increase in gross floor area, no additional car parking spaces will be required, except in the following instances: a. Outbuildings are proposed to be used in association with the development, or b. A Traffic Impact Assessment (TIA) is required by Council for the development.	A Traffic Report has been prepared by McLaren Traffic Engineering and is submitted with this development application.	Yes					

Wagga Wagga DCP 2010 Compliance Table

	<p>C7 Variations to the parking requirements may be considered where minor alterations and additions are proposed and the changes do not encroach or reduce the current off-street parking spaces.</p> <p>C8 A traffic and parking study may be required for certain proposals, including but not limited to proposals for schools and other education uses including child care centres, business parks, hospitals, cinemas and gyms</p> <p>C9 Provide trees within the parking area at a rate of 1 tree per 5 spaces in a row. Each tree to have a minimum mature spread of 5m and to be located in a planting bed with minimum width of 1.5m (between back of kerbs) and minimum area of 3.5m².</p>	<p>The proposed change of use and alterations and additions will not meet the parking requirement. This is discussed in this Statement.</p> <p>Traffic Report submitted with this application.</p> <p>Not applicable.</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p>
2.3 Landscaping update with landscaping plans	<p>C1 A landscape plan is required for applications for:</p> <ul style="list-style-type: none"> • Commercial and Industrial developments • Residential development (other than dwelling houses). <p>C2 Natural features at the site, such as trees, rock outcrops, cliffs, ledges and indigenous species and vegetation communities are to be retained and incorporated into the design of the development.</p> <p>C3 Use native and indigenous plants, especially low water consumption plants in preference to exotic species.</p> <p>C4 Trees should be planted at the front and rear of properties to provide tree canopy</p> <p>C5 Provide landscaping in the front and side setback areas, and on other parts of the site to improve the streetscape, soften the appearance of buildings and paved areas, and to provide visual screening.</p>	<p>A Landscape Plan has been prepared by <i>Site Design Studios</i> and is submitted with this development application.</p> <p>Tree located within the front setback is proposed to be retained.</p> <p>Plants proposed within play spaces are native as demonstrated on the Landscape Plan.</p> <p>Significant planting is proposed within front and southern side setback.</p> <p>Landscaping is proposed within the front and southern side setback and is considered to significantly improve the sites appearance.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

Wagga Wagga DCP 2010 Compliance Table

	C6 Landscaping should provide shade in summer without reducing solar access in winter. Limited use of deciduous species is acceptable where used to achieve passive solar design.	Complies, landscaping provides soft shading and protection of children.	Yes
2.4 Signage	C1 All signage and structures must relate directly to the lawful approved or exempt land use being conducted on the land to which the signage or structure is to be displayed.	The proposed signage is lawful.	Yes
	C2 Any sign or structure should reflect the architectural style of the building.	Proposed signage is simple and will complement the building and conservation area.	Yes
	C3 Signs should not obscure decorative forms or moulding and should observe a reasonable separation distance from the lines of windows, doors, parapets, piers and the like.	Signage will not obscure the existing building.	Yes
	C4 Signs should be of a size and proportion which complement the scale of the existing building as well as surrounding buildings and signs. Signs should not significantly affect the presentation of the existing façade of the building.	Signage is of a modest scale situated on the fence and will not detract from the building on-site.	Yes
	C5 The scale of lettering should also be proportioned to the area of the signage panel to which it will be applied.	Scale of letting is appropriate.	Yes
	C6 Must be securely fixed and maintained in a structurally adequate and safe manner.	Complies.	Yes
	C7 The colour used in the design of a sign or structure should complement the colour finish of the building to which it will relate.	Colour of sign will complement building and heritage conservation area.	Yes
	C8 Corporate colours should be limited to the signage or.	Colours are limited.	Yes
	C9 The illumination of signage and structures by low set floodlighting is preferred, rather than the use of neon or boxed fluorescent lighting on buildings.	No illumination proposed.	Yes
	C10 The rationalisation of signage will be generally required where there is existing signage through the use of common directory pylon signs for multi-occupancy developments and by limiting the number of signs that may be erected on any one building or site.	Not applicable.	N/A
	C11 A sign or structure must not endanger public safety or cause nuisance or a hazard by reason of its location, construction or design by either: (a) Emitting excessive glare or reflection from internal or external illumination or surface materials; (b) Obscuring the view of motorists or pedestrians; (c) Screening potentially hazardous road features; (d) Signage containing designs or messages which may either confuse or distract motorists.	Sign will not impact safety of pedestrians or vehicles.	Yes

Wagga Wagga DCP 2010 Compliance Table

2.5 Safety and Security	C1 Use good site planning to clearly define public, semi-public and private areas.	The proposed fencing and vegetation will define the public and private domain.	Yes
	C2 Entries are to be clearly visible and identifiable from the street, and are to give the resident/occupier a sense of personal address and shelter. For non-residential uses, administration offices or showroom are to be located at the front of the building.	Entry to the front and rear of the site are clearly visible and identifiable from the street. Signage will identify the entrance for visitors.	Yes
	C3 Minimise blank walls along street frontages.	Blank facades not proposed.	Yes
	C4 Avoid areas of potential concealment and 'blind' corners.	No areas of concealment.	Yes
	C5 Provide lighting to external entry areas, driveways and car parks in accordance with the relevant Australian Standards. The lighting is to be designed and sited to minimise spill and potential nuisance to adjoining properties.	Noted.	-
	C6 Planting and fencing is not to reduce the safety of users or compromise areas of natural surveillance.	Fencing and planting is provided to ensure safety. Casual surveillance is provided from indoor and outdoor play areas to the building entry.	Yes
	C7 Where a site provides a pedestrian through route the access path is to be clearly defined and sign posted, appropriately lit, and have satisfactory visibility.	Not applicable.	N/A
	C8 Locate public toilets and rest areas to promote their use, and maximise public surveillance without creating visual intrusion.	Not applicable.	N/A
Part B Section 3: Heritage Conservation			
3.3 Wagga Wagga Heritage Conservation Area	<p>About the Wagga Wagga Heritage Conservation Area:</p> <p>The heritage conservation area incorporates the area of the town's early settlement. The heritage conservation area includes the Fitzmaurice Street commercial precinct and the residential precincts to the west and south. The conservation area has cohesive streetscape qualities. Characteristic elements that contribute to the conservation area's thematic significance and character are:</p> <ul style="list-style-type: none"> • Buildings from the Victorian, Federation, Edwardian and Interwar periods • Single storey dwellings, mainly detached dwellings • Pitched roofs and similar roof styles • Common use of local red brick with corrugated iron roofing • Common fencing styles and materials • Garages and outbuildings located to the rear of dwellings 	<p>The subject site is not identified as a heritage item or located within a heritage conservation area, however, sits opposite the Wagga Wagga Conservation Area and is within proximity to a number of heritage items. These items include I263 (<i>Fire Station Building and Residence (former)</i>), I264 (<i>Electrical Substation</i>), I92 (<i>Residence (former)</i>), I93 (<i>Residence (former)</i>) and I280 (<i>Palm Tree Avenue</i>).</p> <p>The proposed development will predominately maintain the built form and character of the existing building. As such, the proposed use of the childcare centre will not result in any impact to the heritage conservation area or surrounding heritage items given the minimal external alterations proposed.</p>	Yes

Part B Section 4: Environmental Hazards and Management

4.2 Flooding	<p><u>Controls – Flood Liable Areas</u></p> <p>C2 Critical utilities are to be located on land above the PMF level in all precincts. For the purposes of this Section critical utilities include:</p> <ul style="list-style-type: none">• Child care centres.• Educational establishments.• Electricity generating works.• Liquid fuel depots.• Offensive or hazardous industries.• Public utility undertakings (including generating works which are essential to evacuation during periods of flood, or if flood affected would unreasonably affect the ability of the community to return to normal activities after flood events).• Research stations.• Seniors living.• Telecommunications facilities and networks. <p><u>Development within Central Business Area (Protected by levee)</u></p> <p>C3 Development in the Central Wagga precinct (being the area protected by levees) is to comply with the provisions of Table 4.2.1.</p> <table><tr><th>Land Use</th><th>Conditions</th></tr><tr><td>Low impact commercial development</td><td><u>Floor levels</u><ul style="list-style-type: none">• Minimum floor height 225mm above ground level within the building footprint• Consider local drainage and ponding of stormwater within the levee</td></tr></table>	Land Use	Conditions	Low impact commercial development	<u>Floor levels</u> <ul style="list-style-type: none">• Minimum floor height 225mm above ground level within the building footprint• Consider local drainage and ponding of stormwater within the levee	<p>Complies</p> <p>The proposal will retain the floor level of the existing building and is considered acceptable.</p>	<p>Yes</p> <p>Yes</p>
Land Use	Conditions						
Low impact commercial development	<u>Floor levels</u> <ul style="list-style-type: none">• Minimum floor height 225mm above ground level within the building footprint• Consider local drainage and ponding of stormwater within the levee						
Part D, Section 10: Business Development							
10.1 City Centre	<p><u>Baylis Street Precinct – Peter Street</u></p> <p>C1 Setbacks determined by adjoining buildings.</p>	<p>Setbacks consistent with adjoining No. 131 Peter Street to the north. No change to existing setbacks.</p> <p>No change to building height proposed.</p>	<p>Yes</p> <p>N/A</p>				

Wagga Wagga DCP 2010 Compliance Table

	<p>C2 Maintain a street wall height of 2 storeys with additional floors having a nominal setback behind the parapet line. Where the building is a heritage listed building the setback control in control C2 applying to the Fitzmaurice Street precinct applies.</p> <p>C3 Development on corner sites should be designed to achieve at least 3 storeys in height.</p> <p>C4 Developments are to provide an active interface to the street. Avoid black walls and "back of house" services to Peter Street.</p> <p>C5 All parking, vehicle access, loading and unloading facilities to be from rear lanes were available.</p> <p>C6 No off-street parking in the front setback.</p>	<p>Not applicable.</p> <p>Active street frontage to Peter Street proposed.</p> <p>Commercial element maintained and enhanced.</p> <p>All parking is accessed via Tongaboo Lane to the rear.</p> <p>Off street parking proposed within rear setback.</p>	<p>N/A</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
Part D, Section 12: Specific Uses and Developments			
12.5 Childcare Centres	<p>C1 Provide adequate space to allow for drop off and parking requirements within the development site.</p> <p>C2 Design and locate set down, pick up and parking areas to be visible from the road but to maintain the amenity of adjoining properties.</p> <p>C3 The front setback is to include a 2m landscape strip. Landscape buffer areas may be required to side boundaries.</p> <p>C4 Design and locate outdoor activity areas to maximise the natural site features, including climate considerations such as avoiding afternoon sun but take advantage of cooling breezes in summer. All playgrounds must be capable of supervision at all times.</p> <p>C5 Outdoor play areas are to be fenced on all sides. The fencing is to be at least 1.8m in height, and to be equipped with child proof self locking mechanisms. The fence should be designed to prevent children scaling or crawling under.</p>	<p>Parking is provided to the rear setback for staff use. Adequate parking/drop off opportunities are provided on-street and within the council car park adjacent to the south. Refer to Section 4.2.4.2 of this Statement and the Traffic Report for further discussion.</p> <p>Parking area visible from Tongaboo Lane, no further impact upon neighbouring properties.</p> <p>A front setback of 6m is proposed which provides a suitable landscaped play area.</p> <p>Outdoor activity areas are predominately located within the southern setback, ensuring protection from the sun. It is noted that additional shading is provided to provide further year round use. All playgrounds are capable of supervision by child care staff.</p> <p>The proposal provide 1.8m fencing to all boundaries.</p>	<p>On merit</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

Wagga Wagga DCP 2010 Compliance Table

	C6 The outdoor play area is to include an undercover space that is large enough for use during wet weather and to provide protection from the sun.	An undercover outdoor play area is provided to the south-east corner of the site.	
	C7 Design outdoor play areas to include a range of opportunities for developmental play.	Outdoor play areas include a variety of surface, vegetation and material to permit developmental play. Refer to Landscape Plan.	Yes
	C8 Landscaping, mounding and fencing treatments may be required where there is potential for adverse amenity impacts to adjoining properties. This could include using landscaping to contain outdoor play areas or lapped metal or masonry fencing	Adverse amenity impacts to No. 131 Peter Street to the north minimised. Outdoor play area to the north-west corner of the site is to be screened by landscaping.	Yes
	C9 Locate play equipment such as cubby houses, trampolines and slides not to overlook neighbours properties. Shade structures should not be located where they will be elevated in relation to boundary fences where they could cause visual or shadow impacts.	Shade structure located to centre of the site. No amenity impacts on adjoining properties.	Yes
	C10 Use vegetation that is non-allergenic and sensitive to water restrictions.	Complies	Yes