

Wollongong Local Planning Panel Assessment Report | 9 April 2024

WLPP No.	Item No. 4
DA No.	DA-2022/1036
Proposal	Child care centre – consolidation of lots, boundary adjustment subdivision, demolition of outbuildings, tree removal and construction of 45 place child care centre with basement parking, associated landscaping and stormwater works.
Property	3A/3B and 5 Leslie Street and 7 Livistona Close Russell Vale NSW 2517
Applicant	Design Workshop Australia
Responsible Team	Development Assessment & Certification – City Wide Planning Team (BB)

ASSESSMENT REPORT AND RECOMMENDATION

Executive Summary

Reason for consideration by Wollongong Local Planning Panel (WLPP)

The proposal has been referred to the WLPP for **determination** pursuant to part 2(b) of Schedule 2 of the Local Planning Panels Direction, as the application is the subject of 10 or more unique submissions by way of objection.

Proposal

Child care centre – Consolidation of lots, boundary adjustment subdivision, demolition of outbuildings, tree removal and construction of 45 place child care centre with basement parking, associated landscaping and stormwater works.

Permissibility

The subject sites are zoned R2 Low Density Residential pursuant to Wollongong Local Environmental Plan (WLEP) 2009. Child care centres are permissible with consent in the R2 zone. Demolition works and subdivision are also permissible in the R2 zone under WLEP 2009.

Consultation

Details of the proposal were publicly exhibited in accordance with Council's adopted Community Participation Plan 2019. Forty-Three (43) submissions were received. The issues identified are discussed at section 1.5 of this report.

Internal

Details of the proposal were referred to Council's Stormwater, Traffic, Environment, Landscape, Health, Building and SCAT Officers for assessment. Satisfactory referral advice, comments and/or recommended conditions were provided in each instance. Assessment considerations of internal groups as relates to relevant Chapters of the WDCP 2009 are presented at section 2.3.1 of this report.

Main Issues

The main issues identified during the course of assessment are:-

- Traffic and parking impacts
- Noise
- Site suitability

RECOMMENDATION

DA-2022/1036 be approved subject to the conditions provided in **Attachment 5**.

1 APPLICATION OVERVIEW

1.1 PLANNING CONTROLS

The following planning controls apply to the proposal:

State Environmental Planning Policies:

- State Environmental Planning Policy (Hazards and Resilience) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021

Local Environmental Planning Policies:

- Wollongong Local Environmental Plan (WLEP) 2009

Development Control Plans:

- Wollongong Development Control Plan (WDCP) 2009

Other policies

- Wollongong City Wide Development Contributions Plan 2023
- Child Care Planning Guideline 2021
- Wollongong Community Participation Plan 2019

1.2 DETAILED DESCRIPTION OF PROPOSAL

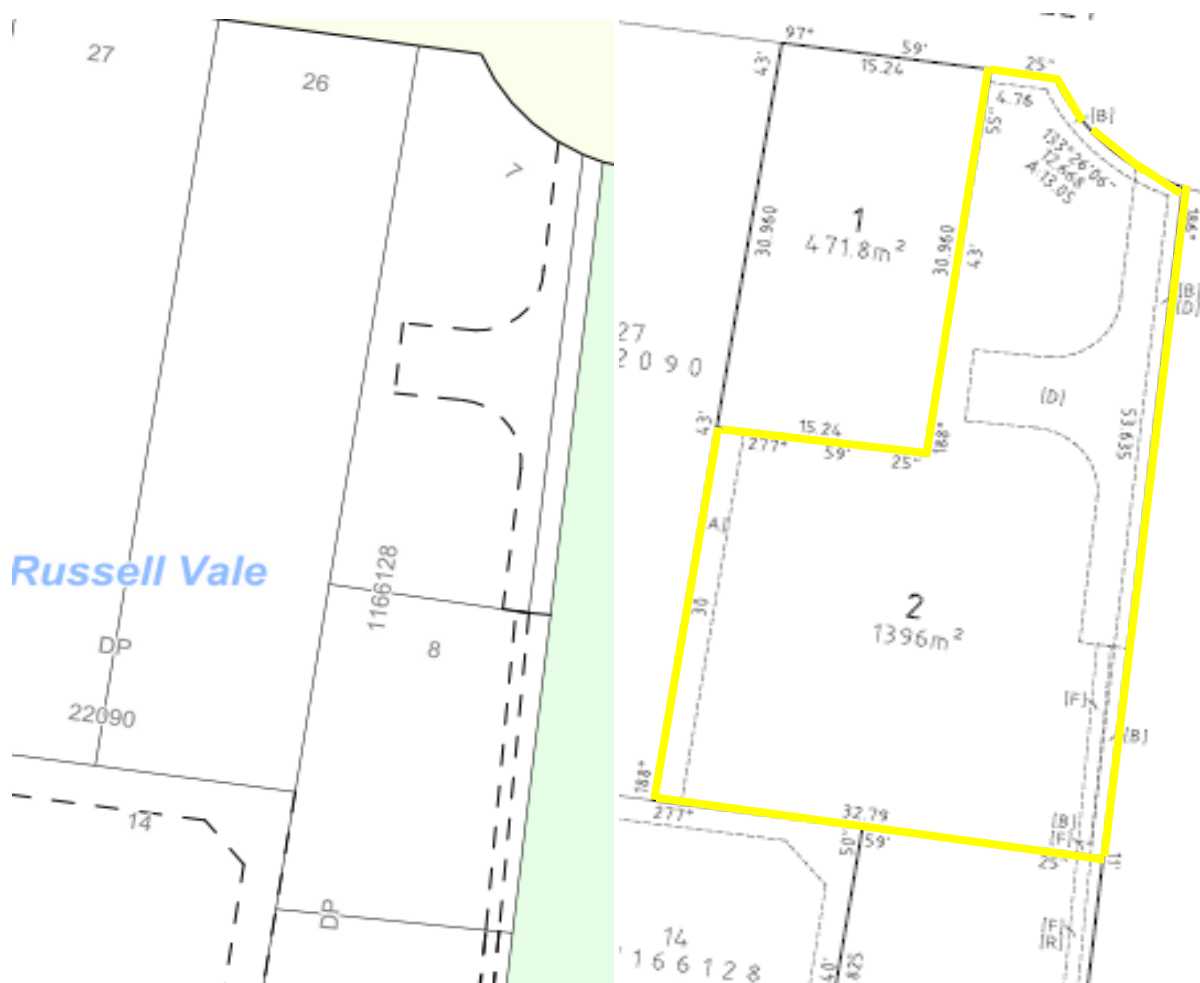


Figure 1: Present & future lot configuration arrangement

- **Lot consolidation and boundary adjustment:** Lots 7, 8, 9 DP 1166128 and Lot 26 22090 are modified and consolidated. Each of the proposed lots achieve the minimum the minimum lot size for the R2 zoning of 449m². Proposed lot 1 (5 Leslie Street) contains an existing dwelling which maintains a compliant FSR post subdivision and is compliant with respective chapter B1 – General Residential Controls of WDCP 2009.
- Tree removal and Demolition of existing structures including the existing outbuilding slab located over the proposed boundary at 5 Leslie Street.
- Construction of a 45-place child care centre including;
 - Basement level: Parking for sixteen (16) cars including one (1) accessible space.
 - Laundry & storage.
 - Lift and stair access to the level above.
- Ground floor level
 - At grade entry
 - Kitchen
 - Staff amenities
 - Office & staff room
 - Accessible WC

- Cleaners room
- Playroom 1: 0-2 Years catering for nine (9) children, cot room, nappy and WC adjoined to playroom 2
- Playroom 2: 2-3 Years catering for sixteen (16) children, with nappy and WC adjoined to playroom 2, WC and storeroom adjoined to playroom 3.
- Playroom 3: 3-6 Years catering for twenty-one (21) children, WC and storeroom adjoined to playroom 2.
- Plant room.
- Parking for two (2) visitors and loading zone
- Bin storage
- Associated landscaping and stormwater work.
- The centre will be operated by eight (8) staff and operate from the hours of 7.00am to 6.00pm Monday – Friday.

1.3 BACKGROUND

The development history for all listed sites is as follows:

Application Number	Description	Decision	Decision Date
Development history for Lot 26 DP22090			
BA-1959/1062	Dwelling	Approved	3-June-1959
BA-1970/2133	Additions	Other	22-Sep-1970
BA-1982/1033	Carport and awning	Approved	3-May-1982
Development history for Lots 7, 8 & 9 DP1166128			
DA-2004/1746	Integrated Development – 15 lot residential subdivision and demolition of existing buildings	Approved	30-April-2007
DA-2004/1746/A	Integrated Development – 15 lot residential subdivision and demolition of existing buildings – modification to enable tree removal within John Parker Reserve	Approved	15-July-2008
DA-2004/1746/B	Integrated Development – 15 lot residential subdivision and demolition of existing buildings – modification to remove conditions 46, 47, 48, 49 and 50. Modify condition 16	Refused	20-March-2012
SC-2022/16	Integrated Development – 15 lot residential subdivision and demolition of existing buildings	Approved	30-March-2022

Customer service actions:

There are no outstanding customer service requests of relevance to the properties.

1.4 SITE DESCRIPTION

The subject site is located in Russell Vale halfway between Woonona to the North and Bellambi to the south. It is located on the southern side of Leslie Street being near the bulb of the cul-de-sac. The area to be redeveloped includes Lots 7, 8 and 9 DP 1166128 and Lot 26 DP 22090.

The resultant site (Lot 2) for childcare centre post subdivision and boundary adjustment is irregular shaped with an area of approximately 1396m². The site currently comprises a single dwelling and detached outbuildings at 5 Leslie Street and vacant land lots 7,8 and 9 DP 1166128. The site is zoned R2, and the immediate locality is characterised by low density residential development.

Property constraints

- Flooding: The site is identified as being located within an uncategorised low risk flood risk precinct.
- Contaminated Land due to previous uses – wholesale nursery
- Acid sulphate soils – Class 5.

The site is burdened by the following easements/restrictions.

- Right of carriageway & easement for services variable width (D)
- Easement to drain water 1 wide (F)
- Restriction on the use of land (R) – The owner of the lot burdened shall not make any alteration to any on-site stormwater detention system on the lot(s)



Figure 2: Aerial photograph (2020)



Figure 3: WLEP 2009 zoning map

1.5 SUBMISSIONS

Details of the proposal were publicly exhibited in accordance with Council’s adopted Community Participation Plan 2019. Forty-three (43) submission were received. The main issues identified within the submissions are discussed below.

Table 1: Submissions

Concern	Comment
1.Design Quality Principles	Design quality principles listed in the child care planning guideline 2021 have been raised through the neighbour notification process. The development responds to its immediate context and has been designed to ensure limited land use conflict within the vicinity. The outdoor areas are focused to the south of the site were vegetation interfaces with residential properties. The proposed residential dwellings fronting Neville Avenue to the south will be setback by virtue 900mm of DCP requirements.
2. Site Selection and Location	The site is located 485m walking distance (along pathways) to the nearest bust stop on the Princes Highway (West), which provides accessible public transportation to close by centres. The subject site is close to desired locations and uses such as schools and other educational establishments, parks, other public open space, community facilities, and the like. Child care centres are a permissible land use in the R2 zone, and the development is consistent with the objectives

Concern	Comment
	in particular, <i>the enable other land uses that provide facilities or services to meet the day to day needs of residents.</i>
3. Siting and Design of Building.	The proposed development includes an urban design outcome and architectural treatments that respond to, and integrate with the existing streetscape and local character (low density residential). The positioning of the open play area and materials used for acoustic fencing will not have a detrimental impact on the streetscape, as much of this area/treatment will not be visible from Leslie Street. The built form is single storey construction and majority of car parking on-site has been integrated into the building design. The elevation treatment and façade articulation to the front and side boundaries will positively contribute to the Leslie Street streetscape and John Parker Reserve public domain.
4. Overshadowing of Adjoining Residents	Shadow diagrams provided with the DA submission suggest the impact of shadows will be very minimal. At 9am on 21 June there will be slight overshadowing on the adjoining property however from 10am onwards the shadows will predominantly be cast towards the east where John Parker Reserve is located.
5. Street Frontage	The design of the child care centre is sympathetic to the low-density environment to which it is located in. The structure viewed from the street is a single storey and positively contributes to Leslie Street. The design does not represent any significant bulk or scale.
6. Cut and Fill	The development requires considerable cut and fill to enable the construction of the basement. Any approval can be suitably conditioned to ensure structural adequacy to both the subject site and adjoining properties.
7. Visual and Acoustic Privacy	The development provides for stepped and well landscaped interface with properties to the south coming off Livistona Close. The use of natural ground landscaping at the boundary, tiered, setback retaining and acoustic fencing, together with further deep soil planting upslope will ensure that overlooking is restricted, and appropriate level of visual privacy is maintained.
8. Hours of Operation	The plan of management and acoustic report has been reviewed by Council's Environmental Officer. The proposed hours of operation have been amended to mitigate potential impacts. A condition of consent will ensure that the plan of management is complied with

Concern	Comment
	and implemented throughout the life of the development.
9. Traffic, parking, and pedestrian circulation	Traffic, parking, and pedestrian circulation has been assessed by councils' development engineer and a satisfactory referral was complete. The proposal provides for adequate on-site parking, drop off and pick up facilities and trip generation in the locality is acceptable. A broader discussion can be found in section 1.6 of the report as well as attachment 3
10. Safe access in times of emergency	Leslie Street is a cul-de-sac of around 7.5 metres wide which allows 2-sided car parking. Cars entering the cul-de-sac do not reach high speeds given the short length of the road segment (approximately 70 metres). Council's Traffic officer is satisfied with the proposal.
11. Safe and connected environment for pedestrians both on and around the site	Delivery and loading zones have been reviewed by Councils Traffic officer who is satisfied. The applicant has provided a loading zone in front of the building line and a clear/safe pathway to the basement and Leslie Street.
12. Flooding	Flooding has been assessed by councils' development engineer who is satisfied with the proposal subject to conditions of consent.

Table 2: Number of concerns raised in submissions

Concern	1	2	3	4	5	6	7	8	9	10	11	12
Frequency	2	13	3	2	1	1	11	3	38	1	27	4

1.6 CONSULTATION

1.6.1 INTERNAL CONSULTATION

Stormwater Officer

Council's Stormwater Officer has assessed the application submission in regard to stormwater and flooding matters and has recommended conditions to ensure that orderly development of the site is carried out.

Landscape Officer

Council's Landscape Officer has assessed the application submission and provided conditions to ensure that orderly development of the site is carried out.

Environment Officer

Council's Environment Officer has assessed the application submission and provided conditionally satisfactory advice.

It is noted that particular consideration was given to impacts of noise by Council's Environment Officer.

Council's Environmental Officer raised concerns with regard to noise. An amended acoustic report with recommendations were provided by the applicant. The amended acoustic report has been reviewed by Council's Environmental Officer and all concerns were resolved.

Comment: A revised Environmental Noise Assessment report prepared by Harwood Acoustics dated 2 September 2023 has been submitted. It contains graphs of daily noise monitoring results and has considered future dwellings on adjoining currently vacant lots are likely to be two storey.

Should this application be approved, a condition about the implementation of the recommendations of the Environmental Noise Assessment report should be applied to the development consent.

Traffic Officer

Council's Traffic Officer has assessed the application submission in regard to traffic and provided conditionally satisfactory advice.

Comment: It is noted that particular consideration was given to traffic/safety related matters by Council's Traffic Officer. The RTA Guide to Traffic Generating Developments is a recognised document which provides trip rates for child care centres that are based on surveys of existing facilities. A traffic engineering assessment focusses on the AM and PM peak hours due to the fact that these times of day are when the most traffic is on the network (often referred to as the network peaks). If a development operates without significant impacts in the network peaks, then there would be no additional concerns outside these periods. The network peaks are characterised by trips to/from work, and trips to school in the AM peak. These rates expect up to 0.8 vehicle trips per child (in and out) in the AM peak (37 vehicles in and out over 120 minutes) and 0.7 vehicle trips per child (in and out) in the PM peak (33 vehicles in and out over 120 minutes).

Health Officer

Council's Health Officer has assessed the application submission and provided conditionally satisfactory advice.

Building Officer

Council's Building Officer has assessed the application submission and provided conditionally satisfactory advice.

Safer Community Action Team (SCAT) Officer

Council's SCAT officer has assessed the application submission and provided conditionally satisfactory .

1.6.1 EXTERNAL CONSULTATION

There was no external consultation required for the proposed development.

2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 – 4.15 EVALUATION

1.7 Application of Part 7 of Biodiversity Conservation Act 2016 and Part 7A of Fisheries Management Act 1994

This Act has effect subject to the provisions of Part 7 of the Biodiversity Conservation Act 2016 and Part 7A of the Fisheries Management Act 1994 that relate to the operation of this Act in connection with the terrestrial and aquatic environment.

NSW BIODIVERSITY CONSERVATION ACT 2016

Section 1.7 of the Environmental Planning and Assessment Act 1979 (EP&A Act) provides that Act has effect subject to the provisions of Part 7 of the Biodiversity Conservation Act 2016 (BC Act).

Part 7 of the BC Act relates to Biodiversity assessment and approvals under the EP&A Act where it contains additional requirements with respect to assessments, consents, and approvals under this Act.

Clause 7.2 of the Biodiversity Conservation Regulation 2017 provides the minimum lot size and area threshold criteria for when the clearing of native vegetation triggers entry of a proposed development into the NSW Biodiversity offsets scheme. For the subject site, entry into the offset

scheme would be triggered by clearing of an area greater than 0.25 hectares based upon the minimum lot size of the WLEP 2009 R2 zoned land (i.e. less than 1 hectare minimum lot size).

The site is not identified as being of high biodiversity value on the Biodiversity Values Map. Therefore, no native vegetation is proposed to be cleared for the development.

2.1 SECTION 4.15(1)(A)(1) ANY ENVIRONMENTAL PLANNING INSTRUMENT

2.1.1 STATE ENVIRONMENTAL PLANNING POLICY (HAZARDS AND RESILIENCE) 2021

4.6 Contamination and remediation to be considered in determining development application.

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

A Detailed Site Investigation was submitted and reviewed by Council's Environmental Officer.

The report has identified two Potential Areas of Environmental Concern (AECs) – TP01 & BH01.



Figure 4: RAP extract.

A Remediation Action plan (RAP) has been prepared by Reditus dated 21 August 2023 which details the procedure for site remediation so that the site will be suitable for the proposed use. Council is satisfied that area (BH01) can be dealt with appropriately through excavation required for the basement carpark however, additional excavation is required to remediate area (TP01).

In accordance with Clause 4.6(2) Council's Environmental Officer has reviewed the history of the site in conjunction with the report prepared by Reditus. Conditions are included at **Attachment 5** for unexpected finds, requiring site remediation in accordance with the RAP and a Site Validation Report confirming that the site has been satisfactorily remediated and is suitable for the proposed development so as to satisfy Clause 4.6(1)(c).

The submitted DSI carried out by *Reditus considers that the consent authority may be satisfied that the required considerations of Clause 4.6 of State Environmental Planning Policy (Resilience and Hazards) 2021* are satisfied for the following reasons:

- The DSI (Reditus) completed on the development site has adequately assessed the site history to identify potential sources of contamination, and has suitably assessed the potential risk posed by contaminants to health and the environment. As such, Clause 4.6(1)(a) of SEPP (Resilience and Hazards) 2021 has been successfully achieved.
- This DSI has determined that the land can be made suitable in its current state for the purposes for which the development is proposed to be carried out (as a childcare centre with basement carparking and access to soils). As such, Clause 4.6(1)(c) of SEPP (Resilience and Hazards) 2021 has been successfully achieved.
- The DSI has been completed in accordance with the contaminated land planning guidelines, satisfying Clause 4.6(2) and 4.6(3) of SEPP (Resilience and Hazards) 2021.

Council is satisfied that the site can be used for its intended use subject to a validation report prior to the issue of a construction certificate.

2.1.2 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

Chapter 4 Koala habitat protection 2021

The State Environmental Planning Policy (Biodiversity) 2021 applies to the Wollongong Local Government Area, identified as being in the South Coast koala management area.

4.9 Development assessment process—no approved koala plan of management for land

There is no approved koala plan of management applying to the land, and the land does not have an area of at least 1 hectare (including adjoining land within the same ownership). As such, Clause 4.9 does not apply to the land.

2.1.3 STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

The proposal is categorised as a Centre-based Child Care Facility.

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.

Part 3.3 Early education and care facilities—specific development controls

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

Concurrence with the regulatory authority is required if the application proposes any inconsistency with Regulation 107 and 108 of the Education and Child Care Services National Regulations.

The proposed centre-based child care centre is consistent with the Regulation 107 and 108 of the Education and Care Services National Regulation, relating to indoor and outdoor unencumbered space requirements (see Clause 25 below). Concurrence with the regulatory authority is therefore not required for this development application.

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

The requirements of the Child Care Planning Guidelines have been considered as part of this assessment. See compliance table below.

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

(2) *The following are non-discretionary development standards for the purposes of section S4.15 (2) and (3) of the Act in relation to the carrying out of development for the purposes of a centre-based child care facility:*

- (a) *location—the development may be located at any distance from an existing or proposed early education and care facility,*

Noted.

- (b) *indoor or outdoor space*

- (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*

Comment:

Regulation 107 requires 3.25m² of unencumbered indoor space per child. Unencumbered indoor space is to be space devoted specifically for the use of children at the child care centre and is to exclude storage areas, door swing areas, circulation areas etc. **The table below shows all proposed indoor areas exceed the minimum required area;**

Unencumbered Indoor Space	Number of children	Total area	m ² provided per child
Indoor Playroom 1	9	42.0m ²	4.6m ²
Indoor Playroom 2	16	63.7m ²	3.98m ²
Indoor Playroom 3	20	73.4m ²	3.67m ²

Regulation 108 requires at least 7m² of unencumbered outdoor space. **The table below shows all proposed outdoor areas exceed the minimum requirement;**

Unencumbered Outdoor Space	Number of children	Total area	m ² provided per child
Outdoor Play Space	45	374.1m ²	8.3m ²

(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,*
Noted.

(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.*

Building or site does not impact any items of local or state heritage significance and is not located in a heritage conservation area.

3.27 Centre-based child care facility—development control plans

(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:*

(a) *operational or management plans or arrangements (including hours of operation),*

(b) *demonstrated need or demand for child care services,*

(c) *proximity of facility to other early childhood education and care facilities,*

(d) *any matter relating to development for the purpose of a centre-based child care facility contained in:*

(i) *the design principles set out in Part 2 of the Child Care Planning Guideline, or*

(ii) *the matters for consideration set out in Part 3 or the regulatory requirements set out in Part 4 of that Guideline (other than those concerning building height, side and rear setbacks or car parking rates).*

(2) *This clause applies regardless of when the development control plan was made.*

Comment:

The application had been assessed in accordance with the requirements of the Child Care Planning Guideline with the compliance table presented at **Attachment 4** and only the relevant controls within the Wollongong Development Control Plan 2009 also presented at **Attachment 3**.

2.1.4 WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Part 1 Preliminary

Clause 1.4 Definitions

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.

Part 2 Permitted or prohibited development

Clause 2.2 – zoning of land to which Plan applies

The zoning map identifies the land as being zoned **R2 – Low density residential**

Clause 2.3 – Zone objectives and land use table

The objectives of the zone R2 Low Density Residential are as follows:

- *To provide for the housing needs of the community within a low-density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents*

The proposed child care centre use satisfies the objectives for Zone R2 Low Density Residential.

The land use table permits the following uses in the zone.

ZONE R2 Low density residential permitted uses:

Attached dwellings; Bed and breakfast accommodation; Boat launching ramps; **Centre-based child care facilities**; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Exhibition homes; Exhibition villages; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Hospitals; Hostels; Information and education facilities; Jetties; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor);

Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Signage; Tank-based aquaculture; Veterinary hospitals

A centre-based child care is permissible in the R2 Low Density Residential zone with development consent.

Clause 2.6 – Subdivision consent requirements

Consent is required for the proposed boundary adjustment involving multiple residential allotments.

Clause 2.7 – Demolition requires development consent

Consent is required for the demolition of existing structures. A demolition plan has been included within the DA submission and the application is suitability conditioned in this regard.

Part 4 Principal development standards

Clause 4.3 Height of buildings

This clause prescribes a maximum height of 9 metres for the Site, as shown on the Height of Buildings Map. The proposal has a maximum overall height of 5.7m. The maximum height of the building does not exceed the maximum allowable as stipulated in WLEP 2009.

Clause 4.4 Floor space ratio

Maximum FSR permitted for the site: 0.5:1

FSR provided for Site: $426.55\text{m}^2/1396\text{m}^2 = 0.30:1$

The floor space ratio does not exceed the maximum permissible for the site.

Part 5 Miscellaneous provisions

Clause 5.21 Flood planning

The subject land is identified as being flood hazard affected. Council's Development Engineer has assessed the application submission in this regard against the submitted flood assessment report and has not raised any objections subject to conditions.

Part 7 Local provisions – general

Clause 7.1 Public utility infrastructure

The proposal has been assessed against Clause 7.1 of WLEP2009 and the subject site is already serviced by public utilities. The child care centre can be appropriately serviced.

Clause 7.5 Acid Sulfate Soils

Council records identify the site as containing Class 5 Acid Sulfate Soils; however, the proposal will not require an acid Sulfate soil management plan. With the implementation of appropriate soil and water management controls during construction, it is expected that soil resources will not be compromised during the course of construction activities. The proposed development is not located within 500 metres of Class 4 land that is above 5 metres Australian Height Datum. No further consideration for Acid Sulfate Soils is required.

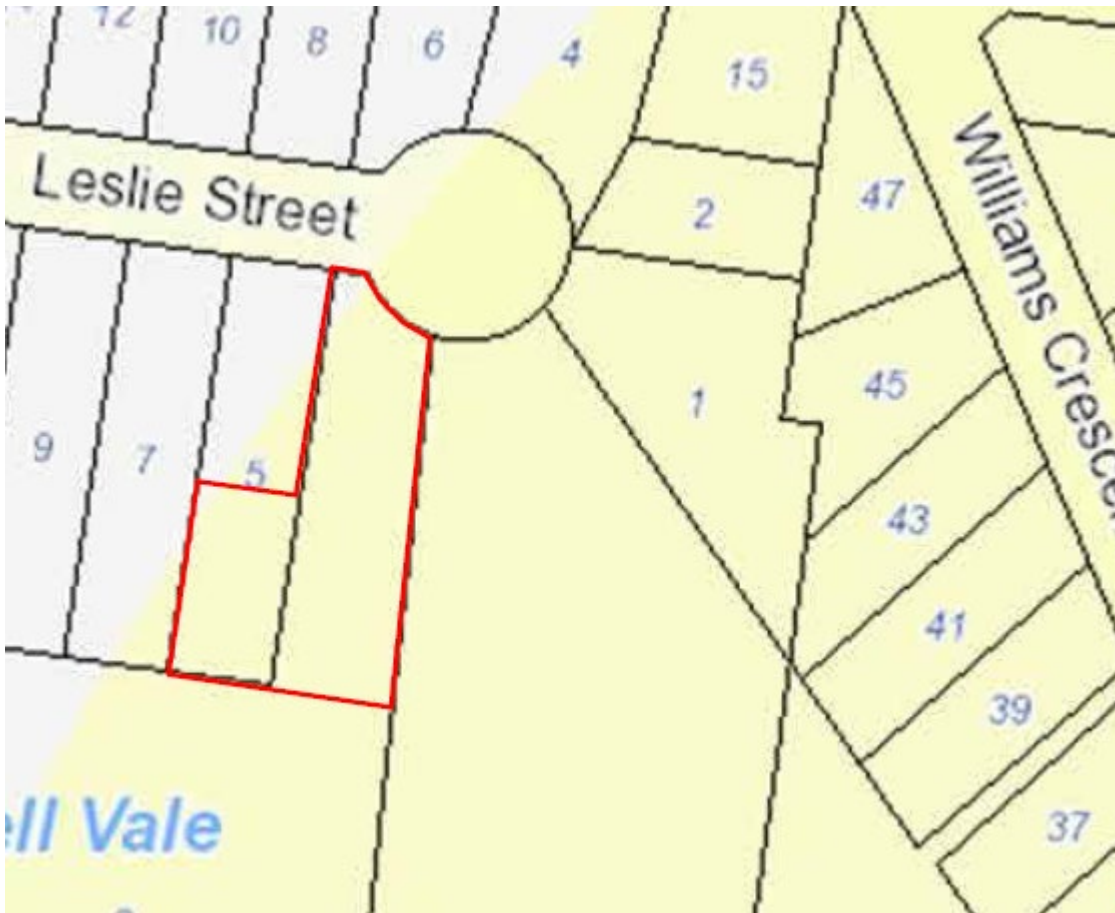


Figure 5: WLEP 2009 Acid Sulphate Soils map with Class 5 Acid Sulphate Soils shaded yellow
Clause 7.6 Earthworks

The application has been assessed against the requirements of this clause with respect to the earthworks carried out to facilitate the basement carpark. Substantial cut (more than 3 metres) is proposed, and excess excavated material (up to 8,000 cubic metres) will need to be disposed of lawfully. Trucks transporting excess excavated material are likely to impact (traffic, noise) residents on the transport route. Any water from the basement excavation is proposed to be settled and cleaned before pumping out to the existing stormwater system. Council is satisfied that the proposal can be suitably conditioned in relation to heavy vehicle movements, erosion, sedimentation, and water excavation treatment.

2.2 SECTION 4.15(1)(A)(II) ANY PROPOSED INSTRUMENT

N/A

2.3 SECTION 4.15(1)(A)(III) ANY DEVELOPMENT CONTROL PLAN

2.3.1 WOLLONGONG DEVELOPMENT CONTROL PLAN 2009

The development has been assessed against the relevant chapters of WDCP 2009. Compliance tables are presented at **Attachment 3** to this report.

2.3.2 WOLLONGONG CITY WIDE DEVELOPMENT CONTRIBUTIONS PLAN

The estimated cost of works is \$1,429,516 and a levy of 1% is applicable under this plan as the threshold value is \$100,000. A contribution fee of \$14,295.16 is applied and will be charged through a condition of consent.

3.4 SECTION 4.15(1)(A)(IIIA) ANY PLANNING AGREEMENT THAT HAS BEEN ENTERED INTO UNDER SECTION 7.4, OR ANY DRAFT PLANNING AGREEMENT THAT A DEVELOPER HAS OFFERED TO ENTER INTO UNDER SECTION 7.4

There are no planning agreements entered into or any draft agreement offered to enter into under S7.4 which affect the development

3.5 SECTION 4.15(A)(IV) THE REGULATIONS (TO THE EXTENT THAT THEY PRESCRIBE MATTERS FOR THE PURPOSES OF THIS PARAGRAPH)

92 What additional matters must a consent authority take into consideration in determining a development application?

Not Applicable.

93 Fire safety and other considerations

Council's BCA Officer has assessed the application submission which included a BCA Report with regards to Fire Safety and returned a conditionally satisfactory referral response.

94 Consent authority may require buildings to be upgraded

Not Applicable.

3.6 SECTION 4.15(1)(B) THE LIKELY IMPACTS OF DEVELOPMENT

The proposal is acceptable with regard to the likely impacts.

The key impacts have been discussed largely within this report. Further impacts are discussed below:

Context and Setting:

The physical and visual impacts on surrounding development such as overshadowing, privacy concerns, bulk scale and setbacks are relevant considerations, and the proposal is acceptable for reasons identified in the report. The scale of the development as viewed from the street is comparable to other developments in the locality especially along Neville Avenue. On balance, the development provides for reasonable amenity to the occupants, neighbours and public areas and is in keeping with the character of the area and compatible with the locality.

Access, Transport and Traffic:

The design and configuration of the vehicular access and car parking arrangements is acceptable. The proposal will not result in significant traffic generation that will adversely impact the locality for long periods of time other than peak drop off and pick up.

Public Domain:

The development is not expected to have adverse impact on the public domain. The form of the building is acceptable with regard to the current and desired future character of the area.

Utilities:

The proposal is not envisaged to place an unreasonable demand on utilities supply.

Heritage:

The site does not contain nor is within the vicinity of heritage items and is not located in a heritage conservation area

Other land resources:

The proposal will contribute to orderly development of the site and is not envisaged to impact upon valuable land resources.

Water:

The site is presently serviced by Sydney Water, and the proposal is not envisaged to have unreasonable water consumption.

Soils:

Council records identify the site as containing Class 5 acid Sulfate soils; however, the proposal will not require an acid Sulfate soil management plan. With the implementation of appropriate soil and water management controls during construction, it is expected that soil resources will not be compromised during the course of construction activities. The proposed development is not located within 500 metres of Class 4 land that is above 5 metres Australian Height Datum.

Air and Microclimate:

The proposal is not expected to have negative impact on air or microclimate.

Flora and Fauna:

Tree removal does form part of the proposal. Council's landscape and Environment officers have reviewed the application submission and are satisfied that there will be no negative flora and fauna impacts.

Waste:

Construction waste can be managed via the imposition of appropriate conditions. Bins can be stored in an appropriate location and will be collected from the street frontage.

Energy:

The proposal is not expected to involve unreasonable energy consumption.

Noise and vibration:

A condition is to be imposed such that noise nuisance be minimised during any construction, and/or works. Councils Environment officer has reviewed both the submitted Acoustic report and Plan of Management and is satisfied.

Natural hazards:

There are no known natural hazards or site constraints that would preclude development of the site.

Technological hazards:

The site has two areas of potential environmental concern for contaminants as identified by the DSI. A RAP has also been submitted and reviewed by Councils Environment officer who has provided a conditionally satisfactory referral. See also section 2.1.1 comments

Safety, Security and Crime Prevention:

The development is not expected to give rise to increased opportunities for criminal and/ or antisocial behaviour. Councils SCAT officer has reviewed the application submission and is satisfied.

Social Impact:

There are not expected to be adverse social impacts arising from the proposed development.

Economic Impact:

There are not expected to be adverse economic impacts arising from the proposed development.

Site Design and Internal Design:

The site design, car parking and manoeuvring arrangements proposed are acceptable. All other aspects of the proposal are compliant with applicable controls.

Construction:

A condition will be attached to any consent granted that the development is to be in compliance with the Building Code of Australia.

Cumulative Impacts:

The proposal is not expected to have negative cumulative impacts.

3.7 SECTION 4.15(1)(C) THE SUITABILITY OF THE SITE FOR DEVELOPMENT

Does the proposal fit in the locality?

The proposal is appropriate with regard to the zoning of the site and is not expected to result in negative impacts on the amenity of the locality or adjoining developments.

Are the site attributes conducive to development?

There are no site constraints that would prevent the proposal.

3.8 SECTION 4.15(1)(D) ANY SUBMISSIONS MADE IN ACCORDANCE WITH THIS ACT OR THE REGULATIONS

Details of the proposal were publicly exhibited in accordance with Wollongong Community Participation Plan 2019. Forty-three (43) submissions were received, and further details can be found in section 1.5 of this report

3.9 SECTION 4.15(1)(E) THE PUBLIC INTEREST

The proposal is not expected to result in unreasonable impacts on the environment or the amenity of the locality. It is appropriate with consideration to the zoning objectives and the character of the area and is therefore in the public interest.

4 CONCLUSION

The proposed development has been assessed with regard to the relevant prescribed matters for consideration outlined in Section 4.15 of the Environmental Planning & Assessment Act 1979, the provisions of Wollongong Local Environmental Plan 2009 and all relevant Council DCPs, Codes and Policies. The proposal is supportable in its current form.

Pursuant to clause 2.3 of WLEP 2009, Centre-based child care facility are permissible in the R2 Low Density Residential zone with development consent. The proposal is consistent with the zone objectives. Internal referral comments are satisfactory, and the proposed development is unlikely to result in adverse impacts on the character or amenity of the surrounding area, environment, and adjoining development.

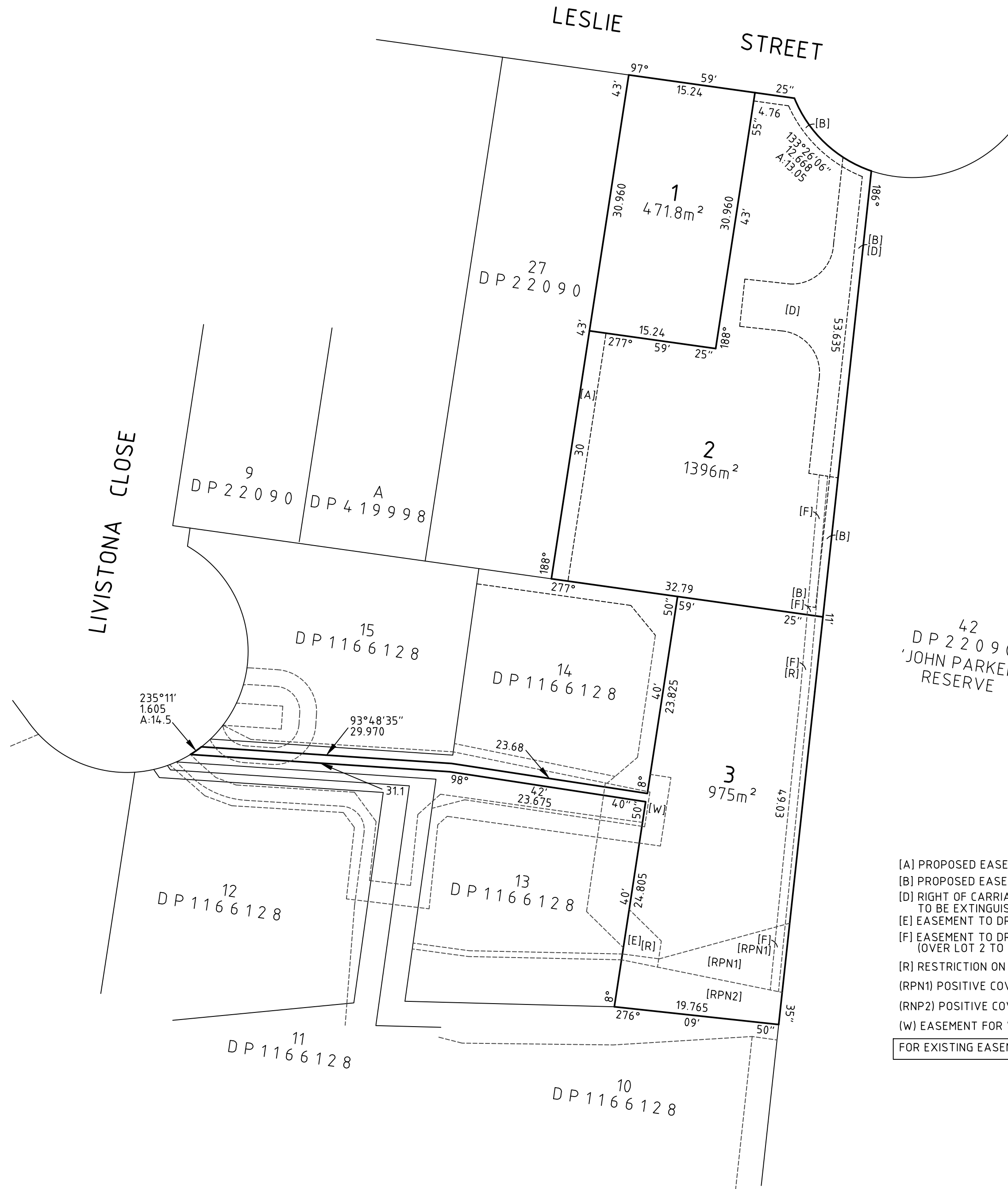
5 RECOMMENDATION

DA-2022/1036 be approved pursuant to Section 4.16(1) of the Environmental Planning & Assessment Act 1979 subject to the conditions provided at **Attachment 5**.

6 ATTACHMENTS

- 1 Plans
- 2 Site Inspection Photos

- 3 Compliance table for Wollongong Development Control Plan 2009
- 4 Child care Planning Guideline 2021 compliance table
- 5 Conditions



- [A] PROPOSED EASEMENT TO DRAIN WATER 2 WIDE
 - [B] PROPOSED EASEMENT TO DRAIN WATER 1 WIDE
 - [D] RIGHT OF CARRIAGEWAY & EASEMENT FOR SERVICES VARIABLE WIDTH TO BE EXTINGUISHED
 - [E] EASEMENT TO DRAIN WATER VARIABLE WIDTH (DP 1166128)
 - [F] EASEMENT TO DRAIN WATER 1 WIDE (DP 1166128) (OVER LOT 2 TO BE EXTINGUISHED)
 - [R] RESTRICTION ON THE USE OF LAND (No. 10)(SITE)(DP 1166128)
 - (RPN1) POSITIVE COVENANT (No.8)(SITE)(DP 1166128)
 - (RPN2) POSITIVE COVENANT (No.9)(SITE)(DP 1166128)
 - (W) EASEMENT FOR WATER SUPPLY PUPOSES 2.5 WIDE & VARIABLE)
- FOR EXISTING EASEMENTS ON ACCESS HANDLE LOT 3 SEE DP 1166128

SURVEYOR Name: CRAIG ROBSON Date: 7/12/2023 Reference: 21344	PLAN OF SUBDIVISION OF LOT 26 DP 22090 AND LOTS 7, 8 & 9 DP 1166128	LGA: WOLLONGONG Locality: RUSSELL VALE Subdivision No. Lengths are in metres. Reduction Ratio 1: 400	REGISTERED	DRAFT COPY
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SITE ADDRESS

LOTS 7 AND 8 DP 1166128 AND LOT 26 DP 22090.
3-5 LESLIE STREET, RUSSELL VALE, NSW 2517

SITE AREA

1394.75m²

SUMMARY

CHILDREN ALLOWED: 45 CHILDREN

CAR PARKING

REQUIRED 18 SPACES
PROVIDED 18 SPACES

DEEP SOIL ZONE

REQUIRED 97.6m² (7.0%)
PROVIDED 119.5m² (8.5%)

GFA

ALLOWABLE FSR: 0.5:1
ALLOWABLE AREA: 697.15m²

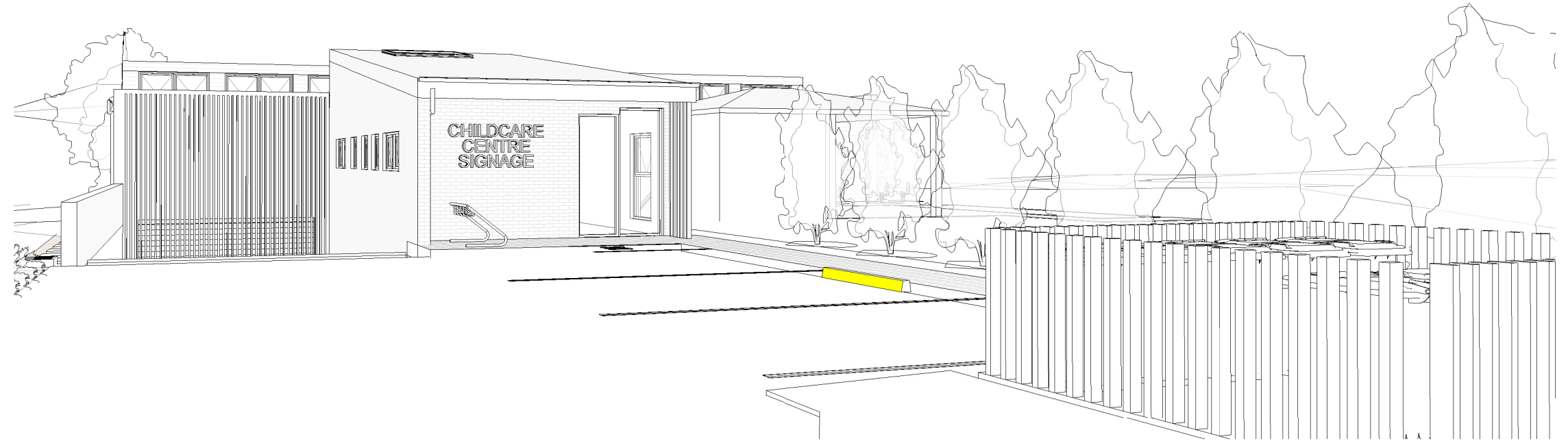
GFA SCHEDULE

LEVEL	AREA	FSR
BASEMENT LEVEL	25.19 m ²	0.02
GROUND FLOOR	426.55 m ²	0.31
	451.74 m ²	0.32

CHILDCARE CENTRE DEVELOPMENT

LESLIE STREET, RUSSELL VALE

REALTA



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SURVEYOR				
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DRAINAGE CONSULTANT	MAKER ENGINEERS	MARK RIGONI	0419 148 253	mark.rigoni@makereng.com.au
GEOTECHNICAL				
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ACOUSTICS CONSULTANT	HARWOOD ACOUSTICS	MATTHEW HARWOOD	02 4421 4583	matthew@harwoodacoustics.com.au
FLOODING CONSULTANT	REINCO CONSULTING	ANTHONY BARTHELMESS	0416 274 447	anthony.barthelmess@rienco.com.au
SECTION J	E PLANNING	BARRY COTTEN	0437 804 079	admin@eplanner.net.au
CRIME PREVENTION ASSESSMENT	E PLANNING	BARRY COTTEN	0437 804 079	admin@eplanner.net.au
WASTE CONSULTANT	DICKENS SOLUTIONS PTY LTD	GARRY DICKENS	0400 388 996	garry@dickenssolutions.com.au

DRAWING LIST		
SHEET NO.	SHEET NAME	REV.
000	COVERSHEET	Q
001	DCP ANALYSIS	Q
002	SITE CONTEXT	Q
003	DETAILED SITE CONTEXT	Q
004	DETAILED SURVEY	Q
005	DEMOLITION PLAN	Q
010	SITE PLAN	Q
011	GFA PLANS	Q
012	BASEMENT & GROUND FLOOR PLANS	Q
020	ELEVATIONS	Q
021	ELEVATIONS	Q
030	SECTIONS	Q
031	SECTIONS	Q
032	SECTIONS	Q
033	SITE SECTIONS	Q
040	SHADOWS - WINTER	Q
041	SHADOWS - WINTER	Q
042	SHADOWS - WINTER	Q
043	SHADOWS - SUMMER	Q
044	SOLAR ANALYSIS - VIEWS FROM THE SUN	Q
045	HEIGHT PLANE DIAGRAMS	Q
050	PRESPECTIVES	Q
051	AREA CALCULATIONS	Q

DISCLAIMER

Subject to: full site survey, measurements are preliminary, discussions and meetings with authorities, approval from authorities, relevant consultant information as per council DA requirements. Feasibility completed based on information provided by client. All parking and ramps to traffic engineers details.

REF.	DATE	AMENDMENT	ADDITIONAL INFORMATION
Q	22.05.2023		

Legend:

FB01	FACE BRICKWORK TYPE 1	R	ROOF	SLW	SLIDING WINDOW	P	POST
FB02	FACE BRICKWORK TYPE 2	DP	DOWNPIPES	FW	FIXED WINDOW	T	TIMBER FLOORS
FB03	FACE BRICKWORK TYPE 3	OB	OBSOLETE WINDOW	OB	OBSOLETE WINDOW	CT	CERAMIC TILES
BL	BLOCKWORK	AW	AWNING WINDOW	AW	AWNING WINDOW	CPT	CARPET
CL01	CLADDING	D	DOOR	SK	SKYLIGHT	PC	POLISHED CONCRETE
CL02	CLADDING	GD	GARAGE DOOR	WH	WINDOW HOOD	SP	FEATURE SCREENING
RW	RETAINING WALL	SLD	SLIDING DOOR	LV	LOUVRES	IWS	INTEGRAL WALL
		BFD	BI-FOLD DOOR	RWT	RAINWATER TANK		



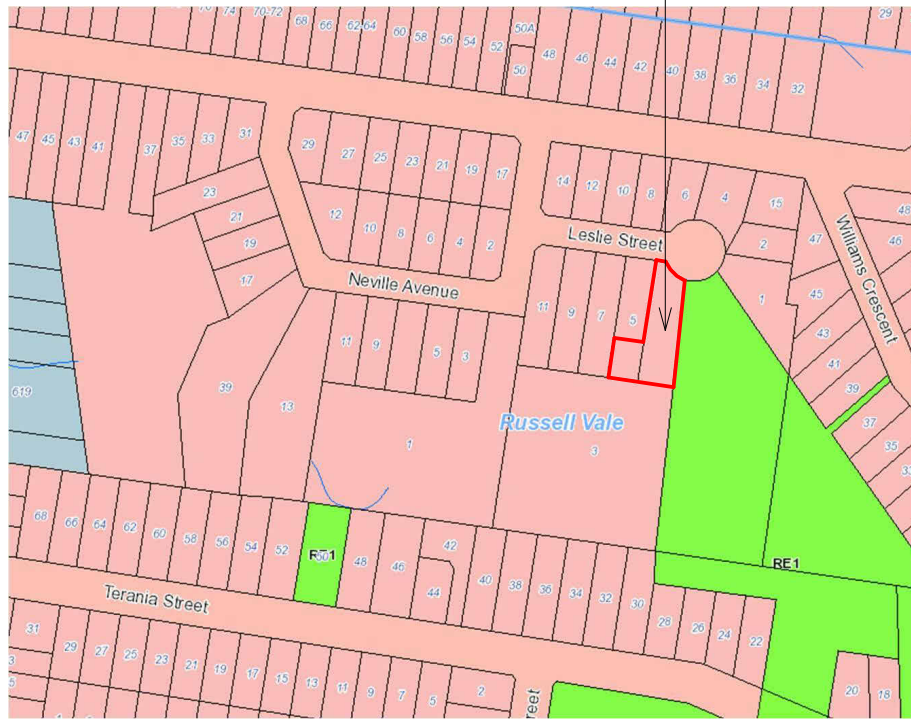
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Sydney
Level 10, 6 Mount
Olympus Boulevard,
Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

CLIENT:	REALTA ENTERPRISES	DATE:	APRIL 21	PROJECT No.	2072
ADDRESS:	LOTS 7 & 8 DP 1166128 & LOT 26 DP 22090, 3-5 LESLIE STREET, RUSSELL VALE, NSW	DRAWN:	NT	DWG No.	000
DRAWING NAME:	COVERSHEET	SCALE:	AK / RG	Rev.	Q

PRELIMINARY

EXISTING SITE



ZONING MAP

R2 - LOW DENSITY RESIDENTIAL

EXISTING SITE



FSR MAP

0.5 : 1 ALLOWED

EXISTING SITE



BUILDING HEIGHT MAP

9 METERS



ACID SULFATE MAP

CLASS 5



STREET VIEW

3 LESLIE STREET RUSSELL VALE



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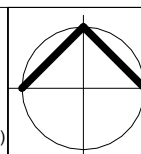
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FB02	FACE BRICKWORK TYPE 2	DP	DOWNPIPES	FW	FIXED WINDOW	T	TIMBER FLOORS
FB03	FACE BRICKWORK TYPE 3	TB	TIMBER BATTENS	OB	OBSOLETE WINDOW	CT	CERAMIC TILES
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				RWT	RAINWATER TANK		

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 Nominated Architect:
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CLIENT: REALTA ENTERPRISES
 ADDRESS: LOTS 7 & 8 DP 1166128 & LOT 26 DP 22090,
 3-5 LESLIE STREET,
 RUSSELL VALE, NSW
 DRAWING NAME: DCP ANALYSIS

DATE: APRIL 21
 DRAWN: NT
 SCALE:
 QA: AK / RG

PROJECT No.
2072
 DWG No. Rev.
001 Q



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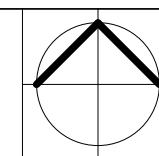
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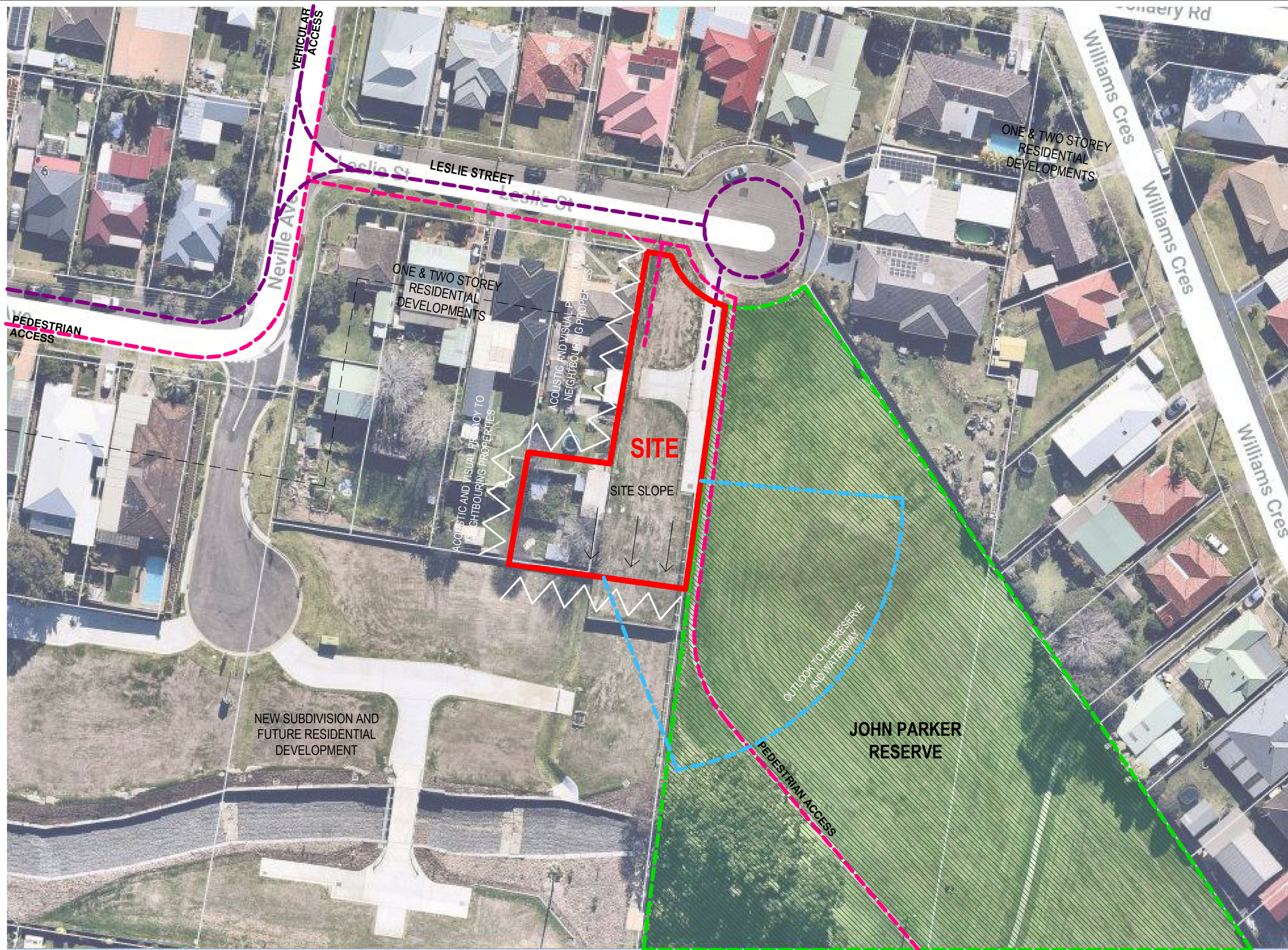
Sydney
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Olympus Boulevard,
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Nominated Architect:
Robert Gizzi (Reg. 8286)

CLIENT: REALTA ENTERPRISES
ADDRESS: LOTS 7 & 8 DP 1166128 & LOT 26 DP 22090,
3-5 LESLIE STREET,
RUSSELL VALE, NSW
DRAWING NAME: SITE CONTEXT



ISSUE DATE: 22.05.2023	PROJECT No. 2072
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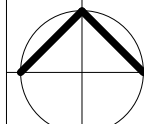
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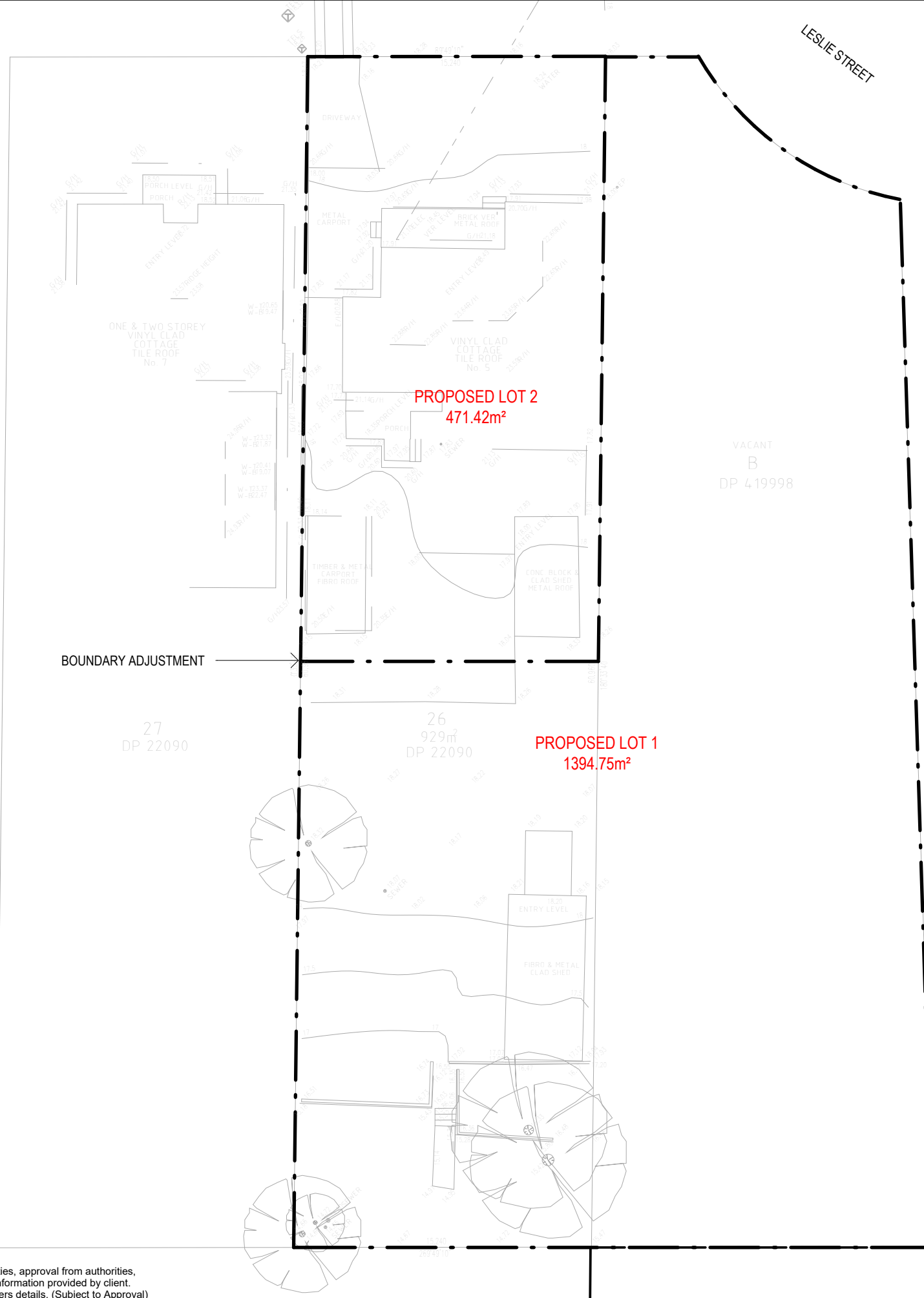


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PRELIMINARY

REF: Q	DATE 22.05.2023	AMENDMENT ADDITIONAL INFORMATION	 DWA DESIGN WORKSHOP AUSTRALIA	Wollongong 81a Princes Highway, Fairy Meadow NSW 2519 Tel: (02) 4227 1661 Email: info@designworkshop.com.au Web: www.designworkshop.com.au	Sydney Level 10, 6 Mount Olympus Boulevard, Woll Creek NSW 2205 Nominated Architect: Robert Gizzi (Reg. 8286)	CLIENT: REALTA ENTERPRISES ADDRESS: LOTS 7 & 8 DP 1166128 & LOT 26 DP 22090, 3-5 LESLIE STREET, RUSSELL VALE, NSW DRAWING NAME: DETAILED SITE CONTEXT		ISSUE DATE: 22.05.2023 DRAWN: NT SCALE: QA: AK / RG	PROJECT No. 2072 DWG No. Rev. 003 Q
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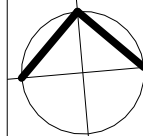
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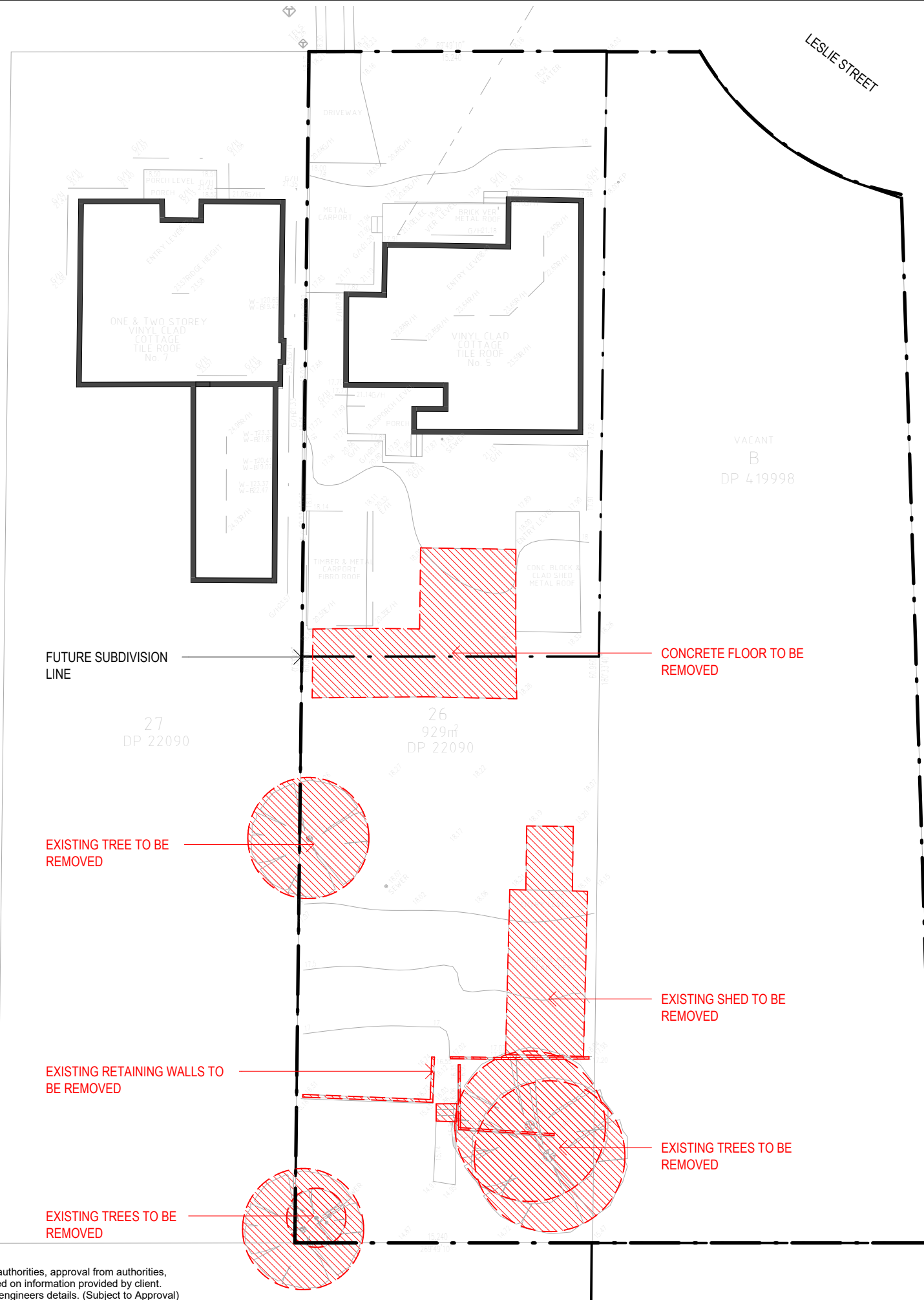
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LESLIE STREET

VACANT
B
DP 419998

FUTURE SUBDIVISION
LINE

27
DP 22090

26
929m²
DP 22090

CONCRETE FLOOR TO BE
REMOVED

EXISTING TREE TO BE
REMOVED

EXISTING SHED TO BE
REMOVED

EXISTING RETAINING WALLS TO
BE REMOVED

EXISTING TREES TO BE
REMOVED

EXISTING TREES TO BE
REMOVED


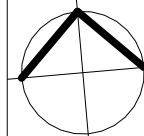
DEMOLITION PLAN

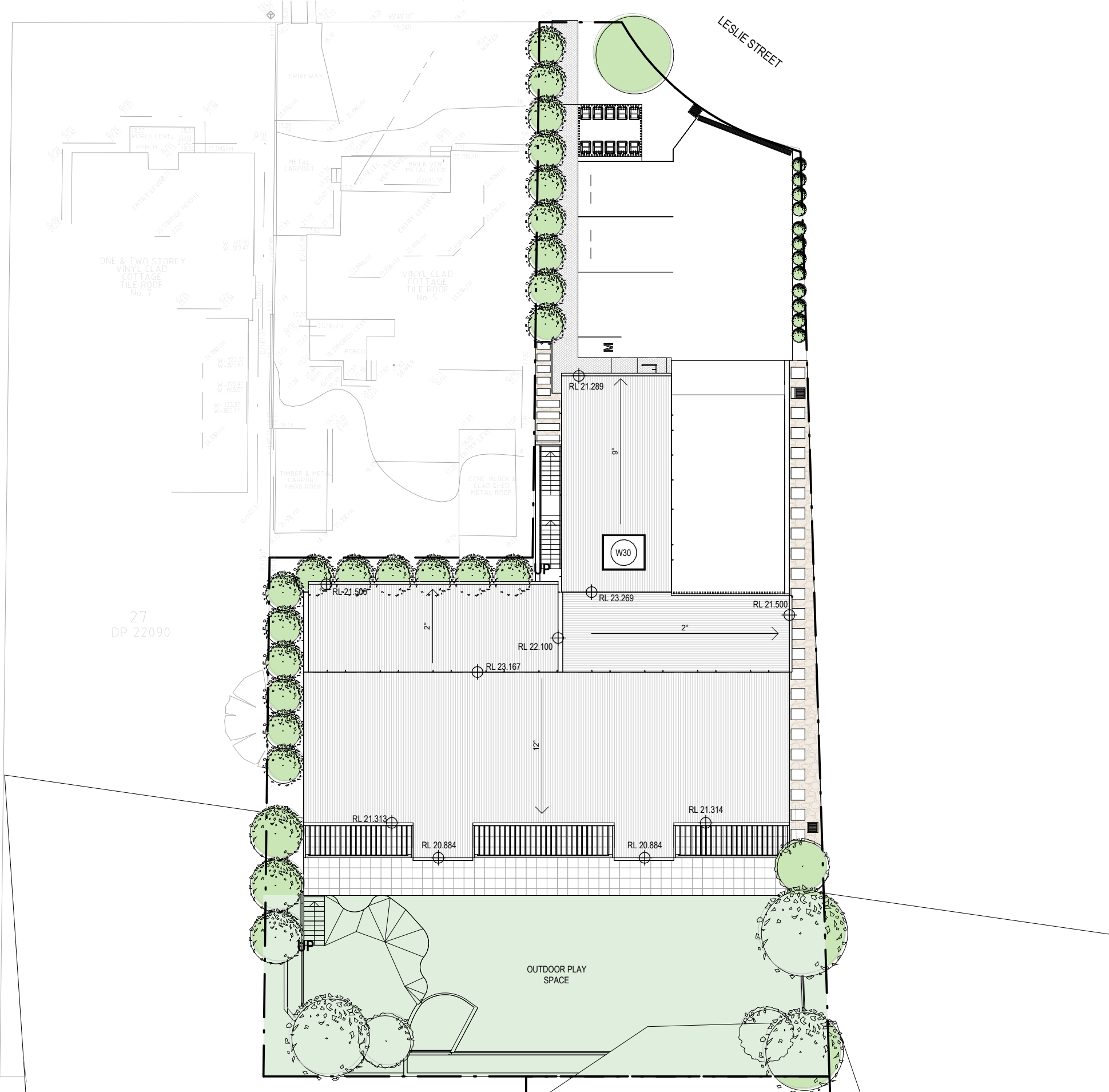
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PRELIMINARY

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ROOF LEVEL
1:250

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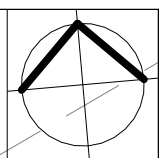
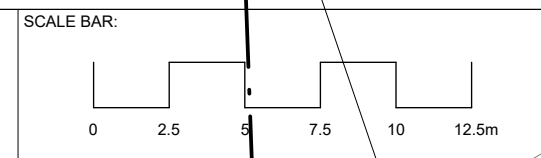
REF.	DATE	AMENDMENT
Q	22.05.2023	ADDITIONAL INFORMATION



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Email: info@designworkshop.com.au
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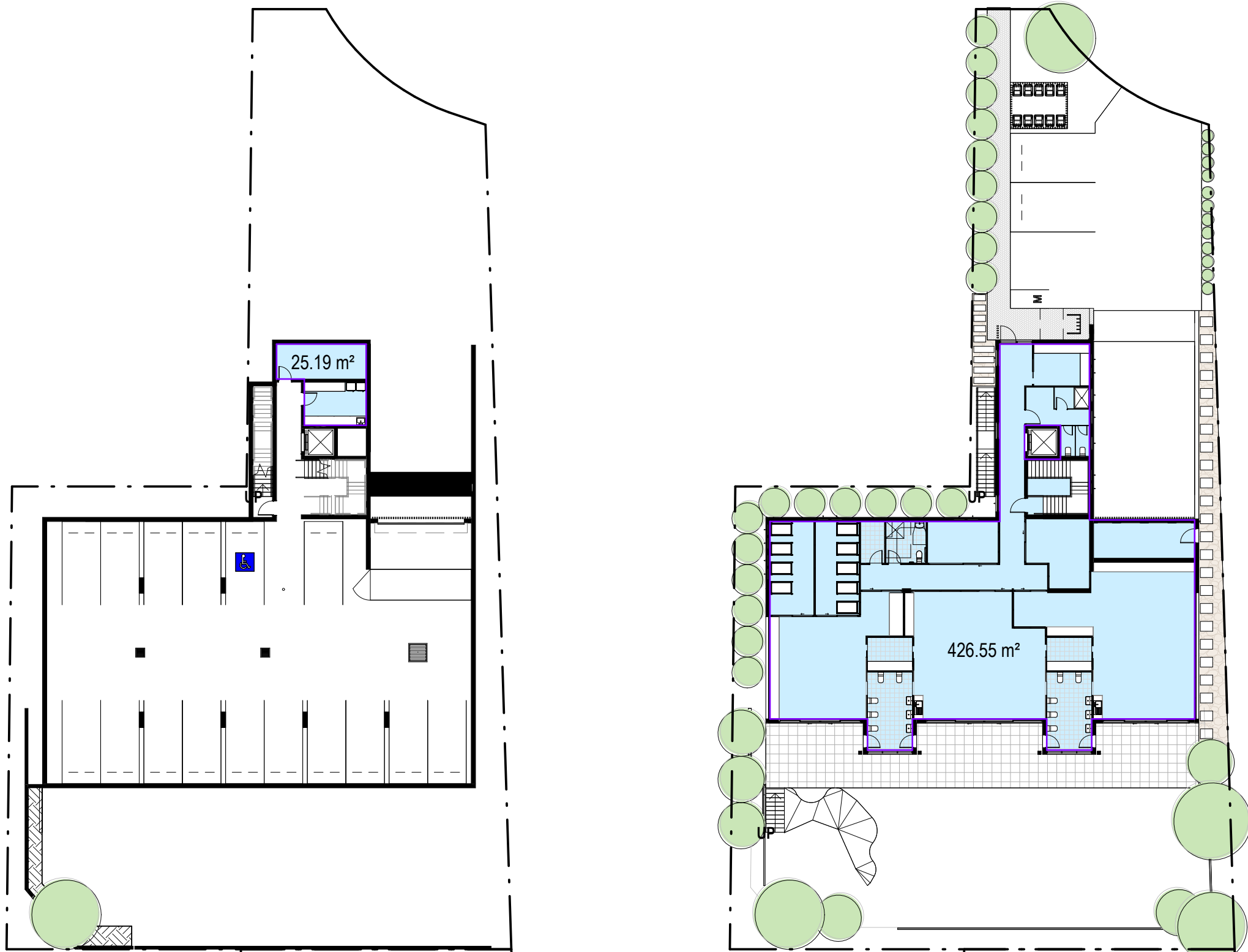
Sydney
Level 10, 6 Mount
Olympus Boulevard,
Wooli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

CLIENT: REALTA ENTERPRISES
ADDRESS: LOTS 7 & 8 DP 1166128 & LOT 26 DP 22090,
3-5 LESLIE STREET,
RUSSELL VALE, NSW
DRAWING NAME: SITE PLAN



ISSUE DATE: 22.05.2023	PROJECT No. 2072
DRAWN: NT	DWG No. 010
SCALE: 1:250	Rev. Q
QA: AK / RG	

PRELIMINARY



SITE AREA	1394.75m ²	
ALLOWABLE FSR	0.5:1	
ALLOWABLE AREA	697.15m ²	
GFA SCHEDULE		
LEVEL	AREA	FSR
BASEMENT LEVEL	25.19 m ²	0.02
GROUND FLOOR	426.55 m ²	0.31
	451.74 m ²	0.32

BASEMENT LEVEL

GROUND FLOOR

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REF.	DATE	AMENDMENT
Q	22.05.2023	ADDITIONAL INFORMATION

DWA
 DESIGN WORKSHOP AUSTRALIA

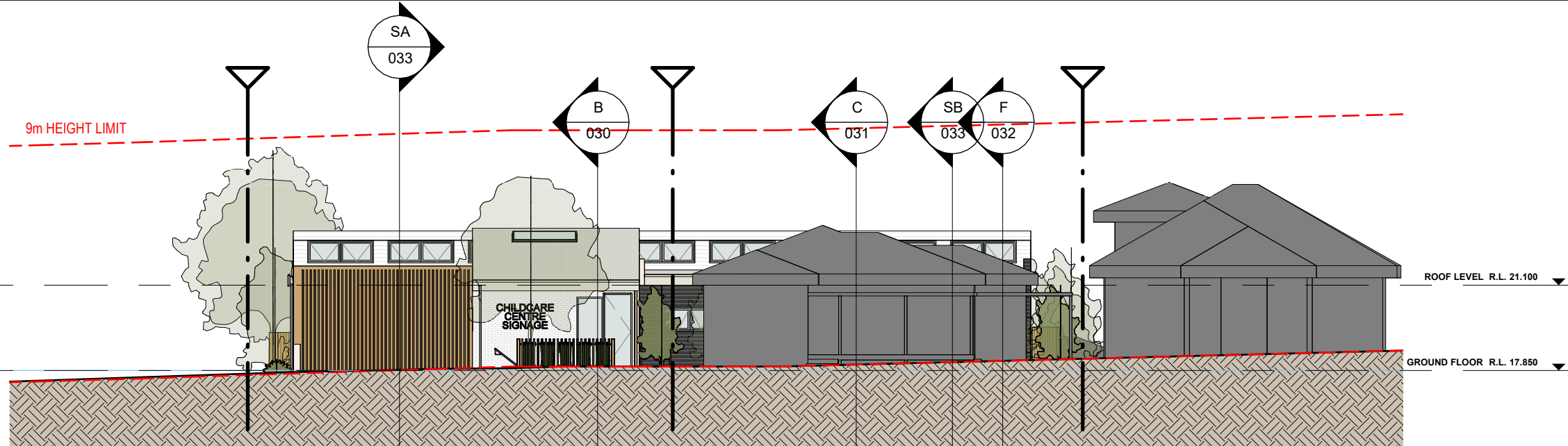
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 Email: info@designworkshop.com.au
 Web: www.designworkshop.com.au

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 Nominated Architect:
 Robert Gray (Reg. 8286)

CLIENT: REALTA ENTERPRISES
 ADDRESS: LOTS 7 & 8 DP 1166128 & LOT 26 DP 22090,
 3-5 LESLIE STREET,
 RUSSELL VALE, NSW
 DRAWING NAME: GFA PLANS

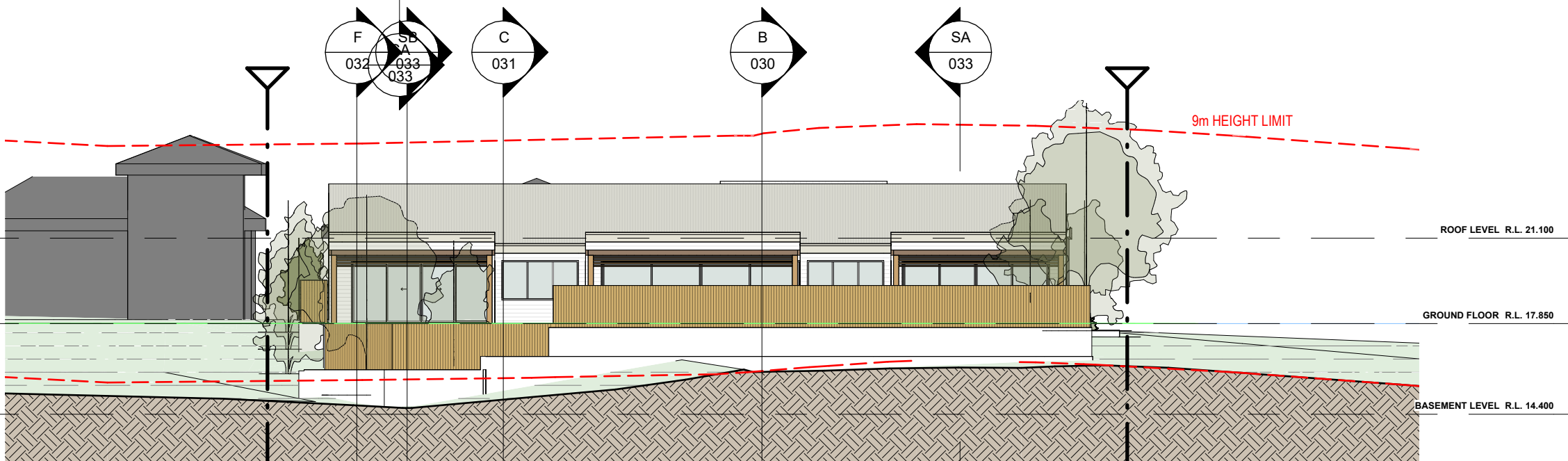
PRELIMINARY

	ISSUE DATE:	22.05.2023	PROJECT No.	2072
	DRAWN:	NT	DWG No.	011
	SCALE:	AK / RG	Rev.	Q
	QA:	AK / RG		



NORTH ELEVATION

1 : 200



SOUTH ELEVATION

1 : 200

MATERIAL PALLETTE



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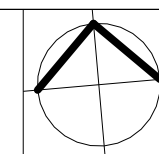
REF.	DATE	AMENDMENT
Q	22.05.2023	ADDITIONAL INFORMATION



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Sydney
 Level 10, 6 Mount
 Olympus Boulevard,
 Woll Creek NSW 2205
 Nominated Architect:
 Robert Gizzi (Reg. 8286)

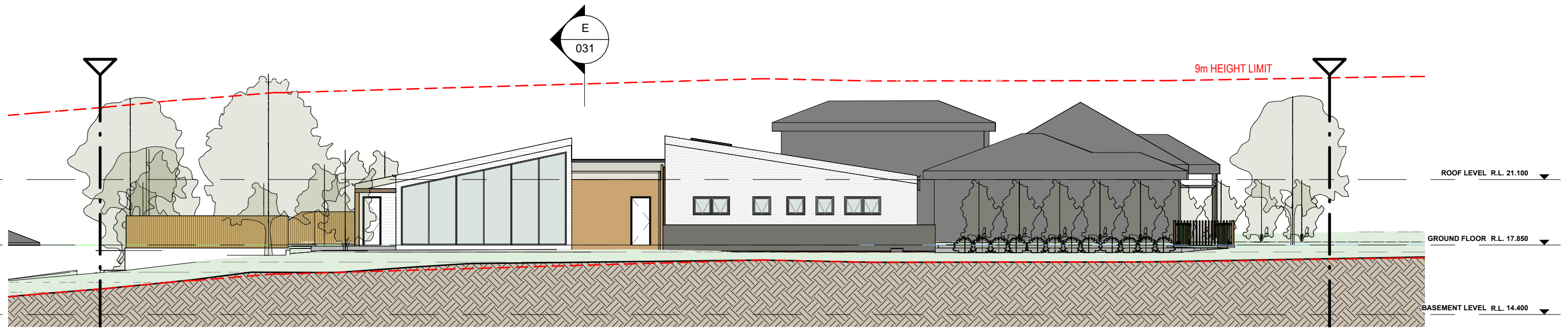
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 ADDRESS: LOTS 7 & 8 DP 1166128 & LOT 26 DP 22090,
 3-5 LESLIE STREET,
 RUSSELL VALE, NSW
 DRAWING NAME: ELEVATIONS



ISSUE DATE: 22.05.2023
 DRAWN: NT
 SCALE: AK / RG
 QA: AK / RG

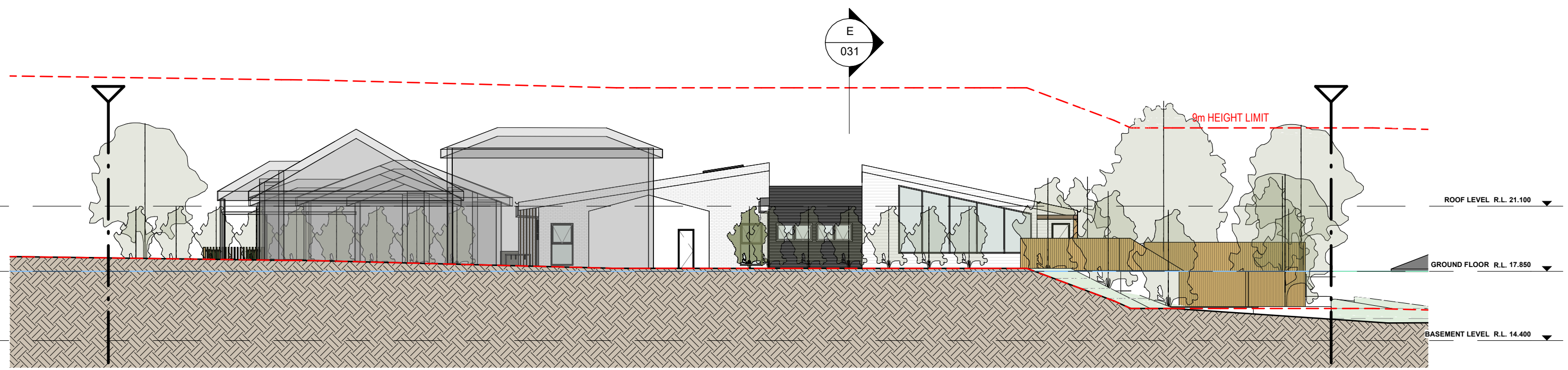
PROJECT No. 2072
 DWG No. 020 Rev. Q

PRELIMINARY



EAST ELEVATION

1 : 200



WEST ELEVATION

1 : 200

MATERIAL PALLETTE



DISCLAIMER

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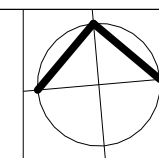
REF. Q	DATE 22.05.2023	AMENDMENT ADDITIONAL INFORMATION
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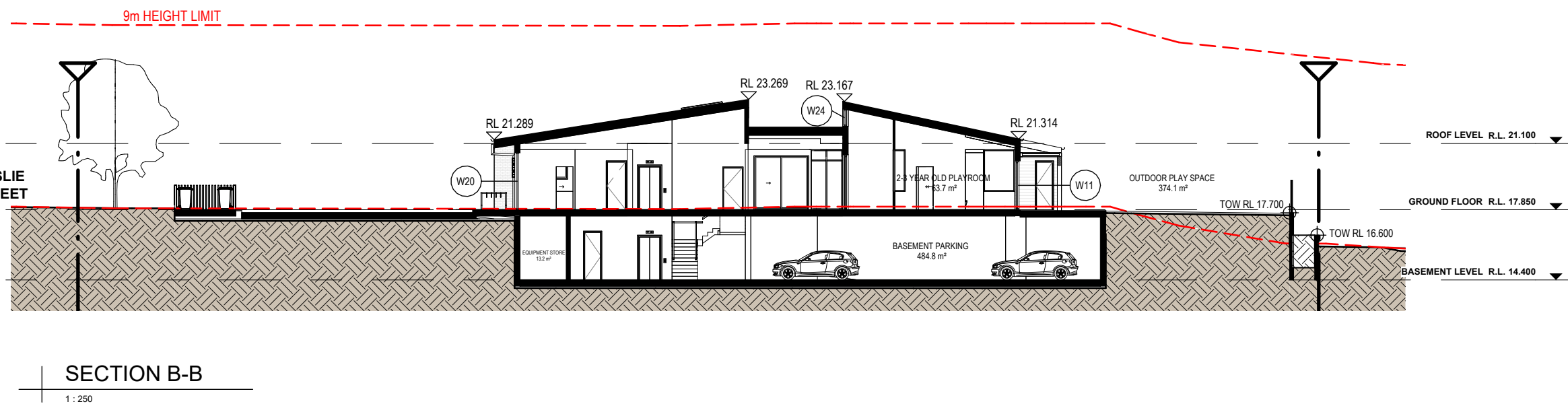
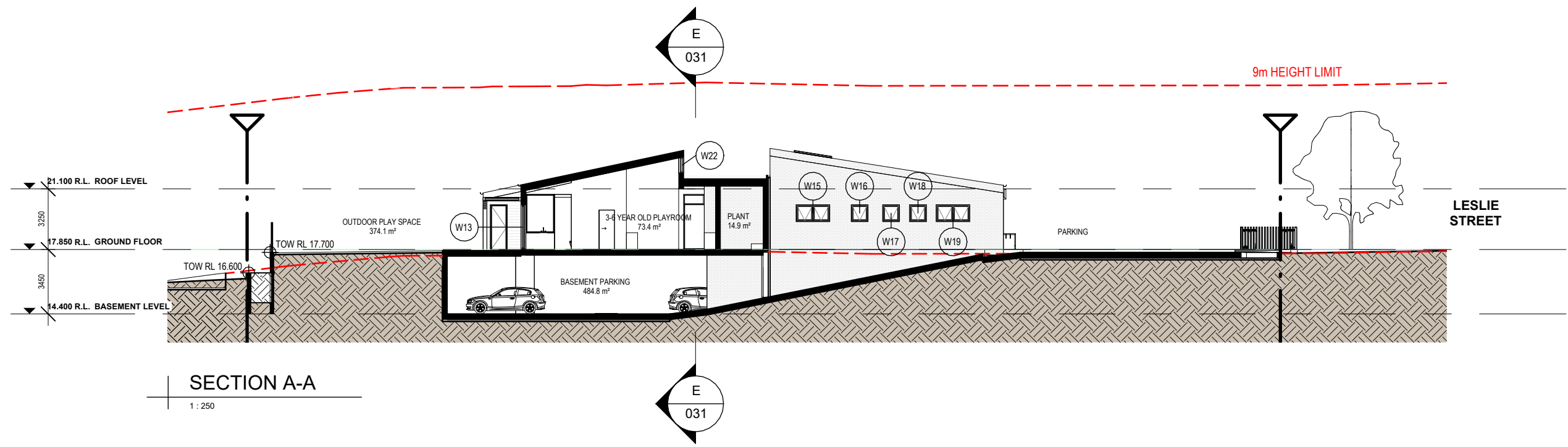
Sydney
Level 10, 6 Mount
Olympus Boulevard,
Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

CLIENT: REALTA ENTERPRISES
ADDRESS: LOTS 7 & 8 DP 1166128 & LOT 26 DP 22090,
3-5 LESLIE STREET,
RUSSELL VALE, NSW
DRAWING NAME: ELEVATIONS



ISSUE DATE: 22.05.2023	PROJECT No. 2072
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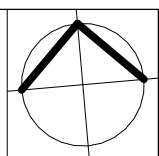
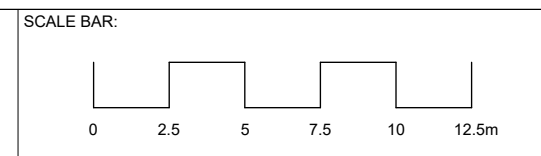
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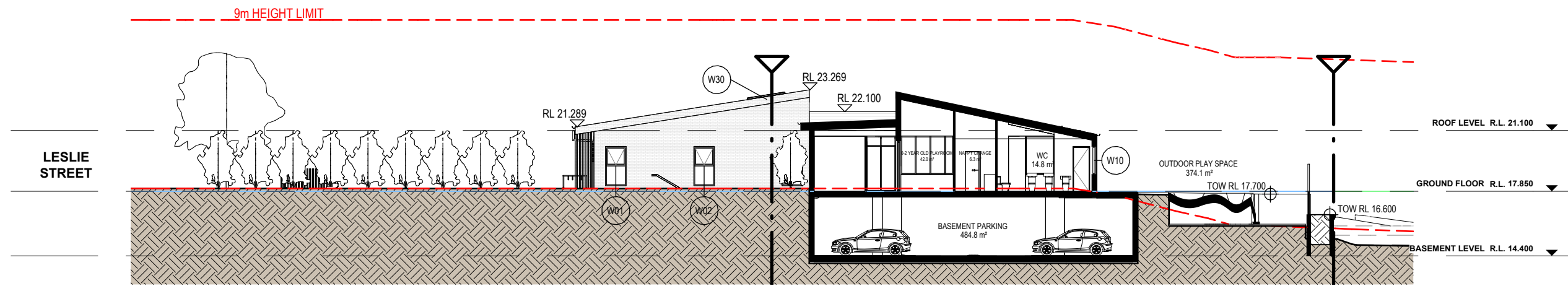
Sydney
Level 10, 6 Mount
Olympus Boulevard,
Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

CLIENT: REALTA ENTERPRISES
ADDRESS: LOTS 7 & 8 DP 1166128 & LOT 26 DP 22090,
3-5 LESLIE STREET,
RUSSELL VALE, NSW
DRAWING NAME: SECTIONS



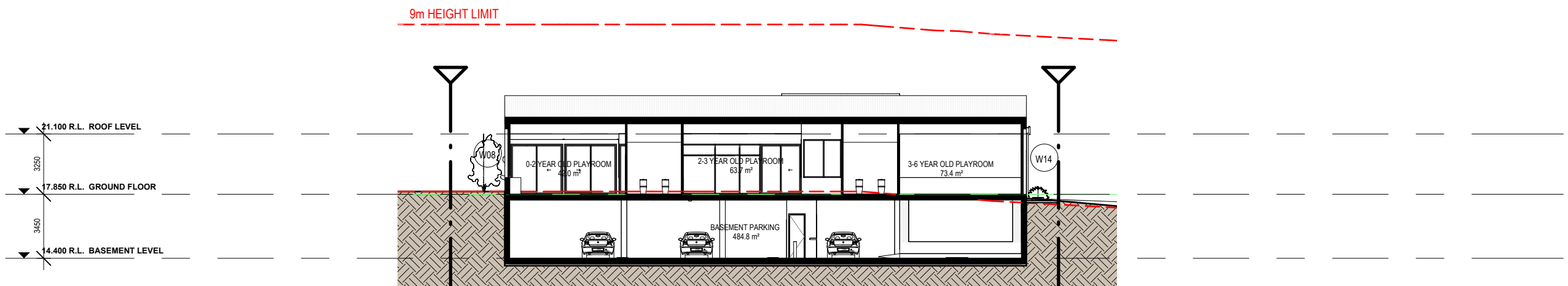
ISSUE DATE: 22.05.2023	PROJECT No. 2072
DRAWN: NT	DWG No. Rev. 030 Q
SCALE: 1:250	QA: AK / RG

PRELIMINARY



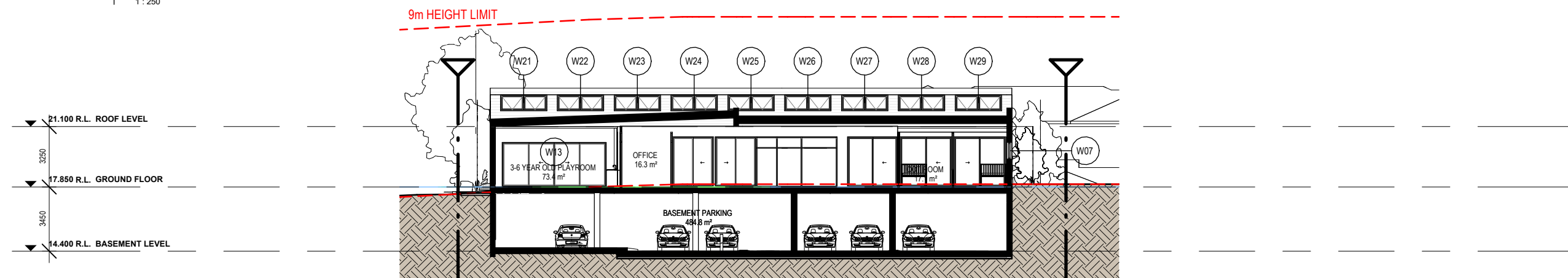
SECTION C-C

1 : 250



SECTION D-D

1 : 250



SECTION E-E

1 : 250

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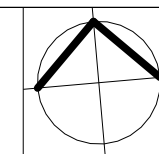
REF. Q	DATE 22.05.2023	AMENDMENT ADDITIONAL INFORMATION
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Nominated Architect:
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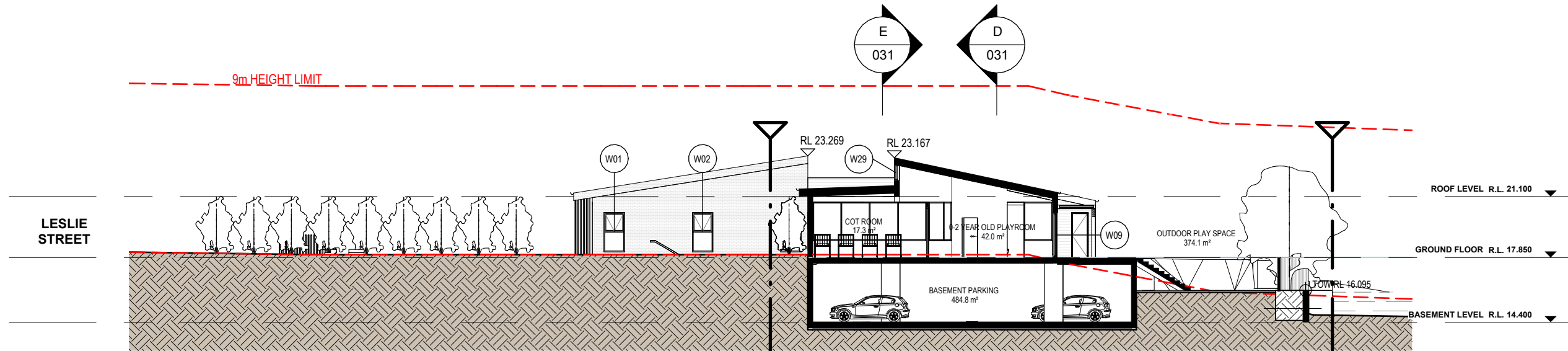
CLIENT: REALTA ENTERPRISES
ADDRESS: LOTS 7 & 8 DP 1166128 & LOT 26 DP 22090,
3-5 LESLIE STREET,
RUSSELL VALE, NSW
DRAWING NAME: SECTIONS



ISSUE DATE:
22.05.2023
DRAWN: NT
SCALE:
QA: AK / RG

PROJECT No.
2072
DWG No. Rev.
031 Q

PRELIMINARY




SECTION F-F

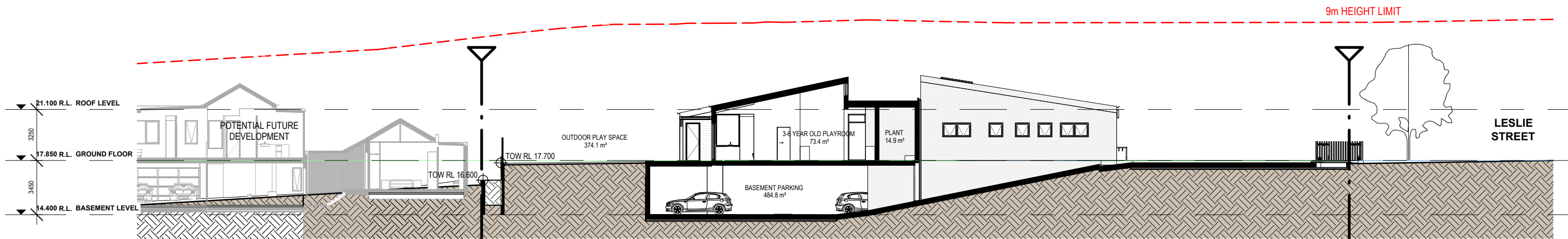
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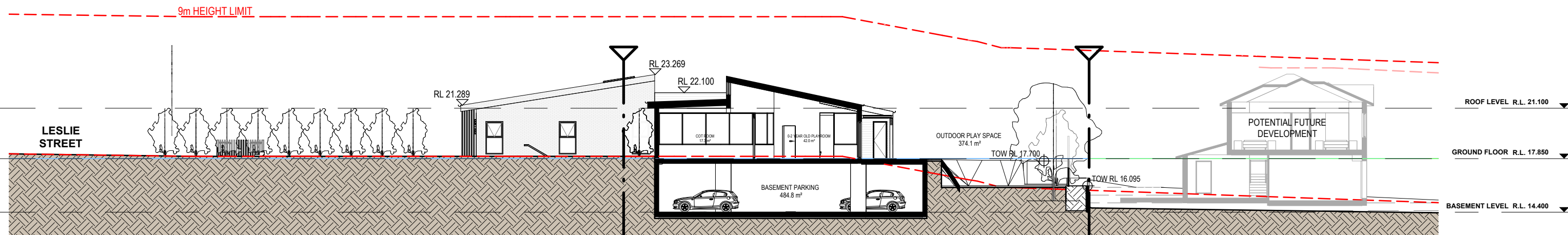
PRELIMINARY

REF. Q	DATE 22.05.2023	AMENDMENT ADDITIONAL INFORMATION	 DWA DESIGN WORKSHOP AUSTRALIA	Wollongong 81a Princes Highway, Fairy Meadow NSW 2519 Tel: (02) 4227 1661 Email: info@designworkshop.com.au Web: www.designworkshop.com.au	Sydney Level 10, 6 Mount Olympus Boulevard, Woll Creek NSW 2205 Nominated Architect: Robert Gizzi (Reg. 8286)	CLIENT: REALTA ENTERPRISES ADDRESS: LOTS 7 & 8 DP 1166128 & LOT 26 DP 22090, 3-5 LESLIE STREET, RUSSELL VALE, NSW DRAWING NAME: SECTIONS	ISSUE DATE: 22.05.2023 DRAWN: Author SCALE: QA: Checker	PROJECT No. 2072 DWG No. Rev. 032 Q
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SITE SECTION A-A

1 : 250



SITE SECTION B-B

1 : 250

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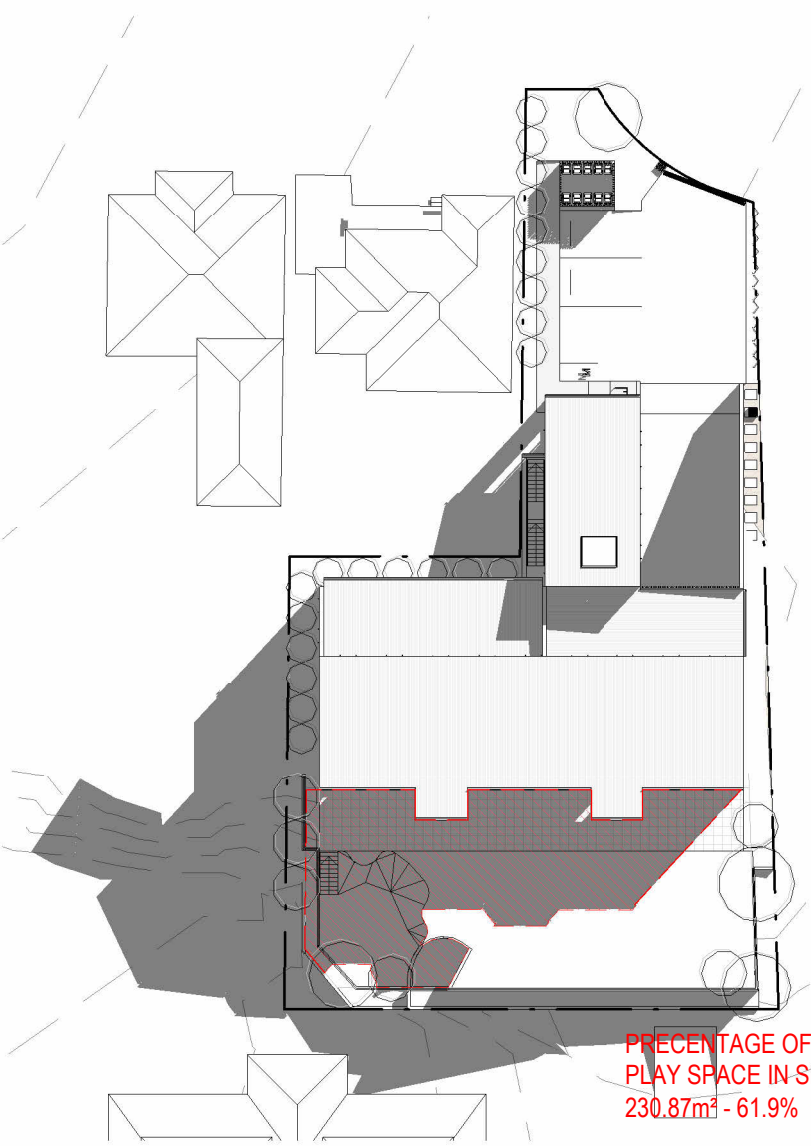
Sydney
Level 10, 6 Mount
Olympus Boulevard,
Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

CLIENT: REALTA ENTERPRISES
ADDRESS: LOTS 7 & 8 DP 1166128 & LOT 26 DP 22090,
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DRAWING NAME: SITE SECTIONS

ISSUE DATE: 22.05.2023
DRAWN: Author
SCALE:
QA: Checker

PROJECT No. 2072
DWG No. 033 Rev. Q

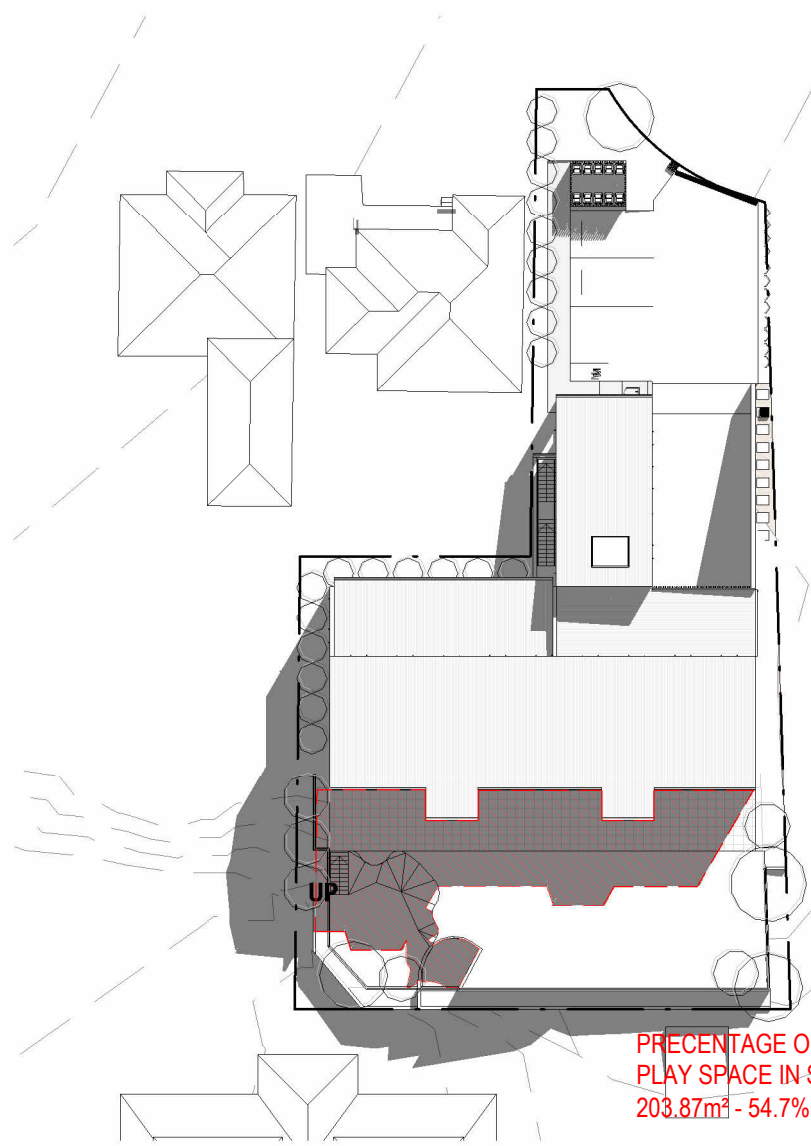
PRELIMINARY



PERCENTAGE OF OUTDOOR
PLAY SPACE IN SHADOW
230.87m² - 61.9%

SHADOWS - WINTER 9am

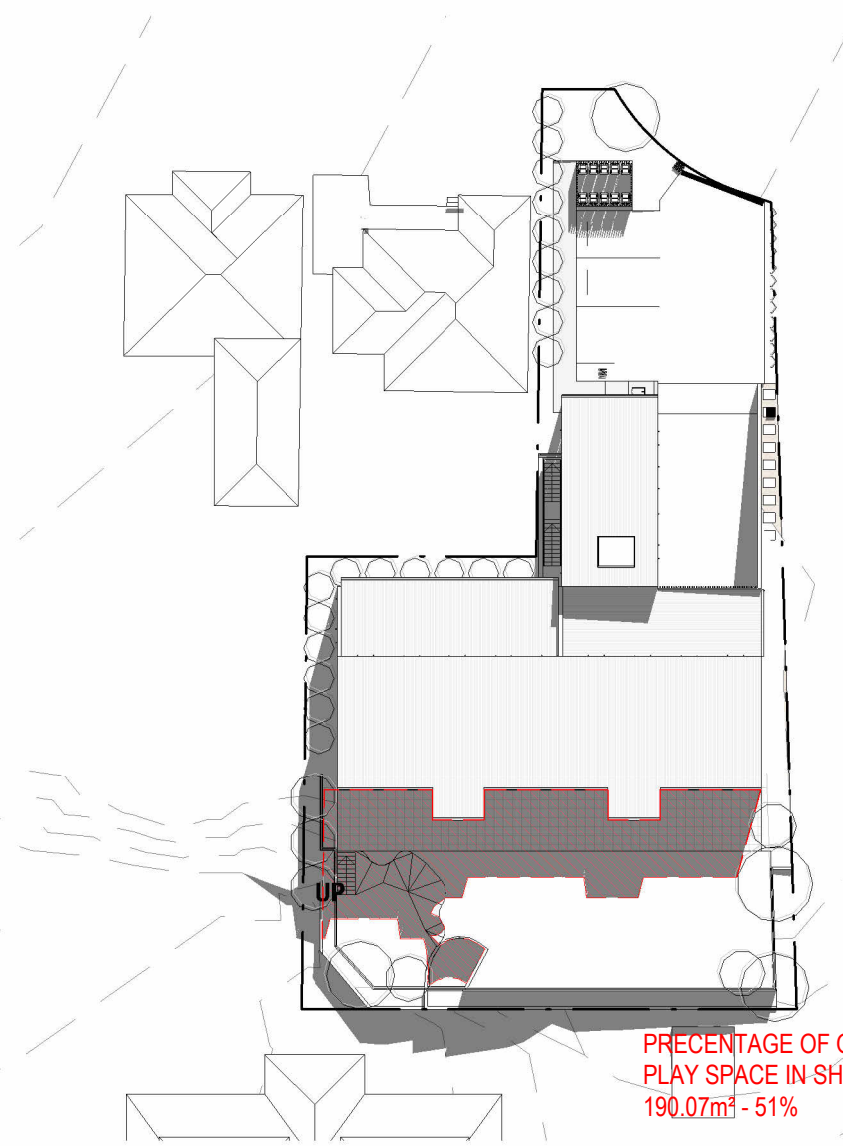
1:500



PERCENTAGE OF OUTDOOR
PLAY SPACE IN SHADOW
203.87m² - 54.7%

SHADOWS - WINTER 10am

1:500



PERCENTAGE OF OUTDOOR
PLAY SPACE IN SHADOW
190.07m² - 51%

SHADOWS - WINTER 11am

1:500

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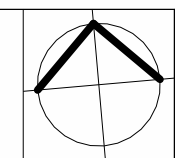
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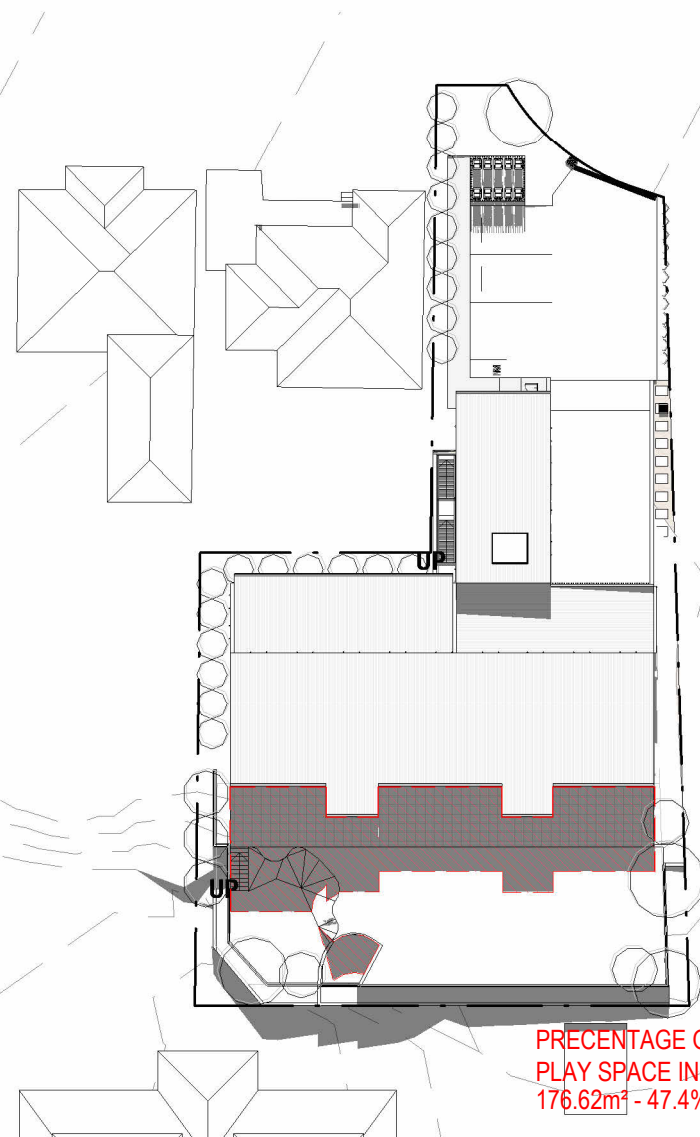
Sydney
Level 10, 6 Mount
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Nominated Architect:
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ADDRESS: LOTS 7 & 8 DP 1166128 & LOT 26 DP 22090,
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DRAWING NAME: SHADOWS - WINTER



ISSUE DATE: 22.05.2023	PROJECT No. 2072
DRAWN: NT	DWG No. Rev. 040 Q
SCALE: QA: AK / RG	

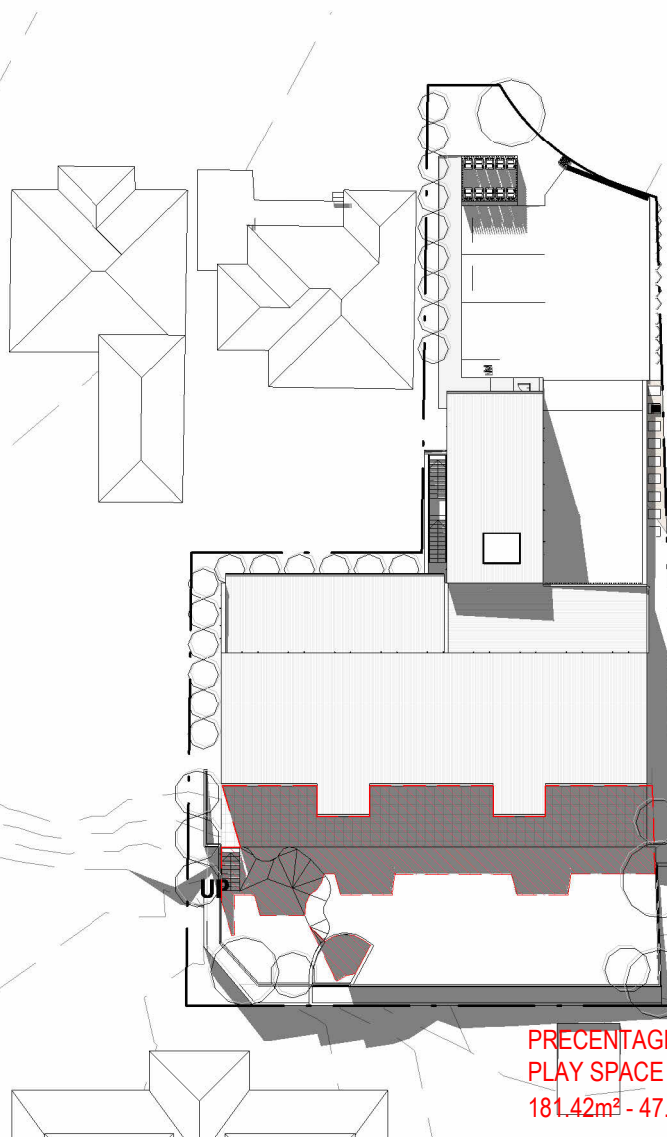
PRELIMINARY



PERCENTAGE OF OUTDOOR
PLAY SPACE IN SHADOW
176.62m² - 47.4%

SHADOWS - WINTER 12noon

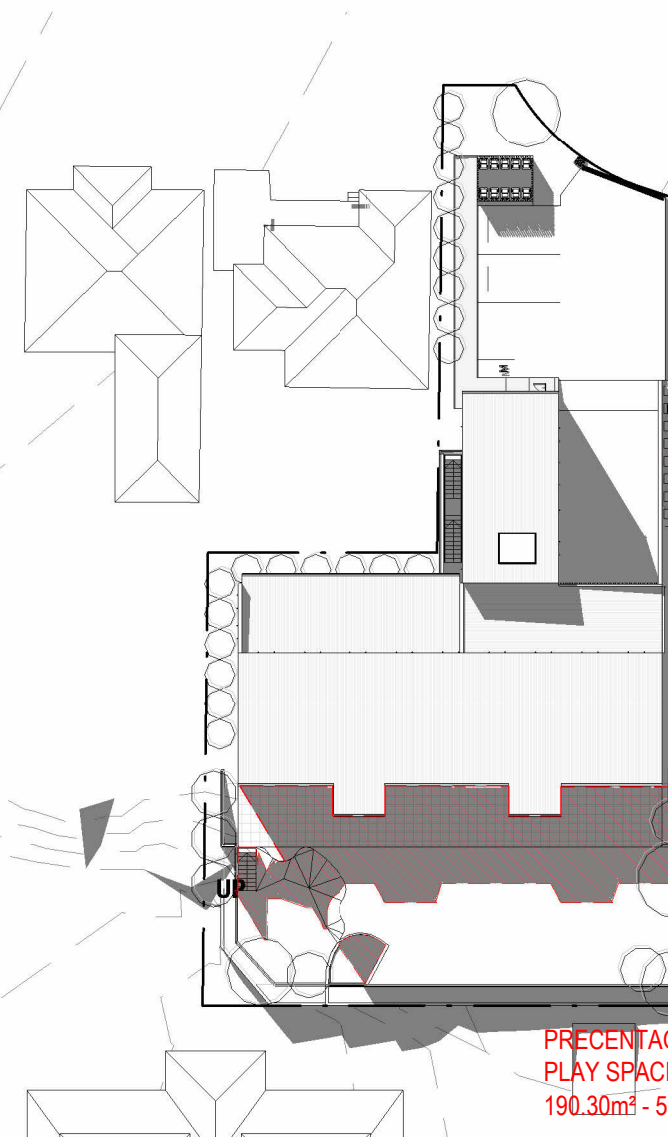
1 : 500



PERCENTAGE OF OUTDOOR
PLAY SPACE IN SHADOW
181.42m² - 47.8%

SHADOWS - WINTER 1pm

1 : 500



PERCENTAGE OF OUTDOOR
PLAY SPACE IN SHADOW
190.30m² - 51.0%

SHADOWS - WINTER 2pm

1 : 500

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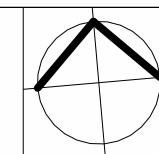
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Sydney
Level 10, 6 Mount
Olympus Boulevard,
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Nominated Architect:
Robert Gizzi (Reg. 8286)

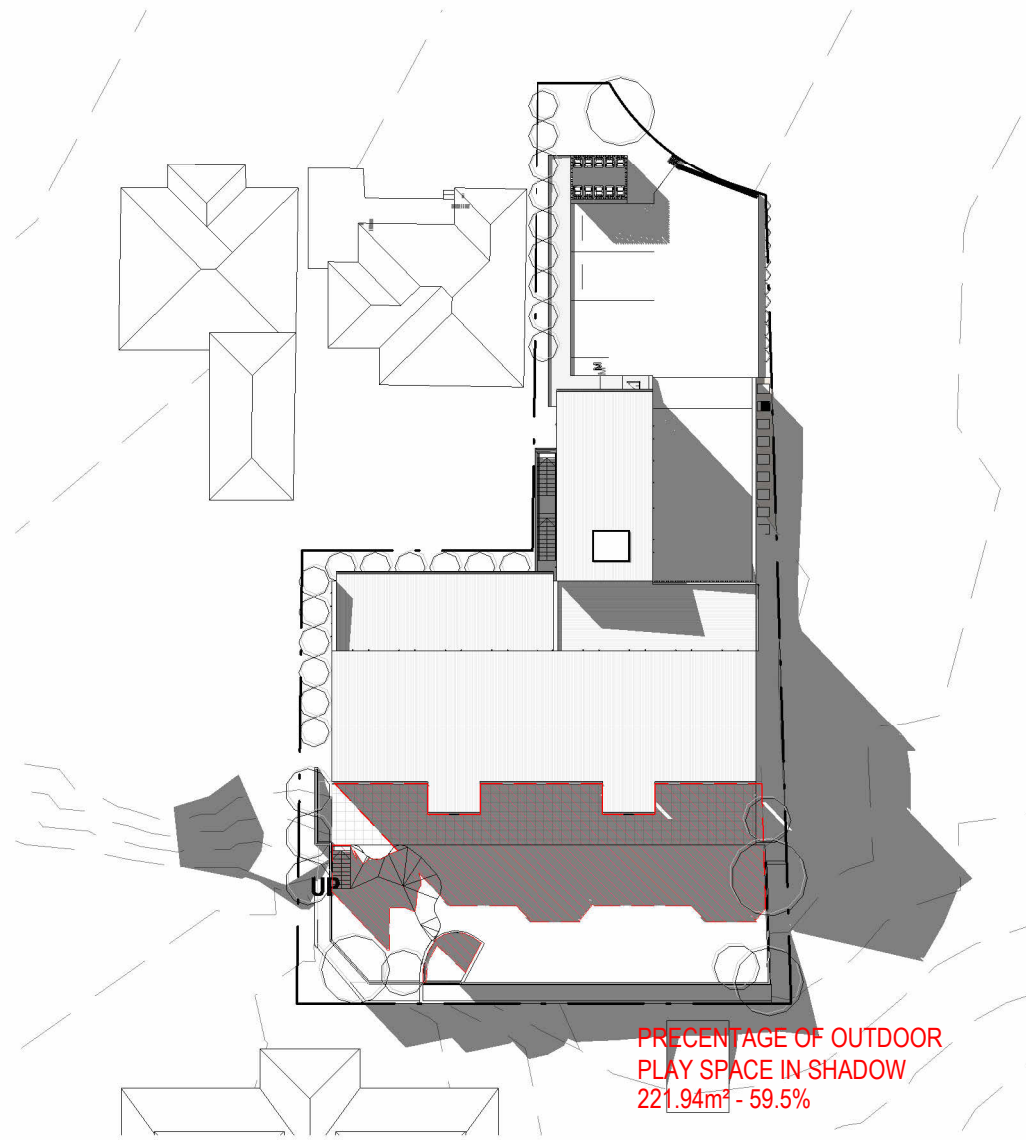
CLIENT: REALTA ENTERPRISES
ADDRESS: LOTS 7 & 8 DP 1166128 & LOT 26 DP 22090,
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DRAWING NAME: SHADOWS - WINTER



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PROJECT No.
2072
DWG No. Rev.
041 Q

PRELIMINARY



PERCENTAGE OF OUTDOOR
PLAY SPACE IN SHADOW
221.94m² - 59.5%


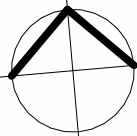
SHADOWS - WINTER 3pm

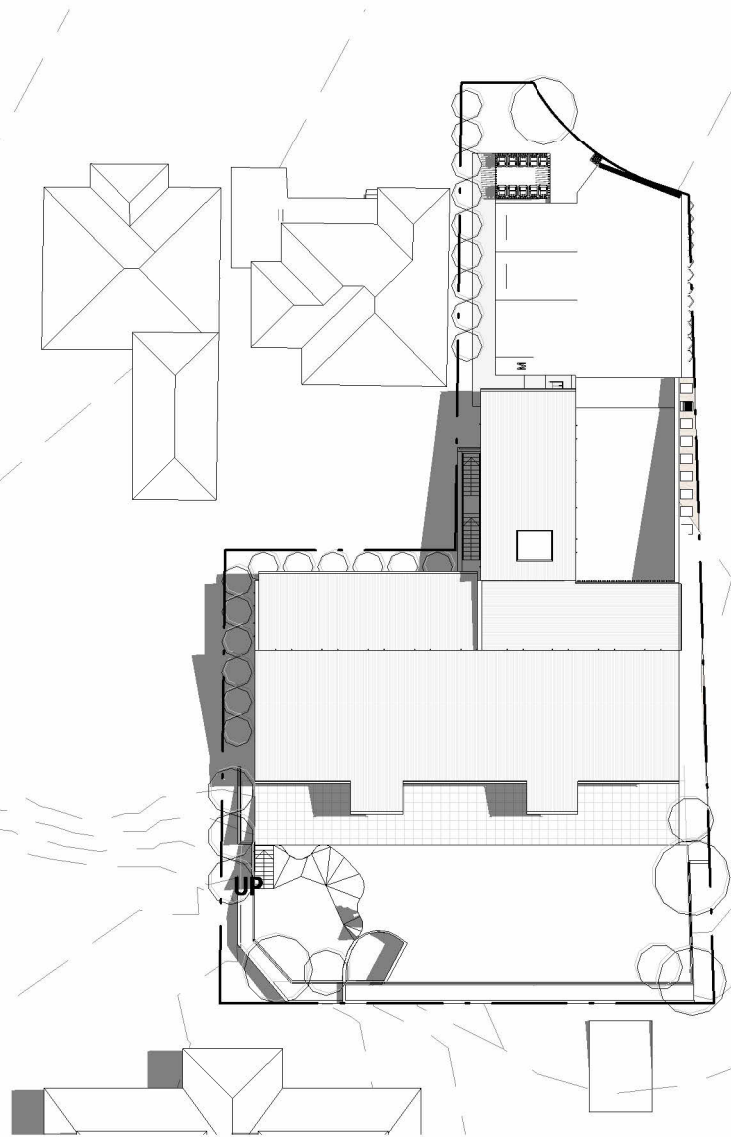
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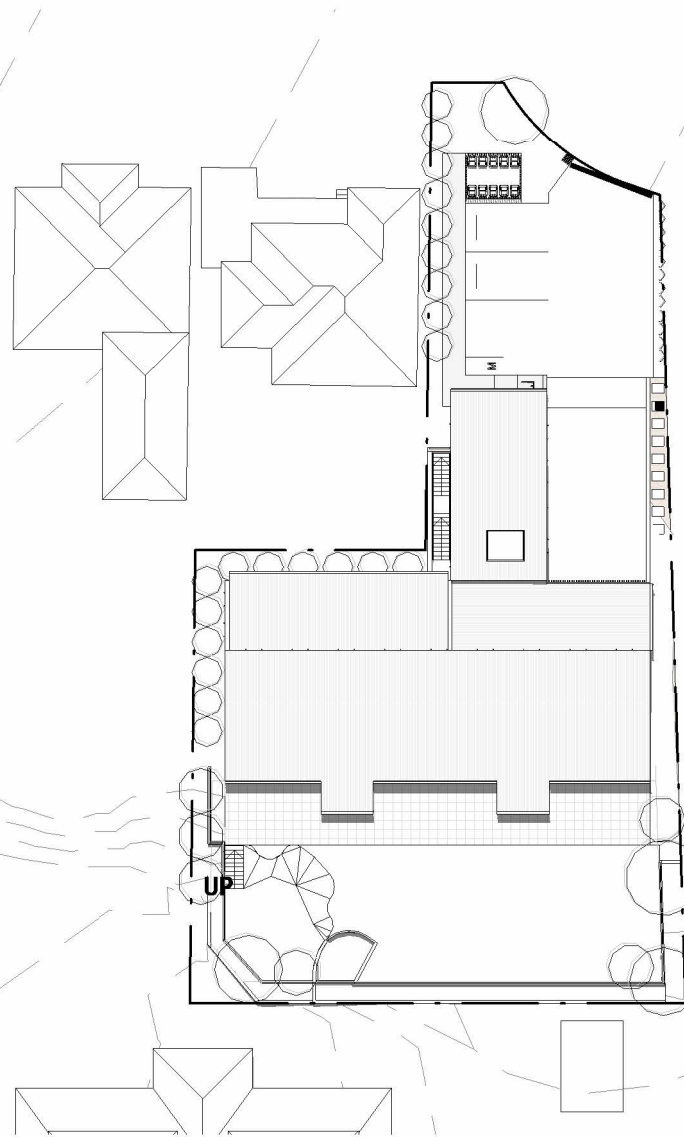
PRELIMINARY

REF: Q	DATE 22.05.2023	AMENDMENT ADDITIONAL INFORMATION	 DWA DESIGN WORKSHOP AUSTRALIA	Wollongong 81a Princes Highway, Fairy Meadow NSW 2519 Tel: (02) 4227 1661 Email: info@designworkshop.com.au Web: www.designworkshop.com.au	Sydney Level 10, 6 Mount Olympus Boulevard, Wollri Creek NSW 2205 Nominated Architect: Robert Gizzi (Reg. 8286)	CLIENT: REALTA ENTERPRISES ADDRESS: LOTS 7 & 8 DP 1166128 & LOT 26 DP 22090, 3-5 LESLIE STREET, RUSSELL VALE, NSW DRAWING NAME: SHADOWS - WINTER		ISSUE DATE: 22.05.2023 DRAWN: NT SCALE: QA: AK / RG	PROJECT No. 2072 DWG No. Rev. 042 Q
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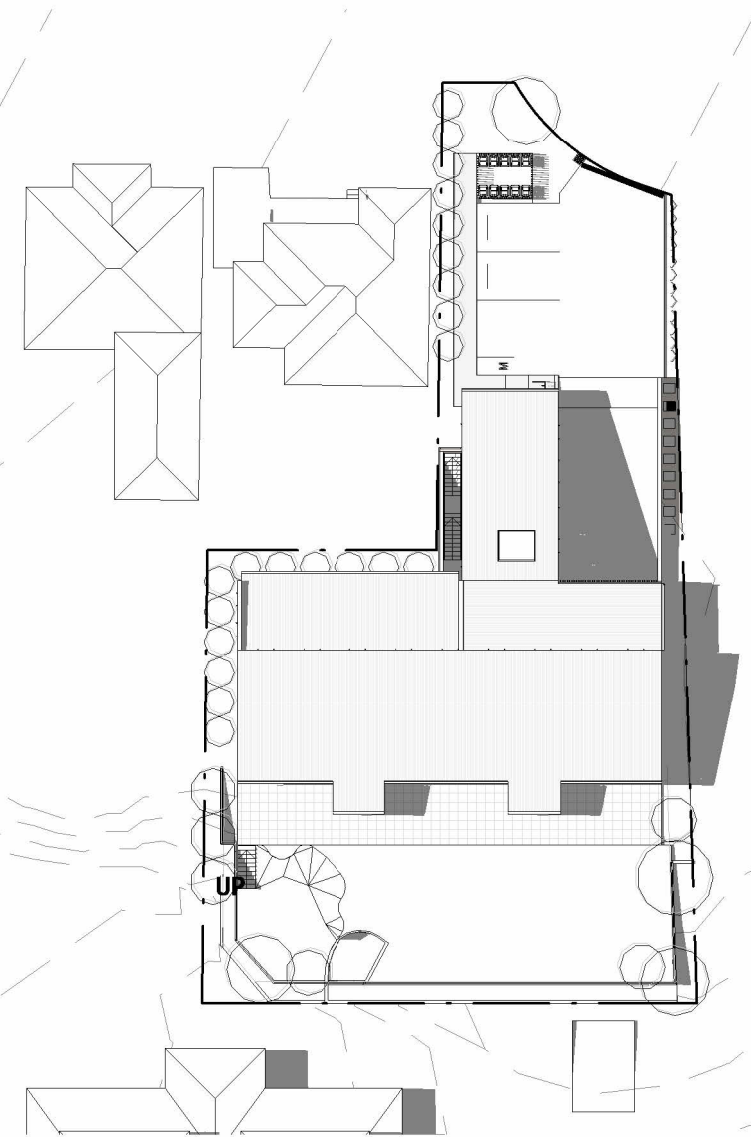
SHADOWS - SUMMER 9am

1 : 500



SHADOWS - SUMMER 12noon

1 : 500



SHADOWS - SUMMER 3pm

1 : 500

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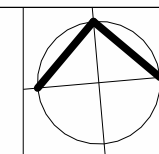
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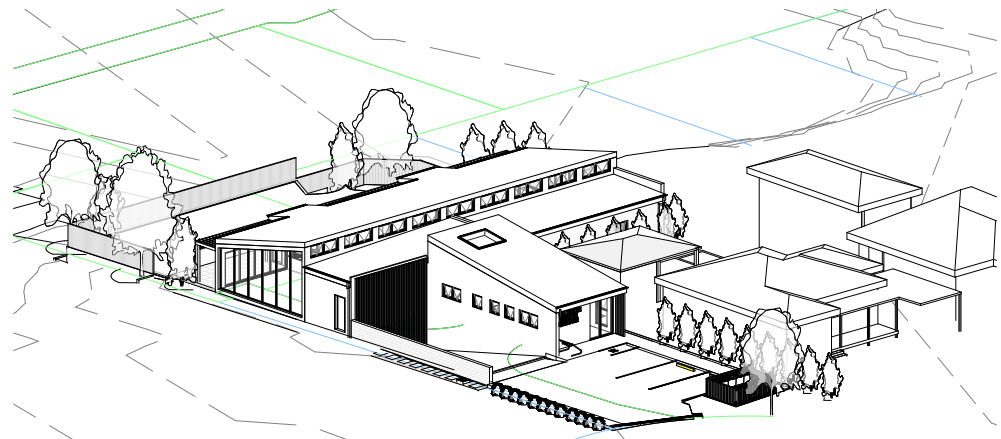
Sydney
Level 10, 6 Mount
Olympus Boulevard,
Wolli Creek NSW 2205
Nominated Architect:
Robert Gizzi (Reg. 8286)

CLIENT: REALTA ENTERPRISES
ADDRESS: LOTS 7 & 8 DP 1166128 & LOT 26 DP 22090,
3-5 LESLIE STREET,
RUSSELL VALE, NSW
DRAWING NAME: SHADOWS - SUMMER

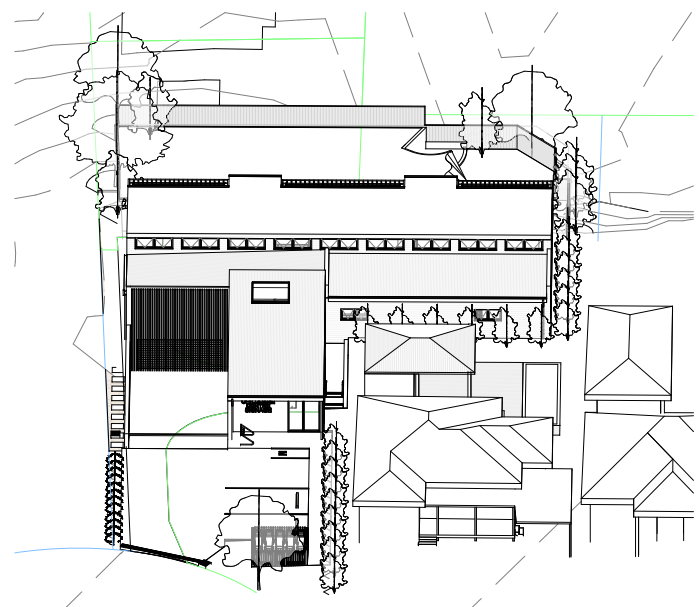


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SCALE: QA: AK / RG	

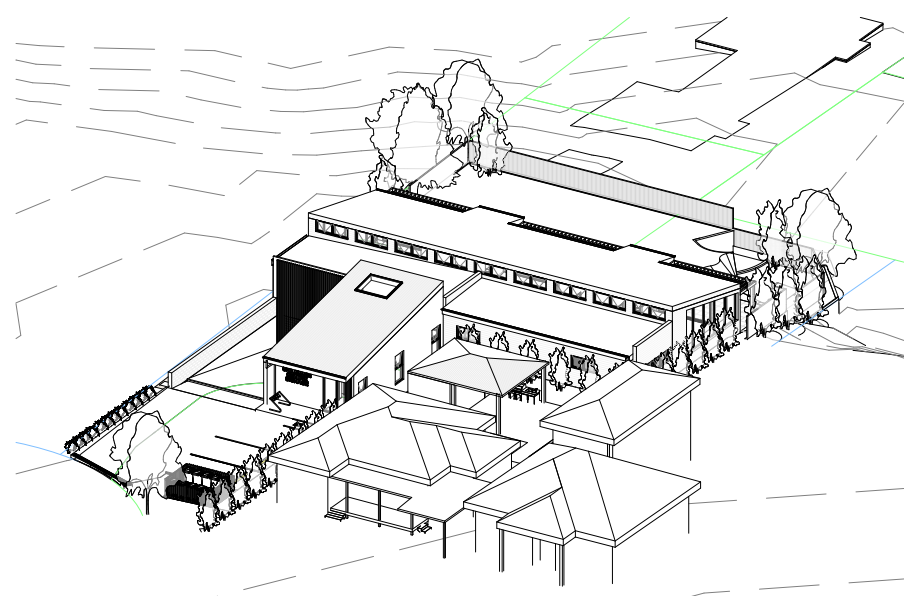
PRELIMINARY



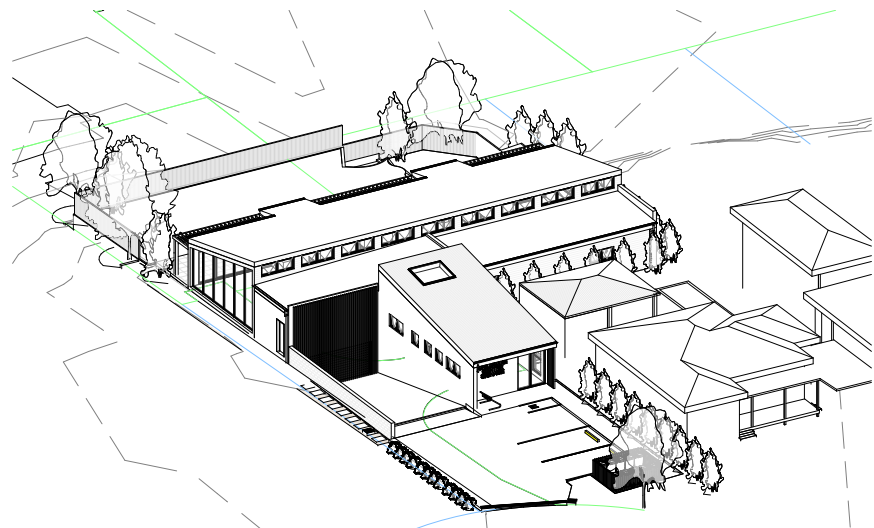
SOLAR ACCESS - JUNE - 9.00am



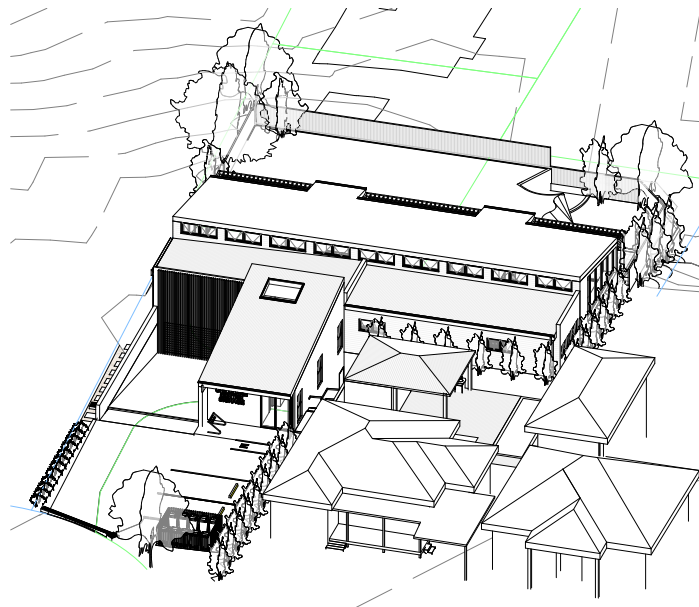
SOLAR ACCESS - JUNE - 12.00noon



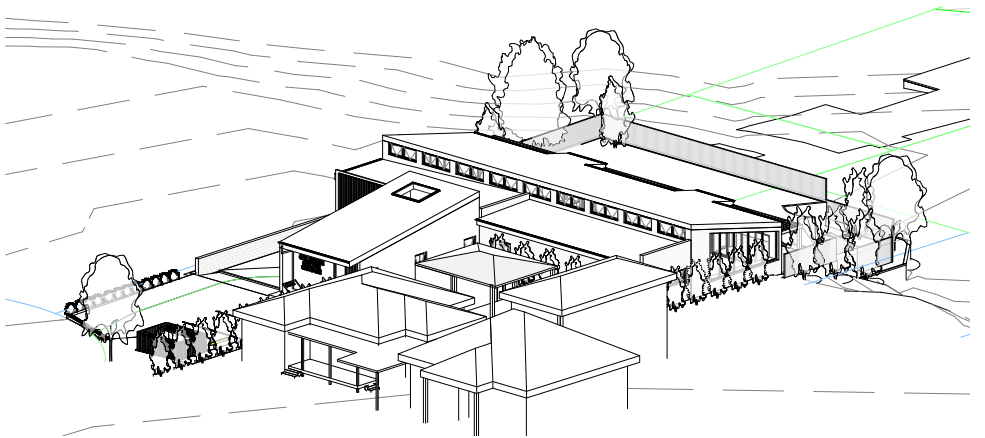
SOLAR ACCESS - JUNE - 2.00pm



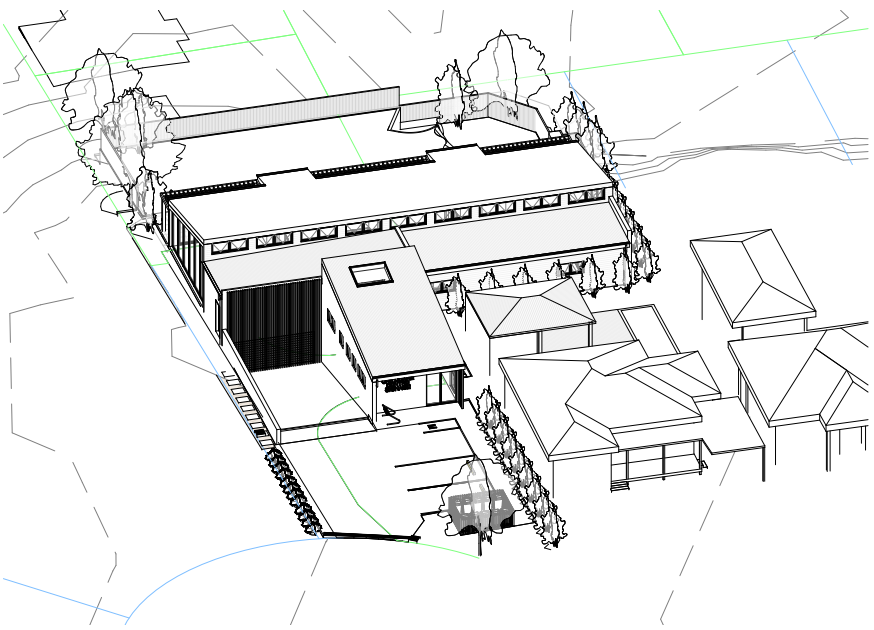
SOLAR ACCESS - JUNE - 10.00am



SOLAR ACCESS - JUNE - 1.00pm



SOLAR ACCESS - JUNE - 3.00pm



SOLAR ACCESS - JUNE - 11.00am

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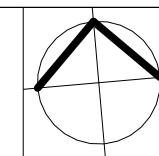
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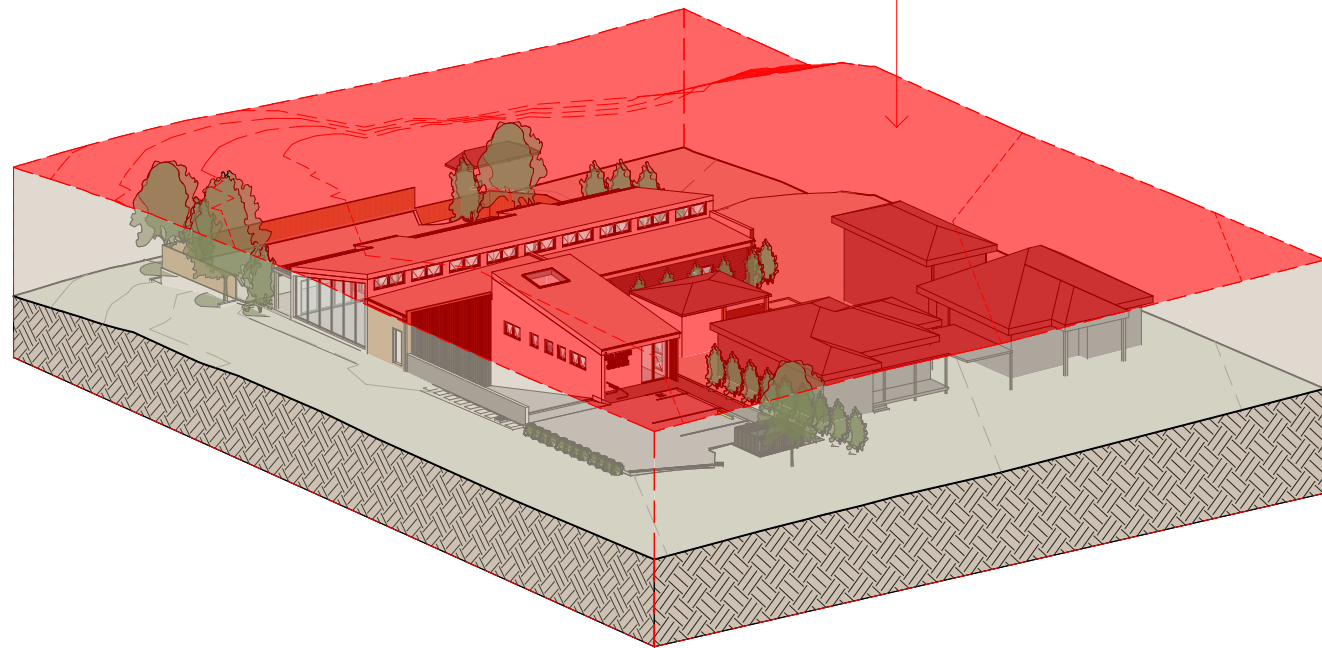
CLIENT: REALTA ENTERPRISES
ADDRESS: LOTS 7 & 8 DP 1166128 & LOT 26 DP 22090,
3-5 LESLIE STREET,
RUSSELL VALE, NSW
DRAWING NAME: SOLAR ANALYSIS - VIEWS FROM THE SUN



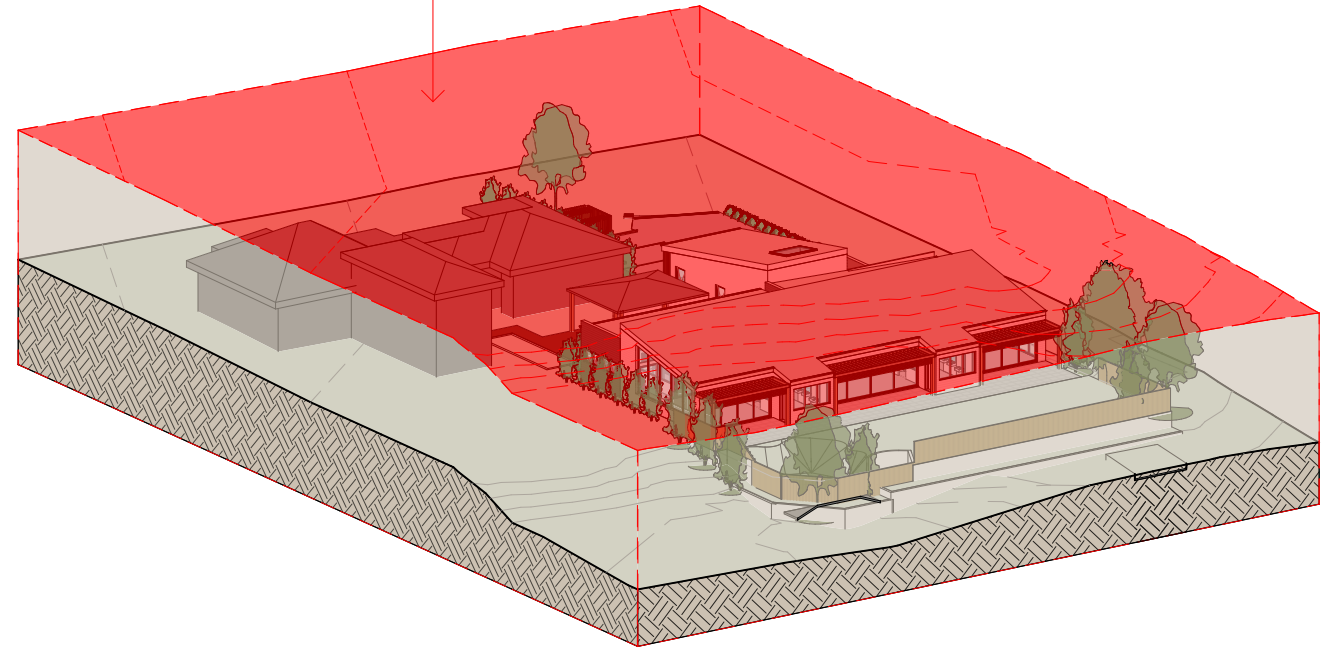
ISSUE DATE: 22.05.2023	PROJECT No. 2072
DRAWN: NT	DWG No. Rev. 044 Q
SCALE: QA: AK / RG	

PRELIMINARY

9m HEIGHT PLANE



3D HEIGHT PLANE ANALYSIS - VIEW 1



3D HEIGHT PLANE ANALYSIS - VIEW 2

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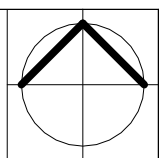
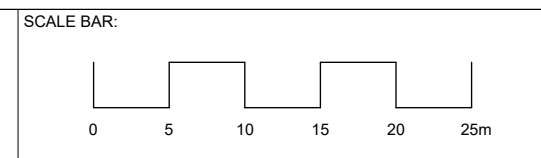
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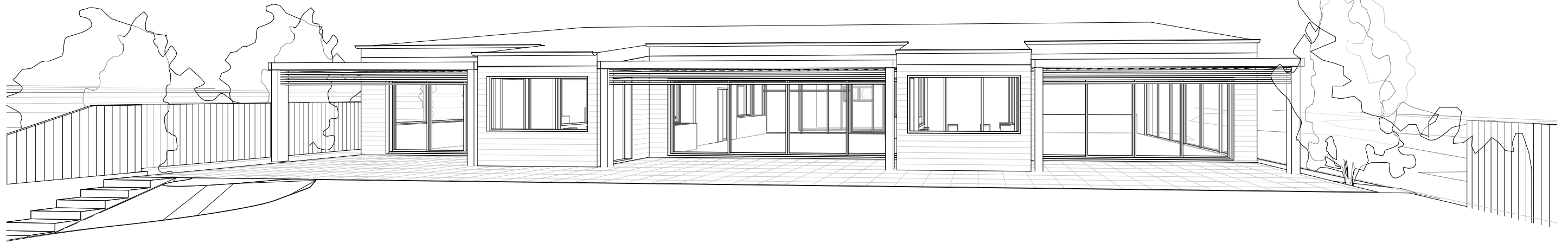
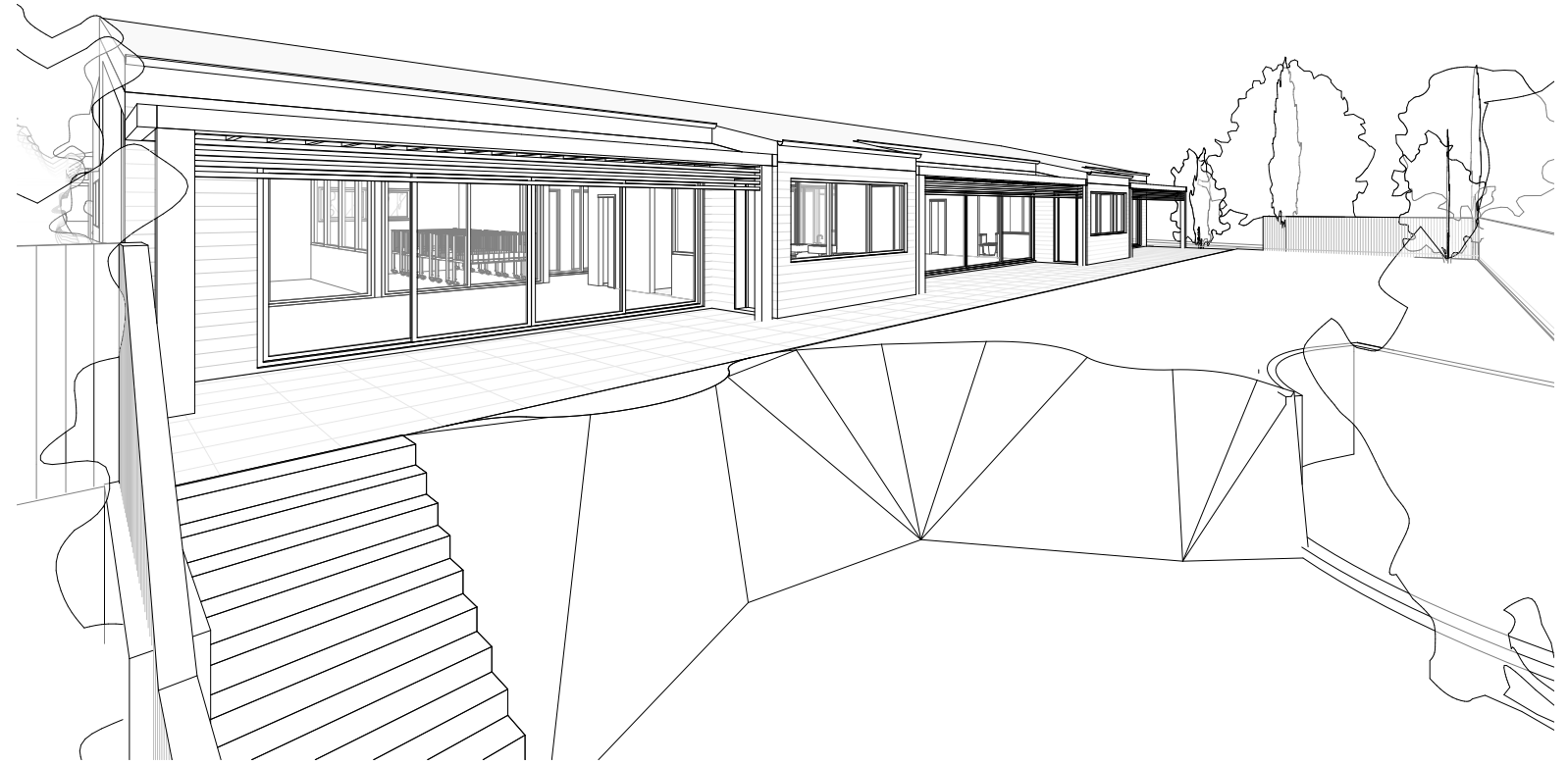
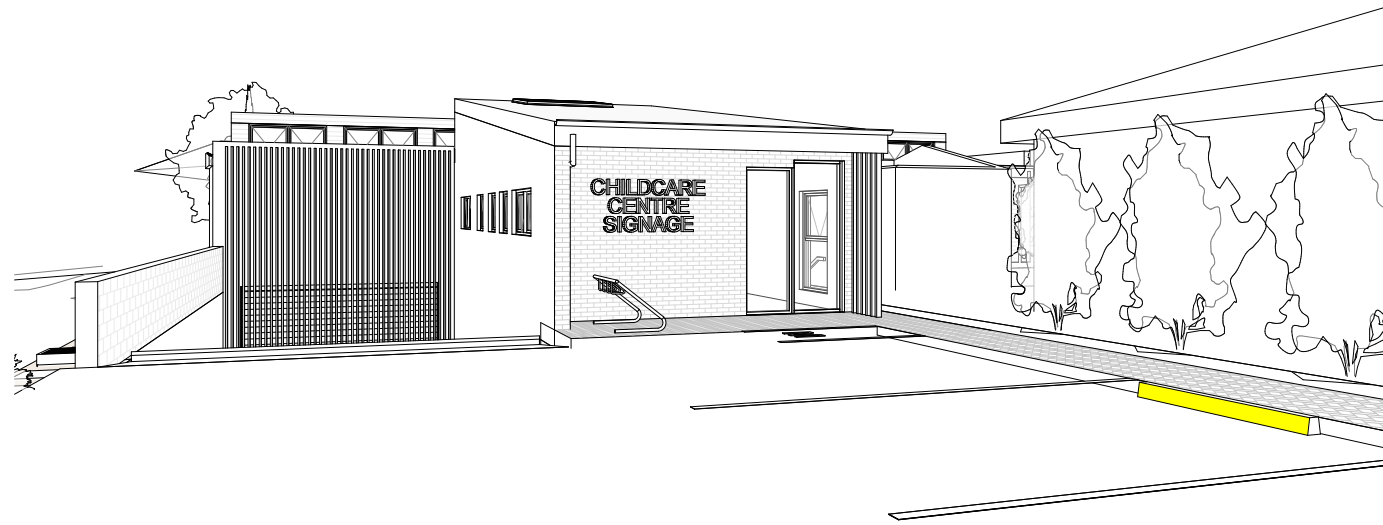
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 DRAWING NAME: HEIGHT PLANE DIAGRAMS



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 SCALE: 1:500
 QA: AK / RG

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DISCLAIMER

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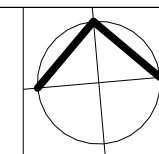
REF.	DATE	AMENDMENT ADDITIONAL INFORMATION
Q	22.05.2023	



Wollongong
 81a Princes Highway,
 Fairy Meadow NSW 2519
 Tel: (02) 4227 1661
 Email: info@designworkshop.com.au
 Web: www.designworkshop.com.au

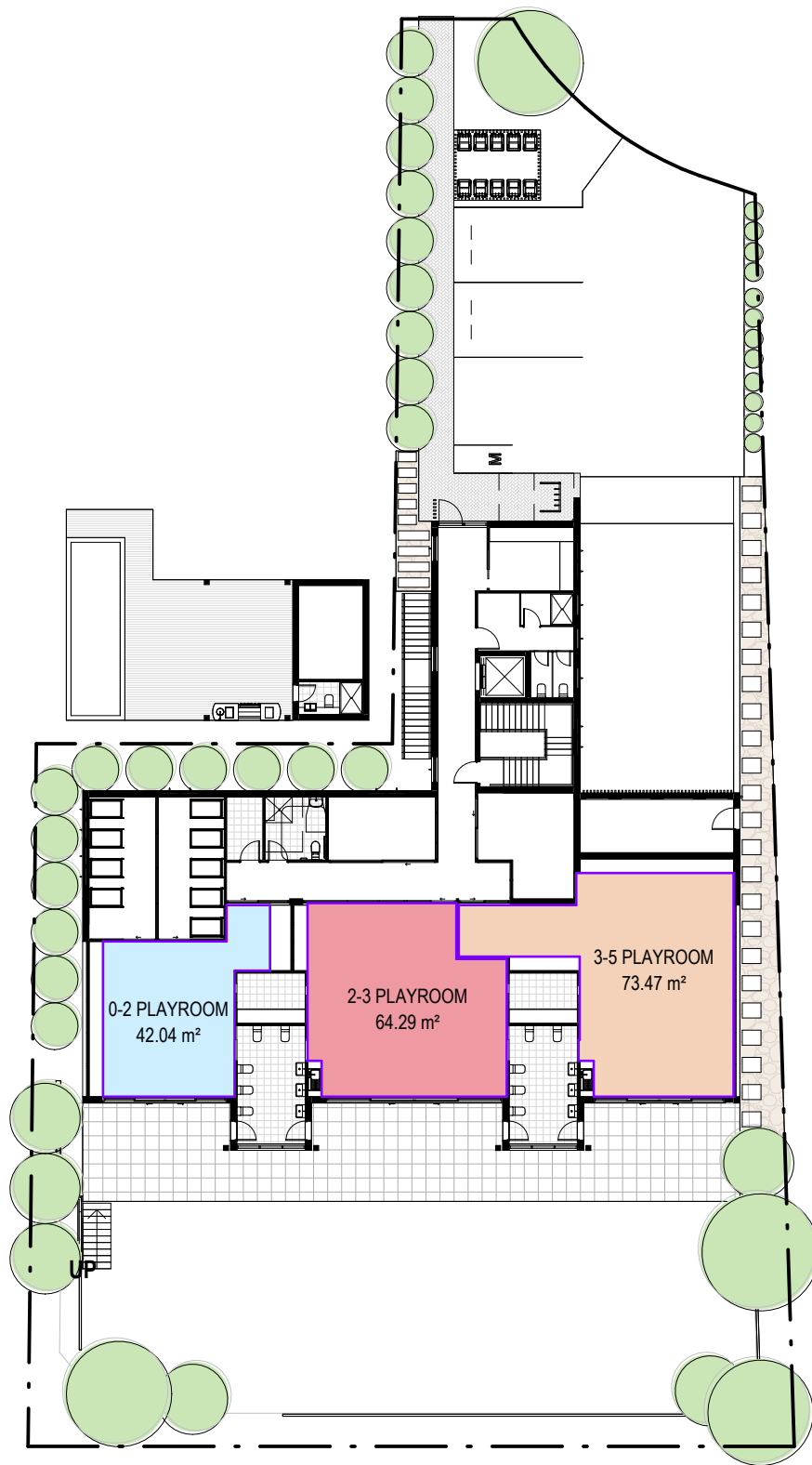
Sydney
 Level 10, 6 Mount
 Olympus Boulevard,
 Wollri Creek NSW 2205
 Nominated Architect:
 Robert Gizzi (Reg. 8286)

CLIENT: REALTA ENTERPRISES
 ADDRESS: LOTS 7 & 8 DP 1166128 & LOT 26 DP 22090,
 3-5 LESLIE STREET,
 RUSSELL VALE, NSW
 DRAWING NAME: PRESPECTIVES



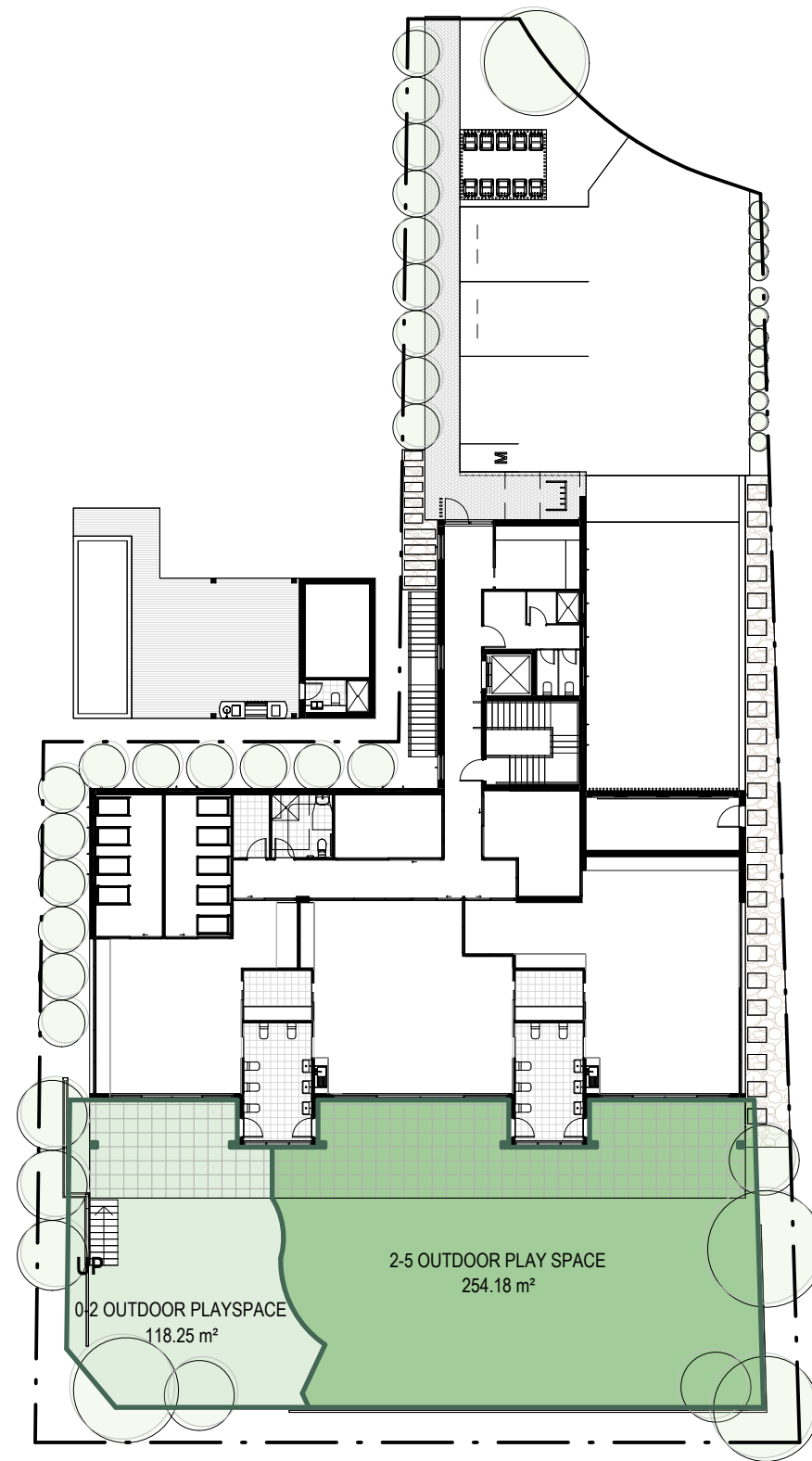
ISSUE DATE: 22.05.2023	PROJECT No. 2072
DRAWN: NT	DWG No. Rev. 050 Q
SCALE: QA: AK / RG	

PRELIMINARY



INTERNAL PLAYSPACE CALCULATIONS

PLAYSPACE	AREA	CHILDREN PER 3.25m2	ALLOWED NO. CHILDREN	PROPOSED NO. CHILDREN
0-2 PLAYROOM	42.04 m ²	12.93	13	9
2-3 PLAYROOM	64.29 m ²	19.78	20	16
3-5 PLAYROOM	73.47 m ²	22.61	23	20
		55.32	56	45



OUTDOOR PLAYSPACE CALCULATIONS

OUTDOOR PLAYSPACE	AREA	CHILDREN PER 7m2	ALLOWED NO. CHILDREN	PROPOSED NO. CHILDREN
0-2 OUTDOOR PLAYSPACE	118.25 m ²	16.89	17	9
2-5 OUTDOOR PLAY SPACE	254.18 m ²	36.31	37	36
	372.43 m ²	53.20	54	45

INTERNAL PLAY SPACE CALCULATIONS


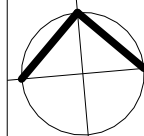
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EXTERNAL PLAY SPACE CALCULATIONS

1 : 300

DISCLAIMER

Subject to: full site survey, measurements are preliminary, discussions and meetings with authorities, approval from authorities, relevant consultant information as per council DA requirements. Feasibility completed based on information provided by client. Drawings are not suitable for purchase of property. All parking and ramps to traffic engineers details. (Subject to Approval)

REF. Q	DATE 22.05.2023	AMENDMENT ADDITIONAL INFORMATION	 DWA DESIGN WORKSHOP AUSTRALIA	Wollongong 81a Princes Highway, Fairy Meadow NSW 2519 Tel: (02) 4227 1661 Email: info@designworkshop.com.au Web: www.designworkshop.com.au	Sydney Level 10, 6 Mount Olympus Boulevard, Woll Creek NSW 2205 Nominated Architect: Robert Gizzi (Reg. 8286)	CLIENT: REALTA ENTERPRISES ADDRESS: LOTS 7 & 8 DP 1166128 & LOT 26 DP 22090, 3-5 LESLIE STREET, RUSSELL VALE, NSW DRAWING NAME: AREA CALCULATIONS		ISSUE DATE: 22.05.2023 DRAWN: Author SCALE: QA: Checker	PROJECT No. 2072 DWG No. Rev. 051 Q
<small>DISCLAIMER All dimensions are in millimeters. Verify all dimensions on site prior to commencement of any work. Copyright of DWA.</small>									

PRELIMINARY

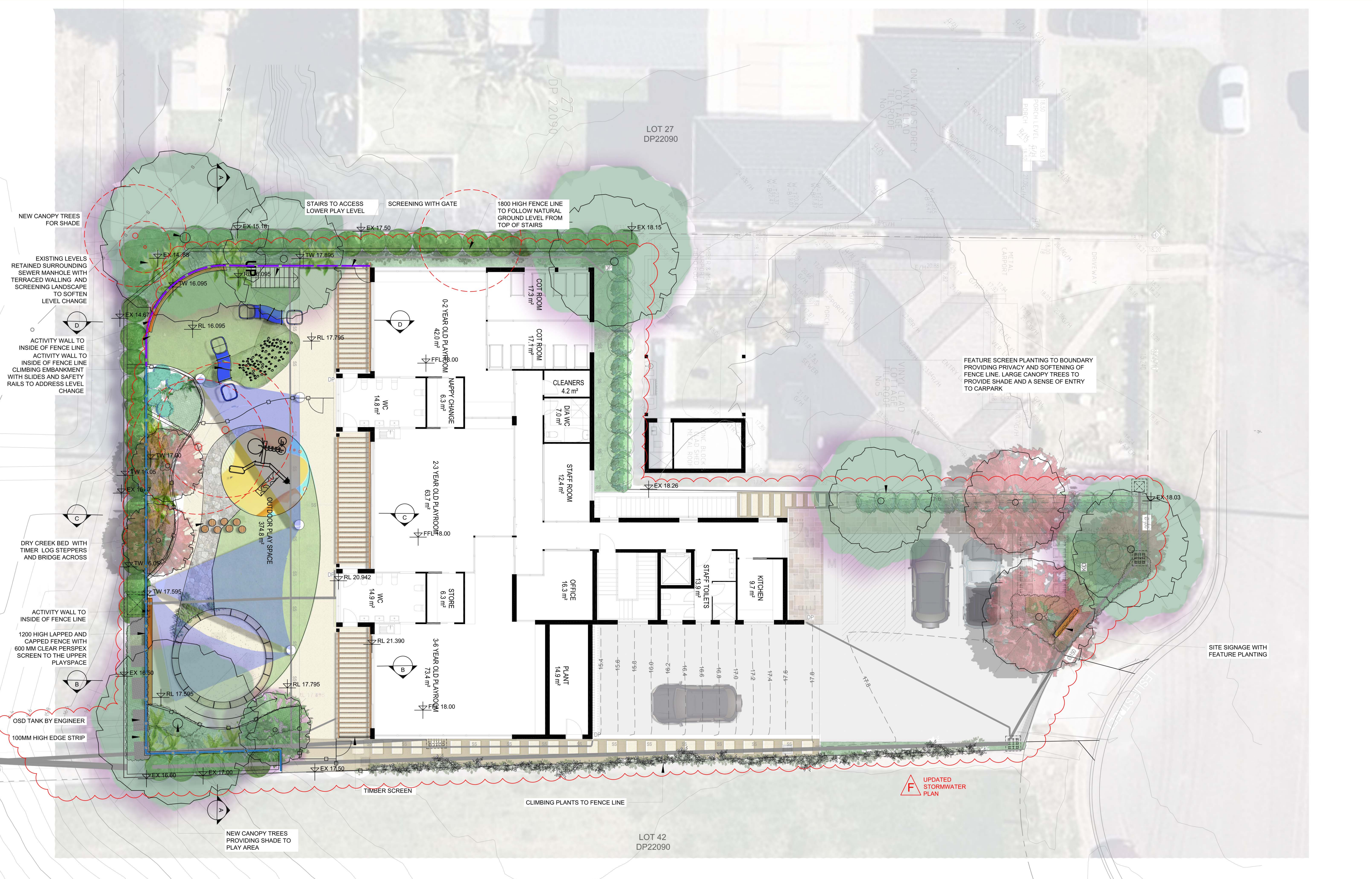
3 LESLIE STREET, RUSSELL VALE, NSW

Landscape Architecture Development Application

DWG	DRAWING TITLE	SCALE
LA00	COVER SHEET	N/A
LA01	LANDSCAPE PLAN	1:100
LA02	PLANTING PLAN	1:100
LA03	LANDSCAPE SECTIONAL ELEVATION	1:100
LA04	LANDSCAPE SECTIONS	1:100
LA05	LANDSCAPE DETAILS	AS SHOWN

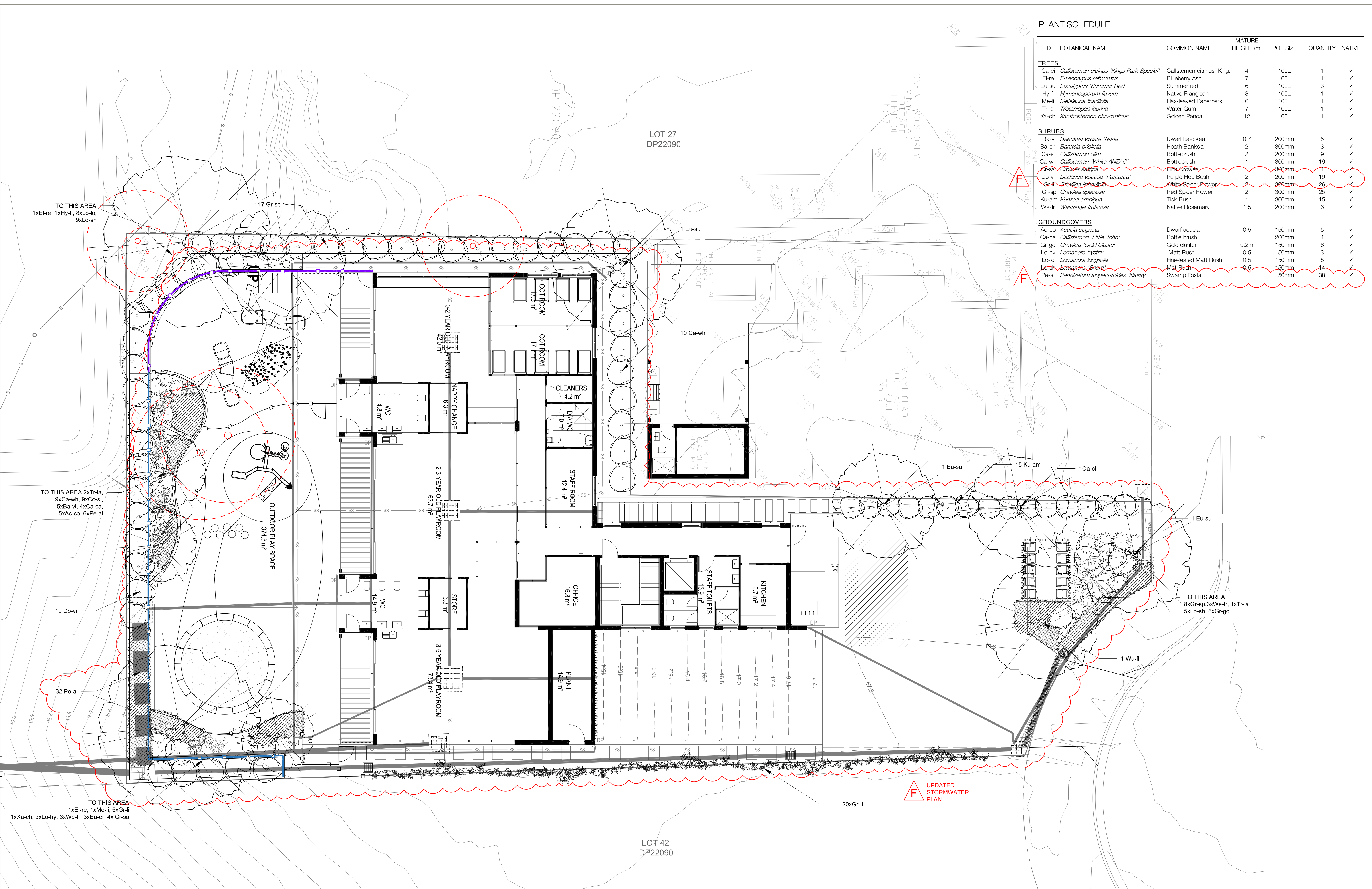


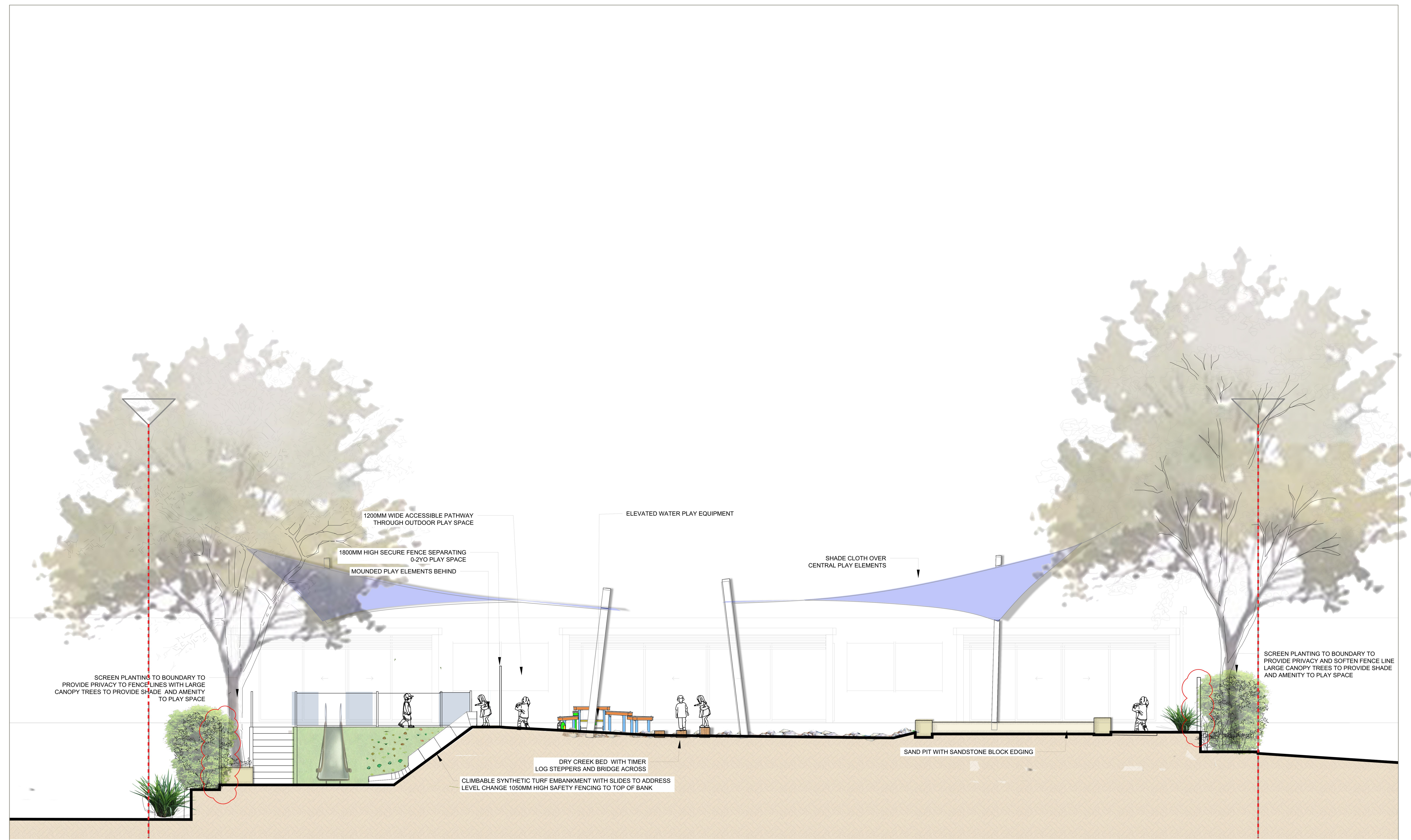
○ SITE CONTEXT PLAN



PLANT SCHEDULE

ID	BOTANICAL NAME	COMMON NAME	MATURE HEIGHT (m)	POT SIZE	QUANTITY	NATIVE
TREES						
Ca-ci	<i>Callistemon citrinus</i> 'Kings Park Special'	Callistemon citrinus 'Kings	4	100L	1	✓
El-re	<i>Elaeocarpus reticulatus</i>	Blueterry Ash	7	100L	1	✓
Eu-su	<i>Eucalyptus</i> 'Summer Red'	Summer red	6	100L	3	✓
Hy-fl	<i>Hymenosporum flavum</i>	Native Frangipani	8	100L	1	✓
Me-li	<i>Melaleuca linariifolia</i>	Flax-leaved Paperbark	6	100L	1	✓
Tr-la	<i>Tristania laurina</i>	Water Gum	7	100L	1	✓
Xa-ch	<i>Xanthostemon chrysanthus</i>	Golden Penda	12	100L	1	✓
SHRUBS						
Ba-vi	<i>Baeckea virgata</i> 'Nana'	Dwarf baeckea	0.7	200mm	5	✓
Ba-er	<i>Banksia ericifolia</i>	Heath Banksia	2	300mm	3	✓
Ca-sl	<i>Callistemon Slim</i>	Bottlebrush	2	300mm	9	✓
Ca-wh	<i>Callistemon 'White ANZAC'</i>	Bottlebrush	1	300mm	19	✓
Cr-sa	<i>Cratogeomys</i>	Pink Crowea	1	300mm	4	✓
Do-vi	<i>Dodonea viscosa</i> 'Purpurea'	Purple Hop Bush	2	200mm	19	✓
Gr-l	<i>Grevillea linearifolia</i>	White Spider Flower	2	300mm	26	✓
Gr-sp	<i>Grevillea speciosa</i>	Red Spider Flower	2	300mm	25	✓
Ku-am	<i>Kunzea ambigua</i>	Tick Bush	1	300mm	15	✓
We-fr	<i>Westringia fruticosa</i>	Native Rosemary	1.5	200mm	6	✓
GROUNDCOVERS						
Ac-co	<i>Acacia cognata</i>	Dwarf acacia	0.5	150mm	5	✓
Ca-ca	<i>Callistemon 'Little John'</i>	Bottle brush	1	200mm	4	✓
Gr-go	<i>Grevillea 'Gold Cluster'</i>	Gold cluster	0.2m	150mm	6	✓
Lo-hy	<i>Lomandra hystrix</i>	Matt Rush	0.5	150mm	3	✓
Lo-lo	<i>Lomandra longifolia</i>	Fine-leaved Matt Rush	0.5	150mm	8	✓
Lo-sh	<i>Lomandra 'Shang'</i>	Matt Rush	0.5	150mm	14	✓
Pe-al	<i>Pennisetum atpurpureoides</i> 'Nafra'	Swamp Foxtail	1	150mm	38	✓





SECTION AA

NOTES:
 1. Figured dimensions shall be taken in preference to scaling.
 2. The contractor shall check all dimensions on site before commencing work.

LEGEND:

ISSUE	DESCRIPTION	DATE
D	FOR DEVELOPMENT APPLICATION	19.05.2023
C	FOR DEVELOPMENT APPLICATION	04.05.2023
B	FOR DEVELOPMENT APPLICATION	03.05.2023
A	FOR DEVELOPMENT APPLICATION	27.09.2021
P2	DRAFT FOR DEVELOPMENT APPLICATION	21.09.2021
P1	FOR APPROVAL	16.09.2021

PROJECT:
 3 LESLIE STREET, RUSSELL VALE

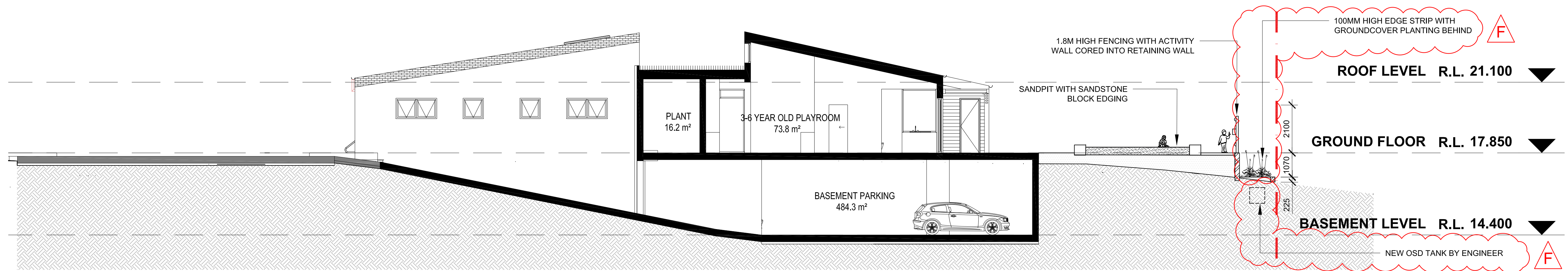
DRAWING TITLE:
 LANDSCAPE SECTIONAL ELEVATION

CLIENT:
 REALTA ENTERPRISES

0 1 2 4 6m

SCALE: 1:100@A1
 CHECKED: MT
 CREATED: 19/05/2023
 JOB NO: JOB 21-1066
 DRAWN: RS
 DESIGNED: MT
 LA03 [D]

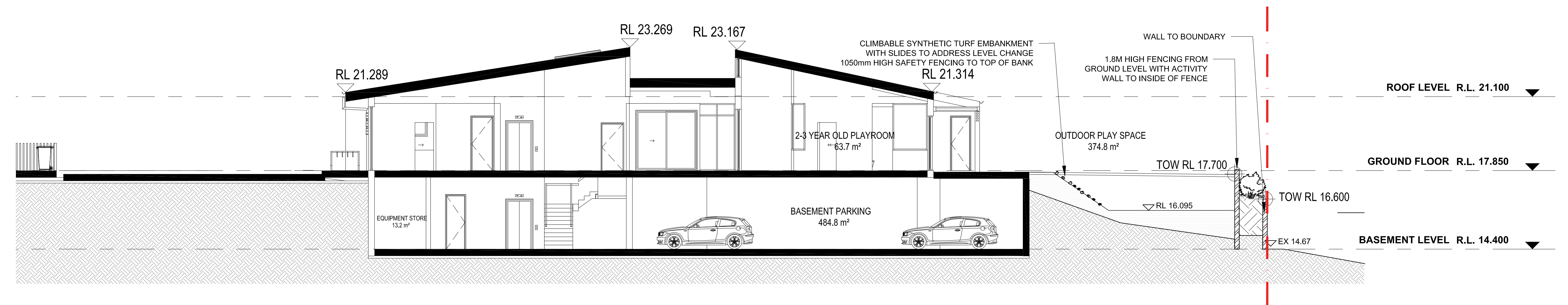
Copyright of Taylor Brammer Landscape Architects Pty Ltd.
 ABN 61 098 724 988



SECTION BB



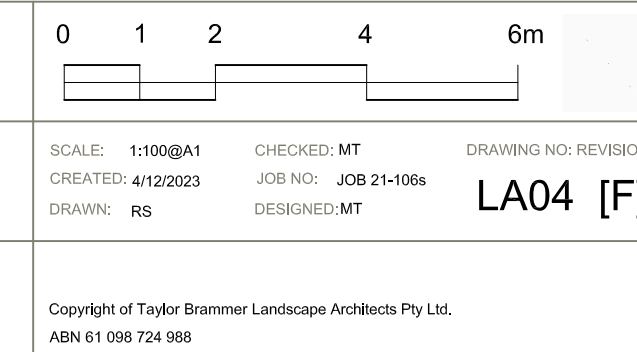
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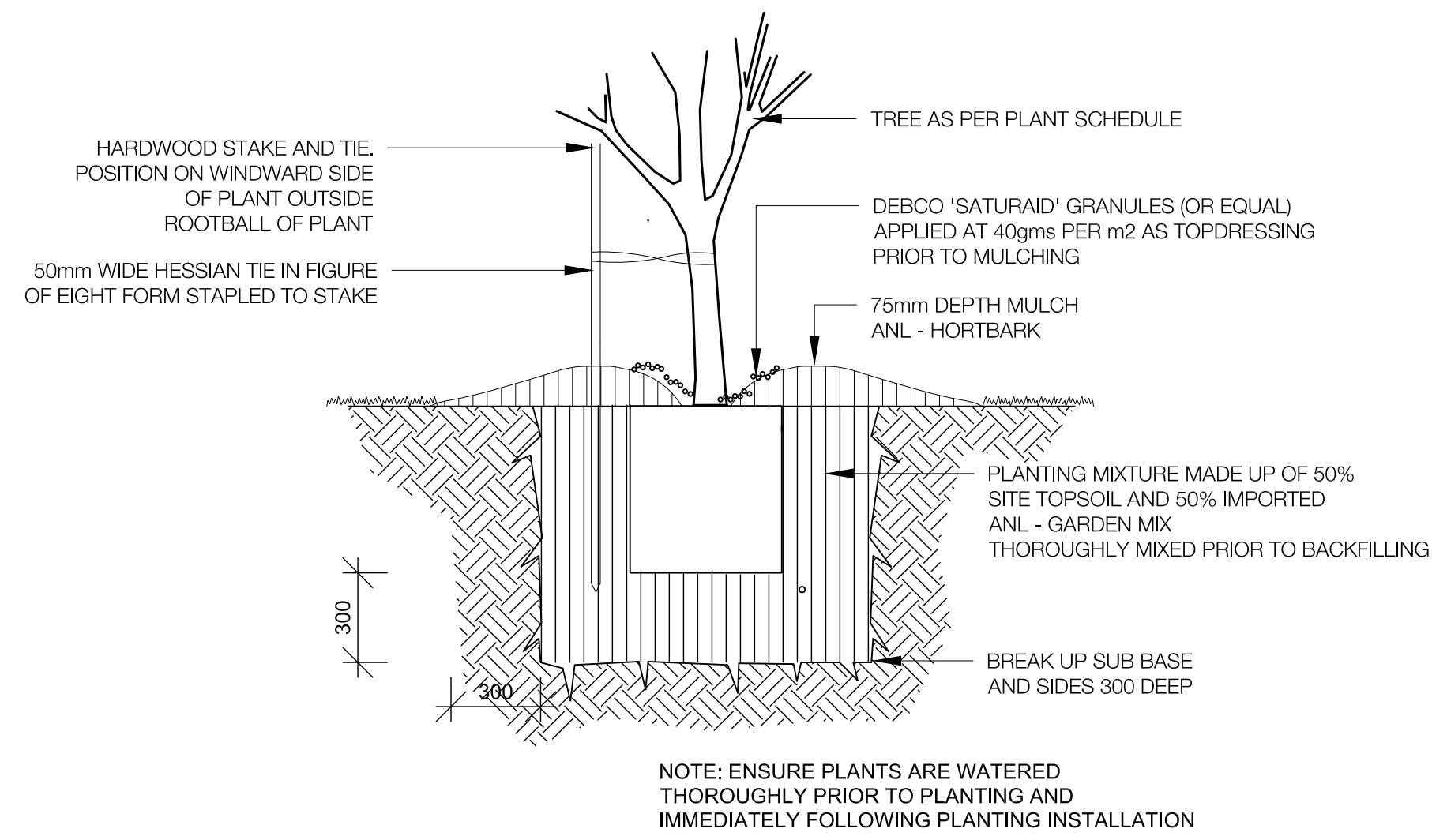


SECTION DD

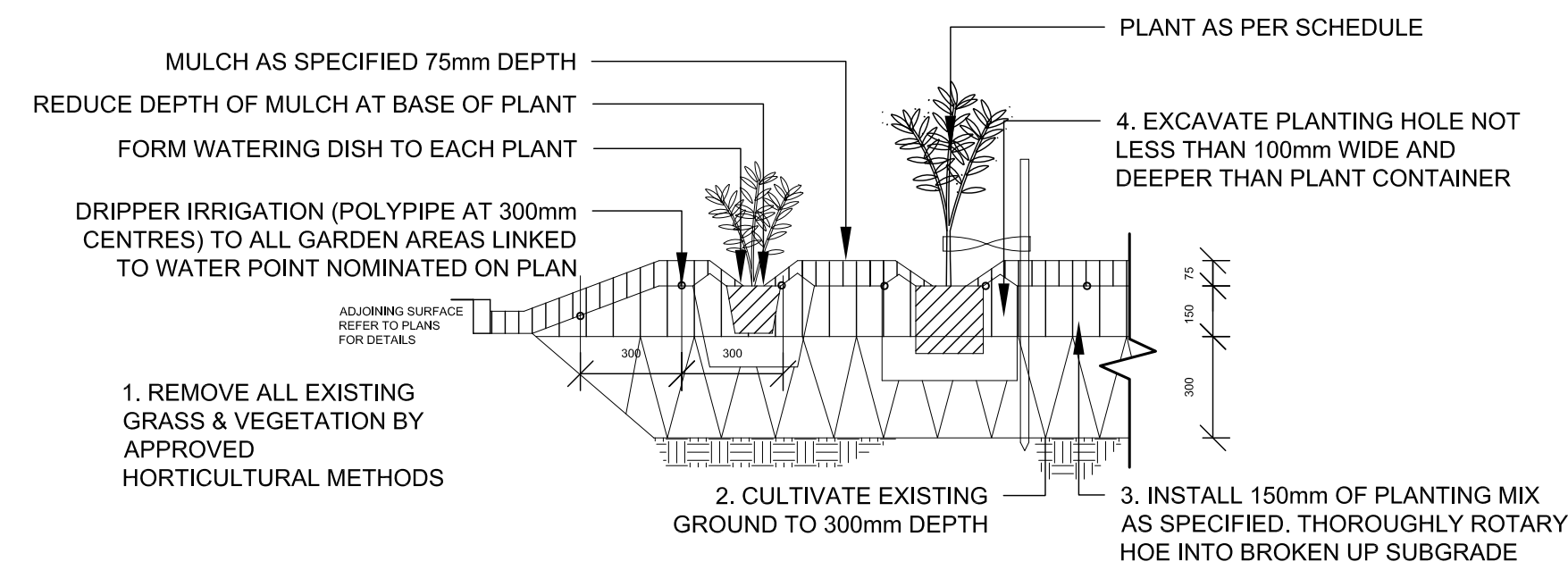
ISSUE	DESCRIPTION	DATE
F	FOR DEVELOPMENT APPLICATION	04.12.2023
E	FOR DEVELOPMENT APPLICATION	29.08.2023
D	FOR DEVELOPMENT APPLICATION	19.05.2023
C	FOR DEVELOPMENT APPLICATION	04.05.2023
B	FOR DEVELOPMENT APPLICATION	03.05.2023
A	FOR DEVELOPMENT APPLICATION	27.09.2021
P2	DRAFT FOR DEVELOPMENT APPLICATION	21.09.2021
P1	FOR APPROVAL	16.09.2021

PROJECT: 3 LESLIE STREET, RUSSELL VALE	SCALE: 1:100@A1	CHECKED: MT	DRAWING NO: REVISION:
DRAWING TITLE: LANDSCAPE SECTIONS	CREATED: 4/12/2023	JOB NO: JOB 21-1056	LA04 [F]
CLIENT: REALTA ENTERPRISES	Copyright of Taylor Brammer Landscape Architects Pty Ltd. ABN 61 098 724 988		

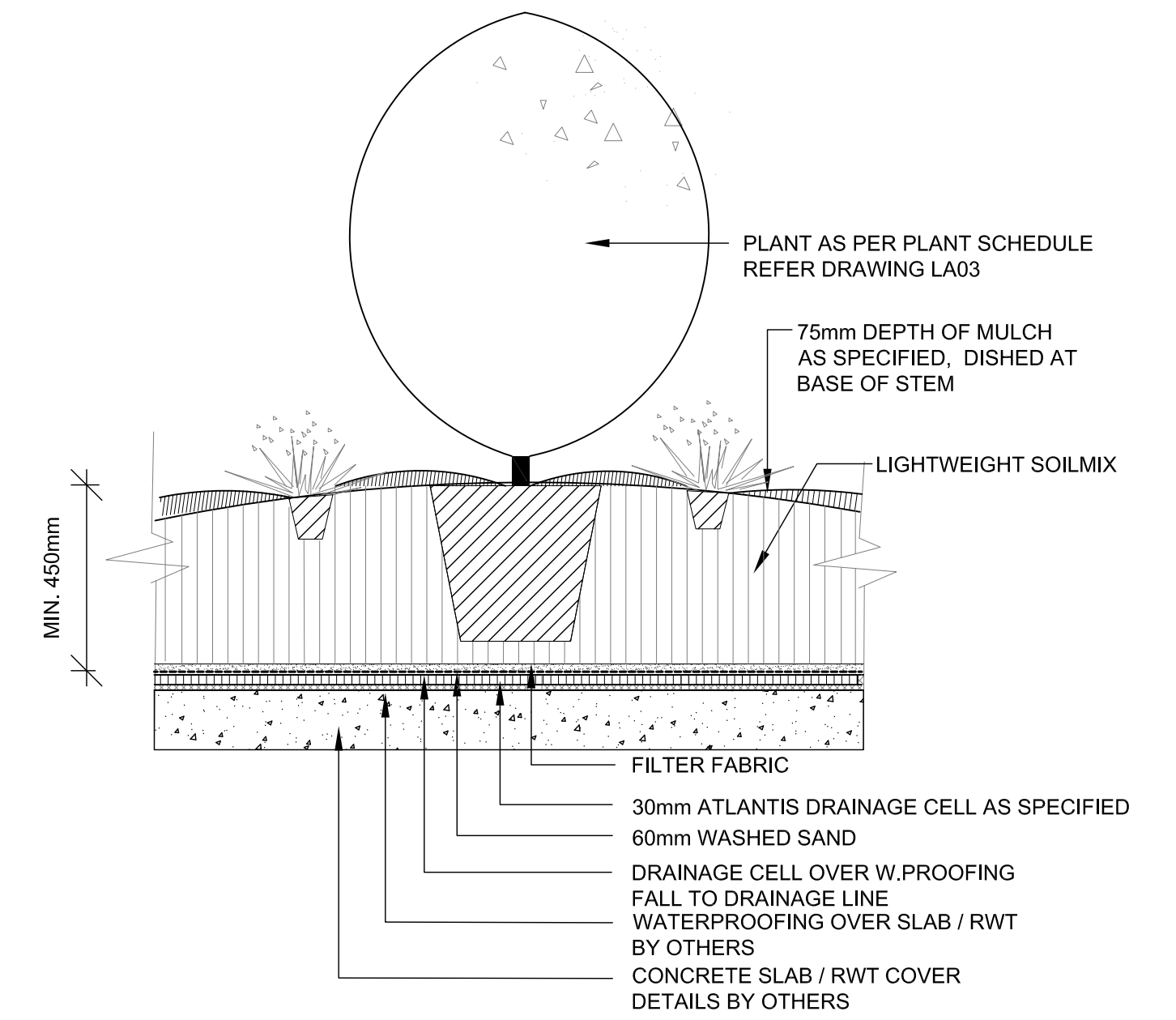




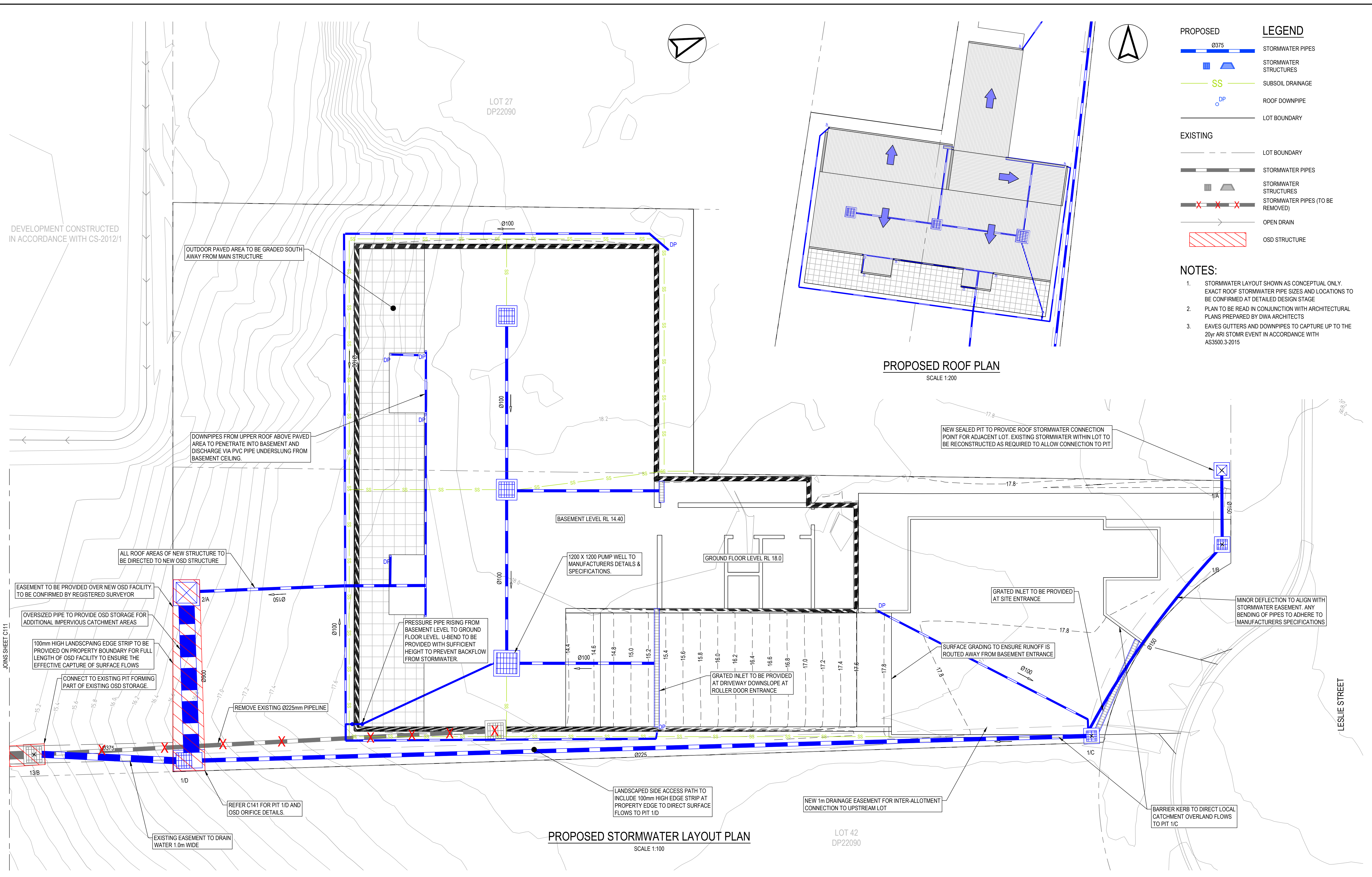
1 TREE PLANTING
TYPICAL SECTION 1:20



2 MASS PLANTING BED (DRIPPER IRRIGATION DETAIL)
TYPICAL SECTION 1:20



3 TYPICAL ON-SLAB PLANTING DETAIL
SCALE 1:20



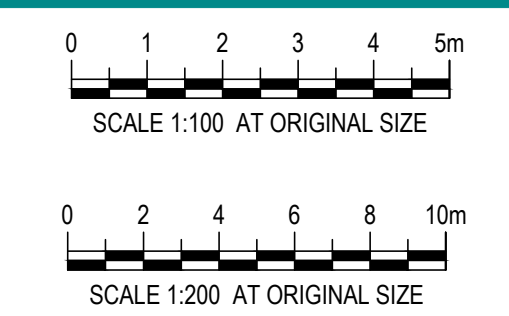
PROPOSED		LEGEND	
	Ø375		STORMWATER PIPES
			STORMWATER STRUCTURES
	SS		SUBSOIL DRAINAGE
	DP		ROOF DOWNPIPE
			LOT BOUNDARY
EXISTING			LOT BOUNDARY
			STORMWATER PIPES
			STORMWATER STRUCTURES
			STORMWATER PIPES (TO BE REMOVED)
			OPEN DRAIN
			OSD STRUCTURE

- NOTES:**
1. STORMWATER LAYOUT SHOWN AS CONCEPTUAL ONLY. EXACT ROOF STORMWATER PIPE SIZES AND LOCATIONS TO BE CONFIRMED AT DETAILED DESIGN STAGE
 2. PLAN TO BE READ IN CONJUNCTION WITH ARCHITECTURAL PLANS PREPARED BY DWA ARCHITECTS
 3. EAVES GUTTERS AND DOWNPIPES TO CAPTURE UP TO THE 20yr ARI STORM EVENT IN ACCORDANCE WITH AS3500.3-2015

PROPOSED ROOF PLAN
SCALE 1:200

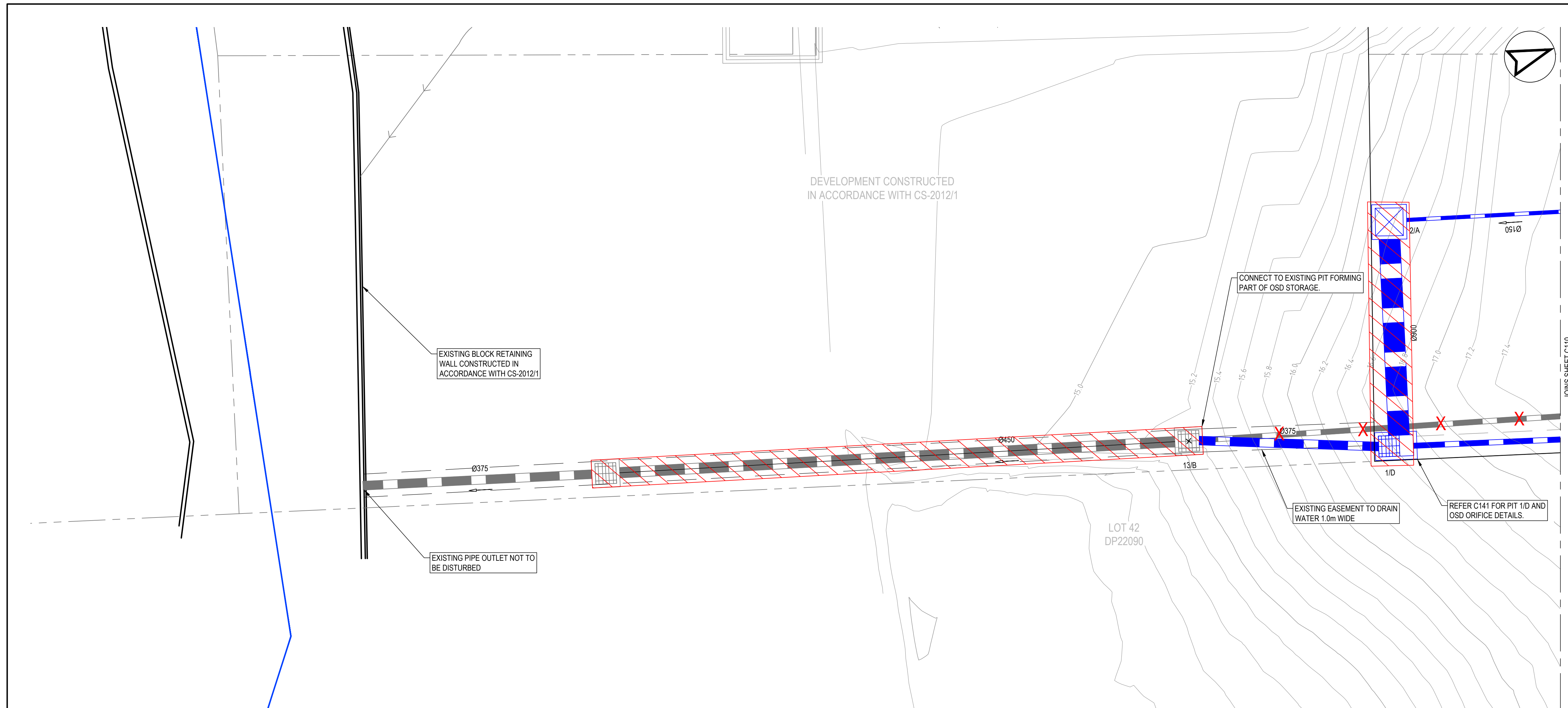
PROPOSED STORMWATER LAYOUT PLAN
SCALE 1:100

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6	24.11.23	RE-ISSUE FOR RFI	HSM	MR
5	16.08.23	RE-ISSUE FOR RFI	HSM	MR
4	06.04.23	ISSUE FOR RFI	HSM	MR
3	30.08.22	ISSUE FOR DA	HSM	MJR
2	16.12.21	ISSUE FOR DA	HSM	MJR
1	19.11.21	PRELIMINARY ISSUE FOR REVIEW	HSM	MJR



DRAWN: H.MOSES	DESIGNED: H.MOSES	CHILDREAN CENTRE 3-5 LESLIE ST RUSSEL VALE STORMWATER LAYOUT PLAN
DRAFT CHECK: S.MCINNIS	DESIGN CHECK: M.ROCHE	
APPROVED: M.ROCHE		
NOT FOR CONSTRUCTION		DRAWING NUMBER MKR00296-10-C110
		SHEET No. 1 OF 2
		ORIG. SIZE A1
		REVISION 6

Hamish Moses 11/04/2023 8:10 PM



PROPOSED		LEGEND	
	Ø375		STORMWATER STRUCTURES
			OSD STRUCTURE
			STORMWATER PIPES (TO BE REMOVED)
			WATER COURSE

- NOTES:**
1. STORMWATER LAYOUT SHOWN AS CONCEPTUAL ONLY. EXACT ROOF STORMWATER PIPE SIZES AND LOCATIONS TO BE CONFIRMED AT DETAILED DESIGN STAGE.
 3. EAVES GUTTERS AND DOWNPIPES TO CAPTURE UP TO THE 20yr ARI STORM EVENT IN ACCORDANCE WITH AS3500.3:2015
 4. PLAN TO BE READ IN CONJUNCTION WITH ARCHITECTURAL PLANS PREPARED BY DWA ARCHITECTS
 5. CONNECT STORMWATER DRAINAGE FROM PROPOSED DEVELOPMENT TO EXISTING OSD STRUCTURE CONSTRUCTED AS PART OF SUBDIVISION WORKS. REFER TO APPROVED PLANS (DRAWINGS KF110617-C1 TO C30 PREPARED BY KFW STAMPED MAY 2014)

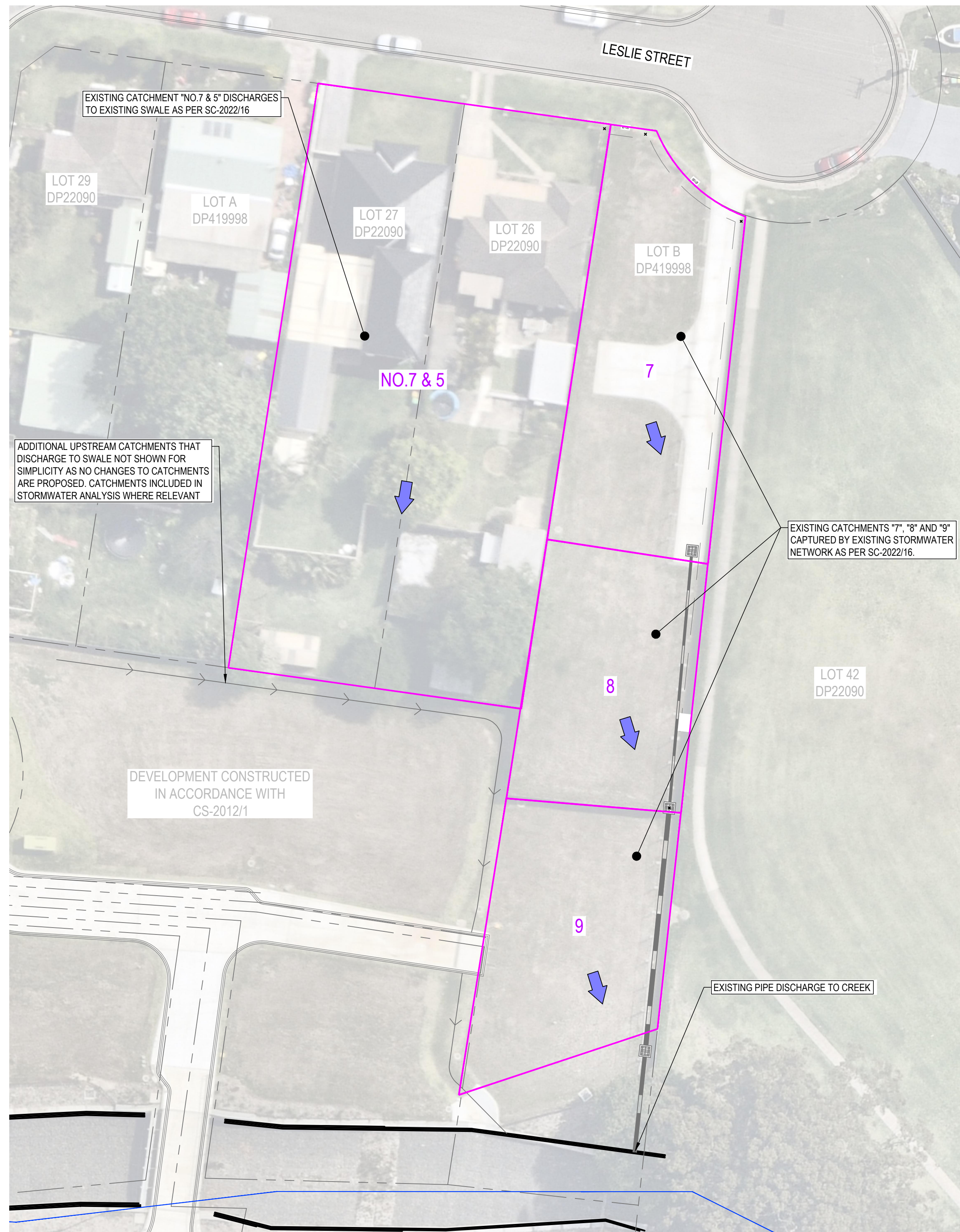
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5	16.08.23	RE-ISSUE FOR RFI	HSM	MR
4	06.04.23	ISSUE FOR RFI	HSM	MR
3	30.08.22	ISSUE FOR DA	HSM	MJR
2	16.12.21	ISSUE FOR DA	HSM	MJR
1	19.11.21	PRELIMINARY ISSUE FOR REVIEW	HSM	MJR



DRAWN: H.MOSES	DESIGNED: H.MOSES
DRAFT CHECK: S.MCINNIS	DESIGN CHECK: M.ROCHE
APPROVED:	M.ROCHE
NOT FOR CONSTRUCTION	

CHILDCARE CENTRE 3-5 LESLIE ST RUSSEL VALE STORMWATER LAYOUT PLAN			
DRAWING NUMBER	SHEET No.	ORIG. SIZE	REVISION
MKR00296-10-C111	2 OF 2	A1	6

Hamish Moses: 11/24/2023 7:18 PM



EXISTING CATCHMENT PLAN
SCALE 1:300

EXISTING CATCHMENTS				
CATCHMENT	TOTAL AREA (ha)	IMPERVIOUS AREA (ha)	PERVIOUS AREA (ha)	IMPERVIOUS (%)
NO.7 & 5	0.1853	0.1112	0.0741	60%
7	0.0650	0.0390	0.0260	60%
8	0.0453	0.0272	0.0181	60%
9	0.0499	0.0299	0.0200	60%
TOTAL	0.3455	0.2073	0.1382	60%



PROPOSED CATCHMENT PLAN
SCALE 1:300

PROPOSED CATCHMENTS				
CATCHMENT	TOTAL AREA (ha)	IMPERVIOUS AREA (ha)	PERVIOUS AREA (ha)	IMPERVIOUS (%)
NO.7 & 5 (RESIDUAL)	0.1607	0.0754	0.0853	47%
NO.5 ROOF	0.0173	0.0173	-	100%
P1	0.0356	0.0298	0.0058	84%
P2	0.0380	0.0242	0.0138	64%
P3	0.0280	0.0280	-	100%
8 (RESIDUAL)	0.0160	0.0096	0.0064	60%
9	0.0499	0.0299	0.0200	60%
TOTAL	0.3455	0.2142	0.1313	62%

PROPOSED

- CATCHMENT
- CATCHMENT FLOW DIRECTION
- IMPERVIOUS AREA
- LOT BOUNDARY
- EASEMENT
- STORMWATER PIPES (Ø375)
- STORMWATER STRUCTURES

EXISTING

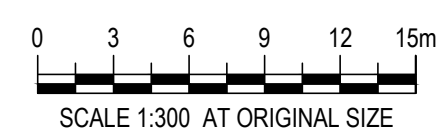
- CATCHMENT
- CATCHMENT FLOW DIRECTION
- LOT BOUNDARY
- WATER COURSE
- STORMWATER PIPES
- STORMWATER STRUCTURES
- OPEN DRAIN / SWALE

- NOTES:**
- EXISTING CATCHMENT DATA AND IMPERVIOUS FRACTIONS ADOPTED AS PER APPROVED SUBDIVISION PLANS (DRAWINGS KF110617-C1 TO C30 PREPARED BY KFW STAMPED MAY 2014).
 - PROPOSED DEVELOPMENT RESULTS IN AN INCREASE OF IMPERVIOUS AREA WITH OSD STRUCTURE REQUIRED TO ATTENUATE STORM FLOWS.
 - OSD STRUCTURE RESULTS PROVIDED BELOW. OSD ASSESSMENT CONDUCTED WITHIN DRAINS MODEL. RESULTS PRESENTED IN THE BELOW TABLE AND PROVIDED WITHIN DRAINS MODELING.

CATCHMENT FLOWRATES				
DISCHARGE LOCATION	5yr ARI	10yr ARI	100yr ARI	
EXISTING FLOWS ACROSS BOUNDARY TO RESERVE	2 L/s	3 L/s	11 L/s	
PROPOSED FLOWS ACROSS BOUNDARY TO RESERVE	1 L/s	3 L/s	10 L/s	
EXISTING SURFACE RUNOFF TO SWALE	173 L/s	203 L/s	306 L/s	
PROPOSED SURFACE RUNOFF TO SWALE	159 L/s	187 L/s	295 L/s	
EXISTING PIPE DISCHARGE TO CREEK	71 L/s	80 L/s	120 L/s	
PROPOSED PIPE DISCHARGE TO CREEK	71 L/s	79 L/s	120 L/s	

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REV	DATE	DESCRIPTION	AMD BY	APP BY
5	24.11.23	RE-ISSUE FOR RFI	HSM	MR
4	16.08.23	RE-ISSUE FOR RFI	HSM	MR
3	06.04.23	ISSUE FOR RFI	HSM	MR
2	30.08.22	ISSUE FOR DA	HSM	MJR
1	16.12.21	ISSUE FOR DA	HSM	MJR



DRAWN: H.MOSES
DESIGNED: H.MOSES
DRAFT CHECK: S.MCINNES
DESIGN CHECK: M.ROCHE
APPROVED: M.ROCHE

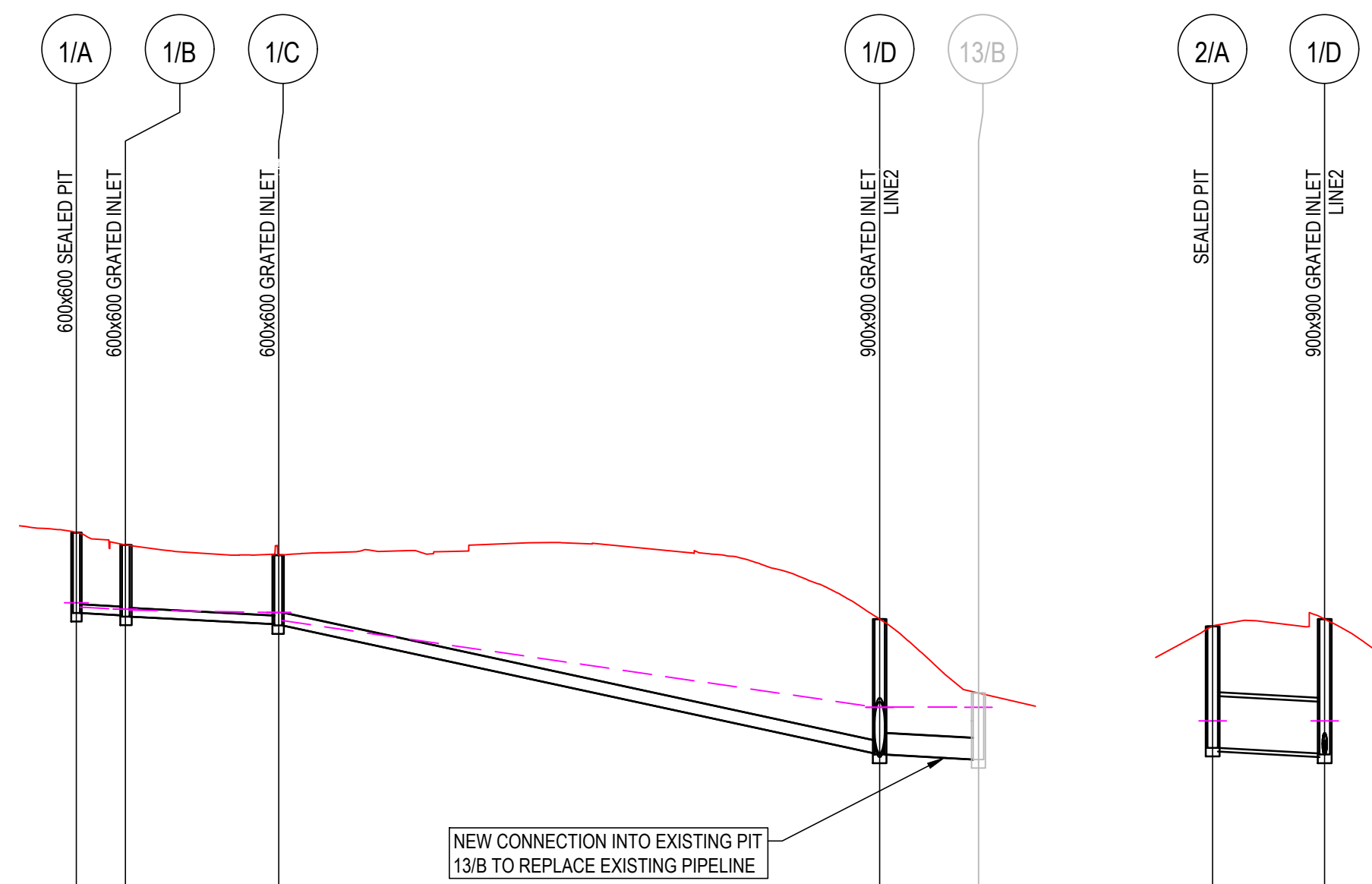
NOT FOR CONSTRUCTION

CHILDCARE CENTRE
3-5 LESLIE ST RUSSEL VALE
STORMWATER CATCHMENTS

DRAWING NUMBER: MKR00296-10-C112
SHEET No.:
ORIG. SIZE: A1
REVISION: 5

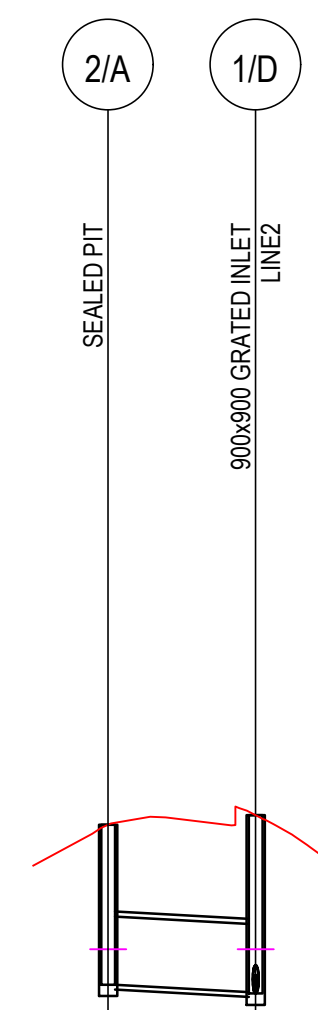
NOTES:

1. PIT INLET BLOCKAGE ADOPTED IN LINE WITH WCC POLICY
2. ALL OVERFLOWS FROM PROPOSED STORMWATER MAINTAIN THE REQUIREMENTS OF WCC DCP CHAPTER D16
3. EXISTING INTERLOTMENT DRAINAGE LINE IS CAPABLE OF ACCEPTING ADDITIONAL CATCHMENT FLOWS WHEN OSD IS PROVIDE UPSTREAM AS PROPOSED.



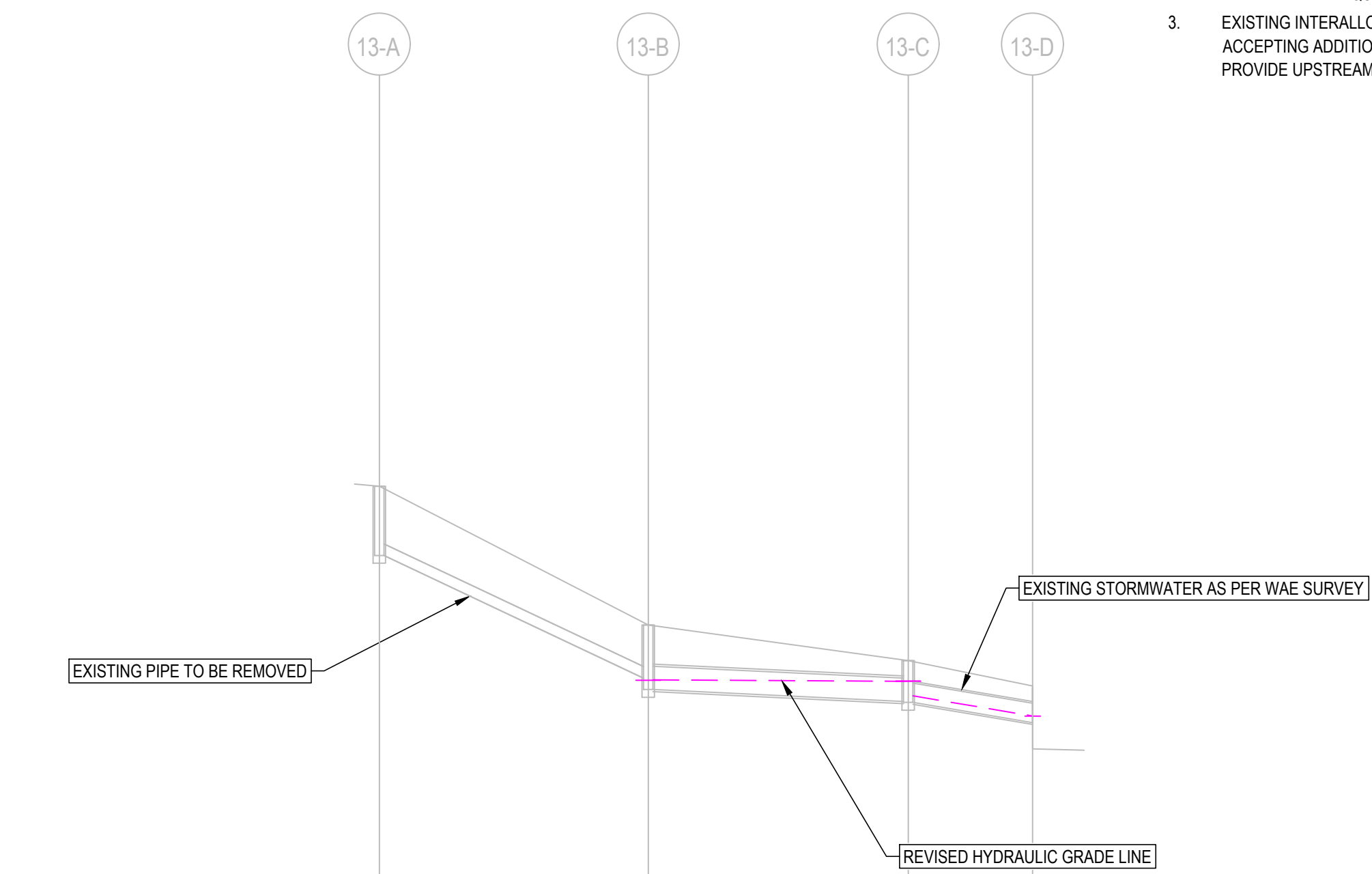
PIPE SIZE(mm) & CLASS	1500-uPVC SN10	1500-uPVC SN10	2250-uPVC SN10	3750-RCP
GRADE (%)	1.00%	1.00%	4.26%	1.00%
PIPE FLOW (m3/s)	0.011	0.010	0.030	0.016
VELOCITY (m/s)	0.810	0.710	2.210	0.030
DATUM	-4.000			
DEPTH TO INVERT	1.401	1.246	2.339	1.158
HYDRAULIC GRADE LINE (10 YEAR ARI)	16.860	16.723	15.043	15.043
INVERT LEVEL	16.882	16.639	14.206	14.130
DESIGN SURFACE LEVEL	16.083	17.885	16.575	15.288
CHAINAGE	-11.651	2.269	52.347	66.883

LINE No. 1
H=1:500 V=1:100



PIPE SIZE(mm) & CLASS	9000-RCP
GRADE (%)	1.00%
PIPE FLOW (m3/s)	0.000
VELOCITY (m/s)	0.000
DATUM	-4.000
DEPTH TO INVERT	2.113
HYDRAULIC GRADE LINE (10 YEAR ARI)	14.800
INVERT LEVEL	14.334
DESIGN SURFACE LEVEL	16.447
CHAINAGE	0.000

LINE No. 2
H=1:500 V=1:100

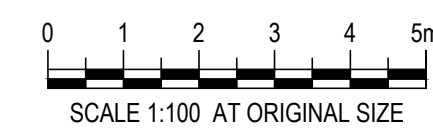
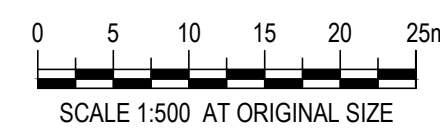


PIPE SIZE(mm) & CLASS	2250-PVC	4500-RCP	3750-RCP
GRADE (%)	9.12%	0.92%	3.3%
PIPE FLOW (m3/s)		0.058	0.079
VELOCITY (m/s)		0.990	2.390
DATUM	-4.000		
DEPTH TO INVERT	1.060	1.030	0.508
HYDRAULIC GRADE LINE (10 YEAR ARI)	14.191	14.179	13.487
INVERT LEVEL	14.220	14.000	13.360
DESIGN SURFACE LEVEL	17.936	15.250	14.036
CHAINAGE	0.000	26.057	63.298

EXISTING LINE No. 13
H=1:500 V=1:100

Hamish Moses: 11/04/2023 2:23 PM

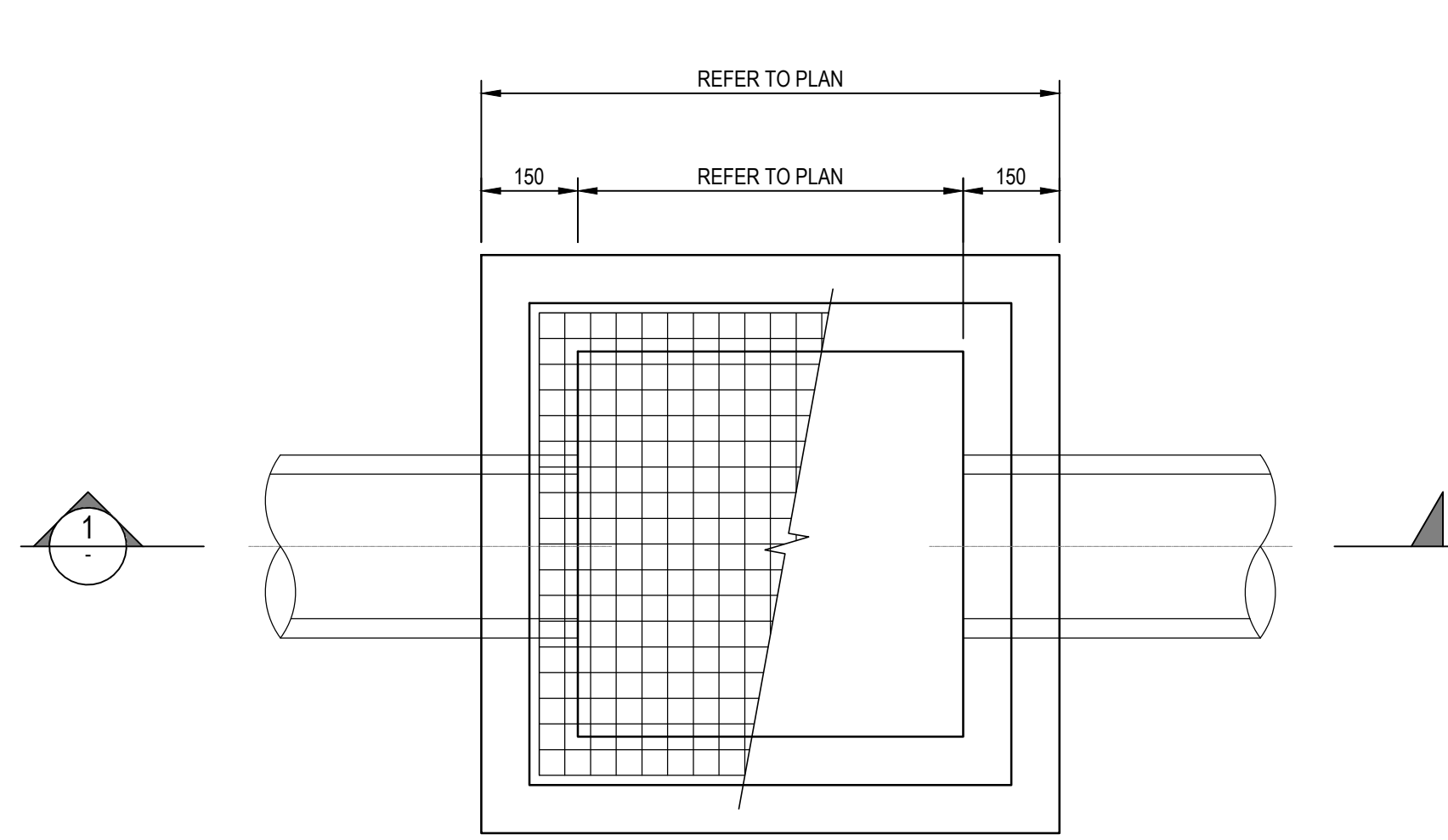
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1	16.08.23	RE-ISSUE FOR RFI	HSM	MR



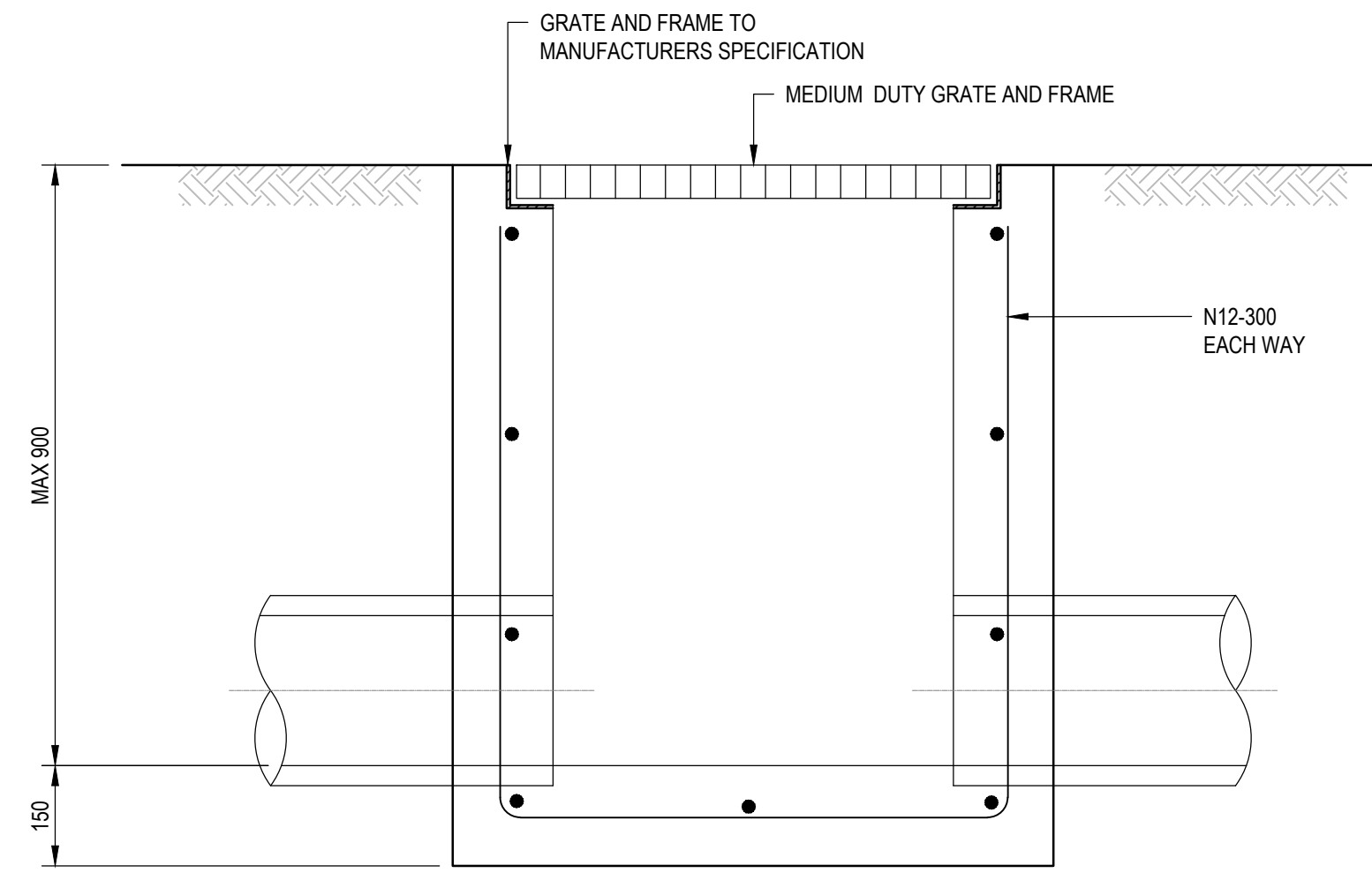
DRAWN: H.MOSES	DESIGNED: H.MOSES
DRAFT CHECK: S.MCINNIS	DESIGN CHECK: M.ROCHE
APPROVED:	M.ROCHE
NOT FOR CONSTRUCTION	

CHILDCARE CENTRE
3-5 LESLIE ST RUSSEL VALE
STORMWATER
LONG SECTIONS

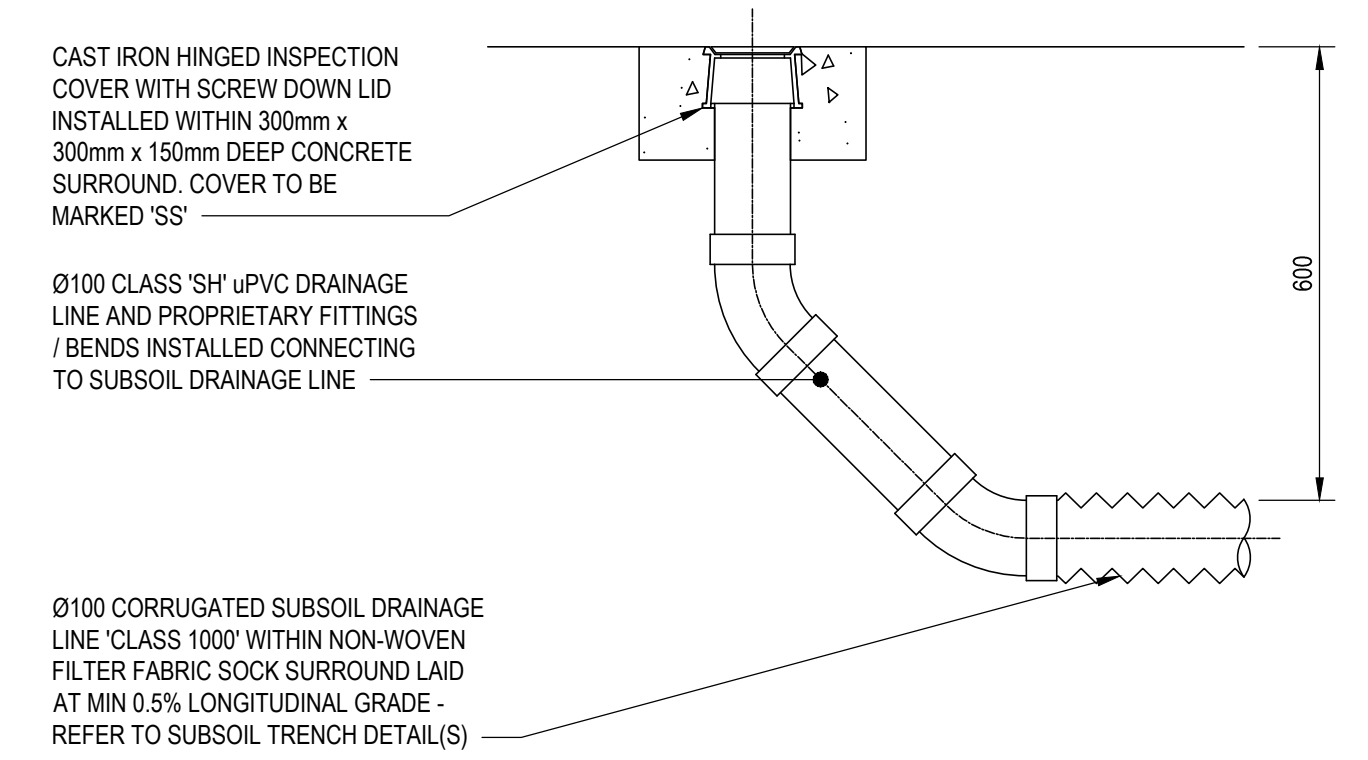
DRAWING NUMBER MKR00296-10-C113	SHEET No.	ORIG. SIZE A1	REVISION 2
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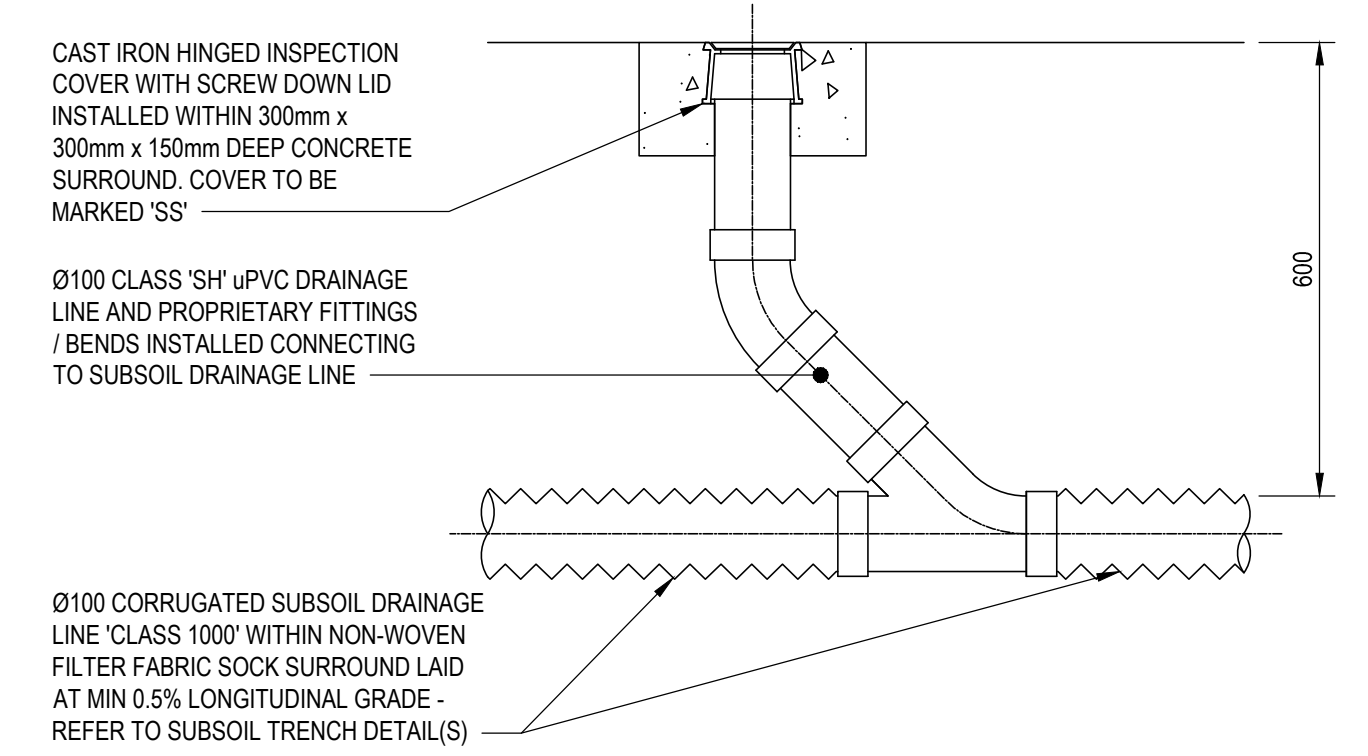
PLAN
1:10
STANDARD STORMWATER PIT



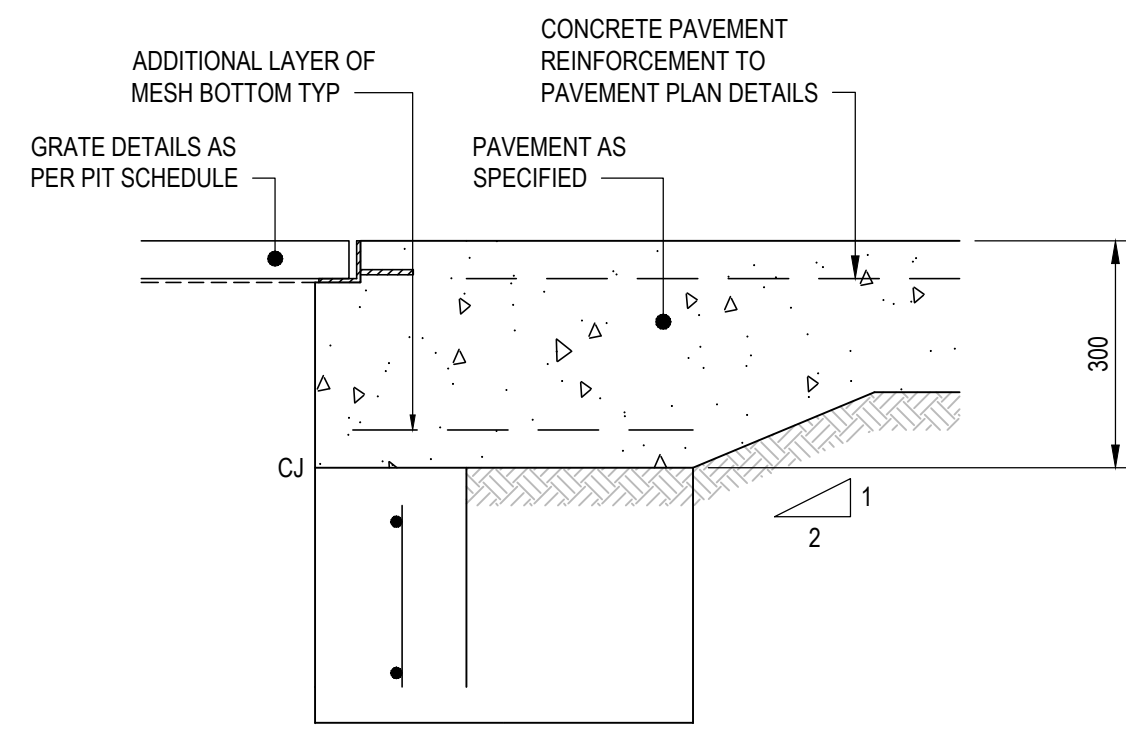
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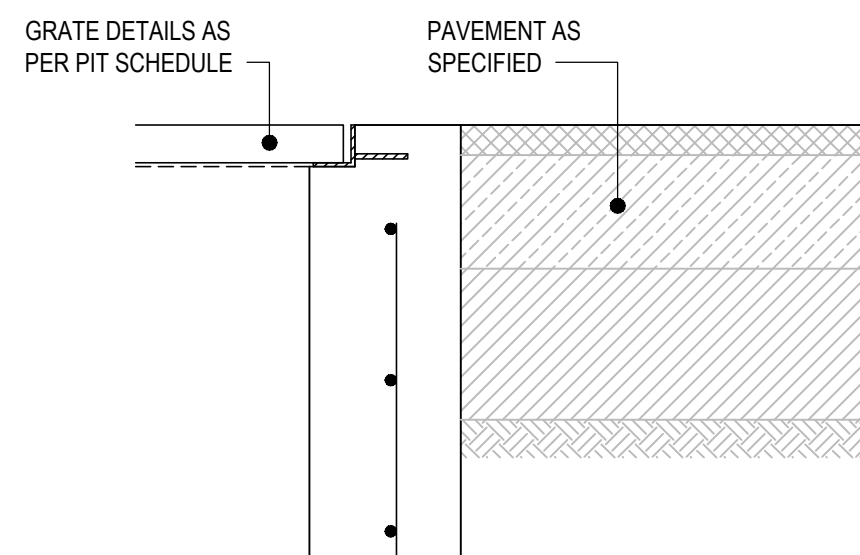
SUBSOIL DRAINAGE CLEANOUT 'CO'



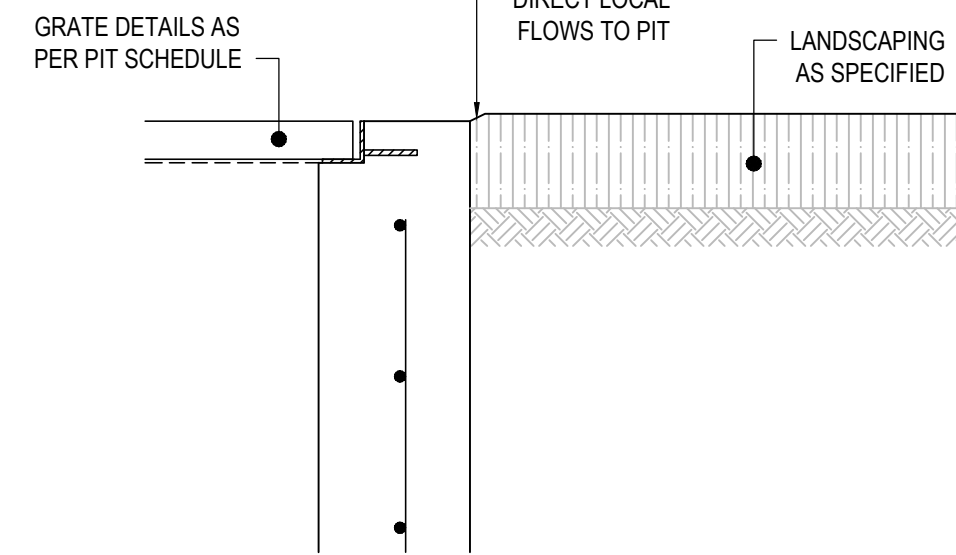
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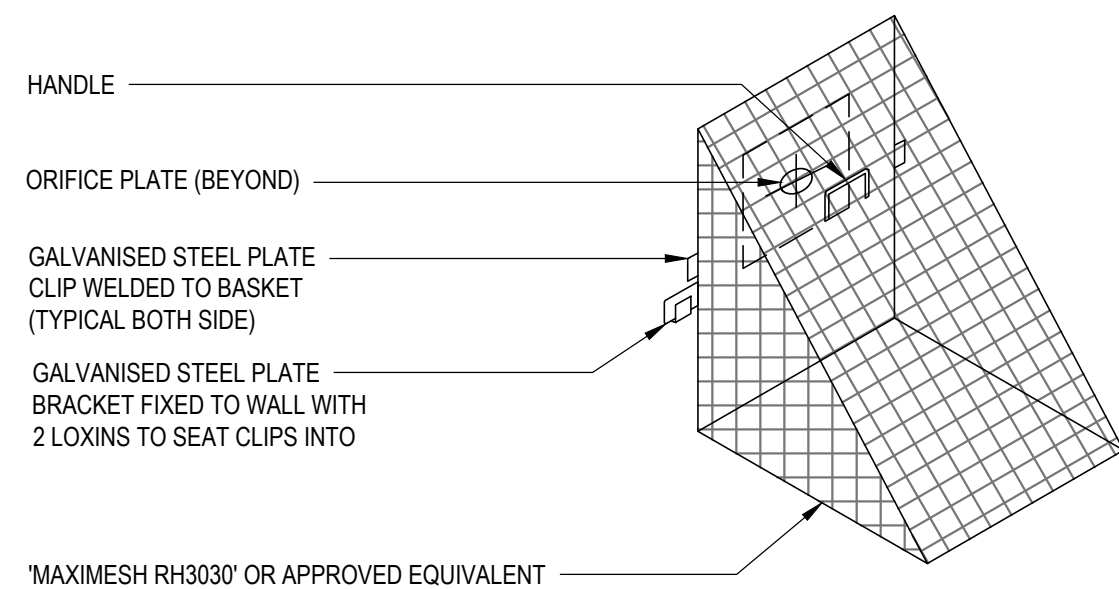
PIT & CONCRETE PAVEMENT INTERFACE
SCALE: 1:10



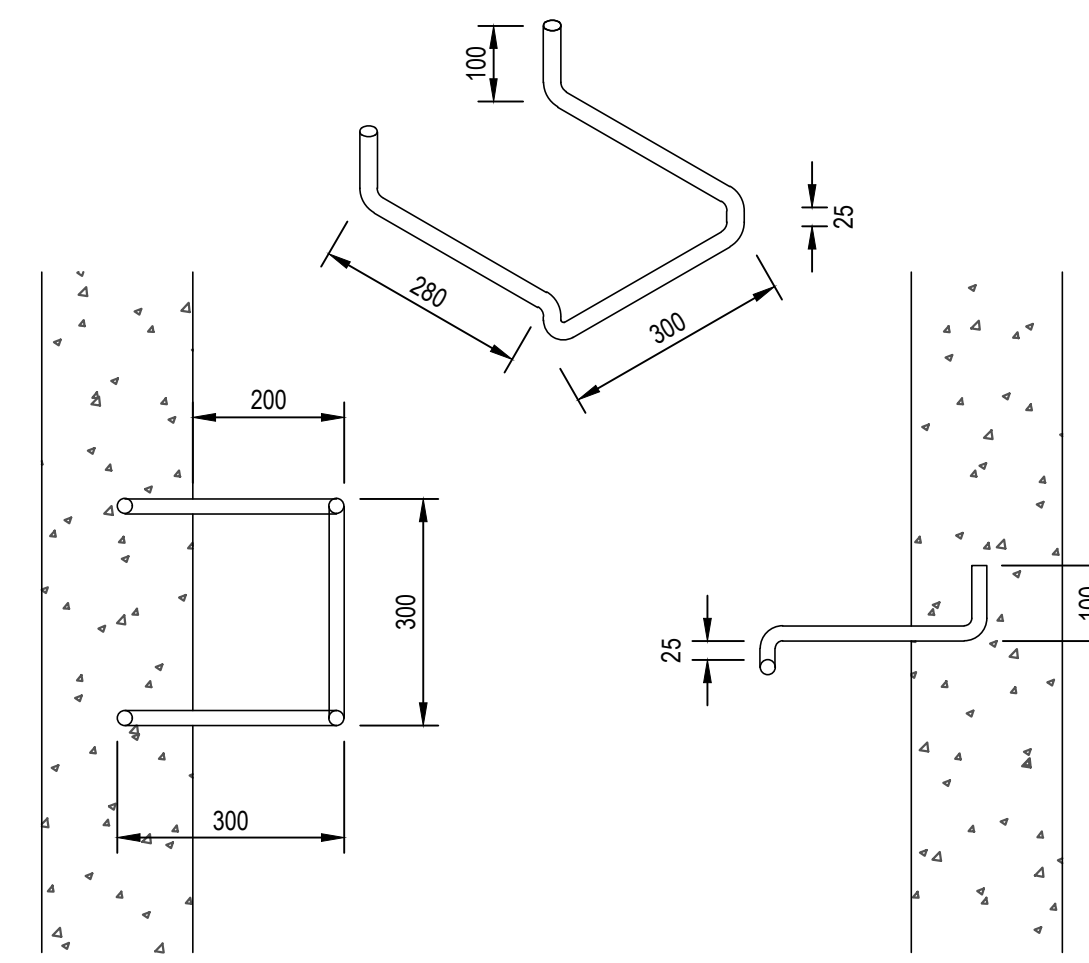
PIT & PAVEMENT INTERFACE
SCALE: 1:10



PIT & LANDSCAPE INTERFACE
SCALE: 1:10

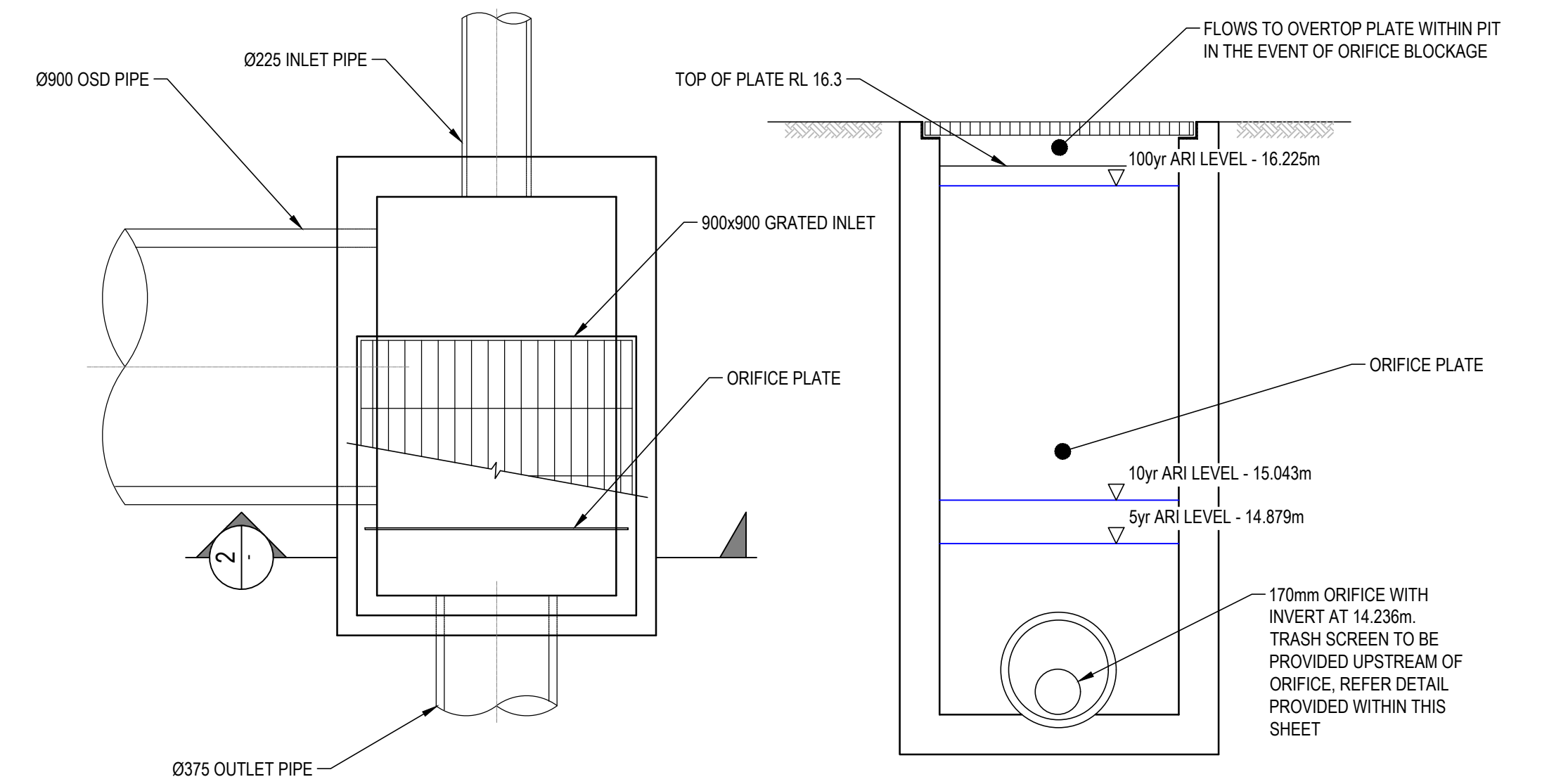


OSD TRASH SCREEN DETAIL
1:10



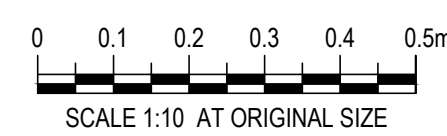
STEP IRON DETAIL
1:10

NOTE: STEP IRON OF 20mm GALVANISED STEEL MADE TO SHAPE AND DIMENSIONS AS SHOWN. PLACED AT 300 CENTRES AND STAGGERED HORIZONTALLY FOR ALL PITS DEEPER THAN 1.0m. THE USE OF PROPRIETARY STEP IRONS IS ACCEPTABLE PROVIDED THE PRODUCT IS IN ACCORDANCE WITH AUSTRALIAN STANDARDS



PLAN
1:20
OSD OUTLET PIT

SECTION 2
1:20



Realta
think.design.develop

MAKER ENG
SURVEY DESIGN DELIVER

DRAWN: H.MOSES
DESIGNED: H.MOSES
DRAFT CHECK: S.MCINNIS
DESIGN CHECK: M.ROCHE
APPROVED: M.ROCHE

CHILDCARE CENTRE
3-5 LESLIE ST RUSSEL VALE
STORMWATER
DETAILS

NOT FOR CONSTRUCTION

DRAWING NUMBER: MKR00296-10-C141
SHEET No.:
ORIG. SIZE: A1
REVISION: 3

Hamish Moses: 11/04/2023 2:23 PM

REV	DATE	DESCRIPTION	AMD BY	APP BY
3	24.11.23	RE-ISSUE FOR RFI	HSM	MR
2	30.08.22	ISSUE FOR DA	HSM	MJR
1	16.12.21	ISSUE FOR DA	HSM	MJR





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FORTRESS







Attachment 3: WDCP 2009 compliance table

CHAPTER A2: ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Development controls to improve the sustainability of development throughout Wollongong are integrated into the relevant chapters of this DCP.

Generally speaking, the proposal could be considered to be consistent with the principles of Ecologically Sustainable Development.

CHAPTER C5 – CHILD CARE CENTRES

Chapter C5 contains Child Care Centre controls for Child Care Centres

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<u>7.1 Maximum Capacity of Centre and Staffing Levels</u>		
<ul style="list-style-type: none"> In residential zones, the maximum capacity of a child care centre shall be restricted of up to 49 children. In residential zones, child care centres should be designed to ensure the scale, height and form of the building is compatible with existing residential development in the surrounding locality. The minimum ratio of primary contact staff to children under care shall be in accordance with the minimum ratio requirements contained in the Childrens Services Regulation 2004 	The development is located in a R2 residential zone and proposes a maximum of 45 children.	Yes
	The development is single storey and is compatible in scale to the surrounding locality.	Yes
	The centre will be operated by 8 staff catering for 45 children in total.	Yes
	9x Age 0-2 (1:5) – 2.5 staff. 16 x Age 2-3 (1:8) – 2.5 staff 21 x Age 3-5 (1:10) – 3 staff	Yes
<u>7.2 Location and Site Selection</u>		
<ul style="list-style-type: none"> Child care centres will not be supported upon a site within a 90-metre straight line distance from any designated road (arterial or sub-arterial road), given relatively high traffic flow volumes associated with such roads and potential adverse air pollution and / or noise emission impacts upon young children Any new child care centre will not be permitted within a 500-metre radius from any service station. 	The site is not within 90m of a designated road.	Yes
	The site is not within 500-metre radius from any industry zone or warehouse distribution facility and the like.	Yes
	The site is not within 400 metre radius from any existing or approved telecommunications or the like	Yes
	The site is not within a 500-metre radius of any of the noted industries / activities.	Yes

7.3 Building Design Appearance and Neighbourhood Character

- Any new child care centre must comply with the relevant maximum floor space ratio and height controls for the site as set out in Wollongong Local Environmental Plan 2009.
- Front setback should be determined by means of site analysis
- 3m setback from outdoor areas to residential property.
- Child Care centres should be appropriately articulated on the front façade

The proposed childcare centre is compatible with the existing and future planned character of the surrounding locality in terms of siting, scale building form, height, and external appearance. The centre is single storey and has reduced bulk and scale.

Yes

Plans suggest that the centre is appropriately articulated on the front façade.

Yes

The development complies with relevant maximum floor space ratio as set out in the WLEP 2009.

Yes

7.4 Indoor Areas

- The building should be designed to achieve optimal solar access opportunities into the playroom areas of the centre and to maximise the use of natural ventilation and light within each room of the facility.
- The use of safety glass and safety markers (permanent motif or other decorative treatment on or etched into the glass of sufficient magnitude to be readily apparent) at child and adult height is required for all child care centres.
- The indoor play areas of a centre must have at least 3.25 square metres of unencumbered indoor space per licensed child that is exclusively for the use of the children.
- Each playroom area should have a separate entry point. The entry point to each playroom area should not cross over with another playroom entry point.
- A sleeping room(s) must be provided in the childcare centre for children under 2 years of age.
- An individual cot must be provided for each child under the age of 2 years. The cots must be located in separate cot room(s) with a maximum number of 6 cots per room. The cot room must be designed to provide adequate ventilation, visual access/supervision of each cot, doors to prevent noise, door widths to allow for a cot to be moved

The proposed development complies with the required unencumbered indoor space requirements as shown in the report.

Yes

Windows and doors for solar access, ventilation, access, and surveillance form part of the design.

Yes

Each playroom area has a separate entry point.

Yes

Both an Office and Staff room are provided.

Yes

One sleeping room containing nine (9) cots is provided. A cot for each child.

Yes

The development proposes suitable facilities accessible from within the centre and the respective outdoor areas.

Yes

A nappy change area is proposed within the development, this area also facilitates bottle preparation.

Yes

<p>through the doorway in an emergency and a separation between cots of at least 800 millimetres to prevent cross infection.</p>	<p>A kitchen area is proposed within the development.</p> <p>Rest areas provided.</p>	<p>Yes</p>
<p><u>7.5 Outdoor Areas</u></p>		
<ul style="list-style-type: none"> A centre must have at least 7 square metres of useable outdoor play space for each child aged 0 to 6 years (i.e. each licensed child care place) that is exclusively for the use of children. 	<p>The outdoor play space has a total area of 374.1m²</p> <p>$374.1\text{m}^2 / 45 = 8.3\text{m}^2$</p>	<p>Yes</p>
<ul style="list-style-type: none"> In accordance with best practice principles, outdoor spaces are to provide for a variety of experiences through the provision of different spaces within the outdoor area. These different areas are to be: <ul style="list-style-type: none"> (a) Open areas for activities such as running; (b) Quiet areas; and (c) Active areas. 	<p>Outdoor play areas meet the requirements of this clause as detailed in the architectural plans and assessment report.</p>	<p>Yes</p>
<p><u>7.6 Car Parking, Access and Pedestrian Safety</u></p>		
<ul style="list-style-type: none"> A car parking and traffic impact assessment study must accompany any Development Application for a new child care centre or in circumstances where an existing centre proposes an increase in the total number of children or a change in the mix of 0- 2, 2-3 and 3 -6 year aged children within the centre is proposed. The car parking and traffic impact assessment study must be prepared by a suitably qualified and experienced traffic consultant. 	<p>The development shall make provision for a total of 17 car parking spaces (including 1 car parking space for people with disabilities, and 2 x 3.2 metres wide stroller spaces), 1 motorcycle parking space and 3 secure (Security Class B) staff bicycle spaces. This requirement shall be reflected on the Construction Certificate plans. Any change in above parking numbers shown on the approved DA plans shall be dealt with via a section 4.55 modification to the development. The approved car parking spaces shall be maintained to the satisfaction of Council, at all times.</p> <p>Councils' development engineer has completed a satisfactory referral subject to conditions of consent.</p>	<p>Yes</p>
<p><u>7.7 Signage and Outdoor Lighting</u></p>		
<ul style="list-style-type: none"> Advertising shall be limited to not more than one (1) sign per child care centre which is to be displayed wholly upon the centre site. 	<p>N/A – no signage or outdoor lighting proposed other than security lighting.</p>	<p>N/A</p>

7.8 Swimming Pools

- Child care centres will not be allowed on sites with existing swimming pools (unless the pool existed on the premises before 6 November 1996). Any such swimming pool must be fenced in accordance with the Swimming Pools Act 1992.

N/A

4.9 Fences and Gates

- Double (i.e. two consecutive) gates or a door and a gate must be provided at the entrance of the centre for the purpose of preventing the children from leaving the premises unsupervised;

Suitable gates and doors are integrated into the design to prevent children leaving the premises unsupervised. This is further outlined in the POM which is suitably conditioned.

Yes

7.10 Landscaping and Vegetation

- Side (behind the building setback) and rear unscalable fencing shall be at least 1.8 metres in height. Solid front fences and walls shall be a maximum of 1.2m above ground level in height;

The development proposes four (4) trees to be removed. The exempt trees within the lot are not protected and can be removed with consent.

Yes

A detailed landscape plan is provided that has addressed all the requirements for landscaping.

Councils landscape officer has reviewed the proposal and completed a satisfactory referral subject to conditions of consent.

7.11 Stormwater Drainage

- All childcare developments must meet the stormwater drainage requirements of Council's Drainage Design Code and On-site Detention Code contained in Part E of this DCP. A general stormwater drainage concept plan together with calculations is required to be submitted with the Development Application.
- For rearward sloping sites, a stormwater drainage easement will be required to be created over downstream properties. In this regard, written documentary evidence will be required to be submitted with the Development Application which proves that satisfactory arrangements have been made with the downstream property owners for the construction of stormwater drainage pipes from the site over the downstream

Resubmitted stormwater drainage plan indicates that the proposed development will have stormwater drainage systems discharging, through the existing stormwater system, directly into the creek. It is noted that increase in impervious areas is greater than 100m² Therefore, OSC facility has been included into the dragline system.

Yes

A civil engineering strategy for the site has been developed which provides the best fit solution within the constraints of the existing landform, structures and pavements, and the proposed architectural layout. A Stormwater Concept design has been prepared by Maker Engineering in accordance with WDCP 2009 Chapter E14 (attached to the application).

The design generally incorporates collection from the impervious areas and the basement before being

properties as well as the creation of suitable a drainage easement.

discharged to the easement at the rear of the site.

Stormwater drainage design is generally in accordance with the requirements of Chapter E14.

7.12 Soil Erosion and Sediment Control Measures

- A soil erosion and sedimentation control plan shall be submitted with the Development Application for any proposal which involves disturbance of the soil surface and/or vegetation of the site, or the placement of any fill upon the site. The soil erosion and sedimentation control plan shall identify recommended soil erosion and sediment control measures to be used, during any excavation or construction phase of the development.
- The soil erosion and sedimentation control plan shall be prepared in accordance with the requirements of Chapter E22: Soil Erosion and Sediment Control in this DCP.

Council is satisfied with the proposed soil erosion and sediment control measures proposed. Standard conditions of consent are enforced in relation to this.

Yes

See chapter E13 and E14 below.

7.13 Visual and Acoustic Privacy

- Where a site might be affected by external noise sources, the child care centre shall be designed to minimise any impact on the children and staff. Design elements may include double glazing, insulated walls, locating sleep rooms, playrooms and playground away from the noise source, and solid fencing. The inside noise level (LAeq, 1 hour) in a naturally ventilated, windows open condition (that is windows open up to 5% of the floor area or attenuated ventilation open to 5% of the floor area) should not exceed 40dB(A). Assessments should take background noise levels into account.

A revised Environmental Noise Assessment report prepared by Harwood Acoustics dated 2 September 2023 has been submitted. It contains graphs of daily noise monitoring results and has considered future dwellings on adjoining currently vacant lots are likely to be two storeys.

Yes

A condition about the implementation of the recommendations of the Environmental Noise Assessment report should be applied to the development consent.

Should this application be approved, Landscape's condition about a Final Landscape Plan should be amended to include the location and height of the recommended sound barrier screens of Environmental Noise Assessment report prepared by Harwood Acoustics Pty Ltd dated 2 September 2023 for the car park and southern boundary of the

<p><u>7.17 Hours of Operation</u></p> <ul style="list-style-type: none"> For any childcare centre within a residential area or adjoining a residential area, the hours of operation shall generally be limited to 7.00 am to 6.00 pm, Monday to Friday. Operating hours outside these times will be considered on their merits. Where an application proposes operating hours outside these times, a noise impact assessment report must be submitted with the Development Application. <p><u>7.18 Waste Management</u></p> <ul style="list-style-type: none"> The provision of a suitable waste and recycling storage facility is required for any proposed childcare centre. This facility should be located adjacent to the access way for the car parking area and be serviced by a waste contractor outside the hours of operation of the childcare centre, especially the peak drop off and pick up periods. 	<p>rear yard of the dwelling at no.5 Leslie Street.</p> <p>Hours of operation are considered to be satisfactory and suitably conditioned.</p> <p>Waste management has been assessed in accordance with the requirements of chapter E7 of the DCP. Councils environmental officer has reviewed submission of the proposal and completed a satisfactory referral in relation to waste management</p>	<p>Yes</p> <p>Yes</p>
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4.0 General Residential controls – 5 Leslie Street, Russell Vale

<i>Controls/objectives</i>	<i>Comment</i>
<p><u>4.1 Maximum Number of Storeys</u></p> <ul style="list-style-type: none"> Max 9m / 2 storey in R2 zone Max 13m / 3 storey in R3 zone In R2 Low Density Residential zones, where development occurs within the 8m rear setback the development is limited to single storey, so as to not adversely impact on the amenity of the adjoining property. Landscaping may be required within the side and rear setbacks to mitigate the visual impact of the building form from adjoining properties. <p><u>4.2 Front Setbacks</u></p> <ul style="list-style-type: none"> 6m front setback 	<p>Existing single storey dwelling – no change</p> <p>All structures located in the rear setback are 1 storey in height.</p> <p>Soft landscaping provided in the side and rear setbacks</p> <p>Front setback remains unchanged as a result of the boundary adjustment</p>

Controls/objectives	Comment
<p><u>4.3 Side and Rear Setbacks</u></p> <ul style="list-style-type: none"> • Minimum 900mm 	<p>No change to side setbacks. New rear setbacks to dwelling and ancillary structures are >900mm</p>
<p><u>4.4 Site coverage</u></p> <p>55% (lot area <450m²) 50% (450m² to 900m²) 40% (>900m²)</p>	<p>The adjoining property has a site area of 471.7m² as a result of the boundary adjustment and site coverage is 29.6%</p> $139.69\text{m}^2 / 471.7\text{m}^2 = 29.6\%$
<p><u>4.5 Landscaped Area</u></p> <ul style="list-style-type: none"> • lot area less than 600m² - 20% landscaped area • lot area from 600m² to 900m² – 120m² + 30% of the site area > 600m² landscaped area • lot area greater than 900m² - 210m² + 40% of the site area > 900m² landscaped area. • At least 50% of the landscaped area must be located behind the building line to the primary road boundary. • Landscaped areas must be integrated with the drainage design. The location of drainage lines, pits and detention areas should not conflict with landscaped areas including proposed and existing trees. • For development proposing a dwelling, a minimum of one (1) semi mature small to medium evergreen or deciduous tree (minimum pot size 45 litre) is to be provided within the landscape area. This tree is to be planted at least 3m from any existing or proposed dwelling or structure present onsite. No additional tree is required for a secondary dwelling. • a minimum of 1.5 metre wide landscape strip within the front setback for the majority of the site width (excluding the driveway). This area must be mulched and planted with appropriate trees, shrubs and/or groundcovers. A minimum of one (1) semi mature small to medium evergreen or deciduous tree (minimum pot size 45 litre) is to be provided within this landscape bed. • second semi mature small to medium tree (minimum pot size 45L) is to be provided onsite in the landscaped area or deep soil zone, p 	<p>Tree removal is proposed. Councils landscape officer has completed a satisfactory referral with conditions attached to the consent.</p> <p>223.92m² of landscaped area is provided on site.</p> <p>50% of the landscaping is located behind the building line</p>
<p><u>4.6 Private Open Space</u></p> <ul style="list-style-type: none"> • 24m² minimum POS area, minimum 4m dimension • should not be located on side boundaries or front yard 	<p>POS area provided in the rear setback. The area is clearly defined and is located directly off a living space. Council is satisfied that this location can be used for</p>

Controls/objectives	Comment
<ul style="list-style-type: none"> defined through the use of planting, fencing, or landscape features. screened where necessary must not extend forward of the front building line by greater than 900mm. Space shall be provided for clothes lines and waste/recycling bins and rain water tanks behind the front building line but outside of the private open space area. 	<p>private recreational and relaxation purposes.</p> <p>The POS is screened by boundary fencing to the neighbouring sites.</p>
<p><u>4.7 Solar Access</u></p>	<p>Solar access deemed satisfactory. Given the only changes are the boundary adjustment, solar impacts are expected to be very minimal.</p>
<ul style="list-style-type: none"> Windows to living rooms of adjoining dwellings must receive at least 3 hours continuous sunlight, between hours of 9.00am and 3.00pm on 21 June. At least 50% of the private open areas of adjoining residential properties must receive at least 3 hours of continuous sunlight, between hours of 9.00am and 3.00pm on June 21. Shadow diagrams are required for 9.00am, 12:00pm and 3.00pm for the 21 June winter solstice period for two storey dwellings 	
<p><u>4.8 Building Character and Form</u></p>	<p>Building character remains unchanged as a result of the proposed development.</p>
<ul style="list-style-type: none"> The design, height and siting of a new development must respond to its site context taking into account both natural and built form features of that locality. The design of the development must have particular regard to the topography of the site to minimise the extent of cut and fill associated with dwelling construction. Large bulky forms are to be avoided, particularly in visible locations New dwelling-houses within established residential areas should be sympathetic with the existing character of the immediate locality. All residential buildings must be designed with building frontages and entries clearly addressing the street frontage. On corner allotments, the development should address the street on both frontages. The appearance of blank walls or walls with only utility windows on the front elevation will not be permitted. Where garages are proposed on the front elevation they must be articulated from the front façade. 	

Controls/objectives

Comment

- Fences in the front building line should be predominately constructed in transparent fence materials, allowing for visual connection between the dwelling and the street.
- Where the garage door addresses the street they must be a maximum of 50% of the width of the dwelling.

4.9 Fences

- Various.

The side and rear fence will be constructed of new materials (1.8m Colourbond). The fence has been designed to allow the natural flow of stormwater drainage and allow the free flow of floodwaters.

No front fencing is proposed.

4.10 Car parking and Access

The provision of car parking shall be as follows:

- (a) 1 space per dwelling with a gross floor area of less than 125m²
- (b) 2 spaces per dwelling with a gross floor area of 125m² or greater

Existing car parking arrangements remain in place. The site offers a single carport and allows for an additional car parking space in a stacked formation.

Garages must be setback a minimum of 5.5m from the front property boundary.

garage door openings to be a maximum of 50% of the width of the dwelling.

6m x 6m minimum for double garages

Driveways shall be separated from side boundaries by a minimum of 1 metre.

Driveways shall have a maximum cross-over width of 3 metres.

4.11 Storage Facilities

- 10m³ / 5m²

Existing storage facilities are available on site.

4.12 Site Facilities

- To ensure that site facilities (such as clothes drying, mail boxes, recycling and garbage disposal units/areas, screens, lighting, storage areas, air conditioning units, rainwater tanks and communication structures) are effectively integrated into the development and are unobtrusive

No change to existing site facilities.

4.13 Fire Brigade Servicing

ensure that all dwellings can be serviced by fire fighting vehicles.

Site is capable to be serviced by fire rescue

4.14 Services

<i>Controls/objectives</i>	<i>Comment</i>
<ul style="list-style-type: none"> encourage early consideration of servicing requirements, to ensure that all residential development can be appropriately serviced. 	No change to existing site conditions for servicing the existing dwelling.

CHAPTER D1 – CHARACTER STATEMENTS

Russell Vale

Russell Vale is a small, compact, low density residential suburb. It contains single storey weatherboard and corrugated iron and brick and tile bungalows. Some older dwelling stock is now being replaced with new two storey contemporary dwellings. Terania Street has a row of Hill Fig trees along the road reserve. Keerong Street also contains street tree planting within the road reserve. Russell Vale adjoins the South Bulli Colliery at the foot of the escarpment. South Bulli Colliery has distinctive benches in the landscape which run up to the 200-metre contour line at the foot of the escarpment and extend some 1.5 kilometres along the escarpment, from just north of Brokers Nose to Rixons Pass Road. Russell Vale golf course is located in this suburb.

Russell Vale will retain its compact, low density residential character. The replacement of some of the existing dwelling stock with new two storey dwelling-houses is envisaged. Dwellings should be of a weatherboard or face brickwork wall construction with a pitched (gable or hipped) roof form.

CHAPTER E3: CAR PARKING, ACCESS, SERVICING/LOADING FACILITIES AND TRAFFIC MANAGEMENT

The proposal was assessed in accordance with the requirements of this chapter and considered satisfactory. The previous issue which was raised was regarding waste collection. Chapter C5 of the DCP requires waste from childcare centres is collected from within the site by a private contractor. This would need to be arranged to occur outside of the operating hours of the centre to ensure that the manoeuvring of waste vehicles does not impact on the safety of parents and children. The applicant provided details of the waste vehicle (design vehicle) and demonstrated the turning movements of this vehicle within the car parking area which allowed forward ingress and egress in no more than 3 turning movements.

The applicant has confirmation from Remondis that they are able to service the site with a small rigid vehicle and have provided swept paths for a small rigid vehicle showing that this vehicle can enter the site, turn in no more than 3 turning movements and exit in a forward direction. The size of the waste vehicle can be conditioned, as well as the timing of waste collection (outside of operating hours) which will address the above concern.

CHAPTER E6: LANDSCAPING

It is considered that the proposed development satisfies the objectives of WDCP2009 Chapter E6 Landscaping. The development proposes four (4) trees to be removed. The trees have been assessed by Allied Tree Consultancy and concludes that the site assessment disclosed no trees that are defined as prescribed trees within or adjacent to the lot that can be impacted by the design. The exempt trees within the lot can be removed with consent. No neighbouring trees will be impacted on by any works on the lot.

A Landscape Plan has been prepared by Taylor Brammer Landscape Architects. The landscape design contributes to the streetscape of the public domain and softens the built form by providing large trees to the front of the site so the development will seamlessly integrate into the existing streetscape.

CHAPTER E7: WASTE MANAGEMENT

It is considered that the proposed development satisfies the objectives of WDCP2009 Chapter E7 Waste Management. Conditions will be imposed on the consent to ensure that Waste Management is carried out to Council's Waste Management specification during construction and through the life of the development.

CHAPTER E13 FLOODPLAIN MANAGEMENT

Council's Development Engineering Officer has reviewed the proposal and provided a conditionally satisfactory referral.

CHAPTER E14 STORMWATER MANAGEMENT

Council's Development Engineering Officer has reviewed the proposal and provided a conditionally satisfactory referral. A resubmitted stormwater drainage plan indicates that the proposed development will have stormwater drainage systems discharging, through the existing stormwater system, directly into the creek. It is noted that increase in impervious areas is greater than 100m². Therefore, OSD facility has been included into the dragline system.

CHAPTER E17 PRESERVATION AND MANAGEMENT OF TREES AND VEGETATION

The application proposes the removal of four (4) trees to facilitate the proposal. Council's Landscape and Environment Officers have assessed the application submission, which included an Arborist Report. A conditionally satisfactory referral was received with regard to tree removal.

CHAPTER E19 EARTHWORKS (LAND RESHAPING WORKS)

The proposal involves earthworks to facilitate the basement car park. Substantial cut (including more than three metres) is proposed for the basement carpark. Excess excavated material (up to 8,000 cubic metres) will need to be disposed of lawfully. Trucks transporting excess excavated material are likely to impact (traffic, noise) residents on the transport route. Water from the basement excavation is proposed to be settled and cleaned before pumping out to the existing stormwater system. If not properly managed, earthworks and pumped out water would potentially cause water pollution. An Erosion and Sediment Control Plan has been submitted. Appropriate conditions about erosion and sedimentation and excavation water have been applied to the consent.

CHAPTER E20 CONTAMINATED LAND MANAGEMENT

The proposal was assessed against the requirements of this chapter. As was requested in Council's letter to the applicant dated 17 July 2023, a remedial action plan (prepared by Reditus Consulting Pty Ltd dated 21 August 2023) reviewed and approved by a certified contaminated land consultant has been submitted to Council. The remedial action plan has provided inferred extents of the areas around TP01 and BH01 that require remediation. No addendum to the Detailed Site Investigation report prepared by Reditus Consulting dated 11 April 2023 included vertical and horizontal delineation of the extent of contamination surrounding the hotspot area TP01 and additional sampling of fill material to delineate the vertical and horizontal extent and to the proposed depth of excavation for the basement carparking area has been submitted.

A pre-demolition hazardous material assessment recommendation of the previously submitted Detailed Site Investigation Report, implementation of the remedial action plan, a construction management plan, waste classification of impacted soils prior to disposal and a site validation report upon site remediation should be applied as conditions of development consent.

CHAPTER E21 DEMOLITION AND ASBESTOS MANAGEMENT

The application submission proposes demolition of an existing structures. A Site Waste Minimisation Plan, including waste removal was included in the application submission. Conditions are imposed to minimise impacts and ensure that demolition is carried out to Council's and Safe Work NSW requirements.

CHAPTER E22 SOIL EROSION AND SEDIMENT CONTROL

Conditions could be imposed to minimise the impacts of the proposed works on the environment.

ATTACHMENT 4 - CHILD CARE PLANNING GUIDELINE

Controls/objectives	Comment	Compliance
2. Design quality principles		
Principle 1 – Context Principle 2 - Built form. Principle 3 - Adaptive learning spaces Principle 4- Sustainability Principle 5 – Landscape Principle 6 – Amenity Principle 7 - Safety	The proposal is compatible with the existing and emerging character of the locality. The bulk and scale in council’s opinion is compatible with the existing and desired outcomes of the surrounding area (i.e Single Storey dwellings). An attempt has been made through contemporary design which is distinctive and unique. The facility complements the surrounding low-density residential area and contributes positively to the public domain.	Yes
3. Matters for consideration		
3.1 Site selection and location		
<p><i>To ensure that appropriate zone considerations are assessed when selecting a site</i></p> <ul style="list-style-type: none"> <i>Potential impacts on the health, safety and wellbeing of children, staff and visitors with regard to local environmental and amenity issues such as air or noise pollution and local traffic conditions</i> <i>The potential impact of the facility on the viability of existing commercial or industrial uses.</i> 	<p>There are no potential negative impacts on health, safety, and visitors. The site is setback approx. 400m from the nearest busy road and 500m from the industrial area located in Bellambi.</p> <p>The site is within a residential zone and traffic and parking impacts have been assessed by councils’ development engineer. Councils’ development engineer has completed a satisfactory referral and has raised no concerns in relation to local traffic conditions.</p>	Yes
<p><i>To ensure that the site selected for a proposed child care facility is suitable for the use</i></p> <ul style="list-style-type: none"> <i>Ensure location and surrounding area is appropriate for the use</i> <i>Ensure the site is appropriate for the use</i> 	<p>The childcare facility is located near or within employment areas, a town centre, business centres and shops. The location of the Child Care facility is within areas with pedestrian connectivity to the local community, businesses. The site is in close proximity to shops and business in nearby Woonona. The site is located at the end of a cul-de-sac and has pedestrian connectivity. Councils’ development engineers are satisfied the car parking and traffic movements will not have a wider impact.</p>	Yes
<p><i>To ensure that sites for child care facilities are appropriately located</i></p> <ul style="list-style-type: none"> <i>Proximity to compatible land uses</i> 	<p>The site is appropriately located with regard to residential uses. The site is located within the immediate vicinity of bus stops on the Princes Highway.</p>	Yes

Controls/objectives	Comment	Compliance
<ul style="list-style-type: none"> Proximity to employment, residential uses, public transport and pedestrian connectivity 	<p>Details of the application submission were referred to Council's Traffic Officer for comment. Advice received is that the application satisfies Council's parking and access development control plan. A childcare centre is permissible in an R2 zone. There are not expected to be any nearby on-street parking impacts as a result of the development as sufficient car parking has been provided on site.</p>	
<p>To ensure that sites for childcare facilities do not incur risks from environmental, health or safety hazards</p> <ul style="list-style-type: none"> Not located in proximity to hazardous industry or uses Proximity to potential hazardous future uses 	<p>A detailed site investigation report has been submitted and reviewed by Council's Environmental Officer. Advice received is that the site can be made suitable for the proposed development and the proposal is considered conditionally satisfactory.</p> <p>The subject site is not located within the immediate vicinity of a hazardous industry or land uses.</p>	Yes
<p><u>3.2 Local character, streetscape, and the public domain interface</u></p>		
<p>To ensure that the childcare facility is compatible with the local character and surrounding streetscape</p> <ul style="list-style-type: none"> Proposal is compatible with local area and reflective of the predominant land use Appropriate use of landscaping Integrate landscaping 	<p>The design of the proposed facility is compatible with the local character and surrounding streetscape.</p> <p>The built form of the proposed development is responsive to the site's context and amphitheatre like surroundings. Basement parking will be recessive to the development at ground level. The indoor and outdoor childcare centre space have been oriented and designed mindful of boundary conditions and site aspect/orientation.</p> <p>Landscaping has been appropriately integrated into the design and the FSR is a modest 0.3:1</p>	Yes
<p>To ensure clear delineation between the childcare facility and public spaces</p> <ul style="list-style-type: none"> Clear transition between public and private spaces including fencing, passive surveillance 	<p>The childcare centre is adjacent to a public park and the facility has demonstrated a clear transition between public and private spaces. The childcare centre also uses a number of landscaping measures to provide appeal to the centre.</p>	Yes
<p>To ensure that front fences and retaining walls respond to and complement the</p>	<p>The landscaping plan suggests that the front fences and retaining walls respond to and complement the</p>	Yes

Controls/objectives	Comment	Compliance
<p>context and character of the area and do not dominate the public domain.</p> <ul style="list-style-type: none"> Front fences and walls within the front setback should be constructed or visually permeable materials and treatments 	<p>context and character of the area. The submission of the application was referred to council's landscape officer who raised no objection to the proposal.</p>	
<p>3.3 Building orientation, envelope, and design</p>		
<p>To respond to the streetscape and site, while optimising solar access and opportunities for shade</p> <ul style="list-style-type: none"> Minimise visual, acoustic and overlooking impacts on neighbours Optimise solar access Avoid overshadowing When childcare facilities are located above ground level, outdoor play areas are protected from wind and other climatic conditions 	<p>Visual amenity and overlooking is respected across boundaries through the orientation and aspect promoted by the architectural design. Indoor and outdoor spaces are orientated to the south where vegetation and uses are not impacted by privacy or overlooking impacts. Overshadowing to the south is limited with the development being single storey.</p> <p>Environment have completed a satisfactory referral and provided conditions with respect to demolition, asbestos, erosion and sediment control and waste management.</p>	<p>Yes</p>
<p>To ensure that the scale of the childcare facility is compatible with adjoining development and the impact on adjoining buildings is minimised</p> <ul style="list-style-type: none"> Building height consistent with surrounding buildings and respond to scale and character of area Setbacks to allow adequate privacy for neighbours Setback to the street consistent with existing character 	<p>The applicant has made a considerable effort to keep the scale of the structure in line with existing character of the immediate locality. The proposed childcare centre will be a maximum 1 storey in height. The development proposes an FSR of 0.30:1 which is modest and will ensure buildings are compatible with the bulk and scale of the locality.</p>	<p>Yes</p>
<p>To ensure that setbacks from the boundary of a child care facility are consistent with the predominant development within the immediate context</p> <ul style="list-style-type: none"> Setbacks should average the two closest buildings if buildings within 50m or the required setback for the predominant adjoining land use 	<p>The childcare centre is located on an irregular shaped allotment with appropriate side and rear setbacks. The childcare centre is significantly setback from Leslie Street. Side and rear setbacks range from 2-3m which is greater than the minimum 900mm</p>	<p>Yes</p>
<p>To ensure that the built form, articulation, and scale of development relates to its context and buildings are well designed to contribute to an areas character</p> <ul style="list-style-type: none"> Built form should respond to local character 	<p>The built form of the development responds to the local character through contemporary design and contributes to the areas character.</p> <p>The built form is single storey like its immediate locality.</p>	<p>Yes</p>
<p>To ensure that buildings are designed to create safe environments for all users</p>	<p>A single-entry point is proposed at grade to the front of the development and is clearly visible.</p>	<p>Yes</p>

Controls/objectives	Comment	Compliance
<ul style="list-style-type: none"> Entry should be limited to 1 secure point accessible from street and easily monitored through natural and camera surveillance 	An additional internal access point from lift/stairwell is provided from the basement carpark.	
<p>To ensure that childcare facilities are designed to be accessible by all potential users.</p> <ul style="list-style-type: none"> Accessibility to be consistent with all regulations continuous path of travel throughout including parking, thoroughfares and building entrance 	An access report is provided by Accessible Building Solutions confirming the centre will be able to meet all relevant BCA/NCC standards. The application was referred to building certification upon submission of the DA and a satisfactory referral was complete.	Yes
3.4 Landscaping		
<p>To provide landscape design that contributes to the streetscape and amenity.</p> <ul style="list-style-type: none"> Appropriate planting along boundaries Incorporating car parking into the landscape design of the site 	The proposed childcare centre has been assessed in accordance with the requirements set out in chapter C5 of the WDCP 2009 and the requirements set out in chapter E6 of the WDCP 2009. Councils landscape officer has reviewed the proposal and completed a satisfactory referral with conditions of consent.	Yes
3.5 Visual and acoustic privacy		
<p>To protect the privacy and security of children attending the facility</p> <ul style="list-style-type: none"> reduce risk of neighbouring buildings overlooking the child care centre Minimise overlooking of the centre from public spaces 	The indoor and outdoor play spaces are provided at ground level. Given the height of the fencing provided to assist with acoustic requirements, council is satisfied that any overlooking will be minimised. Deep soil tree plantings will also have a positive impact to mitigate any potential overlooking.	Yes
<p>To minimise impacts on privacy of adjoining properties</p> <ul style="list-style-type: none"> Appropriate design and layout to minimise overlooking into neighbouring buildings 	Impacts to neighbouring properties are minimal as a result of the proposed development.	Yes
<p>Minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments</p> <ul style="list-style-type: none"> Acoustic fencing to be provided along adjoining residential boundaries Ensure that mechanical plant or equipment is screened to reduce noise Acoustic report prepared by suitably qualified professional that identifies appropriate noise levels for the child care centre and determine appropriate 	<p>The application was referred to council's environmental officer who has considered the acoustic impacts the development may have on the immediate surrounds. Councils Environmental officer is satisfied that the acoustic report has provided accurate noise level analysis and deemed the proposal to be appropriate for the area.</p> <p>A condition about the implementation of the recommendations of the</p>	Yes

Controls/objectives	Comment	Compliance
<i>background noise level for outdoor play areas</i>	Environmental Noise Assessment report is applied to the consent.	
3.6 Noise and air pollution		
<p>To ensure that outside noise levels on the facility are minimised to acceptable levels</p> <ul style="list-style-type: none"> <i>Adopt design to minimise the impacts of noise</i> <i>Acoustic report should identify appropriate noise levels for sleeping areas and other non-play areas</i> 	<p>Details of the application submission including an Acoustic Report prepared by Harwood Acoustics dated 2 September 2023 were reviewed by Council's Environment Officer. It contains graphs of daily noise monitoring results and has considered future dwellings on adjoining currently vacant lots are likely to be two storeys.</p> <p>Should this application be approved, a condition about the implementation of the recommendations of the Environmental Noise Assessment report should be applied to the development consent.</p>	Yes
<p>Ensure air quality is acceptable where child care facilities are proposed close to external sources of air pollution such as major roads and industrial development</p> <ul style="list-style-type: none"> <i>Location on sites which avoid potential impacts from external sources of pollution</i> 	The proposal is located away from any potential external sources of pollution. The site is not located in close proximity to industrial land uses and is appropriately separated from service stations and other similar development.	Yes
3.7 Hours of operation		
<p>To minimise the impact of the child care facility on the amenity of neighbouring residential developments</p> <ul style="list-style-type: none"> <i>7.00am to 7.00pm in residential areas</i> <i>In mixed use areas, hours should be assessed with respect to adjoining land uses</i> 	The revised Plan of Management now states no children are permitted to play in outdoors prior to 7.00am on any day. This is consistent with the recommendations of the Environmental Noise Assessment report prepared by Harwood Acoustics dated 2 September 2023.	Yes
3.8 Traffic, parking and pedestrian circulation		
<p>To provide parking that satisfies the needs of users and demand generated by the centre</p> <ul style="list-style-type: none"> <i>Car parking rates should be consistent with the relevant DCP</i> <i>A traffic and parking study should be prepared to quantify potential impacts and</i> 	The proposed parking rates are consistent with Council's DCP requirements. Appropriate parking has been provided for guests, staff, and service vehicles, including parking for people with a disability and parking for pram users (See WDCP 2009 Compliance table at Attachment 4 for further details).	Yes

Controls/objectives	Comment	Compliance
<p><i>demonstrate how impacts will be minimised</i></p>	<p>Details of the application submissions were referred to Council's Traffic Officer for comment. Advice received is that the application satisfies Council's parking and access development control plan.</p>	
<p>To provide vehicle access from the street in a safe environment that does not disrupt traffic flow.</p> <ul style="list-style-type: none"> <i>Safe vehicle access to be provided to the site</i> 	<p>Appropriate vehicle access can be provided to the site in a manner that does not impact traffic flow.</p> <p>Details of the application submissions were referred to Council's Traffic Officer for comment. Advice received is that the application satisfies Council's vehicular access development control plan.</p>	Yes
<p>Provide a safe and connected environment for pedestrians both on and around the site</p> <ul style="list-style-type: none"> <i>Development may include separate pedestrian and vehicle entrance, pedestrian crossings, vehicles to enter and leave the parking in a forward direction</i> <i>Car parking should include a child safe fence to separate car parking from building entrance, include wheelchair and pram accessible parking</i> 	<p>Interface between vehicles and pedestrians are kept to a minimum, with parking spaces allocated to child care centre accessed from a dedicated pedestrian pathway.</p> <p>The building entrance is appropriately separated from parking areas.</p> <p>Vehicles are able to enter and exit the site in a forward direction.</p>	Yes
<p>4. Applying the National Regulations to development proposals</p>		
<p><u>4.1 Indoor space requirements</u></p>		
<ul style="list-style-type: none"> <i>3.25m² of unencumbered indoor space per child</i> 	<p>Appropriate unencumbered indoor space has been provided per child. This is broken down below.</p> <p>Indoor Playroom 1: 42./9 = 4.6m²</p> <p>Indoor Playroom 2: 63.7/16 = 4m²</p> <p>Indoor Playroom 3: 73.4/20 = 3.67m²</p>	Yes
<p><u>4.2 Laundry and hygiene facilities</u></p>		
<ul style="list-style-type: none"> <i>Laundry facilities must be provided, located, and maintained in a manner that does not pose any risk to children</i> 	<p>On site laundry facilities are provided within the basement and does not pose any risk to children.</p>	Yes
<p><u>4.3 Toilet and hygiene facilities</u></p>		

<i>Controls/objectives</i>	<i>Comment</i>	<i>Compliance</i>
<ul style="list-style-type: none"> <i>Appropriate toilet facilities to be provided for adults and children in accordance with NCC</i> 	A separate bathroom is proposed for children and adults. Council is satisfied with the arrangements as put forward.	Yes
<u>4.4 Ventilation and natural light</u>		
<ul style="list-style-type: none"> <i>Services must be well ventilated and provide adequate natural light</i> 	Ventilation and natural light will be provided to the indoor and outdoor areas of the child care centre.	Yes
<u>4.5 Administrative space</u>		
<ul style="list-style-type: none"> <i>Adequate areas for the purpose of conducting administrative functions, consulting with parents and conducting private conversations</i> 	Kitchen facilities, offices, administration/reception desk, staff areas etc have been provided in the child care centre. Office spaces are provided within the centre.	Yes
<u>4.6 Nappy change facilities</u>		
<ul style="list-style-type: none"> <i>Appropriate nappy changing facilities must be provided, consistent with the NCC</i> 	Appropriate facilities are provided within the facility. A nappy change area is proposed between Playroom 1 and Playroom 2.	Yes
<u>4.7 Premises designed to facilitate supervision</u>		
<ul style="list-style-type: none"> <i>All necessary rooms must allow appropriate surveillance and avoid areas of poor surveillance</i> 	All rooms allow appropriate levels of surveillance at all times. The layout provides an open plan configuration, whilst the location and design of sanitary areas are appropriately obscured from the line of sight of centre visitors.	Yes
<u>4.8 Emergency and evacuation procedures</u>		
<ul style="list-style-type: none"> <i>Appropriate emergency and evacuation procedures</i> <i>Emergency evacuation plan to be submitted with DA considering mobility of children, safe congregation and assembly point, plan for supervision of children</i> 	A POM was provided with the DA submission and a condition relating to compliance and implementation of the Operation Management Plan which that includes Emergency Evacuation has been included at Attachment 6	Yes
<u>4.9 Outdoor space requirements</u>		
<ul style="list-style-type: none"> <i>7m2 per child of outdoor space</i> <i>Areas not suitable for children to be excluded from outdoor space calculation</i> 	Appropriate unencumbered outdoor space per child is provided and broken down below: Outdoor play area 1: 374.1m ² /45 = 8.3m ²	Yes
<u>4.10 Natural environment</u>		
<ul style="list-style-type: none"> <i>Include aspects of natural environments in outdoor space</i> 	The proposed outdoor areas include landscaping and effectively incorporates natural aspects. Details of the application were	Yes

Controls/objectives	Comment	Compliance
	referred to Council's Landscape Officer for comment.	
<u>4.11 Shade</u>		
<ul style="list-style-type: none"> <i>Outdoor areas to include appropriate shade incorporating solar access to at least 30% of the ground area, with not more than 60% of the area covered</i> 	The landscape plan included with the applications submission indicates that the design incorporates a shade sail with at least 30% coverage and no more than 60% coverage. Tree canopies will also assist with further shade.	Yes
<u>4.12 Fencing</u>		
<ul style="list-style-type: none"> <i>Appropriate fencing to be provided to a minimum height of 1.2m, boundary fencing to be a minimum of 1.8m height</i> 	Appropriate fencing is proposed. Both acoustic fencing and boundary fencing are to be constructed. A portion of the acoustic fencing on the western side is 1800mm tapering down to 1600mm.	Yes
<u>4.13 Soil assessment</u>		
<ul style="list-style-type: none"> <i>Soil assessment is required at DA stage where children will have direct access to soil</i> 	A detailed site investigation report has been submitted and reviewed by Council's Environmental Officer. Advice received is that the site can be made suitable for the proposed development and the proposal is considered conditionally satisfactory.	Yes

DRAFT CONDITIONS FOR: DA-2022/1036

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GENERAL CONDITIONS

Conditions				
1. Approved Plans and Supporting Documentation				
Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise.				
Plan No	Revision No	Plan Title	Drawn By	Dated
21344		Subdivision Plan	Craig Robson	7 December 2023
005	Q	Demolition Plan	Design Workshop Australia	22 May 2023
012	Q	Basement & Ground Floor Plans	Design Workshop Australia	22 May 2023
020	Q	Elevations	Design Workshop Australia	22 May 2023
021	Q	Elevations	Design Workshop Australia	22 May 2023
030	Q	Sections	Design Workshop Australia	22 May 2023
031	Q	Sections	Design Workshop Australia	22 May 2023
032	Q	Sections	Design Workshop Australia	22 May 2023
033	Q	Site Sections	Design Workshop Australia	22 May 2023
LA01	F	Landscape Plan	Taylor Brammer Landscape Architects.	4 December 2023
LA02	F	Planting Plan	Taylor Brammer Landscape Architects.	4 December 2023
LA03	D	Landscape Sectional Elevation	Taylor Brammer Landscape Architects.	19 May 2023
LA04	F	Landscape Sections	Taylor Brammer Landscape Architects.	4 December 2023
In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.				

Note: An inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

2. Design and Construction of Food Premises

The construction and fit out must comply with *AS 4674:2004 - Design, Construction and Fit-Out of Food Premises*.

3. Tree Management

Any branch or root pruning which has been given approval, must be carried out by a qualified arborist in accordance with Australian Standard AS4373 (2007).

All tree protection measures are to be installed in accordance with Australian standard AS4970-2009 Protection of Trees on development Sites.

Tree Protection measures to be implemented including and not restricted to: site induction, compliance documentation, modified footings, sub surface utility siting, crown lifting, remedial tree pruning, dead wooding, fencing and signage, sediment buffer, stem protection, establishing tree protection zones (TPZ) and watering and root hormone application if required. Soil levels within the TPZ must remain the same.

The developer shall remove existing trees indicated on Landscape Plan by TB Dwg. No. LA-01 dated 31 Aug 2022 consisting of trees along western boundary. Total number: three (3 No.)

4. Occupation Certificate

An Occupation Certificate must be issued by the Principal Certifier prior to occupation or use of the development. In issuing an Occupation Certificate, the Principal Certifier must be satisfied that the requirements of section 6.9 of the Environmental Planning and Assessment Act 1979, have been complied with as well as all of the conditions of the Development Consent.

5. Construction Certificate

A Construction Certificate must be obtained from Council or a Registered Certifier prior to work commencing.

A Construction Certificate certifies that the provisions of Part 3 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 have been satisfied, including compliance with all relevant conditions of Development Consent and the Building Code of Australia.

Note: The Certifier must cause notice of its determination to be given to the consent authority, and to the Council, by forwarding to it, within two (2) days after the date of the determination, the plans and documentation referred to in Section 13 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

6. Children Numbers

The number of children attending the centre at any given time shall not exceed 45 children. Staff and child ratios shall be strictly in accordance with the Education and Care Services National Regulations.

7. Disability Discrimination Act 1992

This consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992.

It is the responsibility of the applicant to guarantee compliance with the requirements of the Disability Discrimination Act 1992. The current Australian Standard AS 1428.1:2009: Design for Access and Mobility is recommended to be referred for specific design and construction requirements, in order to provide appropriate access to all persons within the building.

8. Separate Consent Required for Advertising Signage

This consent does not authorise the erection of any advertising signage. Any such advertising signage will require separate Council approval, in the event that such signage is not exempt development, under an Environmental Planning Instrument.

Any new application for advertising signage must be submitted to Council in accordance with Chapter C1 – Advertising and Signage Structure of Wollongong Development Control Plan 2009.

9. Approval to Operate a Child Care Centre - NSW Department of Education

This consent does not authorise the use or operation of the premises as a Child Care Centre, except where the operator and all employees are in possession of a current valid license from the NSW Department of Education.

10. Mailboxes

The developer must install mailboxes along street frontage of the property boundary in accordance with Australia Post Guidelines. Prominent house numbers are to be displayed, with a minimum number size of 150mm in height for each number and letter in the alphabet.

11. Development Contributions

In accordance with Section 4.17(1)(h) of the Environmental Planning and Assessment Act 1979 and the Wollongong City Wide Development Contributions Plan (2023), a monetary contribution of \$14,295.16 (subject to indexation) must be paid to Council towards the provision of public amenities and services, prior to the release of any associated Construction Certificate.

This amount has been calculated based on the proposed cost of development and the applicable percentage levy rate.

The contribution amount will be indexed quarterly until the date of payment using Consumer Price Index; All Groups, Sydney (CPI) based on the formula show in the Contributions Plan.

To request an invoice to pay the contribution go to www.wollongong.nsw.gov.au/contributions and submit a contributions enquiry. The following will be required:

- Application number and property address.
- Name and address of who the invoice and receipt should be issue to.
- Email address where the invoice should be sent.

A copy of the Contributions Plan and accompanying information is available on Council's website www.wollongong.nsw.gov.au.

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

Conditions

12. Crime Prevention Through Environmental Design (CPTED) - Light Spillage Mitigation

The development shall provide suitable light spillage mitigation measures within the development to mitigate against any adverse light spillage impacts upon surrounding properties. This requirement shall be reflected on the Construction Certificate plans. The implementation of the approved light spillage mitigation measures is required prior to the use or occupation of the development.

13. Fire Safety Schedule

When issuing a Construction Certificate, a Principal Certifier must attach a Fire Safety Schedule specifying all of the fire safety measures required for the building to ensure the safety of persons in the building in the event of fire.

14. Utilities and Services

Before the issue of the relevant construction certificate, the applicant must submit the following written evidence of service provider requirements to the certifier:

- a. a letter of consent from Endeavour Energy demonstrating that satisfactory arrangements can be made for the installation and supply of electricity
- b. a response from Sydney Water as to whether the plans proposed to accompany the application for a construction certificate would affect any Sydney Water infrastructure, and whether further requirements need to be met.
- c. other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, what changes are required to make the development satisfactory to them.

15. No Adverse Runoff Impacts on Adjoining Properties

The design of the development shall ensure there are no adverse effects to adjoining properties or upon the land as a result of flood or stormwater runoff.

16. Car Parking and Access

The development shall make provision for a total of 17 car parking spaces (including 1 car parking space for people with disabilities, and 2 x 3.2 metres wide stroller spaces), 1 motorcycle parking space and 3 secure (Security Class B) staff bicycle spaces. This requirement shall be reflected on the Construction Certificate plans. Any change in above parking numbers shown on the approved DA plans shall be dealt with via a section 4.55 modification to the development. The approved car parking spaces shall be maintained to the satisfaction of Council, at all times.

17. Parking Dimensions

The parking dimensions, internal circulation, aisle widths, kerb splay corners, head clearance heights, ramp widths and grades of the car parking areas are to be in conformity with the current relevant Australian Standard AS 2890.1, except where amended by other conditions of this consent. Details of such compliance are to be reflected on the Construction Certificate plans.

18. Bicycle Parking Facilities

Bicycle parking facilities must have adequate weather protection and provide the appropriate level of security as required by the current relevant Australian Standard AS2890.3 - Bicycle Parking Facilities. This requirement shall be reflected on the Construction Certificate plans.

19. Disabled Person Parking Space Dimensions

Each disabled person's parking space must comply with the current relevant Australian Standard AS 2890.6 – Off-street parking for people with disabilities. This requirement shall be reflected on the Construction Certificate plans.

20. Vehicular Flow Signage

The development shall make provision for suitable barriers, line-marking and painted signage delineating vehicular flow movements within the car parking areas, as well as the car parking spaces for visitors, staff, loading etc. These details shall be reflected on the Construction Certificate plans.

21. Fencing

The development is to be provided with fencing and screen walls at full cost to the applicant/developer as follows:

- a. where a screen wall faces the road, pedestrian walkway, reserve or public place that wall shall be constructed of the same brickwork as that used in the external wall of the building;
- b. rear and side property boundaries (behind the building line) and private rear courtyards are to be provided with minimum 1.8 metre high brick, timber lapped and capped, palisade or colorbond fences;

- c. any new fences or screens constructed on the site shall be of a type that will not obstruct the free flow of surface runoff from adjoining properties and be compatible with stormwater drainage requirements; and;
- d. fencing to suit character of local area;

This requirement is to be reflected on the Construction Certificate plans.

22. Crime Prevention Through Environmental Design (CPTED) - Landscaping

In order to reduce the opportunities for “hiding places” the proposed landscaping must:

- a. Use shrubs/plants which are no higher than one (1) metre.
- b. The type of trees proposed must have a sufficiently high canopy, when fully grown, so that pedestrian vision is not impeded.
- c. Be set back 2 metres from the centre of the pathway.

This requirement shall be reflected on the Construction Certificate plans.

23. Final Landscape Plan Requirements

The submission of a final Landscape Plan to the Principal Certifying Authority, prior to the release of the Construction Certificate. The final Landscape Plan shall address the following requirements:

- a. Planting of indigenous plant species typical of the Illawarra region such as: *Syzygium smithii* (formerly *Acmena smithii*) Lilly pilly, *Archontophoenix cunninghamiana* Bangalow palm, *Backhousia myrtifolia* Grey myrtle, *Elaeocarpus reticulatus* Blueberry ash, *Glochidion ferdinandii* Cheese tree, *Livistona australis* Cabbage palm tree, *Brachychiton acerifolius* Illawarra Flame Tree.; A further list of suitable suggested species for the Russell Vale area may be found in Wollongong Development Control Plan 2009 – Chapter E6: Landscaping;
- b. A schedule of proposed planting, including botanic name, common name, expected mature height and staking requirements as well as number of plants and pot sizes;
- c. The location of all proposed and existing overhead and underground service lines. The location of such service lines shall be clear of the dripline of existing and proposed trees;
- d. Plant recovery of any herbaceous plants/native grasses and climbers to be undertaken;
- e. Any proposed hard surface under the canopy of an existing trees shall be permeable and must be laid such that the finished surface levels match the existing level. Permeable paving is to be installed in accordance with the manufacturer’s recommendations;
- f. The developer shall ensure that proposed planting is child friendly and must not include any of the types of plants listed below: i) plants known to produce toxins; ii) plant with high allergen properties; vi) any weed or potential weed species;
- g. Compensatory planting to be incorporated;
- h. Planting not to overhang public footpaths;
- i. Planting suitable to local environment recommended. All landscaping to be in accordance with NSW Govt Child Care planning Guideline Aug 2017 ; and;
- j. Any fill material should not cover topsoil. Topsoil shall be removed, stockpiled, ameliorated, and replaced over any fill material to a minimum depth of 100mm.

The completion of the landscaping works as per the final approved Landscape Plan is required, prior to the issue of Occupation Certificate or commencement of the development.

24. Certification for Landscape and Drainage

The submission of certification from a suitably qualified and experienced landscape designer and drainage consultant to the Principal Certifier prior to the release of the Construction Certificate, confirming that the landscape plan and the drainage plan are compatible.

25. Landscape Maintenance Plan

The implementation of a landscape maintenance program in accordance with the approved Landscape Plan for a minimum period of 12 months to ensure that all landscape work becomes well established by regular maintenance. Details of the program must be submitted with the Landscape Plan to the Principal Certifier prior to release of the Construction Certificate.

26. Planting to Child Care Centres, Schools or near Playgrounds

The developer shall ensure that proposed planting is child friendly and must not include any of the types of plants listed below:

- a. Plants known to produce toxins;
- b. plant with high allergen properties;
- c. plants with profuse scented flowers or known to attract high numbers of bees, spiders, and insects;
- d. species which produce small nuts or fruits;
- e. plants with thorns or spiky foliage and branches; and
- f. any weed or potential weed species.
- g. Avoid planting plants such as Asthma weed (*Parietaria judaica*), Rhus (*Toxicodendron succedaneum*), Yellow oleander (*Thevetia peruviana*), Cactus, chillies, Dumb cane (*Dieffenbachia*), Mushrooms, Angels Trumpet (*Brumansia*), Cycads, Grevilleas, Oleander (*Nerium oleander*), Poinsettia, Rhubarb, White cedar (*Melia azederach*), Yesterday Today Tomorrow (*Brunfelsia*), Agapanthus, Amaryllis, Arum Liliy, Azaleas and Rhododendrons, Daffoldils, Foxgloves, Lily of the Valley and any other species that have the characteristics listed above which could place children at risk. The developer shall consult and undertake further research to ensure the most up to date information is available to determine plant suitability.

27. Council Footpath Reserve Works – Driveways and Crossings

All redundant vehicular crossings and laybacks rendered unnecessary by this development must be reconstructed to normal kerb and gutter or existing edge of carriageway treatment to match the existing. The verge from the back of kerb to the boundary must be restored and the area appropriately graded, topsoiled and turfed in a manner that conforms with adjoining road reserve. The area forward of the front boundary must be kept smooth, even and free from any trip hazards. All alterations of public infrastructure where necessary are at the developer's expense.

All new driveway laybacks and driveway crossings must be designed in accordance with Wollongong City Council Standards. Any redundant line marking such as 'marked parking bays' are adjusted/removed at the developer's expense by a Council recognised contractor with the relevant insurances. Details and locations are to be shown on the Construction Certificate Plans.

28. Construction Site Management Plan

Before the issue of a Construction Certificate, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier. The plan must include the following matters:

- location and materials for protective fencing and hoardings to the perimeter of the site
- provisions for public safety
- pedestrian and vehicular site access points and construction activity zones

- details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site
- protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on development sites and Council's DCP, if applicable) and trees in adjoining public domain (if applicable)
- the controls prescribed within the Remedial Action Plan prepared by Reditus Consulting Pty Ltd dated 21 August 2023
- details of any bulk earthworks to be carried out
- location of site storage areas and sheds
- equipment used to carry out all works
- a garbage container with a tight-fitting lid
- dust, noise and vibration control measures
- location of temporary toilets.

The applicant must ensure a copy of the approved construction site management plan is kept on-site at all times during construction.

29. Erosion and Sediment Control Plan

Before the issue of a Construction Certificate, the applicant is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:

- Council's development control plan,
- the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction' (the Blue Book), and
- the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust).

The applicant must ensure the erosion and sediment control plan is kept on-site at all times during site works and construction.

30. Site Contamination Validation Report

A Validation Report must be submitted to Council prior to the issue of the Construction Certificate.

The Validation Report must verify that:

1. the site is not affected by soil and/or groundwater contamination above the NSW EPA threshold limit criteria; and
2. the site is suitable for the proposed development.

The Validation Report must be prepared by a contaminated land consultant who is certified under one of the following certification schemes:

- Environment Institute of Australia and New Zealand (EIANZ) Certified Environmental Practitioner (Site Contamination) (CEnvP-SC); or
- Soil Science Australia (SSA) Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM).

31. Depth and Location of Services

The depth and location of all services (ie gas, water, sewer, electricity, telephone, traffic lights, etc) must be ascertained and reflected on the Construction Certificate plans and supporting documentation.

32. Stormwater Drainage Design

A detailed drainage design for the development must be submitted to and approved by the Principal Certifier prior to the release of the Construction Certificate. The detailed drainage design must satisfy the following requirements:

- a. Be prepared by a suitably qualified Civil Engineer in accordance with Chapter E14 of Wollongong City Council's Development Control Plan 2009, Subdivision Policy, conditions listed under this consent, and generally in accordance with the concept plan/s lodged for development approval, Reference No MKR00296-10-C110, issue 6, dated 24/11/2023, prepared by MakerEng.
- b. Include details of the method of stormwater disposal. Stormwater from the development must be piped to inter-allotment drainage system.
- c. Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified engineer and be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties. The plan must indicate the method of disposal of all stormwater and must include rainwater tanks, existing ground levels, finished surface levels on all paved areas, estimated flow rates, invert levels and sizes of all pipelines.
- d. Overflow paths shall be provided to allow for flows of water in excess of the capacity of the pipe/drainage system draining the land, as well as from any detention storage on the land. Blocked pipe situations with 1% AEP events shall be incorporated in the design. Overflow paths shall also be provided in low points and depressions. Each overflow path shall be designed to ensure no entry of surface water flows into any building and no concentration of surface water flows onto any adjoining property. Details of each overflow path shall be shown on the detailed drainage design.

33. On-Site Stormwater Detention (OSD) Design

The developer must provide OSD storage for stormwater runoff from the development. The design and details of the OSD system must be provided in conjunction with the detailed drainage design and approved by the Principal Certifier prior to the release of the Construction Certificate. The OSD design and details must satisfy the following requirements:

- a. Must be prepared by a suitable qualified engineer in accordance with Chapter E14 of the Wollongong DCP 2009.
- b. Must include details of the Site Storage Requirement (SSR) and Permissible Site Discharge (PSD) values for the site in accordance with Section 10.2.4 of Chapter E14 of the Wollongong DCP 2009.
- c. The OSD facility must be designed to withstand the maximum loadings occurring from any combination of traffic (with consideration to residential and heavy vehicles), hydrostatic, earth, and buoyancy forces. Details must be provided demonstrating these requirements have been achieved.
- d. The OSD facility shall incorporate a minimum 900mm x 900mm square lockable grate for access and maintenance purposes, provision for safety, debris control screen, and a suitably graded invert to the outlet to prevent ponding.
- e. Must include discharge control calculations (i.e. orifice/weir calculations) generally in accordance with Section 10.2.6 and 10.4.4 of Chapter E14 of the Wollongong DCP 2009.
- f. Details of the orifice plate including diameter of orifice and method of fixing shall be provided.
- g. Must include details of a corrosion resistant identification plaque for location on or close to the OSD facility. The plaque shall include the following information and shall be installed prior to the issue of the Occupation/Subdivision Certificate:

- i. The structure is an OSD facility, being part of the stormwater drainage network, and is not to be tampered with.
 - ii. Identification number DA-2022/1036.
 - iii. Any specialist maintenance requirements.
- h. Must include a maintenance schedule for the OSD system, generally in accordance with Chapter E14 of the Wollongong DCP 2009.

34. Dilapidation Report

Before the issue of a construction certificate, a suitably qualified engineer must prepare a dilapidation report detailing the structural condition of adjoining buildings, structures or works, and public land, to the satisfaction of the certifier. If the engineer is denied access to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the certifier's satisfaction that all reasonable steps were taken to obtain access to the adjoining properties.

35. Structures Adjacent to Driveway

Any proposed structures adjacent to the driveway shall comply with the requirements of the current relevant Australian Standard AS 2890.1 (figure 3.2 and 3.3) to provide for adequate pedestrian and vehicle sight distance. This includes, but is not limited to, structures such as signs, letterboxes, retaining walls, dense planting etc. This requirement shall be reflected on the Construction Certificate plans.

36. Service/Loading Bay Signage

The service/loading bay must be signposted 15-minute parking 6.30am-9.30am and 3.30pm-6.30pm, a loading bay at all other times. Details of such compliance are to be reflected on the Construction Certificate plans.

37. Registration of Boundary adjustment and Lot Consolidation

Before the issue of a Construction Certificate, formal registration of the proposed plan of subdivision incorporating boundary adjustments is required.

38. Management of drop off & pick up

The applicant must amend their plan of management to ensure that all children arriving and departing the childcare facility are picked up and dropped off from the basement carpark at all times. This is so to ensure that traffic congestion on Leslie Street is minimised at all times. These details must be reflected on the plan of management prior to the issue of a construction certificate.

BEFORE BUILDING WORK COMMENCES

Conditions

39. Demolition Works

The demolition works shall be carried out in accordance with Australian Standard AS 2601:2001: The Demolition of Structures or any other subsequent relevant Australian Standard and the requirements of SafeWork NSW.

No demolition materials shall be burnt or buried on-site. The person responsible for the demolition works shall ensure that all vehicles leaving the site carrying demolition materials have their loads covered and do not track soil or waste materials onto the road. Any unforeseen hazardous and/or intractable wastes shall be disposed of to the satisfaction of the Principal Certifier. In the event that the demolition works may involve the obstruction of any road reserve/footpath or other Council owned land, a separate application shall be made to Council

to enclose the public place with a hoarding or fence over the footpath or other Council owned land.

40. Demolition Notification to Surrounding Residents

Demolition must not commence unless at least two (2) days written notice has been given to adjoining residents of the date on which demolition works will commence.

41. Consultation with SafeWork NSW - Prior to Asbestos Removal

A licensed asbestos removalist must give written notice to SafeWork NSW at least five (5) days before licensed asbestos removal work is commenced.

42. Public Liability Insurance

All contractors working in Council's Road reserve and/or public reserve areas shall take out public liability insurance for a minimum amount of \$20 Million. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Written evidence of this insurance shall be supplied to the Principal Certifier and Council (in the event that Council is not the Principal Certifier) prior to the commencement of any such works in any road reserve or public reserve area.

43. Adjustment to Public Utility Service

The arrangements and costs associated with any adjustment to a public utility service shall be borne by the applicant/developer. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the applicant/developer. The submission of documentary evidence to the Principal Certifier which confirms that satisfactory arrangements have been put in place regarding any adjustment to such services is required prior to any works commencing on site.

44. Hazardous Material Survey

At least one (1) week prior to demolition, the applicant must prepare a hazardous materials survey of the site and submit to Council a report of the results of the survey. Hazardous materials include, but are not limited to, asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint. The report must include at least the following information:

- a. the location of hazardous materials throughout the site;
- b. a description of the hazardous material;
- c. the form in which the hazardous material is found, eg AC sheeting, transformers, contaminated soil, roof dust;
- d. an estimation (where possible) of the quantity of each particular hazardous material by volume, number, surface area or weight;
- e. a brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials, and where appropriate, reference to relevant legislation, standards and guidelines;
- f. identification of the disposal sites to which the hazardous materials will be taken.

45. Demolition Management Plan

Before demolition work commences, a demolition management plan must be prepared by a suitably qualified person and provided to the certifier.

The demolition management plan must be prepared in accordance with Australian Standard 2601 – The Demolition of Structures, the Code of Practice – Demolition Work and Chapter E21: Demolition and Hazardous Building Materials Management of Wollongong Development Control Plan 2009 and must include the following matters:

- The proposed demolition methods

- The materials for and location of protective fencing and any hoardings to the perimeter of the site
- Details on the provision of safe access to and from the site during demolition work, including pedestrian and vehicular site access points and construction activity zones
- Details of construction traffic management, including proposed truck movements to and from the site, estimated frequency of those movements, and compliance with AS 1742.3 Traffic Control for Works on Roads and parking for vehicles
- Erosion and sediment control measures which are to be implemented during demolition and methods to prevent material being tracked off the site onto surrounding roadways
- Dust, noise and vibration control measures
- Details of the equipment that is to be used to carry out demolition work and the method of loading and unloading excavation and other machines
- Details of any bulk earthworks to be carried out
- Details of re-use and disposal of demolition waste material
- Location of any reusable demolition waste materials to be stored on-site (pending future use)
- Location and type of temporary toilets onsite
- A garbage container with a tight-fitting lid.

46. Erosion and sediment controls in place

Before the commencement of any site or building work, the Principal Certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time).

47. Works in Road Reserve - Minor Works

Approval, under Section 138 of the Roads Act must be obtained from Wollongong City Council's Development Engineering Team prior to any works commencing or any proposed interruption to pedestrian and/or vehicular traffic within the road reserve caused by the construction of this development.

The application form for Works within the Road Reserve – Section 138 Roads Act can be found on Council's website. The form outlines the requirements to be submitted with the application, to give approval to commence works under the Roads Act. It is advised that all applications are submitted, and fees paid, five (5) days prior to the works within the road reserve are intended to commence. The Applicant is responsible for the restoration of all Council assets within the road reserve which are impacted by the works/occupation. Restoration must be in accordance with the following requirements:

- a. All restorations are at the cost of the Applicant and must be undertaken in accordance with Council's standard document, "Specification for work within Council's Road reserve".
- b. Any existing damage within the immediate work area or caused as a result of the work/occupation, must also be restored with the final works.

48. Appointment of Principal Certifier

Prior to commencement of work, the person having the benefit of the Development Consent and a Construction Certificate must:

- a. appoint a Principal Certifier and notify Council in writing of the appointment irrespective of whether Council or a Registered Certifier is appointed; and

- b. notify Council in writing of their intention to commence work (at least two [2] days' notice is required).

The Principal Certifier must determine when inspections and compliance certificates are required.

49. Notification to Council of any Damage to Council's Infrastructure

Council must be notified in the event of any existing damage to any of Council's infrastructure including, but not limited to the road, kerb and gutter, road shoulder, footpath, drainage structures and street trees fronting the development prior to the commencement of work. Adequate protection must be provided to Council infrastructure prior to work commencing and during the construction period. Any damage to Council's assets shall be restored in a satisfactory manner prior to the issue of the Occupation Certificate.

50. All-weather Access

An all-weather stabilised access point must be provided to the site to prevent sediment leaving the site as a result of vehicular movement. Vehicular movement should be limited to this single accessway.

DURING BUILDING WORK

Conditions

<p>51. New Information/Unexpected Finds</p>
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In the event that demolition and/or construction works cause the generation of odours or the uncovering of previously unidentified contaminants, hazardous materials, or acid sulphate soils, works must immediately cease. The Principal Certifier and Council (in the event that Council is not the Principal Certifier) must be notified in writing within two (2) days of the incident. An assessment of the potential contaminant and works required to make the site safe from potential human health and environmental harm must be undertaken by an appropriately qualified environmental consultant as soon as possible. This assessment will necessitate a report to be prepared outlining the required remediation measures for the sign off by Council and the Principal Certifier.

<p>52. Hours of Work</p>

The Principal Certifier must ensure that building work, demolition or vegetation removal is only carried out between:

- 7:00am to 5:00pm on Monday to Saturday

The Principal Certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Allowable construction activity noise levels must be within the limits identified in the NSW EPA Interim Construction Noise Guidelines (ICNG) July 2009 (or as superseded). The ICNG also applies to blasting, rock hammering and drilling, and external plant and equipment.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Any variation to the hours of work requires Council's approval.

Any request to vary the approved hours shall be submitted to the Council in writing detailing:

- a. The variation in hours required (length of duration);
- b. the reason for that variation (scope of works);
- c. the type of work and machinery to be used;
- d. method of neighbour notification;

- e. supervisor contact number; and
- f. any proposed measures required to mitigate the impacts of the works.

Note: The developer is advised that other legislation, such as Noise Guidelines for Local Government January 2023, may control the activities for which Council has granted consent, including but not limited to, the *Protection of the Environment Operations Act 1997*.

53. Implementation of the site management plans

While vegetation removal, demolition and/or building work is being carried out, the applicant must ensure the measures required by the approved construction site management plan and the erosion and sediment control plan are implemented at all times.

The applicant must ensure a copy of these approved plans is kept on site at all times and made available to Council officers upon request.

54. Heavy Vehicle Movements

To minimise impacts on the local traffic network, all heavy vehicle movements entering and/or leaving the site must not occur during school drop off/ pick up hours. Heavy vehicles are restricted from entering and leaving the site between the hours of 8 - 9:30am and 2:30 - 4pm Monday - Friday, on school days.

55. Responsibility for changes to public infrastructure

Council must be notified in the event of any existing damage to any of its infrastructure such as the road, kerb and gutter, road shoulder, footpath, drainage structures and street trees fronting the development site, prior to commencement of any work.

Adequate protection must be provided for Council infrastructure prior to work commencing and during building operations.

Any damage to Council's assets shall be made good, prior to the issue of any Occupation Certificate or commencement of the operation.

56. Compliance with the Building Code of Australia (BCA)

Building work must be carried out in accordance with the requirements of the BCA.

57. Copy of Consent in the Possession of Person carrying out Tree Removal

The applicant must ensure that any person carrying out tree removal is in possession of this development consent and the approved landscape plan, in respect to the vegetation which has been given approval to be removed in accordance with this consent.

58. Provision of Taps/Irrigation System

The provision of common taps and/or an irrigation system is required to guarantee that all landscape works are adequately watered. The location of common taps and/or irrigation system must be implemented in accordance with the approved Landscape Plan.

59. Site Contamination Remediation Works

Site contamination remediation works must be carried out in accordance with the remediation action plan prepared by Reditus Consulting Pty Ltd dated 21 August 2023.

60. Cut and Fill

While site works are being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

- a. All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification, and the volume of material removed must be reported to the principal certifier.

- b. All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* or a material identified as being subject to resource recover exemption by the NSW EPA.

61. Waste management

While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.

Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:

- The contract details of the person(s) who removed the waste;
- The waste carrier vehicle registration;
- The date and time of waste collection;
- A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill;
- The address of the disposal location(s) where the waste was taken;
- The corresponding tip docket/receipt from the site(s) to which the waste is transferred, notifying date and time of delivery, description (type and quantity) of waste.

Note: If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to the Order or Exemption and provide the records to the principal certifier and Council.

62. Discharge of Accumulated Water

Any water accumulating in excavations on-site or in the settlement ponds shall not be discharged to Council's stormwater system, unless a Section 68 approval issued under the Local Government Act 1993 has been obtained and all the following criteria are met:

- a. The concentration of suspended solids in the water to be discharged does not exceed 50 mg/L; and
- b. The pH of the water to be discharged is between 6.5 and 8.5; and
- c. The turbidity of the water to be discharged does not exceed 50 NTUs/FTUs; and
- d. The water to be discharged contains no visible oil or grease; and
- e. If alum has been used to reduce suspended solids, the concentration of aluminium in the water to be discharged does not exceed 0.055 mg/L; and
- f. The water to be discharged does not contain any substances known to be toxic to aquatic life; and
- g. The flow rate of discharged water does not exceed 55 litres per second in dry weather conditions, or is less than the capacity of the receiving stormwater drain; and
- h. A copy from a NATA accredited laboratory of sample test results for suspended solids and pH (and aluminium if applicable) confirming the water to be discharged meets criteria 1 and 2 (and criteria 4 if applicable) as stated above is submitted to Council (email Council@wollongong.nsw.gov.au, attention Building and Certification Manager).

Alternatively, such waters are to be removed by tanker for disposal at a NSW Environment Protection Authority licensed waste facility.

63. Recommendations of the Environmental Noise Assessment

The recommendations of the Environmental Noise Assessment prepared by Harwood Acoustics dated 2 September 2023 must be implemented as described.

64. Dust Suppression Measures

Activities occurring during the construction phase of the development must be carried out in a manner that will minimise the generation of dust

65. Asbestos Clearance Certificate

An Asbestos Clearance Certificate to certify that the site area is free of asbestos is to be submitted to Council by a licensed asbestos assessor within fourteen (14) days of the completion of demolition works.

66. Excavation/Filling/Retaining Wall Structures

Any proposed filling on the site must not:

- a. Encroach onto the adjoining properties, and
- b. adversely affect the adjoining properties with surface run-off.

67. Provision of Waste Receptacle

The developer must provide an adequate receptacle to store all waste generated by the development, pending disposal. The receptacle must be regularly emptied, and waste must not be allowed to lie or accumulate on the property other than in the receptacle. Consideration should be given to the source separation of recyclable and re-usable materials.

68. Asbestos - Removal, Handling and Disposal Measures/Requirements Asbestos Removal by a Licensed Asbestos Removalist

The removal of any asbestos material must be carried out by a licensed asbestos removalist if over 10 square metres in area of non-friable asbestos, or if any type of friable asbestos in strict accordance with SafeWork NSW requirements (<https://www.safework.nsw.gov.au>).

69. Asbestos Waste Collection, Transportation and Disposal

Asbestos waste must be prepared, contained, transported and disposed of in accordance with SafeWork NSW and NSW Environment Protection Authority requirements. Asbestos waste must only be disposed of at a landfill site that can lawfully receive this type of waste. A receipt must be retained and submitted to the Principal Certifier, and a copy submitted to Council (in the event that Council is not the Principal Certifier), prior to commencement of the construction works.

70. No Adverse Run-off Impacts on Adjoining Properties

The design and construction of the development shall ensure there are no adverse effects to adjoining properties, as a result of flood or stormwater run-off. Attention must be paid to ensure adequate protection for buildings against the ingress of surface run-off.

Allowance must be made for surface run-off from adjoining properties. Any redirection or treatment of that run-off must not adversely affect any other property.

71. Pipe Connections

All pipe connections to existing stormwater drainage systems shall be constructed flush with the pit wall in accordance with good engineering practice. The developer shall ensure that the condition of the existing stormwater drainage system is not compromised and that the service life of the existing stormwater drainage system is not reduced as a result of the connection.

72. Safe Excavations and Backfilling

All excavations and backfilling associated with the erection of a building must be executed safely and in accordance with appropriate professional standards.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

Conditions

73. Drainage

The developer must obtain a certificate of Hydraulic Compliance (using Council's M19 form) from a suitably qualified civil engineer, to confirm that all stormwater drainage and on-site detention works have been constructed in accordance with the approved plans. In addition, full works-as-executed plans, prepared and signed by a Registered Surveyor must be submitted. These plans and certification must satisfy all the stormwater requirements stated in Chapter E14 of the Wollongong DCP 2009. This information must be submitted to the Principal Certifier prior to the issue of the final Occupation Certificate.

74. Restriction on Use - On-Site Detention System (OSD)

The applicant must create a restriction on use under the Conveyancing Act 1919 over the OSD system. The following terms must be included in an appropriate instrument created under the Conveyancing Act 1919 for approval of Council:

"The registered proprietor of the lot burdened must not make or permit or suffer the making of any alterations to any on-site detention system on the lot(s) burdened without the prior consent in writing of the authority benefited. The expression 'on-site detention system' shall include all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins and surfaces designed to temporarily detain stormwater as well as all surfaces graded to direct stormwater to those structures.

Name of the authority having the power to release, vary or modify the restriction referred to is Wollongong City Council."

The instrument, showing the restriction, must be submitted to the Principal Certifier for endorsement prior to the issue of the Occupation Certificate and the use of the development.

75. Positive Covenant - On-Site Detention Maintenance Schedule

A positive covenant shall be created under the Conveyancing Act 1919, requiring the property owner(s) to undertake maintenance in accordance with the Construction Certificate approved On-Site Detention System and Maintenance Schedule (DA-2022/1036).

The instrument, showing the positive covenant must be submitted to the Principal Certifier for endorsement prior to the issue of the Occupation Certificate and the use of the development.

76. On-Site Detention - Structural Certification

The submission of a certificate from a suitably qualified practising civil and/or structural engineer to the Principal Certifier is required prior to the issue of the Occupation Certificate. This certification is required to verify the structural adequacy of the on-site detention facility and that the facility has been constructed in accordance with the approved Construction Certificate plans.

77. Removal of waste upon completion

Before the issue of an Occupation Certificate, the Principal Certifier must ensure all refuse, spoil and material unsuitable for use on-site is removed from the site and disposed of in accordance with the approved waste management plan. Written evidence of the removal must be supplied to the satisfaction of the Principal Certifier.

Before the issue of a partial Occupation Certificate, the applicant must ensure the temporary storage of any waste is carried out in accordance with the approved waste management plan to the Principal Certifier's satisfaction.

78. Preservation of survey marks

Before the issue of an occupation certificate, a registered surveyor must submit documentation to the principal certifier which demonstrates that:

- a. no existing survey mark(s) have been removed, damaged, destroyed, obliterated or defaces, or

- b. the applicant has re-established any survey mark(s) that were damaged, destroyed, obliterated or defaced in accordance with the Surveyor General's Direction No. 11 - Preservation of Survey Infrastructure.

79. Compensatory Planting

The developer should make compensatory provision for the trees required to be removed as a result of the development. In this regard, three (3 No.) 75 litre container advanced mature plant stock should be placed within the property boundary of the site in appropriate locations for any tree to be removed at the ration of 1 :1. The suggested species are to be selected from the following list: Elaeocarpus reticulatus Blueberry ash, Banksia integrifolia Coastal Banksia, or Brachychiton acerifolius Illawarra Flame Tree. A further list of suitable suggested species may be found in Wollongong Development Control Plan 2009 – Chapter E6: Landscaping.

80. Floor Construction

The floor must be finished to a smooth, even non-slip surface, graded, and drained to the floor waste (AS 4674:2004 Section 3).

81. Floor Waste

The floor waste(s) must be fitted with a basket trap and grate and constructed in all stainless-steel finish (AS 4674:2004 Section 4.1.8).

82. Coving

Recessed coving must be provided at all intersections of the floor with the walls. All coving must have a minimum concave radius of 25mm and be installed so as to be integral to the surface finish of both floor and wall in such a manner as to form a continuous, uninterrupted surface. "Feather edge skirting" and non-rebated coving are not permitted (AS 4674:2004 Section 3.1.5).

83. Tap Fittings

Where floor wastes are installed as a means of disposing of wastewater, hot and cold wall mounted taps fitted with hose connectors and positioned at least 600mm above the floor must be installed in a convenient and accessible location outside of areas where open food is handled (AS 4674:2004 Section 4.1.8).

84. Penetrations

All service pipes and electrical conduit must be contained in the floor, walls and plinths or ceiling or fixed on brackets so as to provide at least 25mm clearance between the pipe or conduit and adjacent vertical surfaces and 100mm between the pipe or conduit and any adjacent horizontal surface (AS 4674:2004 Section 3.2.9).

85. Wall Requirements

All walls must be of solid construction and be finished to provide a smooth impervious surface capable of being easily and effectively cleaned, in accordance with Table 3.2 of AS 4674:2004. Cavity walls are not permitted (AS 4674:2004 Section 3.2).

86. Ceiling Construction

All ceilings must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light-coloured, washable paint. The intersection of the walls and ceiling must be tight joined, sealed and dustproof. Drop-in panel ceilings are not permitted (AS 4674:2004 Section 3.2).

87. Hand Basin(s) and Hand Towels

A suitable number of hand basins must be provided in accessible and convenient locations within all food handling areas and in or adjacent to toilet facilities used by food handlers. Hand basins must be freestanding and serviced with hot and cold water which can be mixed at a temperature of at least 40°C through a single outlet (AS 4674:2004 Section 4.4).

Hand basins within food handling areas must be located no further than five (5) metres from any place where food handlers are handling open food.

Soap and single-use towels from a wall-mounted dispenser must be provided adjacent to each hand basin. Air dryers installed as the sole means of drying hands are not permitted (AS 4674:2004 Section 4.4).

88. Equipment for Cleaning and Sanitising

Adequate facilities must be provided for cleaning and sanitising food handling equipment and utensils in accordance with Table 4.1 of AS 4674:2004. As a minimum, a double bowl wash sink of adequate size and capacity must be provided for washing food handling equipment and utensils. All sinks must be serviced with hot and cold water through a single outlet (AS 4674:2004 Section 4.1).

89. Fittings

All fixtures, fittings and equipment must be installed in accordance with Section 4 of AS 4674:2004 and be finished in a smooth, non-absorbent material, and be free of cracks, gaps, crevices, or exposed joints (AS 4674:2004 Section 4).

90. False Bottoms

False bottoms and cavities under fittings are not permitted (AS 4674:2004 Section 4.2 and 4.3).

91. Display Units

All food display units must be enclosed to prevent the possibility of contamination by customer's breath, physical contact, flies, dust, etc (AS 4674:2004 Section 4.2).

92. Condensation Collection/Overflow

Condensation from cool rooms, refrigeration units, overflow from coffee machines and the like must be directed to the sewer via a tundish installed in accordance with Sydney Water requirements.

93. Mechanical Exhaust

Mechanical exhaust ventilation must be provided to the cooking appliances and be installed in accordance with AS 1668.2:2012: The Use of Ventilation and Air-conditioning in Buildings, Part 2: Ventilation Design for Indoor Air Contaminant Control (AS 4674:2004 Section 2.5, AS 1668.2:2012).

94. Doors

Doors to the internal toilet and air lock must be fitted with a self-closing device. Toilet and air lock doors must not be able to be held in an open position (AS 4674:2004 Section 5.2).

95. Hot Water Service

A hot water service of adequate capacity must be provided. The hot water service must be positioned at least 75mm clear of the adjacent wall surfaces and mounted a minimum 150mm above floor level on a stand of non-corrosive metal construction (AS 4674:2004 Section 4.3).

96. Storerooms

Storerooms must be constructed in accordance with Section 3.2 of AS 4674:2004. Shelving or storage racks must be impervious and constructed to enable easy cleaning.

97. Insect Protection

Tight-fitting, washable insect screens or other approved means of excluding insects must be provided to all window and door openings (AS 4674:2004 Section 2.1.5).

98. Storage Facilities

Sufficient facilities must be provided for the storage of cleaning materials, office materials, employees' clothing, and personal belongings (AS 4674:2004 Section 5.1).

99. Waste Storage

Adequate storage facilities must be provided for garbage containers, containers for recyclable materials and compacters in an external area or in a room specifically for that purpose (AS 4674:2004 Section 2.4).

100. Registration

The kitchen is required to be registered with Council prior to childcare operations commencing. The notification process can be completed online at Online Services | Wollongong City Council (nsw.gov.au). Once you are logged in, select Lodge an application, and then Operate a Food Business.

Alternatively, contact Council's Regulation and Enforcement Division on (02) 4227 7737 to obtain a registration form.

101. Installation of Fittings and Fixtures

All fittings and fixtures must be built into the wall and floor so to be free from joint, gaps and cavities to enable easy cleaning or alternatively, supported on one of the following:

- a. Plinths - Plinths must be an integral part of the floor, constructed of solid materials, at least 75mm in height and coved at the intersection with the floor. All plinths must have a smooth and impervious finish. All fittings and fixtures must be properly sealed to the plinth.
- b. Wheels or Castors - The wheels and castors must be capable of supporting and easily moving a full loaded fitting and be provided with a restraining device.
- c. Legs - Fittings and fixtures may be supported on legs but must be constructed of non-corrosive, smooth metal or moulded plastic. All legs must be free from cracks and services. All legs must have a clearance space between the floor and the underside of the fitting of at least 150mm.

102. Cool Rooms and Freezer Rooms

The cool room(s) and/or freezer room(s) must be constructed in accordance with Clause G1.2 of the NCC Building Code of Australia.

103. Fire Safety Certificate

A Fire Safety Certificate must be issued for the building prior to the issue of an Occupation Certificate. As soon as practicable after a Fire Safety Certificate is issued, the owner of the building to which it relates:

- a. Must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be given to the Commissioner of New South Wales Fire Brigades, and
- b. must cause a further copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.

104. CCTV

A closed-circuit television system (CCTV) should be installed to record all images for the entire footprint of the property. The camera views are not to be obstructed by temporary or permanent structure, signage, or other impediments. The camera should operate 24 hours a day, 7 days a week.

105. Acoustic Attenuation Implementation Letter

The applicant shall submit an acoustic attenuation implementation letter stating that all structural attenuation recommended in Harwood Acoustics report dated 2 September 2023 were implemented. The letter shall be prepared by an acoustic consultant who is a member of

the Australian Acoustic Society (AAS) or the Association of Australian Acoustic Consultants (AAAC).

OCCUPATION AND ONGOING USE

Conditions
106. Restricted Hours of Operation
The hours of operation for the development shall be restricted to 7:00am to 6:00pm Monday - Friday. Any alteration to the approved hours of operation will require separate Council approval.
107. Plan of Management
The recommendations of the childcare plan of management by MMJ Town Planning dated September 2023 must be implemented during the operation of the childcare facility throughout the life of the development.
108. On-site waste collection only
All waste collection must be carried out from within the site. Waste collection from the street is not permitted at any time.
109. Max vehicle size
All servicing and waste collection is to be carried out by a vehicle no larger than a Small Rigid Vehicle (max 6.4 metres in length) from the designated loading/unloading area enabling forward exit in no more than a 3-point turn.
110. Timing of waste collection
All waste collection for the childcare centre is to be undertaken outside of normal opening hours to ensure that large vehicles reversing within car parking area do not impact on the safety of parents with children. Waste vehicles must be able to enter and leave the site in a forward direction in no more than three turning movements.
111. Loading/Unloading Operations/Activities
All loading/unloading operations are to take place at all times wholly within the confines of the site or within the road reserve under an approved traffic control plan.
112. Acoustic Compliance Report
Within six (6) months of childcare centre operation when capacity of the centre reaches its maximum, the centre operator must submit a childcare operational noise acoustic compliance report prepared by an acoustic consultant who is a member of the Australian Acoustic Society (AAS) or the Association of Australasian Acoustical Consultants (AAAC) in relation to noise implementation requirements stated in condition 61. A copy of the acoustic compliance report must be submitted to council's Environment section.
113. Childcare centre Noise Restriction
a. Residential Receptors
Up to 4 hours (total) per day – If outdoor play is limited to no more than 2 hours in the morning and 2 hours in the afternoon, the contributed Leq,15-minute noise level emitted from the outdoor play shall not exceed the background noise level by more than 10 dB at the assessment location.
More than 4 hours (total) per day – If outdoor play is not limited to no more than 2 hours in the morning and 2 hours in the afternoon, the contributed Leq,15 minute noise level emitted from the outdoor play area shall not exceed the background noise level by more than 5 dB at the

assessment location. The assessment location is defined as the most affected point on or within any residential receiver property boundary. Examples of this location may be:

1.5 m above ground level;

On a balcony at 1.5 m above floor level;

Outside a window on the ground or higher floors.

b. Indoor Play Area, Mechanical Plant, Pick up and Drop off

The LAeq 15-minute noise level emitted from the cumulative noise impact of children playing indoors, mechanical plant and traffic on the site shall not exceed the background noise level by more than 5 dB at the assessment location.

114. Management of drop-off & pick-up

The basement carpark must be utilised as an ongoing pick up & drop off location for all children arriving and leaving the child care facility. This is so to ensure that traffic congestion on Leslie Street is minimised at all times. This must occur throughout the life of the development.

BEFORE ISSUE OF A SUBDIVISION WORKS CERTIFICATE

Conditions

115.Existing Easements

All existing easements must be acknowledged on the final subdivision plan.

116.Existing Restriction as to Use

All existing restriction on the use of land must be acknowledged on the final subdivision plan.

117.Encroaching Pipes

A minimum one (1) metre wide easement to drain water shall be created over any encroaching drainage pipes.

For all drainage easements proposed over the subject lots, a Works-As-Executed/survey plan of all stormwater drainage within the site is to be submitted with the Subdivision Certificate Application to confirm this.

118.Encroaching Services

A minimum one (1) metre wide easement for services must be created over any encroaching utility service.

119.88B Instrument Easements/Restrictions

Any easements or restrictions required by this consent must nominate Wollongong City Council as the authority to vary, modify or release/extinguish the easements or restrictions. The form of the easement(s) or restriction(s) created as a result of this consent must be in accordance with the standard format for easements and restrictions as accepted by NSW Land Registry Services.

120.Final Documentation Required Prior to Issue of Subdivision Certificate

The submission of the following information/documentation to the Principal Certifier, prior to the issue of a Subdivision Certificate:

- a. Completed Subdivision Certificate application form and fees in accordance with Council's fees and charges;
- b. Certificate of Practical completion from Wollongong City Council or a Principal Certifier (if applicable);
- c. Administration sheet prepared by a registered surveyor;

- d. Section 88B Instrument covering all necessary easements and restrictions on the use of any lot within the subdivision;
- e. Final plan of subdivision prepared by a registered surveyor;
- f. Original Subdivider/Developer Compliance Certificate pursuant to Section 73 of the Water Board (Corporatisation) Act 1994 from Sydney Water;
- g. Original Notification of Arrangement from an Endeavour Energy regarding the supply of underground electricity to the proposed allotments;
- h. Original Compliance Certificate from Telstra or another Telecommunications Service Provider which confirms that the developer has consulted with the Provider with regard to the provision of telecommunication services for the development;
- i. Payment of Development Contribution fees (Pro rata) (if applicable).