



STATEMENT OF ENVIRONMENTAL EFFECTS FOR A

CENTRE-BASED CHILDCARE FACILITY

AT 396 AND 404 THE ENTRANCE ROAD, ERINA HEIGHTS, NSW
(Lot: 32, DP:1223138 and Lot 9: DP: 1135884)

Prepared by Perception Planning Pty Ltd on behalf of Kalra and Chauhan Trust



Above: Proposed Childcare Centre at 396 and 404 The Entrance Road, Erina Heights

2 July 2019

Contact:

Perception Planning Pty Ltd

PO Box 107,

Clarence Town, NSW, 2321

Email: admin@perceptionplanning.com.au

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EXECUTIVE SUMMARY

Perception Planning Pty Ltd has been engaged by Kalra and Chauhan Trust (the client) to prepare a Statement of Environmental Effects (SoEE) for a centre based childcare centre (the development) at 396 and 404 The Entrance Road, Erina.

The childcare centre is almost entirely contained by 396 The Entrance Road with part of the car park extending onto the front of 404 The Entrance Road. For the purposes of this SoEE, 396 The Entrance Road (Lot 32 DP 1223138) will be referred to as the site. Additional reference will be made to 404 The Entrance Road (Lot 9 DP 1135884) as required.

Both properties are located within the Central Coast Local Government Area (LGA) and are zoned DM – Deferred Matter under the Gosford Local Environmental Plan 2014 (the LEP). The land is zoned 7(c2) Scenic Protection (Rural Small Holdings) under the Interim Development Order No 122 – Gosford (IDO-22).

The site is currently vacant. 404 The Entrance Road contains a now disused kennel facility and residential dwelling. Kalra and Chauhan Trust own this property also. The proposal includes the construction of a 120-place centre based childcare facility, a 45-space car park and associated landscaping and stormwater works.

The proposed development is intended to take advantage of its location on The Entrance Road and public transport to the site is readily available to the site, with bus stops located within walking distance. The proximity of the site to Central Coast Grammar School, Erina Heights Public School, Paul Oval, the Erina town centre, businesses and smaller shops and other employment areas make it advantageously positioned for the convenience of residents and employees of the locality.

The development is permissible with consent under the LEP. It is considered that the proposed childcare centre:

- Conforms with planning and design guidelines specified by the LEP and Gosford Development Control Plan 2013 (the DCP);
- Consistent with the Childcare Planning Guidelines 2017;
- Will facilitate the provision of accessible, quality childcare in a location that is convenient for residents and workers in the area; and
- Will not have any significant adverse impacts on the environmental or scenic qualities of the area.

The following sub-consultant reports have been provided to support this development application:

- Traffic and Parking Assessment (Intersect Traffic);
- Noise Impact Assessment (Reverb Acoustics);
- Disability Access Report (Lindsay Perry Access);
- Wastewater Management Report (DWC);
- Erosion and Sediment Control and Stormwater Plans (RGH);
- Water Cycle Management Report (RGH);
- Bushfire Assessment Report (Perception Planning); and
- Arborist Report (Accurate Tree Assessment).

This SoEE details the proposed development and the key issues identified by Council following a Pre-DA meeting held on 7th March 2019. **Table 1** summarises this advice and

provides a relevant response. We thank Council for taking the time to prepare this comprehensive Pre DA advice and trust that the planning outcomes will be of a higher quality because of it. We encourage Council to contact us should they have any questions or if any of these matters require clarification.

TERMS & ABBREVIATIONS

| | |
|----------|---|
| AHIMS | Aboriginal Heritage Information Management System |
| EP&A Act | Environmental Planning & Assessment Act 1979 |
| BPL | Bushfire Prone Land |
| DA | Development Application |
| FPL | Flood Planning Level |
| FFL | Finished Floor Level |
| RoW | Right of Way |
| SoEE | Statement of Environmental Effects |
| EPI | Environmental Planning Instrument |
| TS&C | Threatened Species and Conservation Act 1995 |
| LAP | Local Area Plan |
| ASS | Acid Sulphate Soils |
| SISD | Safe Intersection Sight Distance |

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1.0 INTRODUCTION

1.1 PURPOSE

The purpose of this Statement of Environmental Effects (SoEE) is to assist Council in their determination and to assist the community in understanding this development.

This SoEE has been prepared in accordance with best practice principles applicable aspects of the Development Assessment Framework and the Department of Planning and Infrastructure's (now the Department of Planning and Environment) guide to the *Environmental Planning and Assessment Act (EP&A Act) 1979 (s4.15)*.

The objectives of this SoEE are as follows:

- To provide a description of the site, existing development and the surrounding locality;
- To provide a description of the proposal and the key issues;
- To provide a discussion of the relevant Environmental Planning Instruments (EPI)s; and
- To provide an assessment of the potential environmental impacts, having regard to the matters for consideration pursuant to the EP&A Act (s4.15) and other State, Regional and Local environmental planning policies and guidelines.

1.2 BACKGROUND

Kalra and Chauhan Trust (the client) engaged Perception Planning Pty Ltd to prepare the Statement of Environmental Effects (SoEE) for a centre-based childcare facility (the development) at 396 and 404 The Entrance Road, Erina (the site).

A Pre-DA meeting was held with Council on Thursday 7th March 2019. The Pre DA-Advice received, and the key issues identified are contained by this SoEE as **(ATTACHMENT 7)**. Key issues identified in this Pre-DA meeting are addressed below in **Table 1**.

This SoEE has been prepared in coordination with the client and other sub-consultants to demonstrate the relevant matters associated with the development and afford consideration to the key issues identified by the Pre DA meeting. The SoEE examines the existing vegetation, proposed development and site location. It seeks to show how the proposed relates to the locality and the natural environment, as well as the planning merits of the development with respect to the relevant legislation, regulation and other requirements.

1.3 SITE PARTICULARS

The particulars of the site are as follows:

| | |
|---------------------------|--|
| Address: | 396 and 404 The Entrance Road, Erina Heights 2260 (the site) |
| Legal Description: | Lot 32, DP 1223138 and Lot 9, DP 1135884 |
| Total Area: | Total site area of the two lots is 1.4 ha (not approximate) Development area is 6000 m ² (approx.) |
| Local Government Area: | Central Coast |
| Current Land Use: | Vacant/Former Kennels |
| Land Use Zone: | DM – Deferred Matter (Gosford LEP 2014)/7(c2) Gosford IDO 22 |
| Minimum Lot Size: | N/A |
| Acid Sulphate Soils: | N/A |
| Drinking Water Catchment: | N/A |
| Heritage Item: | N/A |

Bushfire Prone: The site is mapped as bushfire prone land (Vegetation Category 1, Vegetations Category 2 and Vegetation Buffer

The site is located on The Entrance Road. The proposed childcare centre will be located primarily on Lot 32 DP 1223138 (396 The Entrance Road), with the proposed carpark extending onto the front of Lot 9 DP 1135884. For the purposes of this SoEE, Lot 32 DP 1223138 will be referred to as the site. Additional reference will be made to Lot 9 DP 1135884 as required. A locality map of the site is provided as **FIGURE 1**.

The site is currently vacant, it is sparsely vegetated with mature trees and contains an increasing amount of weed regrowth. It slopes away from the road, with the landscape becoming steeper to the rear of the property. This terrain has been addressed through building design and siting.

Vegetation on the site has been mapped as Narabeen Coastal Blackbutt Forest. An Arboriculture Impact Assessment (**ATTACHMENT 12**) identifies 13 trees within the development footprint. A full species list is provided in this report. Ten trees will require removal due to the level of encroachment, these trees have been categorised as mostly low to moderate retention value, with the exception of one mature blackbutt (*Eucalyptus pilularis*). It is proposed that three established trees, including one mature *Eucalyptus pilularis* will be retained and protected within the outdoor play area and on the adjoining property if deemed safe to do so. The removal of the 10 trees will be offset through the plantings proposed in the landscaped areas of the development.

The site is mapped as bushfire prone; a Bushfire Assessment Report has been completed for the site and the proposal. Recommendations are provided for the construction and operation phase of the development to ensure appropriate measures are employed to manage and reduce bushfire risks. This Bushfire Assessment Report is contained by this SoEE as (**ATTACHMENT 11**).

Access to the proposed childcare centre will be from The Entrance Road. A car park to service the centre is proposed adjacent to the road. Siting of the car park is intended to reduce the requirement for vegetation removal and provide a buffer between the road and the childcare facility.

The site has access to existing reticulated (town) water, and an Onsite Wastewater Sewerage Management System has been designed in accordance with the Wastewater Management Report contained by this SoEE as (**ATTACHMENT 8**).

Table 1 - Pre-Development Advice – Key Issues and Responses

| Pre-DA Key Issues | Response |
|---|--|
| <p>The site is bushfire prone land – a 100B Certificate would be required, i.e. the proposal is integrated development. A bushfire report would be required to address any clearing required for bushfire protection.</p> | <p>A Bushfire Assessment Report has been undertaken for the proposal. It has provided recommendations for construction and operation periods to ensure protection from bushfire. The Bushfire Assessment Report can be found in this SoEE as (ATTACHMENT 11)</p> |
| <p>Provision for waste storage and collection required. A waste truck would have to enter and leave the site in a forward direction.</p> | <p>Waste storage has been proposed within the carpark area, adjacent to the vehicle exit lane. A waste truck has access to enter and leave the site in a forward direction. For more detail, please refer to the plans provided here as (ATTACHMENT 2)</p> |
| <p>Gosford Development Control Plan 2013 applies. In particular; Chapter 3.9 Child Care Centres; Chapter 3.10 Environmental Controls in E4 Zone; Chapter 7.1 Car Parking; Chapter 7.2 Waste Management.</p> | <p>Section 3.4 of this SoEE addresses the Gosford DCP 2013, including these sections, in detail.</p> |
| <p>Impact on scenic quality and character to be addressed. Tree removal/retention to be identified. Arborists report required.</p> | <p>The landscape plans developed for the proposal and attached here as (ATTACHMENT 5) address how the scenic quality and character of the site will be maintained and enhanced.</p> <p>An Arboricultural Impact Assessment (ATTACHMENT 12) prepared for the development identifies the location, species and retention value of the trees within the development footprint. Ten trees are proposed for removal, with replacement plantings incorporated into landscape design.</p> <p>Three mature canopy trees will be protected and retained to further contribute and maintain the scenic quality of the site and area.</p> |

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| <p>Car parking should not be located at front of site. It should be screened from street with landscaping or located within or behind the building.</p> | <p>Car parking for the childcare centre is proposed for the front of the site as it is considered most appropriate based on the topography and vegetation, safety and access considerations.</p> <p>It is considered that the landscaping proposed, retention of the existing fence will provide screening from the street consistent with the intent of this advice.</p> |
| <p>Front building setback 30m unless environmental reasons justify a lesser setback.</p> | <p>Front setback is currently 21.106m² from the front property boundary to the proposed building, and includes the carpark. This 29.65% variation is required in order to site the centre on the flattest area of the site. As can be seen by the elevations provided in (ATTACHMENT 2), the site becomes significantly steeper at the rear of the block. This is not compatible with a safe play space for children.</p> <p>A bus lane runs along the frontage of the site, this further increases the distance of the centre from the main traffic area of The Entrance Road.</p> <p>A desktop review of buildings along The Entrance Road shows other buildings with setbacks of less than 30m.</p> |
| <p>Water is available. Sewer is not available. An OSSM system is required.</p> | <p>A Wastewater Management Report (WWR) has been prepared for the proposal and is provided in this SoEE as (ATTACHMENT 8). This report outlines how wastewater generated by the proposed development will be managed on-site in accordance with regulatory requirements and manage site and soil constraints identified.</p> |
| <p>It is considered that the site is not suitable for the proposed developments due to lack of town sewer, steepness of land, bushfire risk, asset protection zones and clearing required, traffic impact, impact on amenity, character and scenic quality of area.</p> | <p>It is understood that this advice is based on the original proposal of both a childcare centre and a hotel/club.</p> |

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| | An analysis of all relevant planning controls undertaken in the SoEE has demonstrated that the proposed childcare centre is a compatible land use and positive outcome for the community. |
| Compliance with Building Code of Australia required. | Plans have been developed in accordance with the BCA. It is anticipated that Council will condition this as part of the consent. |
| Engineering | |
| The property is adjacent to a State Road under the control of RMS and may be affected by an existing road widening scheme. | As per the advice of the next point, comment from the RMS will be sought as part of the assessment process. It is anticipated that the impact of the road widening scheme will be further explored and relevant advice received as part of this referral process. |
| Comment from RMS must be sought under SEPP (Infrastructure) 2007. A Traffic Assessment will be required from a suitably qualified and experienced consulting traffic engineer. | A Traffic and Parking Assessment has been undertaken and is included in this SoEE as (ATTACHMENT 3) . |
| The report must address traffic movements and safety aspects. Provide manoeuvring template paths for all vehicles in accordance with AS 2890. | The attached Traffic and Parking Assessment has concluded that the proposed car park is generally compliant with this standard. For further information please refer to (ATTACHMENT 3) . |
| Proposed vehicle accesses, circulation roadways, parking aisles and car parking designs are to be done by a suitably qualified and experienced professional consultant, who shall certify that the designs are in accordance with the current AS 2890 | The attached Traffic and Parking Assessment has concluded that the proposed car park is generally compliant with this standard. For further information please refer to (ATTACHMENT 3) . |
| Sight lines and distances for vehicle access and pedestrians are to be shown. Sight triangles are to be provided in accordance with Fig 3.3 of the current AS 2890. | The attached Traffic and Parking Assessment has concluded that the proposed car park is generally compliant with this standard. |

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| | For further information please refer to (ATTACHMENT 3) . |
| All proposed circulation roadways, parking aisles and car parking dimensions to be shown. Show all vehicle swept turning paths. | The plans provided as (ATTACHMENT 2) show these details. |
| A Water Cycle Management Plan consisting of a written report and plans in accordance with Gosford DCP 2013 Chapter 6.7 Water Cycle Management must be submitted with the DA. The Water Cycle Management Plan - must address the following criteria; a. Retention. b. Stormwater Quality. c. Onsite Detention Requirements. d. Local overland drainage. e. Stormwater discharge point. An easement to drain water (minimum 1.0m wide) must be created from the site to Erina Valley Road or to the watercourse within No 19 Erina Valley Road (lot 15 DP 1976) to formalise drainage rights. f. Water Conservation. | A Water Cycle Management Plan has been developed for the proposal in accordance with the aims and provisions of this DCP chapter. The Water Cycle Management Plan can be found in this SoEE as (ATTACHMENT 10) . Stormwater will be managed through onsite infiltration; no discharge point is proposed. |
| Environment | |
| Narrabeen Coastal Blackbutt Forest- this vegetation community is considered to be regionally significant vegetation and any development will be required to justify clearing. | Two mature <i>Eucalyptus pilularis</i> are identified within and adjacent to the development footprint. The removal of one of these trees is applied for under this DA due to its location and potential risk to the car park and |

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| | childcare centre. Further detail is provided in the Arboricultural Impact Assessment (ATTACHMENT 12) |
| Any proposal to remove this vegetation must justify tree loss in light of Chapter 6.6 Preservation of Trees or Vegetation of the Gosford DCP. | An Arboricultural Impact Assessment (ATTACHMENT 12) prepared for the development identifies the location, species and retention value of the trees within the development footprint. This chapter of the DCP is addressed in Section 3.4 of this SoEE. |
| It is preferred any OSSM and services are located at least 20m away for vegetation. | The topography constraints of the site will require the proposed OSSM and services to be within this 20m buffer. |
| A BOSET Report is to be submitted with the application | It is understood this directive applied to the development and clearing of both parcels as originally discussed in this meeting. As the proposed development is a smaller footprint, with significantly less vegetation affected, it is understood that the BOSET Report is not required. |
| All vegetation proposed for removal (roads, offsite clearing, unconstrained building envelope, fence lines, infrastructure, drainage, stockpiling) is to: <ul style="list-style-type: none"> ▪ be assessed under a BDAR or a Flora and Fauna Assessment (Wyang Flora and Fauna Guidelines) ▪ Address the requirements of the Wyong flora and fauna guidelines inclusive of Appendix 8.2 Vegetation Management Plan (VMP) for areas of restoration/retainment/ management ▪ Submit a tree removal/retention survey plan with the application ▪ Submit with the application a Wildlife Management Strategy for areas to be cleared of habitat values if any are identified | An Arboricultural Impact Assessment Report has been prepared to address the removal of trees within the development footprint. It has been prepared to address these criteria as relevant to the reduced impact of the development as currently proposed. |
| Ensure a Due Diligence Assessment is carried out for Aboriginal Heritage on the site in line with NPWS Regulation 2009. | This was discussed at the Pre-Lodgement meeting with reference to the larger scale childcare centre and hotel/motel development being proposed at the time of the meeting. As the development has been |

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| | modified to just the childcare centre, it is understood that it will not be required for the proposed development. |
| On-site Sewerage Management (OSSM) | |
| Due to the large hydraulic loading which will result from the developments both sites will require commercial wastewater treatment systems | A Wastewater Management Report (WMR) has been prepared for the proposal and is provided in this SoEE as (ATTACHMENT 8) . This report outlines how wastewater generated by the proposed development will be managed on-site in accordance with regulatory requirements and manage site and soil constraints identified. |
| Wastewater disposal is preferably located in areas which have limited slope and good solar access, however configuration of the proposed developments is such that these areas are not available for wastewater disposal. The remaining areas appear to be heavily vegetated, and have site slopes of approximately 25% which will present a challenge to wastewater disposal. | A 1585m ² Land Application Area (LAA) has been proposed by the WMR. The proposed location is upslope, away from the steeper areas of the southern area of the site. These areas are not heavily vegetated. |
| Any application to Council for the proposed developments will require the submission of a wastewater report. The report must be prepared by a wastewater consultant experienced in commercial wastewater systems in accordance with the DLG (1998) <i>Environment & Health Protection Guidelines On-site Sewage Management for Single Dwellings</i> and the DWE (2008) <i>Interim NSW Guidelines for Management of Private Recycled Water Schemes</i> . | A Wastewater Management Report (WMR) has been prepared for the proposal in accordance with these guidelines and is provided in this SoEE as (ATTACHMENT 8) . |

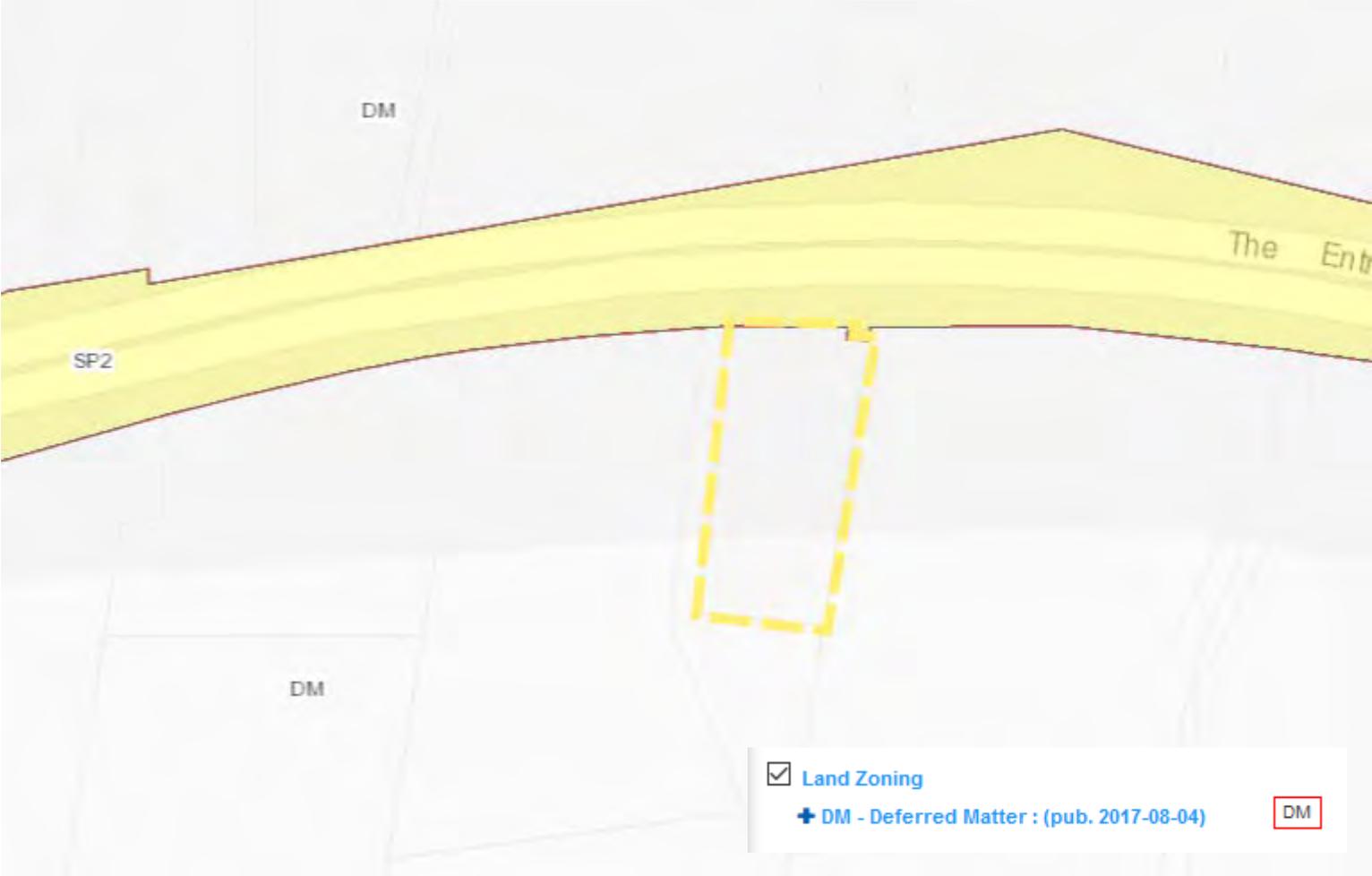
Figure 1- Locality Map (Source Six Maps 2019)



396 and 404 The Entrance Road,
Erina Heights

The Site

Figure 2 - Zoning Map (Source Planning Portal, 2019)



2.0 THE DEVELOPMENT

2.1 OBJECTIVES OF THE DEVELOPMENT

The objective of the proposed development is to obtain development consent for a childcare centre at 396 and 404 The Entrance Road, Erina Heights.

The proposed centre has been designed to provide care for up to 120 children from 0-5 years during operating hours of 6.30am-6.30pm. A total of 25 staff (including manager and administration) are anticipated for the centre.

Childcare places and staffing ratios will be provided as follows;

- Age 0-1yrs – 20 children – 5 educators
- Age 1-2yrs – 20 children – 5 educators
- Age 2-3yrs – 25 children – 5 educators
- Age 3-4yrs – 27 children – 3 educators
- Age 4-5yrs – 28 children – 3 educators

The centre is double storey and features a deck play area, veranda play area and outdoor play area for communal use, complimenting multiple age specific indoor play areas.

Architectural plans have been provided with this SoEE as **(ATTACHMENT 2)**.

45 on site car parking spaces (including two disabled spaces) have been proposed at the front of the centre, accessed directly from the two existing driveways from The Entrance Road. A Traffic and Parking Assessment **(ATTACHMENT 3)** has been undertaken in order to quantify the impacts on the existing road networks. It found that additional traffic generated by the development will not adversely impact the operation current local road network and intersections.

Pedestrian and public transport access is readily available through existing bus stops and a crossing facility in proximity on The Entrance Road.

The surrounding locality is a mixture of large and small lot residential, commercial and educational facilities. The childcare centre is consistent with surrounding land uses, including the Central Coast Grammar School and Erina Public School. The facility will contribute to the growth of Erina Heights and surrounding area by providing additional childcare services in the locality. The proposal will generate employment opportunities through both operational and construction phases.

2.2 DEVELOPMENT OPTIONS

A review of alternative uses of the site identified the following options:

1. Do nothing and leave the site as is

Population of the Central Coast LGA is growing, its proximity to Sydney make it a desirable location to raise a family. Centre based childcare is a rapidly growing industry, well supported by current Government initiatives. The site is currently vacant, its area and

topography restrict potential uses – however it does not contain significant vegetation and is positioned in a valuable location. The 'do nothing' option is not considered to be utilising the site to its full potential and is not the preferred option of the client.

2. Lodge a Development Application for the proposed childcare centre

The site is suited to a well-designed centre based childcare facility; it is readily accessible by private vehicle and public transport from The Entrance Road and well placed to service both residents and workers of the locality. The proposed design considers the natural features of the site as well as relevant planning regulations. An analysis of the planning, social and environmental merits of the development with respect to the relevant legislation, regulation and other requirements has been undertaken throughout this SoEE.

2.3 PLANS AND SUPPORTING DOCUMENTATION

This SoEE is supported by the following plans and documentation:

- ATTACHMENT 1 – EP&A Regulation 2000 (Schedule 1)
- ATTACHMENT 2 – Architectural Plans (Sorensen Design and Planning)
- ATTACHMENT 3 – Traffic and Parking Assessment (Intersect Traffic)
- ATTACHMENT 4 – Acoustics Assessment (Reverb)
- ATTACHMENT 5 – Landscape Plan (Greenspace Planning)
- ATTACHMENT 6 – Disability Access Report (Lindsay Perry Access)
- ATTACHMENT 7 – Record of Pre-Development Advice (Central Coast Council)
- ATTACHMENT 8 – Wastewater Management Report (DWC)
- ATTACHMENT 9 – Erosion and Sediment Control and Stormwater Management Plans
- ATTACHMENT 10 – Water Cycle Management Plan (RGH Consulting)
- ATTACHMENT 11 – Bushfire Assessment Report (Perception Planning)
- ATTACHMENT 12 – Arboricultural Impact Assessment (Accurate Tree Assessment)
- ATTACHMENT 13 – AHIMS Search Result (June 2019)
- ATTACHMENT 14 – Cost Summary Report (RPS)
- ATTACHMENT 15 – Site Waste Minimisation and Management Plan (Perception Planning)

3.0 PLANNING CONTROLS

3.1 ACTS AND REGULATIONS

The following Acts are considered relevant to the proposed development:

- **Environmental Planning and Assessment Act 1979**

The Environmental Planning and Assessment Act 1979 (EP&A Act) provides the framework for planning and building in NSW. Clause 4.15- Evaluation of is the relevant part of this Act. This is addressed later in the SoEE.

3.2 STATE ENVIRONMENTAL PLANNING POLICIES (SEPP)

The following SEPPs are considered relevant to the proposed development:

- **SEPP No. 44 – Koala Habitat Protection**

This State Environmental Planning Policy (SEPP) applies to the Central Coast LGA when development is proposed on land that is greater than one hectare. A consent authority must not grant consent unless they can be satisfied that the development will not have the potential to impact on koala habitat.

- **SEPP No. 55 – Remediation of Land**

SEPP No.55 provides a State-wide planning approach to the remediation of contaminated land. Clause 7 of SEPP No.55 provide that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land subject to the development is contaminated. Where the land is contaminated a consent authority must determine if the land is suitable in its contaminated state for the development, or alternatively determine that the land would be suitable once remediated.

A review of the Environment Protection Authority contamination register confirms that no contamination, the subject of regulation by the EPA is identified on the site. No potentially contaminating historical land uses have been identified, as such the site is unlikely to be subject to contamination and does not warrant further investigation.

- **State Environmental Planning Policy (Infrastructure) 2007**

This policy facilitates the effective delivery of infrastructure across the State. The development is subject to the requirements of this SEPP and must be satisfied.

The following will apply to this development:

'2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:

(a) where practicable, vehicular access to the land is provided by a road other than the classified road, and

(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:

(i) the design of the vehicular access to the land, or

(ii) the emission of smoke or dust from the development, or

(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and

(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.'

Council is required to consult the New South Wales Roads and Maritime Services to obtain advice on traffic and safety aspects for certain traffic-generating developments. This consultation is a statutory requirement prescribed by this SEPP.

While the proposed childcare centre will create extra traffic in the area, a Traffic and Transport Assessment (**ATTACHMENT 3**) has found the anticipated increase in traffic will not have an adverse impact on the operation or capacity of the local and state road network and intersections.

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

This policy aims to facilitate the effective delivery of educational establishments and early education and care facilities across the State.

The SEPP states that:

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

An analysis of the proposed development with relation to Section 2.0 Design Quality Principles of the Childcare Planning Guideline 2017 is conducted below:

| Design Quality Principle | Description | Response |
|-----------------------------|---|---|
| <p>1. Context</p> | <p>Good design responds and contributes to its context, including the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.</p> | <p>The proposed childcare centre is designed to respond to the natural features of the site as well as the character of the natural and built area features of the locality.</p> <p>The location takes full advantage of available public transport, the capacity and connectivity of the existing road network, as well as the proximity to educational facilities.</p> <p>It is anticipated that the development will meet the growing demands of the community for childcare services as demonstrated by the demographic of the community.</p> |
| <p>2. Built Form</p> | <p>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the surrounding area. Good design achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</p> | <p>The design of the proposed childcare facility is consistent with the design objectives and requirements of the relevant planning frameworks.</p> <p>It is considered that the architecturally designed facility is an appropriately modern and functional childcare centre complimentary to the surrounding area.</p> |

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| <p>3. Adaptive Learning Space</p> | <p>Good facility design delivers high quality learning spaces and achieves a high level of amenity for children and staff, resulting in buildings and associated infrastructure that are fit-for-purpose, enjoyable and easy to use. This is achieved through site layout, building design, and learning spaces fit out.</p> | <p>The proposed childcare facility provides multiple indoor spaces including craft rooms, transitional play areas (verandah and deck) and a grassed outdoor play area. All indoor activity rooms have easy access to the verandah or deck areas.</p> <p>Functionally the design provides for storage areas, separate bottle preparation areas, nappy change room and cot rooms.</p> |
| <p>4. Sustainability</p> | <p>Sustainable design combines positive environmental, social and economic outcomes. This includes use of natural cross ventilation, sunlight and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs.</p> | <p>The design encourages a high level of sustainability with natural cross ventilation, natural light infiltration and solar access on both levels.</p> |
| <p>5. Landscape</p> | <p>Landscape and buildings should operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighborhood.</p> | <p>The landscape plan developed for the proposal includes tree planting and hedging in order to soften boundaries and building elements and maintain the leafy setting of the locality.</p> <p>Outdoor play areas are yet to be designed in detail, but will include turfed areas, mass plantings for interest and textural exploration and canopy trees to contribute to shade requirements.</p> |

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| <p>6. Amenity</p> | <p>Good design positively influences internal and external amenity for children, staff and neighbours. Achieving good amenity contributes to positive learning environments and the well-being of students and staff.</p> <p>Good amenity combines appropriate and efficient indoor and outdoor learning spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, service areas and ease of access for all age groups and degrees of mobility.</p> | <p>The design has been well considered to facilitate functional and efficient practical spaces and learning environments.</p> <p>The combination and accessibility of indoor and outdoor spaces seeks to provide an engaging and interesting setting for children of multiple ages and degrees of mobility.</p> |
| <p>7. Safety</p> | <p>Well-designed childcare facilities optimise the use of the built and natural environment for learning and play, while utilising equipment, vegetation and landscaping that has a low health and safety risk and can be checked and maintained efficiently and appropriately.</p> <p>Well-designed childcare facilities incorporate passive surveillance and Crime Prevention Through Environmental Design (CPTED).</p> | <p>The childcare centre is architecturally designed in order to provide for a welcoming, safe and secure learning environment.</p> <p>Operation of the centre will be in accordance with relative industry standards and occupational health and safety legislation.</p> <p>Passive surveillance will be facilitated by the unobstructed layout, cross utilisation of spaces and glazing incorporated between the activity rooms and the outdoor play areas.</p> |

3.0 Matters for Consideration

| Matter for Consideration | Objective | Response |
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| 3.1 Site Selection and Location | | |
| C1 | To ensure that appropriate zone considerations are assessed when selecting a site. | <p>The location of the proposed development is within the land use zone 7(c2) Scenic Protection (Rural Small Holdings) under the Interim Development Order No 122 – Gosford (IDO-22).</p> <p>The acoustic and privacy impacts of the proposed development on the residential properties, setbacks and siting of building, traffic and parking impacts have been considered by this SoEE. No significant adverse impacts have been identified.</p> |

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| <p>C2</p> | <p>To ensure that the site selected for a proposed child care facility is suitable for the use.</p> | <p>It is considered that the location and surrounding land uses are compatible and complimentary with the proposed development.</p> <p>Risks such as flooding, land slip, bushfires, coastal hazards and environmental contaminants have been examined and found to be either not relevant or of a manageable degree.</p> <p>The characteristics of the site including street frontage are suitable for the scale and type of development proposed.</p> <p>The development will not have adverse environmental impacts on the surrounding area</p> <p>A 45 space off street car park is proposed in order to facilitate sufficient and safe vehicular access. The development site is located on the Entrance Road, a classified road with an additional bus lane. The road network has been found to have sufficient absorption capacity for the additional traffic. Public bus services are also operated along the Entrance Road. Pedestrian connectivity has also been considered.</p> <p>The site is not located closely to incompatible social activities.</p> |
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| C3 | To ensure that sites for childcare facilities are appropriately located. | The site is located in proximity to the compatible uses of Central Coast Grammar School, and Erina Heights Public School and Paul Oval. It is near the Erina town centre, businesses and smaller shops as well as other employment areas. |
| C4 | To ensure that sites for childcare facilities do not incur risks from environmental, health or safety hazards | The proposed location is not considered to pose a risk to children, staff or visitors. No adverse environmental conditions have been identified. |
| 3.2 Local character, streetscape and the public domain interface | | |
| C5 | To ensure that the childcare facility is compatible with the local character and surrounding streetscape. | The proposed development has been found to be compatible with the character of the local area and existing streetscape qualities. Landscaping is proposed to positively contribute to the streetscape and neighbouring amenity, it integrates car parking into the building and site landscaping design. |
| C6 | To ensure clear delineation between the childcare facility and public spaces. | Existing fencing will be retained with additional fencing to be provided as required in order to ensure safety for children entering and leaving the facility. |
| C8 | | The centre and landscaping has been designed in order to provide an appealing streetscape frontage with clearly defined street access, pedestrian paths and building entries. |
| C9 | To ensure that front fences and retaining walls respond to and complement the context and character of the area and do not dominate the public domain | The front fence is proposed to remain for the purposes of safety and reduction of road noise impacts as the development is located on the busy Entrance Road. |
| C10 | | The existing high fencing will be maintained to shield the facility from noise on The Entrance Road. |
| 3.3 Building orientation, envelope and design | | |

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| <p>C11</p> | <p>To respond to the streetscape and site, while optimising solar access and opportunities for shade.</p> | <p>The development has been oriented on the site and the building layout designed to ensure visual privacy and minimise potential noise and overlooking impacts on adjacent and adjoining residential dwellings. Solar access to internal and external play areas has been optimized where possible</p> <p>The building has been designed to take advantage of the slope and attempts to minimise cut and fill required.</p> |
| <p>C12</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> | <p>The following matters may be considered to minimise the impacts of the proposal on local character: •building height should be consistent with other buildings in the locality•</p> <p>Building height is considered to respond to the scale and character of the street. The proposed landscaping, setback and layout attempts to allow for adequate privacy for neighbours and children.</p> |

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| C13 | To ensure that setbacks from the boundary of a childcare facility are consistent with the predominant development within the immediate context | <p>Front setback is currently 21.106m² from the front property boundary to the proposed building, and includes the carpark. This 29.65% variation is required in order to site the centre on the flattest area of the site. As can be seen by the elevations provided in (ATTACHMENT 2), the site becomes significantly steeper at the rear of the block. This is not compatible with a safe play space for children.</p> <p>A bus lane runs along the frontage of the site, this further increases the distance of the centre from the main traffic area of The Entrance Road.</p> <p>A desktop review of buildings along The Entrance Road shows other buildings with setbacks of less than 30m.</p> |
| C15 | To ensure that the built form, articulation and scale of development relates to its context and buildings are well designed to contribute to an area's character | The built form of the development has been designed in order to contribute and respond to the natural environment, character of the local area neighborhood character and streetscape quality. |
| C16 | To ensure that buildings are designed to create safe environments for all users. | Entry to the facility will be accessible and visible from the off-street carpark and not accessed through an outdoor play area. |
| C17 | To ensure that childcare facilities are designed to be accessible by all potential users | The proposed design has been reviewed against the Building Code of Australia 2016, The Disability Discrimination Act 1992, the Disability Standards for Access to Premises (Buildings) and the Access Code for Building. It has been found compliant subject to the inclusion of recommend features at detailed design stage. |
| 3.4 Landscaping | | |

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| C18 | To provide landscape design that contributes to the streetscape and amenity. | Appropriate screening and privacy planting is proposed along the boundary integrated with fencing. Plant species have been chosen to reflect and reinforce the local context, natural features of the site and local vegetation communities. |
| C19 | | The landscape design of the site incorporates the car park, including providing for the planting of shade trees and low-level landscaping to soften and screen parking areas. |
| 3.5 Visual and acoustic privacy | | |
| C21 | To protect the privacy and security of children attending the facility. | Privacy of indoor rooms and outdoor play spaces from public areas has been considered through the site and building layout, considered placement of windows and doors and permanent screening and landscape design. |
| C22 | To minimise impacts on privacy of adjoining properties | Privacy of adjoining properties has also been addressed through the above considerations. |
| C23 | To minimise the impact of childcare facilities on the acoustic privacy of neighbouring residential developments | A Noise Impact Assessment (ATTACHMENT 4) has been completed for the proposal and has found the childcare centre will have minimal impact on the surrounding residential area, subject to standard noise control recommendations. |
| 3.6 Noise and air pollution | | |
| C25 | To ensure that outside noise levels on the facility are minimised to acceptable levels. | The following design considerations have been proposed to minimise the impacts of noise on the centre; <ul style="list-style-type: none"> - maintain the existing front and boundary fence - using landscaping to reduce the perception of noise - limiting the number and size of openings facing noise sources - locating cot rooms, sleeping areas and play areas away from external noise sources |

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| C26 | | As the site is located on The Entrance Road the impact of noise on the internal habitat areas of the centre from passing traffic has been analysed by the Noise Impact Assessment and recommendations provided for implementation at the detailed design stage. |
| C27 | To ensure air quality is acceptable where childcare facilities are proposed close to external sources of air pollution such as major roads and industrial development. | The proposed location is not located near industrial development. The setback distance from the road, location of outdoor play areas and planned landscaping will contribute to the mitigation of air pollution from The Entrance Highway. |
| 3.7 Hours of operation | | |
| C29 | To minimise the impact of the childcare facility on the amenity of neighbouring residential developments. | The proposed hours of operation are 6.30am – 6.30pm. this has been determined to be appropriate for the site location within a low-density residential area. |
| 3.8 Traffic, parking and pedestrian circulation | | |
| C31 | To provide parking that satisfies the needs of users and demand generated by the centre. | Off street carparking has been provided at the appropriate rate specified for childcare facilities by the Gosford DCP. |
| C33 | | A Traffic and Parking Assessment has been prepared to support the proposal to quantify potential impacts on the surrounding land uses and demonstrate how impacts on amenity will be minimised. Please refer to (ATTACHMENT 3) . |
| C34 | To provide vehicle access from the street in a safe environment that does not disrupt traffic flows | The Traffic and Parking Assessment (ATTACHMENT 3) undertaken for the proposal has found proposed car park access, ingress and egress, is safe, suitable and generally compliant with Central Coast Council and Australian Standard AS2890.1-2004. |

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| C36 | To provide a safe and connected environment for pedestrians both on and around the site. | A split signalised pedestrian crossing, including refuge, is located directly in front of the development site, contributing to safe pedestrian access. A foot crossing of the car park is also provided for. |
| C38 | | Car parking design includes a child safe fence to separate car parking areas from the entrance, accessible parking close to the primary entrance, wheelchair and pram accessible parking. |

The National Quality Framework Assessment Checklist will be considered further and completed at the detailed design stage to ensure the proposed childcare centre is consistent and provides a high level of safety, engagement, sustainability and practicality. The plans submitted with this application have been developed by an experienced architectural design company in accordance with the relevant provisions and requirements.

3.3 LOCAL ENVIRONMENTAL PLAN (LEP)

The following parts of the LEP apply to the development:

- **Part 2 - Land Use Table – Permissibility and Objectives**

The site is zoned DM – Deferred Matter under the current Gosford Local Environment Plan 2014. In this case the relevant zoning referred to for permissible uses is the land use zoning of the site under the previous LEP. It has been identified through a review of the Former Gosford LGA Online Mapping that the site was previously zoned 7(c2) Conservation and Scenic Protection (Scenic Protection – Rural Small Holdings) under the Interim Development Order No 122 – Gosford.

Centre based childcare facilities are listed as permissible with consent within the 7(c2) Zone of the Interim Development Order No 122 – Gosford.

The Land Use Table of the Interim Development Order No 122 – Gosford identifies the following objectives for this zone. An appropriate response for the proposed development is provided against each.

| Zone 7(c2) Scenic Protection | | |
|------------------------------|---|--|
| No | Objective | Response |
| (a) | to provide a buffer or transition zone between conservation areas and urban areas; and | The proposed childcare centre is a suitable land use for the site. It is both compatible and complimentary to surrounding residential, retail and commercial land uses. |
| (b) | to enable development for the purposes of rural-residential holdings to be carried out on land which is suitable for those purposes and which is unlikely: (i) to adversely affect the aesthetic and scenic value of the land and its setting; or (ii) to create a demand for the uneconomic provision of services; and | The proposed is not a rural-residential land use. |
| (c) | to allow for non-residential uses where those uses are: (i) compatible with rural-residential development and unlikely to create an unreasonable demand for public services or substantially reduce existing levels of service; (ii) unlikely to adversely affect the aesthetic and | The proposed childcare centre is compatible with surrounding land uses. It will be serviced by an onsite sewerage management system (OSSM). A Traffic and Parking Assessment has been prepared and has found the proposal will have no significant impact to the existing road network (ATTACHMENT 3). A Noise Impact Assessment has been undertaken and has found the proposal will have no significant impact to the amenity of adjoining properties (ATTACHMENT 4). |

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| scenic value of the land and its setting; and (iii)unlikely to interfere unreasonably with the amenity of adjoining properties | The potential acoustic and visual impacts of the proposed childcare centre will be managed through siting, building and landscaping design. |
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- **Clause 4.3 – Height of Building**

No Height of Building provision is prescribed for this property.

- **Clause 4.4 – Floor Space Ratio**

No Floor Space Ratio is prescribed for this property.

- **Clause 5.10 – Heritage Conservation**

The site is not identified as containing a heritage item or being contained in a heritage conservation zone.

- **Clause 7.1 – Acid Sulfate Soils**

The site is not identified as containing Acid Sulfate Soils, see below;

- **Clause 7.3 – Flood Planning**

The site is not identified by LEP Mapping as Flood Prone Land (FPL).

3.4 DEVELOPMENT CONTROL PLAN (DCP)

| DCP 2013 | Controls/Purpose | Review/Response | Comply |
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| Part 1 Preliminary | | | |
| <p>The aims of this plan are:</p> <ul style="list-style-type: none"> • To identify Council's expectations and requirements for development within Gosford local government area and build upon the Gosford LEP 2014, the Gosford Planning Scheme Ordinance and Interim Development Order No 122 by providing detailed objectives and controls for development; • To ensure that all development is consistent with the desired character of the surrounding neighbourhood; • To identify approaches and techniques which promote quality urban design and architectural outcomes in Gosford local government area; • To promote best practice and quality environmental outcomes | | | |
| Part 2 Scenic Quality and Character | | | |
| 2.1.10 What should be included with each Development Application? | | | |
| a | All development applications must be supported by sufficient information to demonstrate consistency or compatibility with the applicable | This SoEE seeks to provide sufficient information to demonstrate consistency with | Yes |

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| | statement of Desired Character in the Schedule attached to this Chapter. | applicable statement of Desired Character for the subject site. A landscape plan has been developed for the proposal and can be found as (ATTACHMENT 5) of this SoEE. | |
| b | If development applications do not provide sufficient information, processing might be delayed. | This is noted | Noted |
| c | A development proposal should be consistent or compatible with the applicable statement of Desired Character. | This SoEE seeks to provide sufficient information to demonstrate consistency with applicable statement of Desired Character for the subject site. It is considered that the proposal is consistent. | Yes |
| d | A variety of supporting information might assist development applications to demonstrate consistency or compatibility with provisions of this Plan. | This SoEE is formulated to demonstrate consistency with the provisions of this plan. A landscape plan has been developed for the proposal and can be found as (ATTACHMENT 5) of this SoEE. | Yes |
| 2.1.11.2 Preferred land use + density | | | |
| a | The appearance, amenity and character of any place are influenced fundamentally by the predominant land use and density. | | Yes |
| b | Is your development proposal consistent with the predominant desired land use and the preferred density? | The development proposal is considered to be consistent with the IDO 122 Zoning of 7(c2) Scenic Protection (Rural Small Holdings), under which Childcare Centres are permitted with consent. | Yes |

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| c | If your proposal is not consistent with the predominant desired land use and/or density will it affect the amenity of any neighbouring property, or the amenity of the surrounding locality? | As mentioned above, the development proposal is consistent with the current land use zoning. A Noise Impact Assessment (ATTACHMENT 4) has been completed for the proposal and has found the childcare centre will have minimal impact on the surrounding residential area, subject to standard noise control recommendations. | Yes |
| 2.1.11.3 Scenic prominence + distinctiveness | | | |
| a | In neighbourhoods that are scenically prominent and / or distinctive, desired character requires special care in the planning and design of new developments. | | Noted |
| b | Is your development site in a scenically prominent neighbourhood? | The subject site has not been identified as being within a scenically prominent neighbourhood. | N/A |
| c | Can it be seen from surrounding suburbs, main roads, major reserves, and/or town or village centres? | The subject site is set adjacent to The Entrance Road, it will be visible from the road. Architectural and landscaping plans have been provided with this SoEE to the visual effect of the proposed development. It is considered that the proposal will be consistent with the surrounding land uses and will not adversely impact the scenic character of the neighbourhood, | Yes |
| d | Is your development site in a scenically distinctive locality? | The subject site has not been identified to be in a scenically distinctive locality. The subject site is set adjacent to The Entrance Road, it will be visible from the road. Existing mature trees will be retained where considered safe to do so to maintain the character of the locality. | Yes |

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| e | Is your development site surrounded by traditional housing development that reflects significant stages in the development history of Gosford City? | The proposed development is not considered to impact traditional housing development that reflects the history of Gosford City. | Yes |
| 2.1.11.4 Natural features | | | |
| | Natural features are the most important component of Gosford City's scenic quality. | | Noted |
| | On your development site, or on any neighbouring property, are there natural features that contribute to the scenic character of the surrounding locality? | <p>The proposed development has been designed and sited in order to protect and retain as many existing mature trees and natural features as possible.</p> <p>A landscape plan has been created in order to further enhance the scenic character of the development with respect to the surrounding locality.</p> | Yes |
| 2.1.11.5 Patterns of buildings + surrounding gardens | | | |
| a | Desired scenic quality and neighbourhood character are substantially influenced by established patterns of buildings and surrounding gardens. | <p>The irregular lot size of the site is typical of the hillside location.</p> <p>The built and retained natural features of the proposed childcare centre is considered consistent with, if not complimentary to, the existing streetscape.</p> | Yes |
| b | Do the size of gardens and proposed landscaping provide a leafy setting for buildings? | <p>A landscape plan accompanies this SoEE as (ATTACHMENT 5).</p> <p>In addition to the existing fence (which will be retained), it is considered that the proposed landscaping enhances and compliments the natural leafy features of the site and will provide attractive frontage to The Entrance Road.</p> | Yes |
| c | Do gardens that face public streets or reserves have an appropriate civic quality? | A landscape plan accompanies this SoEE as (ATTACHMENT 5) . | Yes |

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| | | <p>Natural features of the site have been enhanced by the proposed planting of native vegetation along the front boundary.</p> <p>The proposal seeks to protect and retain as many existing mature trees and natural features as possible.</p> | |
| d | Are gardens or courtyards that face rear or side boundaries designed appropriately? | <p>The landscape plan developed to accompany this development application has afforded extensive consideration to the planting front, side and rear boundary in order to soften the appearance of the building and compliment the existing and desired character of the locality.</p> <p>Planting schedules for the proposed play areas have been designed in order to promote functionality, interest and privacy.</p> | Yes |
| 2.1.11.6 Height, Scale and Construction of Buildings | | | |
| a | Neighbourhood character and scenic quality are substantially influenced by the height and scale of buildings viewed from both public vantage points and from neighbouring properties, and by the construction techniques that are used on scenically-distinctive sites. | <p>The height and scale of the proposed childcare centre has been considered in terms of its location as well as its functionality.</p> <p>It is considered that the proposed design is consistent with this objective.</p> | Yes |
| b | Is your proposed development compatible with the height, size and relative scale of surrounding buildings? | <p>The residential buildings immediately adjacent and the mixed and varied building types in the greater surrounds of the subject site afford reduced compatibility with this objective.</p> <p>However, appropriate design techniques have been employed to reduce height and mass impact. The retention</p> | Yes |

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| | | <p>of the existing fencing and mature trees as appropriate and the planting of native buffer species will further minimise apparent contrasts in size and height.</p> <p>Facades visible from public places are articulated by walls that are stepped and articulated.</p> | |
| c | <p>If your development site is located on a hillside, does your proposal use design and construction techniques that protect or enhance natural features?</p> | <p>The proposed development is located on a hillside as such best practice design principles have been employed;</p> <ul style="list-style-type: none"> • The building is split level seeking to minimise cut and fill in the design of the levels. • Existing mature trees will be retained where possible. • The roofline has been designed to generally follow the topography. • Retention of existing tree canopy to maintain a visual backdrop to the building | Yes |
| 2.1.11.7 Architectural Form and Details | | | |
| a | <p>Desired character that highlights the importance of local architectural traditions primarily addresses the shape and orientation of buildings, and secondly, the architectural detailing of facades.</p> | <p>The architecture of the proposed childcare centre has been designed in terms of the character of the location as well as the functionality of the building as a childcare centre. The shape and orientation of the proposal is constrained by the geographical features of the site.</p> | Yes |
| b | <p>Is your development site located in an area where surrounding dwellings are predominantly traditional housing types from the early-to-mid Twentieth Century?</p> | <p>The subject site is located adjacent to residential buildings, with varied building types of mixed businesses in the greater locality.</p> | N/A |
| c | <p>Does your development reflect design features that</p> | <p>The proposed development is not located within Gosford City</p> | N/A |

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| | are typical of Gosford City's traditional neighbourhoods? | | |
| d | Could the siting, orientation or form of your proposal substantially affect the amenity currently enjoyed by any neighbour or within any public place? | <p>The siting, orientation and form of the proposed development has not been found to substantially affect the amenity of neighbouring properties or any public place.</p> <p>The existing fence will be retained and privacy further enhanced through proposed landscape plantings.</p> | Yes |
| 2.1.11.8 Gardens, outdoor structures + street verges | | | |
| a | Scenic quality and neighbourhood character are substantially influenced by the size of gardens and landscape design including plants and structures, plus any landscape features along the street verges. | The existing fence and verge plantings will be retained. It is not anticipated that the proposed landscaping will adversely impact the scenic quality of the neighbourhood. | Yes |
| b | Do the size of gardens and proposed landscaping provide a leafy setting for buildings? | <p>The proposed landscaping and retention of existing mature trees will contribute to the maintenance of the leafy setting of the building.</p> <p>The existing fence and verge plantings will be retained.</p> | Yes |
| c | Do gardens that face public streets or reserves have an appropriate civic quality? | The proposed landscaping and retention of existing mature trees will contribute to the protection of the natural features of the site. | Yes |
| d | Are gardens or courtyards that face rear or side boundaries designed appropriately? | Landscaping along the rear and side boundaries has been proposed to provide effective screening and soften the impact of the building. | Yes |
| Chapter 2.2 Scenic Quality | | | |
| a | Protection of vegetated ridgelines and upper slopes | It is considered that the proposed childcare centre has been designed and sited with consideration to the potential visual impacts. | Yes |

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| | | <p>A landscape plan has been developed in order to maintain vegetation screening.</p> <p>The proposal seeks to protect and retain two of the five existing mature trees and natural features as possible.</p> | |
| b | New development to have regard to character of area both built and natural | It is considered that the proposed childcare centre has been designed and sited in order to achieve a high level of visual integration within the existing low impact business activities along the road corridor. | Yes |
| c | Retention of non-urban breaks between urban areas | <p>It is considered that the proposed childcare centre and associated landscaping elements have been designed in order to have minimal impact on the visual quality of the non-urban break locality. The childcare centre will contribute to the development diversity of the Erina Heights locality.</p> <p>This is afforded by the considered landscape plan and retention of the existing fence along the front road boundary.</p> | Yes |
| d | Ensuring built environment does not dominate landscape features in non-urban areas | <p>No subdivision is proposed as part of the development. It is considered that the proposal will not dominate the landscape features of the area and is consistent with the existing development level of the locality.</p> <p>The scale and bulk of the proposed building is intended to be softened by the retention of mature trees and complimentary plantings of native species along front, side and rear boundaries.</p> | Yes |
| e | Highlighting quality of particular areas. | The subject site has been identified as being located in | Yes |

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| | | <p>the Erina Heights Scenic Buffer and the 'Coastal Valleys' Geographic Unit.</p> <p>The proposed childcare centre and associated landscaping plan have been designed with consideration to the protection of the scenic qualities of the area and the visual significance of the existing landscape.</p> | |
| Landscape Unit – <u>Erina Valley/Erina Landscape Unit</u> | | | |
| Development Objectives | Continue to attempt to secure lands identified for inclusion in the Coastal Open Space System as part of the visual landscape. | The subject site is not identified for inclusion in the Coastal Open Space System. | N/A |
| | Opportunities for increases in densities and scale are available in areas not subject to visibility constraints or other physical constraints. Visually constrained land includes land on main roads within Environmental Management/7(c2) zoned areas and Environmental Conservation/7(a) zoned areas. | The proposed development is considered to be designed and sited in order to reduce potential impact of the density and scale on the visual amenity of the landscape. | Yes |
| | Proposals for residential and retail/commercial rezonings be preferred where the result will be the consolidation of existing residential and retail/commercial zoned areas rather than the extension of these zones as either ribbon development or as incremental extensions into adjoining areas. | No rezoning is proposed. | N/A |
| | Retain current subdivision standards in Environmental/Conservation zoned areas to ensure continuing dominance of landscape features over built environment. | No subdivision is proposed. | N/A |

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| | Uses of a retail and commercial nature and associated signage permitted in scenic protection zoned areas to be, where achievable, of a style and scale which reflects the rural nature of the area in which it is located. | No signage is currently proposed as part of this development application. | N/A |
| | Maintain broad patterns of land use within area to ensure protection of landscape diversity and in particular Environmental/Conservation zoned areas. | It is considered that the proposed childcare centre is consistent with the diverse retail, commercial, educational and residential land uses of the area. | Yes |
| | Recognise importance of privately owned Environmental/Conservation zoned land in providing a complimentary land system to and a buffer area for COSS lands. | The retention of two existing mature trees and additional planting will contribute to the value of the site as a buffer area. | Yes |
| Part 3 Specific Controls and Development Types | | | |
| Non-Residential Development | | | |
| 3.7 Advertising Signage | | | |
| 3.7.7 Advertisements Permissible with Consent | This section outlines the classes of advertising structures may be displayed with the consent of Council, subject to strict compliance with the objectives of the plan. | No signage is currently proposed as part of this development application. | N/A |
| 3.9 Childcare Centres | | | |
| 3.9.1 Land to which Chapter Applies | This chapter applies to all land within the City of Gosford where childcare centres are permitted. | | Noted |
| 3.9.2 Objectives | <p>The objectives of this chapter are as follows:</p> <ol style="list-style-type: none"> 1. To encourage the provision of high quality child care which meets the needs of the community; 2. To ensure that potential impacts of child care centres on surrounding residential amenity is minimised. 3. To ensure that child care centres are located on appropriate sites having regard to the topography and relationship to adjoining development. 4. To provide measures to protect the natural and built environment. | | Noted |

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| | <p>5. To encourage the provision of child care centres in appropriate locations to meet the needs of the community.</p> <p>6. To ensure consistency between Council's requirements for development and those of the licensing authority (NSW Department of Community Services).</p> | | |
| 3.9.3 Location | | | |
| 3.9.3.2 Guidelines | a. The location of a Child Care Centre is to take into consideration any environmental health hazard or risk relevant to the site and/or existing buildings within the site or in the surrounding area. | No environmental health hazard or risk has been identified relevant to the site and its surrounding area. | Yes |
| | b. Child care centres will not be permitted on battle axe allotments owing to adverse amenity, traffic and noise impacts on adjoining properties. | The site is not a battle axe allotment. | N/A |
| | c. The site should not be located in a cul-de-sac, opposite an intersection or on any other road where additional vehicles may create traffic conflict or adverse impact on the amenity of the area. | <p>The site is not located in a cul-de-sac or opposite an intersection.</p> <p>A Traffic and Parking Assessment has been completed for the proposal and can be found in this SOEE as (ATTACHMENT 3). No potential conflicts or adverse impacts to the amenity of the area have been identified.</p> | Yes |
| | d. Where possible, the site should be adjacent to a public reserve which will reduce the number of properties potentially affected by the child care centre. The site should be separated from residential activities. Preferred locations include sites adjacent to public reserves, commercial sites, schools or other non-residential uses. Sites located in the general vicinity of primary schools are encouraged. | <p>Residential buildings are located immediately adjacent to the site and a mixture of commercial and educational buildings are located in the greater surrounds. Central Coast Grammar School and Erina Heights Primary School are both within approximately 1km of the subject site.</p> <p>The large lot characteristics afford an increased buffer to the neighbouring properties.</p> | Yes |

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| | | <p>A Noise Impact Assessment undertaken for the proposed development (ATTACHMENT 4) has found the childcare centre will have minimal impact on the surrounding residential area, subject to standard noise control recommendations.</p> <p>Please note that Lot 9 DP 1135884, located on the immediate Eastern boundary, is owned by the Kalra and Chauhan Trust.</p> | |
| | e. Sites such as old service stations are inappropriate for the establishment of child care centres owing to potential for site contamination and harmful effects on children, unless the site has been remediated. | The site is not an old service station. | N/A |
| | f. Ease of access to the site by public transport should be taken into account in site selection. | Multiple bus services run along The Entrance Road, with bus stops located within easy walking distance of the site. | Yes |
| 3.9.4 Site Requirements | | | |
| 3.9.4.2 Residential Business and Industrial Zones | This section sets out site coverage, land gradient and setback provisions for residential, business or industrial zones. | <p>The site is not located in a residential, business or industrial zone.</p> <p>The proposed centre has been sited on the block in a way to avoid land use conflict or affect the amenity of surrounding residences.</p> | N/A |
| 3.9.4.3 Rural RU5 Village Zone | This section sets out site coverage, land gradient and setback provisions for RU5 Village Zone | The site is not located in an RU5 zone. | N/A |
| 3.9.4.4 General Requirements | There is no minimum site area requirement for the establishment of a child care centre. However, the number and age of children who may attend the centre and number of staff are subject to the licensing requirements of | Plans have been designed in accordance with relevant NSW Government Legislation. | Yes |

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| | the NSW Department of Community Services. The NSW Department of Community Services should be consulted to ensure that the number of children and staff numbers to be accommodated is feasible and not in contravention with relevant NSW Government legislation. | | |
| 3.9.5 Traffic and Parking | | | |
| 3.9.5.2 Traffic | a. Council will take into account the effect on, and by, traffic for the proposed development. Applicants are required to demonstrate that traffic will not interfere with the amenity of the area. Approval will not be granted where existing traffic volumes are such that danger would be created by pedestrians crossing the road to enter the site or by vehicles turning in the vicinity of the site. | A Traffic and Parking Assessment has been undertaken for the proposal, it can be found as ATTACHMENT 3 of this SoEE. This assessment has found that the proposed childcare centre will not adversely impact the existing road network. | Yes |
| | b. All vehicles entering and leaving the site shall be able to do so in a forward direction. | The car parking proposed is compliant with this objective. | Yes |
| | c. Direct vehicular access to arterial, subarterial, state or regional roads will not be permitted. | A variation to this DCP objective is required. The Traffic and Parking Assessment concludes that "This will be a matter for Council to approve however from a safety aspect the development is considered satisfactory as it is in a relatively low speed urban environment with left in and left out only access conditions into a bus lane which provides suitable deceleration and acceleration conditions for merging into and out of the main traffic lanes improving the safety of the | No |

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| | | <p>access. The design of the development is also such that it is not convenient to park on-street for the dropping off and picking up of children therefore all parking and pedestrian movements generated by the development are likely to occur within the on-site car park."</p> <p>For further information please refer to (ATTACHMENT 3) of this SoEE.</p> | |
| | <p>d. Pick-up or set-down and pedestrian areas shall be separated from the general parking areas and driveways to ensure the safety of pedestrians.</p> | <p>No pick-up or set down areas are proposed.</p> <p>The Traffic and Transport Assessment found that "A suitable marked foot crossing of the car park at the entrance to the building is also provided to facilitate safe crossing of the car park by pedestrians at an appropriate location."</p> | Yes |
| | <p>e. Separate entry and exit driveways shall be provided for centres which:</p> <ul style="list-style-type: none"> i. are located on a collector road; or ii. cater for ten (10) or more children; or iii. are located on sites where Council determines the requirement is necessary to ensure the safety of pedestrians, carers, staff and others visiting the centre. | <p>Separate entry and exit driveways are provided.</p> | Yes |
| | <p>f. A traffic study may be required in some cases where deemed necessary by Council to properly assess traffic impacts.</p> | <p>A Traffic and Parking Assessment is provided as (ATTACHMENT 3).</p> | Yes |
| | <p>g. Parking and vehicle areas are to be separated from any area used by children by</p> | <p>Safety fencing and gates are proposed as part of the childcare centre design – please refer to the Architectural</p> | Yes |

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| | appropriate safety fencing and gates. | plans provided here as (ATTACHMENT 2) . | |
| 3.9.5.3 Parking | | | |
| | a. Off street car parking requirements are to be calculated and provided in accordance with the Car Parking chapter of this DCP. | The Traffic and Parking Assessment undertaken for the proposal has found this compliant. | Yes |
| | b. Parking areas shall be easily accessible from the street, and screened by landscaping along all street frontages and private property boundaries. Where parking is located at the front of the site a minimum landscaped garden area of one metre is to be provided along the street frontage. | This has been provided for - please refer to The Landscape Plans provided as (ATTACHMENT 5) of this SoEE. | Yes |
| | c. The number of staff to be employed at any one time is to be stated, together with the expected number of children. Any increase in staff or children may require additional car parking. | A total of 25 staff and 120 childcare places are anticipated for the centre | Yes |
| | d. Car parking spaces should have minimum staff dimensions as specified in the Australian Standards AS 2890.1 - 1993 Parking Facilities. Driveways should have a minimum width of 3.0 metres and aisle widths should conform to Australian Standards AS 2890.1 - 1993 Parking Facilities. | The Traffic and Parking Assessment undertaken for the proposal has found this compliant. | Yes |
| 3.9.6 Visual and Acoustic Privacy | | | |
| 3.9.6.2 Guidelines | a. Applicants are required to demonstrate that they have given proper consideration to the impact of noise on adjoining properties and to reduce problems to an acceptable level by the design. | A Noise Impact Assessment has been completed for the proposal and supports this SoEE as (ATTACHMENT 4) . | Yes |
| | b. In cases where the potential noise impact on neighbouring residents is | A Noise Impact Assessment has been completed for the | Yes |

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| | considered by Council to be significant, the applicant may be required to submit a suitable noise assessment report. This must be prepared by a qualified acoustic engineer or equivalent. | proposal and supports this SoEE as (ATTACHMENT 4) . | |
| | c. Noise levels (measured at any point on the boundary of the site between the proposed child care centre and adjoining property) should not exceed 5dBA above the L90 background level during the hours of operation. Appropriate noise attenuation may be required to ensure noise does not exceed this level. | The Noise Impact Assessment completed for the proposal found that "noise from children in the outdoor play areas is predicted to be compliant with the criteria at nearest residential receivers, providing existing fences on boundaries are maintained." | Yes |
| | d. Hours of operation within residential areas shall not extend outside the core hours of 7am to 7pm unless written justification is submitted. | The proposed hours of operation are 6.30am-6.30pm. This variation is minor, and considered justifiable given the low density residential nature of the locality. | No |
| | e. Fences are to be of adequate height and construction to ensure privacy to adjoining neighbours. Details are to be provided with the development application. | Existing fencing will be retained on the front and side boundaries, this will contribute to the maintenance of privacy for neighbouring residences. | Yes |
| | f. Fencing, where there is the potential for noise impacting on adjacent properties, shall be of a height, design and material (for example, masonry) suitable to contain noise generated by the children's activities. Metal fencing can cause concern in regard to noise factors and should be avoided where possible. Council may stipulate hours of outdoor play times in order to minimise the likelihood of a noise nuisance occurring. | The Noise Impact Assessment completed for the proposal found that "noise from children in the outdoor play areas is predicted to be compliant with the criteria at nearest residential receivers, providing existing fences on boundaries are maintained." For further information please refer to (ATTACHMENT 4) of this SoEE | Yes |

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| | g. No public address systems should be installed at the centre. | No public address systems are proposed. | Yes |
| 3.9.7 Design of Outdoor Play Areas | | | |
| 3.9.7.2 Guidelines | a. The outdoor play area is not to be located in the front building setback unless the applicant clearly demonstrates in the development application that the visual appearance of the streetscape will not be compromised and appropriate landscape treatment is to be provided. | The outdoor play area is located to the rear of the proposed building. | Yes |
| | b. Play equipment shall not be higher than the fence and should not be closer than two metres to a fence. | This is noted – proposed play equipment is beyond the scope of the current proposal. | N/A |
| | c. 50% of all outdoor areas should be shaded during the hours of 10.00 am to 3.00 pm Eastern Summer Time which may be provided by trees, awnings or other structures. | Verandah play areas are proposed which will provide reliably shaded area. Existing mature trees will be retained and contribute to shade requirements of the outdoor play areas. Additional plantings will also be undertaken. Awnings will be provided if additional shade is required for play areas. | Yes |
| | Outdoor Play Areas are to be planned for and designed in accordance with the provisions of this section. | It is considered that the proposed outdoor play areas at the rear of the building comply with these provisions as much as is practicable and feasibly possible. | Yes |
| | e. Proposed divisions of play spaces are to be shown on a plan, ensuring that the allocation of play space is appropriate to the numbers of children to be cared for in the Child Care Centre. | Three separate play areas are proposed by the plans provided here as (ATTACHMENT 2) . This is considered to allow for the allocation of separate play spaces as required. | Yes |

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| | f. Outdoor play spaces are to be adequately shaded in accordance with Shade for Child Care Services published by the NSW Cancer Council and NSW Health Department. Refer to the Appendix attached to this chapter for further information. Physical shading devices are to be provide sun protection to children and be integrated into the design of the building and the outdoor area. | Detailed design for areas such as the outdoor play areas has not yet been completed. | N/A |
| | g. Physical shading devices are to provide sun protection to children and be integrated into the design of the building and the outdoor area. | Detailed design for areas such as the outdoor play areas has not yet been completed | N/A |
| 3.9.8 Accessibility | | | |
| 3.9.8.2 Guidelines | a. Access and facilities for the disabled are to be provided in accordance with the Australian Standard AS 1428 Part 1, the BCA and the Carparking chapter of this DCP. Reference to these requirements should be made in the early stages of design to ensure the development complies with the relevant standards. | A Disability Access Report has been completed for the proposed childcare centre. It is provided with tis SoEE as (ATTACHMENT 6) . Access and facilities have been assessed and found to be compliant, or capable of complying if design detail is currently not finalized. | Yes |
| | b. Design of site elements and access ways between site elements are to cater for the needs of all users, particularly those with disabilities. | The current design detail of access ways between site elements have been found to be compliant, or able to comply if addressed appropriately at detailed design stage. For further information please refer to (ATTACHMENT 6) . | Yes |
| | c. While not comprehensive, the following matters should be considered and incorporated into the design to cater for the needs of persons with disabilities and | These considerations will be further explored when the detailed design is undertaken. | Noted |

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| | parents with prams (refer to DCP) | | |
| 3.9.9 Landscaping | | | |
| 3.9.9.2 Guidelines | a. A concept landscaping plan prepared by a qualified landscape professional shall be submitted with the development application showing all buildings, location and size of vegetation, paths, paved areas, lawn, fences, pergolas, play areas and equipment. A detailed landscaping plan prepared by a qualified landscape architect or horticulturalist must be submitted with the Development Application. The landscaping plan will show plant locations, technical names and quantities, site preparation and construction. | A Landscape Plan has been prepared for the proposed development in accordance with this objective and can be found as (ATTACHMENT 5) . | Yes |
| | b. Landscaping should be utilised to enhance the landscape quality of the area and to soften the impacts of hard stand areas and car parking on the surrounding locality. | It is considered that the landscape plan provided satisfies this objective. | Yes |
| | c. Existing vegetation and other natural features should be conserved on site wherever possible. | The proposed development has been designed and sited in order to protect and retain as many existing mature trees and natural features as possible. | Yes |
| | d. Landscaping is to be in accordance with Department of Community Services requirements to ensure it is safe and appropriate for a Child Care Centre. | The landscape plan has been developed with consideration to safety, amenity and interest. Plant species have been selected that are not toxic or poisonous, will provide shade and a variety of textural and visual interest. Initial landscape design has been undertaken in order to facilitate surveillance and flow of play outside from the indoor and verandah areas | Yes |

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| | e. Rainwater tanks are required for new Child Care Centres. The rainwater tanks must be plumbed for toilet flushing, laundry and irrigation purposes. | The Water Cycle Management Plan (ATTACHMENT 10) has proposed a minimum 20,000L rainwater re-use tank be installed and capture all roof areas for the proposed building. The rainwater re-use tank is to be connected to outdoor taps, cold laundry taps and toilets, for non-potable use only. | Yes |
| 3.9.10 Building Appearance | | | |
| 3.9.10.2 Guidelines | a. The design of buildings should be sympathetic to the topography and other natural features of the land. | It is considered that the proposed building design is consistent with this objective. | Yes |
| | b. The design of buildings should relate to the slope (max. 1 in 20) of the land to minimise earthworks and disturbance to the land (cut and fill). | The design of the building has been undertaken to relate to the slope. | Yes |
| | c. In established streetscapes, building design should be consistent with the dominant design themes and character within the immediate area. | It is considered that the proposed building design and landscaping is consistent with this objective. | Yes |
| | d. The materials and finishes of the development and planting along the street frontage should complement adjoining development and character of the area. | It is considered that the proposed building design and landscaping is consistent with this objective. | Yes |
| | e. Buildings should not be painted bright colours with large signs especially the front facade of buildings. | Building colours are not currently finalised. | Noted |
| 3.9.11 Building Code of Australia and Food Regulations | | | |
| | The building will need to comply with the Building Code of Australia and Food Regulations. | This will be addressed during the detained design stage. | Noted |
| Part 4 Centres | | | |
| The subject site is not within a 'Centre' identified by the DCP. | | | |
| Part 5 Location Specific Development Controls | | | |
| The subject site is not identified to be subject to any location specific development controls by the DCP. | | | |

| Part 6 Environmental Controls | | | |
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| 6.1 Acid Sulfate Soils | | | |
| | The subject site is not included in the Gosford DCP 2013 Acid Sulfate Soils Planning Maps. | | |
| 6.2 Coastal Frontage | | | |
| 6.2.1 Land to which this Chapter Applies | This chapter applies to all land within the City of Gosford which is affected by identified coastal processes and hazard for the section of coastline from Forresters Beach to Patonga as indicated on the attached maps. | | N/A |
| 6.3 Erosion Sedimentation Control | | | |
| 6.3.5 Erosion and Sediment Control Plans | The Erosion and Sediment Control Plan (ESCP) and schedule of works implementation plays an integral part in the planning and design stage of a development or project. | | Noted |
| 6.3.5.2 Aims of an Erosion and Sediment Control Plan | <ul style="list-style-type: none"> To demonstrate that appropriate controls are planned To address all aspects of site disturbance, erosion, sediment control To address site rehabilitation for the duration of the project To provide a mechanism for any remaining exposed soil to be treated and for ongoing site maintenance To cover the contingency of change or delay in the project implementation, activity or work scope. | An erosion and sediment control plan consistent with these objectives has been developed and is contained by this SoEE as (ATTACHMENT 9) . | Yes |
| 6.3.5.3 Erosion and Sediment Control Strategy | For major proposals that are staged over an extended period Erosion and Sediment Control Strategies may be required in addition to staged Erosion and Sediment Control | This is not considered to apply to the development proposal. | N/A |

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| | Plans and schedules of works implementation. | | |
| 6.3.5.4 Erosion and Sediment Control Plans | If required, the ESCP should be prepared by a suitably accredited or experienced practitioner. | RGH Consulting Group Pty Ltd has completed the ESCP | Yes |
| 6.3.5.5 Broad Structure of Erosion and Sediment Control Plans | <ul style="list-style-type: none"> This section outlines the key inclusions for Erosion and Sediment Control Plans. | The WCMP Report provided her as (ATTACHMENT 10) has been prepared to address and satisfy Council's civil engineering requirements for commercial developments, outlined within Council's Development Control Plan 2013 (DCP2013) and Council's Civil Works Specification – Design Guideline (2018). | Yes |
| 6.3.5.7 Further Information | This chapter outlines the basic control methods to be used. | The WCMP Report provided her as (ATTACHMENT 10) has been prepared to address and satisfy Council's civil engineering requirements for commercial developments, outlined within Council's Development Control Plan 2013 (DCP2013) and Council's Civil Works Specification – Design Guideline (2018). | Noted |
| 6.3.6 Requirements | | | |
| 6.3.6.1 Coverage | <p>a. This chapter relates to all private and public building works, developments, subdivisions and activities subject to the assessment and consent of Council under the provisions of Parts 4 or 5 of the Environmental Planning and Assessment Act 1979 and/or under the Local Government Act 1993 for any proposal or practices which will or could involve:</p> <ul style="list-style-type: none"> the disturbance of or placement of fill on the soil surface, and/or result in change to the contours of land change in the rate and/or volume of runoff flowing over land or directly or indirectly entering in "waters". | | Noted |
| | <p>b. To satisfy the requirements of the chapter on erosion and sediment control a proponent shall either:</p> <ul style="list-style-type: none"> prepare and implement an Erosion and Sediment Control Plan; or | <p>An erosion and sediment control plan consistent with the acceptable standards outlined within the Blue Book and required by</p> <p>Council's Sediment and Erosion Control Guidelines and the Civil Works Specification is</p> | Yes |

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| | <ul style="list-style-type: none"> implement erosion and sediment control measures specified in (or attached to) the development application or activity specification. <p>For an area of disturbance of 250m² to 2500m² an Erosion and Sediment Control Plan and a Landscape Plan with their associated schedule of works implementation is required.</p> | contained by this SoEE as (ATTACHMENT 9) . | |
| 6.3.6.2 Compliance Responsibility | <p>An approved Erosion and Sediment Control Plan with associated schedule of works for implementation shall demonstrate:</p> <ul style="list-style-type: none"> that selected measures have a design life that exceeds the project or stage, a capacity to manage the anticipated output from the catchment. | This is noted for the future preparation of an ESCP. | Noted |
| 6.3.6.5 Planning and Design Works | An Erosion and Sediment Control Plan shall be approved by Council. | An erosion and sediment control plan is contained by this SoEE as (ATTACHMENT 9) . | Yes |
| 6.3.6.6 Training | Council and Authority employees will be adequately trained to allow adoption of workplace practices that minimise erosion and prevent sediment from the activity sites entering adjoining land and "waters". | | Noted |
| 6.3.6.7 Tree and Vegetation Management | Approved management or removal of site tree/vegetation shall comply with the provisions of this section. | This is noted for the future works specifications and planning. | Noted |
| 6.3.6.8 Soil Erosion and Sediment Control | While carrying out any approved work covered by this chapter, the proponent must minimise erosion on-site and retain sediment eroded by water or wind on the development site. | An erosion and sediment control plan consistent with the acceptable standards outlined within the Blue Book and required by Council's Sediment and Erosion Control Guidelines and the Civil Works Specification is | Yes |

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| | | contained by this SoEE as (ATTACHMENT 9) . | |
| 6.3.6.9 Runoff Water Control | During the implementation of any approved work covered by this chapter, the proponent must retain sediment eroded by water on the development site. | An erosion and sediment control plan consistent with the acceptable standards outlined within the Blue Book and required by Council's Sediment and Erosion Control Guidelines and the Civil Works Specification is contained by this SoEE as (ATTACHMENT 9) . | Yes |
| 6.3.6.10 Constructio n Site Managemen t | <p>a) There shall be minimal site disturbance. Site excavation will be designed and located to minimise cut and fill requirements. Measures to provide flow dissipation and scour protection within channels and at all pipe outlets must be installed.</p> <p>b) No tree or vegetation shall be removed before Council approval to commence works on any stage of the development.</p> | | Noted |
| 6.3.6.11 Services and Utilities Managemen t | Site disturbance for the installation of services and utilities will be minimised. | An erosion and sediment control plan is contained by this SoEE as (ATTACHMENT 9) . | Yes |
| 6.3.6.12 Rehabilitati on | The proponent will carry out progressive land surface stabilisation on all disturbed areas until the site is satisfactorily rehabilitated, and where appropriate, landscaped to the satisfaction of Council. | An erosion and sediment control plan is contained by this SoEE as (ATTACHMENT 9) . | Yes |
| 6.3.6.13 Topsoil and Stockpile Managemen t | Topsoil and stockpiles are to be managed in accordance with the controls set out by this section. | | Noted |
| 6.3.6.14 Erosion and Sediment Control Maintenanc e | All erosion and sediment control measures must be maintained at workable capacity or condition until permanent rehabilitation measures are fully operational. | | Noted |
| 6.3.15 Environment al Performanc e Bond | Council may require the proponent to lodge a bond. This is to ensure effective erosion and sediment control measures and rehabilitation works are implemented and maintained. | | Noted |

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| 6.3.6.16 Legislative Responsibilities | The proponent is responsible for satisfaction of all legislative requirements associated with the activity approval. Council will consider necessary action to be taken under relevant legislation if approved erosion and sediment control measures are not carried out. | Noted | |
| 6.3.6.17 Restoration of Damage | If the proponent or their agents cause damage to any structure or surface that is the responsibility of Council while carrying out works to comply with this chapter, repairs will be at the proponent's cost. | Noted | |
| 6.4 Geotechnical Requirements for Development Applications | | | |
| 6.4.2 Purpose of this Chapter | The purpose of this chapter is to provide more detailed guidelines for the submission of Geotechnical Reports to support Development Applications in areas within the City identified as having a landslip potential. | The site is identified as a low landslip hazard area. Council has not raised any concern in relation to potential landslip through Pre-DA consultation. As such no engineering report is believed to be required. | N/A |
| 6.5 On-site Effluent and Greywater Disposal | | | |
| 6.5.3 Objectives of Chapter | <ul style="list-style-type: none"> - To protect the health of people through proper on-site disposal of effluent and waste water. - To protect the natural environment from improper methods of on-site effluent and waste water disposal. - To specify the requirements of suitable on-site sewage disposal systems and waste water recycling systems <p>An on-site sewage management system and waste water system must address the criteria provided in this section of the DCP.</p> | A Wastewater Management Report has been prepared for the proposal and is contained by this SoEE as (ATTACHMENT 8) . It the proposed wastewater treatment system design, which involved a site and soil assessment, concept design and environmental assessment for suitable on-site wastewater management system concepts to accept, treat and apply wastewater from the proposed development to the land | Yes |
| 6.6 Preservation of Trees or Vegetation | | | |
| 6.6.3 Application Matters | | | |
| 6.6.3.1 Information Requirements | <p>This section sets out the information that is required to be submitted:</p> <ol style="list-style-type: none"> 1. with an application for those activities requiring a development application; and 2. with a Tree Works Application | An Arboricultural Impact Assessment has been completed for the | |

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| | | development and is contained by this SoEE as (ATTACHMENT 12) |
| 6.6.3.2 Tree Locations and Schedule | <i>Tree Locations & Schedule</i> is required when a Development Application involves works which may affect trees on the property, and/or trees within 5m of the proposal on an adjoining property. | A Tree Locations & Schedule has been completed for the development and is contained by this SoEE as (ATTACHMENT 12) |
| 6.6.3.3 Arborist's Report | An Arboricultural Report must be prepared by a qualified arborist suitably experienced and competent in arboriculture, having acquired through training, qualification (minimum Australian Qualification Framework (AQF) Level 5, Diploma of Horticulture (arboriculture) <u>where deemed necessary by the Assessing Officer.</u> | An Arboricultural Impact Assessment has been completed for the development by a suitably qualified arborist and is contained by this SoEE as (ATTACHMENT 12) |
| 6.6.3.4 Flora and Fauna Impact Assessment Report | Where the clearing of trees and native vegetation is proposed a Flora & Fauna Impact Assessment Report that addresses Section 5A of the <i>Environmental Planning and Assessment Act 1979</i> may be required. | It is understood that the vegetation removal required for the development is below the threshold guiding the |

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| | | | preparation of this report. |
| 6.6.4 Assessment Criteria | Section 6.6.4.1 provides the basis by which Council will assess Development Applications or Tree Works Permit Applications | | Noted |
| 6.6.5 General Provisions | | | |
| 6.6.5.1 Tree Protection on Development Sites | Council recommends that <i>Australian Standard - Protection of trees on development sites AS4970, 2009</i> , be used for guidance in regard to integration between trees and construction. The document is considered to describe the best practices for planning and protection of trees on development sites. | It is understood that trees to be retained on the site will be protected in accordance with these standards. | Yes |
| 6.6.5.2 Tree Replenishment | Where trees are proposed for removal or there are no other existing canopy trees on site, Council expects a degree of tree replenishment to occur where practical. Each site should contain tree(s) capable of achieving a minimum height of 10 metres. Where sufficient existing canopy trees are to be retained, tree replenishment is not expected. All applications for tree removal should nominate and locate tree replenishment. Where opportunities exist for street tree planting or for sites with limited area to support trees, street tree planting on the adjoining road reserve is to be considered. Council may also condition consent to address tree replenishment. | The canopy trees that will be removed for the proposed development will be offset by the planting of additional trees along boundary fencelines and within the car park landscaping. Please refer to the landscape plan contained as (ATTACHMENT 3) . | Yes |
| 6.6.5.3 Undesirable Species and Noxious Weeds | Noxious weeds are those plants declared under the <i>Noxious Weeds Act 1993</i> . Removal or control of declared noxious weeds on private land is the landowner's responsibility. | | Noted |

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| 6.6.5.4 Evidence for Dead and/or Dangerous Vegetation | Where a dead or dangerous tree is removed due to obvious instability or hazard, (e.g. following storm damage), evidence of the tree's condition should be retained for a period of at least six (6) months after the event and produced at Council's request if needed. | | Noted |
| 6.6.5.5 Buffer Zones | The implementation of prescribed buffer zones to protect critically and endangered ecological communities, regionally significant vegetation, rainforests, wetlands, creeks, riparian vegetation and any significant natural environmental feature may be applied by Council under any consent granted for the clearing of native vegetation. | No critically and endangered ecological communities, regionally significant vegetation, rainforests, wetlands, creeks, riparian vegetation and any significant natural environmental feature has been identified on the site or during discussions with Council. | N/A |
| 6.6.5.6 Bushland Management Plans | Bushland Management Plans may be applied by Council under any consent granted for the clearing of native vegetation to protect and manage critically and endangered ecological communities, regionally significant vegetation, rainforests, wetlands, creeks, riparian vegetation and any significant natural environmental feature. | No critically and endangered ecological communities, regionally significant vegetation, rainforests, wetlands, creeks, riparian vegetation and any significant natural environmental feature has been identified on the site or during discussions with Council. | N/A |
| 6.7 Water Cycle Management | | | |
| 6.7.2 Purpose | The purpose of this plan is to minimise the impact of development on the natural predevelopment water cycle. | | Noted |
| 6.7.6 Water Cycle Management Plan | All developments that require consent will be required to demonstrate compliance with the following targets; <ul style="list-style-type: none"> • Water Conservation • Retention • Stormwater quality • Onsite detention • Local overland drainage • Flooding | A Water Cycle Management Plan has been prepared for the proposal and is contained in this SoEE as (ATTACHMENT 10) .. It addresses compliance with these targets. | Yes |
| 6.7.6.3 Application | Requirements for Water Cycle Management information | A WCMP has been prepared based on pre-lodgement | Yes |

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| Requirements | required in support of a Development Application vary for different scales of proposed development | discussions with Council and accompanies this SoEE as (ATTACHMENT 10) | |
| 6.7.7 Development Control Targets | | | |
| 6.7.7.1 Water Conservation Target | <p>A water saving target of 40% (consistent with the BASIX requirement), this must include the following:</p> <ul style="list-style-type: none"> • Ensure any water use fittings demonstrate minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme. Minimum WELS ratings are: • 4 star dual-flush toilets • 3 star showerheads • 4 star taps (for all taps other than bath outlets and garden taps) • 3 star urinals • Water efficient washing machines and dishwashers are to be used wherever possible. • Incorporate dual reticulation for toilet flushing, laundry, irrigation. Development within the Gosford CBD will be required to provide dual plumbing throughout. | <p>The WCMP Report prepared for the proposal recommends water fittings, appliances and water saving methods be installed and utilised in accordance with this section of the DCP.</p> <p>For further discussion please refer to (ATTACHMENT 10)</p> | Yes |
| 6.7.7.2 Retention Target | Capture and retain runoff from impervious surfaces (whether roof, paving or road carriageway), retain it for a relatively long time, and slowly release it elsewhere in the water cycle within 7 days. | <p>The WCMP has proposed a minimum rainwater re-use volume of 20,000L to capture 100% of the roofwater for retention and re-use, with overflows directed to the proposed OSD tank and then to proposed infiltration disposal trench.</p> <p>It has been determined that a 20,000L rainwater tank satisfies</p> | Yes |

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| | | the estimated expected rainwater demand of such a development. For further discussion please refer to (ATTACHMENT 10) . | |
| 6.7.7.3 Stormwater Quality Target | <p>Achieve the following minimum reductions in total pollutant load, compared to untreated runoff from the developed impervious areas of the site:</p> <ul style="list-style-type: none"> • 80% reduction in Solids: suspended solids and gross pollutants (grit, sediment, leaves, grass clippings, litter) • 45% reduction in Nutrients: total phosphorus and total nitrogen | <p>The WCMP has found it efficient and economical to provide a 20,000L rainwater re-use tank to capture and retain all roofwater, which removes pollutants naturally due to the settling and storage properties. It is also recommended that stormwater overflows discharging from the rainwater tank are to be conveyed to the OSD tanks and infiltration areas for dissipation and discharge from the as shown within the Drawing Set provided in (ATTACHMENT 10).</p> <p>It is also proposed proprietary Ecosol Litter Baskets (or approved equivalent pit insert or similar) be installed to each stormwater inlet pit proposed and trash racks be provided at the end of line prior to discharge to the proposed infiltration systems. For further discussion please refer to (ATTACHMENT 10).</p> | Yes |
| 6.7.7.4 Onsite Detention Target | On-site Stormwater Detention (OSD) shall be provided where required by Council in conjunction with a proposed development. | <p>The WCMP proposes a stormwater management separately for each property. A separate OSD system is proposed for each lot to minimise post-development flows to the pre-development level for a range of storms. For further discussion please refer to (ATTACHMENT 10).</p> | Yes |
| 6.7.7.5 Local Overland Drainage Target | To effectively manage local overland drainage problems which may occur throughout urban areas and fall outside the definition of flooding. | The WCMP has proposed a piped drainage system for the majority of the development site. This is detailed in the (ATTACHMENT 11) . | Yes |

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| 6.7.7.6 Flooding Targets | To reduce the impact of flooding on flood prone property. | The site has not been identified as a flood affected area and therefore, the development is not subject to Council's flooding targets or controls. | N/A |
| 6.7.8 Development Identified as Drainage Black Spots on the Peninsula | The subject site is not identified to be located in an identified drainage "blackspot" | | N/A |
| 6.7.9 Setback to Creeks, Rivers and Lagoons | No creek, river or lagoon is present on the subject site. | | N/A |
| 6.7.10 Building Adjacent to Drainage Easement / Stormwater Pipes | No drainage easement or stormwater pipe is identified in the proximity of the proposed building. | | N/A |
| Part 7 General Controls | | | |
| 7.1 Car Parking | | | |
| 7.1.2.1 General Principles | In determining the car parking requirements for a development proposal, the principles contained in this section shall be followed. | The Traffic and Parking Assessment undertaken for the proposal has found "the development provides sufficient on-site car parking to meet the requirements of Central Coast Council's Gosford DCP (2013)." For more information, please refer to (ATTACHMENT 3) | Yes |
| 7.1.2.7 Car Parking with Persons with Disability | Provision is to be made for persons with disability in the provision of car parking facilities, and in accordance with Australian Standard AS 2890.6.2009 | Two accessible carparking spaces are provided in close proximity to the building. | Yes |

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| | | The Traffic and Transport Assessment (ATTACHMENT 3) and Access Report (ATTACHMENT 6) have found the proposal compliant (or capable of complying with further design detail). | |
| 7.1.3 Car Parking Requirement for Specific Land Uses | | | |
| 7.1.3.2 Schedule of Requirements | <p>For Childcare Centres, carparking I to be provided at a rate of;</p> <ul style="list-style-type: none"> 1 space per person employed in connection with the use, plus a temporary stand area at the rate of 1 car for each 6 children (a minimum of 5 temporary stand spaces). The temporary standing area is to be designed so that vehicles can enter or leave the site moving in a forward direction and without conflicting with other traffic/parking movements. | <p>45 off street car parking spaces are proposed. The Traffic and Parking Assessment undertaken for the proposal has found "the development provides sufficient on-site car parking to meet the requirements of Central Coast Council's Gosford DCP (2013)."</p> <p>For more information, please refer to (ATTACHMENT 3)</p> | Yes |
| 7.1.3.3 Bicycle Parking Facilities | <ol style="list-style-type: none"> Provision is to be made for cyclists via the installation of bicycle parking facilities in accordance with Australian Standard AS 2890.3. Classes of facilities are defined in Appendix C of this chapter. The dimensional requirements for on-site parking facilities and access to parking spaces for all classes of facilities are to be set out in accordance with AS 2890.3. | Bicycle parking for 8 bicycles has been provided as per the plans provided her as (ATTACHMENT 2). | Yes |
| 7.1.4 Design Criteria | | | |
| 7.1.4.1 Location of On Site Parking | <ol style="list-style-type: none"> Parking facilities are to be located so that their use is encouraged and evident from the street, particularly visitor and customer parking. | The Traffic and Parking Assessment undertaken for the proposal has found "the development provides sufficient on-site car | Yes |

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| | <p>2. Parking spaces for employees and for longer duration parking should be located more remotely from the street.</p> | <p>parking to meet the requirements of Central Coast Council's Gosford DCP (2013)."</p> <p>For more information, please refer to (ATTACHMENT 3)</p> | |
| <p>7.1.4.2 Parking Spaces and Driveway Standards</p> | <ul style="list-style-type: none"> The dimensional requirements for on-site car parking spaces and driveways giving access to parking spaces shall generally be as set out in accordance with the Australian Standard - AS 2890.1 except where the requirements are specifically defined in this plan. | <p>The Traffic and Parking Assessment undertaken for the proposal has found "the development provides sufficient on-site car parking to meet the requirements of Central Coast Council's Gosford DCP (2013)."</p> <p>For more information, please refer to (ATTACHMENT 3)</p> | <p>Yes</p> |
| <p>7.1.4.3 Loading/Unloading</p> | <ul style="list-style-type: none"> On-site loading and unloading facilities shall be provided for all business, commercial, industrial, office, retail and storage uses and any other use where comparatively regular deliveries of goods are made to or from the site and as may be required by Council. | <p>No loading/unloading facilities are proposed.</p> <p>The Traffic and Parking Assessment (ATTACHMENT 3) "has found that Servicing of the site will be infrequent (once or twice a week) by vehicles up to a small rigid vehicle (SRV) that could utilise the on-site car parking spaces during non-peak parking demand periods and waste collection (MRV) is proposed via a contractor within the carpark from the internal access road during non-peak periods with forward entry and exit easily</p> | <p>No</p> |

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| | | achieved with the design of the car park and accesses” | |
| 7.1.4.4 Landscaping | <ul style="list-style-type: none"> Landscaping is to be provided so that there is sufficient planting to achieve a satisfactory appearance of parking areas, particularly those with large areas of bitumen, and to provide shade. | <p>A detailed landscape plan has been developed in accordance with the DCP.</p> <p>This landscape plan is contained in this SoEE as (ATTACHMENT 3).</p> | Yes |
| 7.1.4.5 Directional Signs and Marking | <ul style="list-style-type: none"> Clear and precise marking of a parking area is of prime importance in the prevention of choking of the aisles and for the general ease of use of the facility. Details of all proposed signposting and marking for parking areas are to be submitted with the building application for council's approval. | This is noted for the purposes of the future detailed car park design. | Noted |
| 7.2 Waste Management | | | |
| Submission/Application Requirements | | | |
| 7.2.9 Documentation to be Submitted to Comply with the Requirements of this Chapter | <p>All applications for development, including demolition, construction and the ongoing use of a site/premise, must be accompanied by a Statement of Environmental Effects (SEE). This Statement is to include a WMP as the central document of compliance with this Chapter's requirements.</p> <p>In addition to submission of a WMP (as part of the SEE), the waste management facilities proposed as part of the development, shall be clearly illustrated on the plans of the proposed development, accompanying the development application (DA).</p> | A Site Waste Minimisation and Management Plan has been developed for the proposal. It is attached to this SoEE as (ATTACHMENT 15) . | Yes |
| 7.2.10 Waste Management Plans | <p>A Waste Management Plan (WMP) outlines measures to minimise and manage waste generated during:</p> <ul style="list-style-type: none"> demolition | A Site Waste Minimisation and Management Plan has been developed for | Yes |

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| | <ul style="list-style-type: none"> • construction • ongoing use of the site/premises. <p>In doing so, the WMP nominates:</p> <ul style="list-style-type: none"> • volume and type of waste and recyclables to be generated • storage and treatment of waste and recyclables on site • disposal of residual waste and recyclables • operational procedures for ongoing waste management once the development is complete. | the proposal. At this stage of the design and works planning exact volumes are unknown and have therefore not been provided. | |
| 7.2.11 Submission of WMP | | | |
| 7.2.11.1 Development Generally | A WMP must be submitted for all types of development including demolition, construction and ongoing use of the site/premises; including local development, integrated development and state significant/major project development (as defined by the Environmental Planning and Assessment Act and Amendments). More details are required in WMPs for larger and more complex developments. The amount of supporting information and diagrams also increases. | A Site Waste Minimisation and Management Plan has been developed for the proposal. It is attached to this SoEE as (ATTACHMENT 15) . | Yes |
| 7.2.12 Waste/Recycling Generation Rates | In the absence of project specific calculations, the rates specified in Appendix B Waste/Recycling Generation Rates and Council's current rate of provision of services to residential properties can be used when compiling a WMP. | A Site Waste Minimisation and Management Plan has been developed for the proposal. At this stage of the design and works planning exact volumes are unknown and have therefore not been provided. Appendix B does not include waste/recycling generation rates for a childcare centre. | Noted |
| 7.2.13 Demolition of Buildings or Structures | No demolition is being undertaken as part of the development proposal. | | N/A |

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| | The demolition of the disused kennels at 404 The Entrance Road will be addressed in the future through a separate DA or as complying development. | | |
| 7.2.14 Construction of Buildings or Structures | | | |
| 7.2.14.4 Controls/Requirements | A completed Waste Management Plan WMP shall accompany the application. | A Site Waste Minimisation and Management Plan has been developed for the proposal. It is attached to this SoEE as (ATTACHMENT 15) . | Yes |
| 7.3 Notification of Development Proposals | | | |
| | It is understood that notification of the proposed development will be undertaken in accordance with the provisions of this chapter. | | Noted |

3.5 DEVELOPMENT CONTRIBUTIONS

Development contributions will be calculated in accordance with the Central Coast Council Contributions Plan. A Cost Summary has been provided with this SoEE as **(ATTACHMENT 14)**.

4.0 SITE CHARACTERISTICS AND KEY DEVELOPMENT ISSUES

4.1 LIKELY IMPACTS OF THE DEVELOPMENT

The likely impacts of the development are a matter of consideration for the consent authority under Section 4.15(1) of the Environmental Planning and Assessment Act 1979. These likely impacts are discussed under the following relevant headings.

4.2 CONTEXT AND SETTING

The development has been demonstrated to be consistent with the Regulations. The proposed childcare centre has been found to be compatible with surrounding land uses and have minimal impact on the locality.

The DCP identifies the site as being contained in the **Erina Heights 4: Mixed Use Corridor (Scenic Buffer) Character Area**. The desired characteristics of this area are detailed in the Gosford DCP.

The design and complimentary landscaping of the proposed child care centre has been found to be in keeping with the desired character of the area.

4.3 VISUAL IMPACT

The development has demonstrated it is of a scale and siting that has an acceptable visual impact. It is sympathetic to its location and has been designed not to obscure or dominate the streetscape.

4.4 ACCESS, TRANSPORT AND TRAFFIC

45 off street car parking spaces are provided for in accordance with the requirements DCP.

A variation to the DCP will be required in order to approve access from a classified road. The Traffic and Parking Assessment found that "This will be a matter for Council to approve however from a safety aspect the development is considered satisfactory as it is in a relatively low speed urban environment with left in and left out only access conditions into a bus lane which provides suitable deceleration and acceleration conditions for merging into and out of the main traffic lanes improving the safety of the access. The design of the development is also such that it is not convenient to park on-street for the dropping off and picking up of children"

It has been found that the proposed development will not adversely impact traffic on the Central Coast Highway. That public transport services are well located with respect to the development and that safe pedestrian access can be created.

4.5 PUBLIC DOMAIN

The proposed development has been demonstrated to have a positive impact on the public domain.

4.6 SERVICES

The site has access to all necessary services. A Wastewater Management Report (**ATTACHMENT 8**) has been compiled for the proposal detailing the provisions for onsite sewage management.

4.7 HERITAGE

The site is not located within a Heritage Conservation Area, nor is it identified as containing a local heritage item.

4.8 ECOLOGICAL

Three existing trees will be required to be removed for the proposal, with the retention of two mature canopy trees.

The development is not anticipated to have significant adverse environmental or ecological impact.

4.9 LANDSCAPING

Landscaping of the childcare centre will be in accordance with the recommendations of the DCP. A landscaping plan has been provided with the DA.

4.11 BUSFHIRE

The site is identified bushfire prone land; therefore, a Bushfire Assessment Report has been provided as **(ATTACHMENT 11)** of this SoEE.

4.12 ARCHAEOLOGY

No archaeological matters have been identified. The site is not identified as an Archaeological Site under the LEP (Schedule 5), or as containing any item of Aboriginal Heritage (AHIMS Search, **ATTACHMENT 13**). If archaeological artefacts are discovered during early development, then work will stop and investigations will proceed accordingly.

4.13 WATER, WASTE AND ENERGY

A Water Cycle Management Plan has been prepared for the proposal and is contained in this SoEE as **(ATTACHMENT 10)**. It addresses compliance with water conservation and onsite re-use targets.

Construction and operational waste will be managed in accordance with industry best practice and Council condition of consent.

The building has been designed in order to facilitate a high level of sustainability with natural cross ventilation, natural light infiltration and solar access on both levels.

4.14 NOISE AND VIBRATION

Noise and vibration resulting from construction of the proposed development will be managed in accordance with Council guidelines.

A Noise Impact Assessment has been undertaken for the proposal **(ATTACHMENT 4)**. It has found that the proposed child care centre is compatible with the area with appropriate noise control recommendations to be included in the detailed design and operation procedures of the centre.

4.15 SAFETY, SECURITY AND PUBLIC INTEREST

Standard safety, security for crime prevention measures will be applied to the operation of the proposed development. The development has the potential to increase passive surveillance of the area.

4.16 TOPOGRAPHY AND STORMWATER MANAGEMENT

Stormwater runoff from the proposed development will be managed in accordance with the stormwater plans provided as **(ATTACHMENT 9)**.

4.17 FLOODING

The site is not identified as Flood Prone Land (FPL).

4.18 ACID SULPHATE SOILS

This site is not identified as containing Acid Sulfate Soils.

4.19 MINE SUBSIDENCE

The site is not located in an identified Mine Subsidence District.

4.20 CUMULATIVE IMPACTS

The development will contribute to an increase in the provision of childcare services to the community of Erina and greater Gosford area.

4.21 CONSULTATION

It is anticipated that the proposed development will be publicly notified.

4.22 SOCIAL AND ECONOMIC IMPACT ON THE LOCALITY

The proposed development will provide positive social and economic impacts for the community through the facilitation of an increase in childcare services and potential generation of employment opportunities.

4.23 SUITABILITY OF THE SITE AND PUBLIC INTEREST

The site is well suited to the proposed development. A childcare centre in Erina Heights is of positive public interest.

5.0 CONCLUSION

This SoEE has demonstrated that the proposed development is within the public interest, both socially, economically and environmentally. It is considered that the proposal will have no significant impacts on the surrounding properties that is likely to adversely affect their enjoyment or amenity. We look forward to Councils determination of this matter.

ATTACHMENT 1 – EP&A REGULATION 2000 (Schedule 1)

A development application under Schedule 1 (2) – Forms of the Environmental Planning and Assessment Regulation 2000 is to be accompanied by the following information.

| No | Requirement | Response |
|---|--|--|
| Information to be included in development application | | |
| 1(a) | Name and address of the Applicant | This is provided on the Council DA Form and within the SoEE. |
| 1(b) | A description of the development to be carried out | |
| 1(c) | The address, and formal particulars of title, of the land on which the development is to be carried out | |
| 1(d) | An indication as to whether the land is, or is part of, critical habitat | Nothing (i.e. vegetation) on the site suggests that it is critical habitat. |
| 1(e) | An indication as to whether the development is likely to significantly affect threatened species, populations or ecological communities, or their habitats, unless the development is to be taken to be development that is not likely to have such an effect because it is a biodiversity compliant development. | |
| 1(ea) | For biodiversity compliant development, an indication of the reason why the development is biodiversity compliant development. | |
| 1(f) | A list of authorities from which concurrence must be obtained before the development may be lawfully carried out or from which concurrence would have been required, but for section 4.13 (2A) or 4.41 | This is provided on the Council DA Form and within the SoEE. These documents identify that the development is not defined as 'integrated development'. |
| 1(f1) | In the case of an application that is accompanied by a biodiversity development assessment report, the reasonable steps taken to obtain the like-for-like biodiversity credits required to be retired under the report to offset the residual impacts on biodiversity values if different biodiversity credits are proposed to be used as offsets in accordance with the variation rules under the Biodiversity Conservation Act 2016. | Nothing (i.e. vegetation) on the site suggests that an Ecological Assessment should be prepared for this DA. |
| 1(f2) | If the land is subject to a private land conservation agreement under the Biodiversity Conservation Act 2016, a | |

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| | description of the kind of agreement and the area to which it applies. | |
| 1(g) | A list of any approvals of the kind referred to in section 4.46(1) of the Act that must be obtained before the development may be lawfully carried out. | The development is not identified to be defined as Integrated development. |
| 1(g1) | In the case of State significant development, a list of any authorisations that must be provided under section 4.4 of the Act in relation to the development. | The development is not identified as State significant. |
| 1(h) | The estimated cost of the development. | The estimated cost of the development is identified on the Council DA Form and accompanying Cost Summary. |
| 1(h1) | In the case of State Significant development, the capital investment value of the development. | The development is not defined as State significant. |
| 1(i) | Evidence that the owner of the land on which the development is to be carried out consents to the application, but only if the application is made by a person other than the owner and the owner's consent is required by this Regulation. | The owners' consent is provided on the Council DA Form. |
| 1(j) | A list of the documents accompanying the application. | A list of documents accompanying this application is provided within this Statement of Environmental Effects. |
| Documents to accompany development application | | |
| 2 (a) | A site plan of the land | The Architectural Plans for the development is provided within this Statement of Environmental Effects. |
| 2(b) | A sketch of the development | The Architectural Plans for the development provided within this Statement of Environmental Effects contains detailed plans of the development. |
| 2(c) | A statement of environmental effects (in the case of development other than designated development or State significant development) | This table is an attachment to the SoEE. |
| 2(d) | In the case of development that involves the erection of a building, an A4 plan of the building that indicates its height and external configuration, as erected, in relation to its site (as referred to in clause 56 of this Regulation) | The Architectural Plans for the development provided within this Statement of Environmental Effects indicates building heights and configurations. |

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| 2(e) | An environmental impact statement (in the case of designated development or State significant development) | The development is not defined as designated or state significant. |
| 2(f) | A species impact statement (in the case of land that is, or is part of, critical habitat or development that is likely to significantly affect threatened species, populations or ecological communities, or their habitats, but not if the development application is for State significant development) | Nothing (i.e. vegetation) on the site suggests that an Ecological Assessment should be prepared for this DA. |
| 2(g) | If the development involves any subdivision work, preliminary engineering drawings of the work to be carried out | The development does not involve any subdivision works. |
| 2(h) | If an environmental planning instrument requires arrangements for any matter to have been made before development consent may be granted (such as arrangements for the provision of utility services), documentary evidence that such arrangements have been made. | This SoEE discusses 'essential services' and the approach taken. |
| 2(i) | If the development involves a change of use of a building (other than a dwelling-house or a building or structure that is ancillary to a dwelling-house and other than a temporary structure): (i) a list of the Category 1 fire safety provisions that currently apply to the existing building, and (ii) a list of the Category 1 fire safety provisions that are to apply to the building following its change of use | The proposed development is not a change of use. |
| 2(j) | If the development involves building work to alter, expand or rebuild an existing building, a scaled plan of the existing building | The proposed development is not an alteration, expansion or rebuild of an existing building. |
| 2(k) | If the land is within a wilderness area and is the subject of a wilderness protection agreement or conservation agreement within the meaning of the Wilderness Act 1987, a copy of the consent of the Minister for the Environment to the carrying out of the development | The proposed development is not located within a wilderness area. |
| 2(k1) | In the case of development comprising mining for coal (within the meaning of section 380AA of the Mining Act 1992)—documentary evidence that the applicant holds an authority under the Mining Act 1992 in respect of coal and the land concerned or has the written | The development does not compromise mining for coal. |

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| | consent of the holder of such an authority to make the development application. | |
| 2(l) | In the case of development to which clause 2A applies, such other documents as any BASIX certificate for the development requires to accompany the application. | The Development Application for the Childcare Centre is not a residential building and therefore does not require a BASIX Certificate. |
| 2(m) | In the case of BASIX optional development—if the development application is accompanied by a BASIX certificate or BASIX certificates (despite there being no obligation under clause 2A for it to be so accompanied), such other documents as any BASIX certificate for the development requires to accompany the application | Section J of the BCA is applicable, to which the plans have been designed to comply. |
| 2(n) | <p>If the development involves the erection of a temporary structure, the following documents:</p> <p>(i) documentation that specifies the live and dead loads the temporary structure is designed to meet,</p> <p>(ii) a list of any proposed fire safety measures to be provided in connection with the use of the temporary structure,</p> <p>(iii) in the case of a temporary structure proposed to be used as an entertainment venue—a statement as to how the performance requirements of Part B1 and NSW Part H102 of Volume One of the Building Code of Australia are to be complied with (if an alternative solution, to meet the performance requirements, is to be used),</p> <p>(iv) documentation describing any accredited building product or system sought to be relied on for the purposes of section 4.15 (4) of the Act,</p> <p>(v) copies of any compliance certificates to be relied on</p> | The development does not involve the erection of a temporary structure. |
| 2(o) | In the case of a development involving the use of a building as an entertainment venue or a function centre, pub, registered club or restaurant—a statement that specifies the maximum number of persons proposed to occupy, at any one time, that part of the building to which the use applies | This development will not involve a building as an entertainment venue or a function centre, pub, registered club or restaurant. |

The following attachments are provided under separate cover;

- **ATTACHMENT 2 – Architectural Plans**
- **ATTACHMENT 3 – Traffic and Parking Assessment**
- **ATTACHMENT 4 – Acoustics Assessment**
- **ATTACHMENT 5 – Landscape Plan**
- **ATTACHMENT 6 – Disability Access Report**
- **ATTACHMENT 7 – Record of Pre-DA Advice**
- **ATTACHMENT 8 – Waste Water Management Report**
- **ATTACHMENT 9 – Erosion and Sediment Control and Stormwater Management Plans**
- **ATTACHMENT 10 – Water Cycle Management Plan**
- **ATTACHMENT 11 – Bushfire Assessment Report**
- **ATTACHMENT 12 – Arborist Report**
- **ATTACHMENT 13 – AHIMS Search Result**
- **ATTACHMENT 14 – Cost Summary Report**
- **ATTACHMENT 15 – Site Waste Minimisation and Management Plan**



Perception Planning Pty Ltd.
PO Box 107,
Clarence Town, NSW, 2324
Phone: 04 1155 1433
Email: admin@perceptionplanning.com.au