



INNER WEST COUNCIL

DEVELOPMENT ASSESSMENT REPORT

Application No.	D/2018/69
Address	393 Darling Street, BALMAIN NSW 2041
Proposal	Alterations and additions to an existing heritage listed building and associated works, including demolition of rear extensions and detached storerooms, relocated parking and driveway, tree removal, landscaping and outdoor play areas, new fencing, signage, and site remediation, to facilitate the use of the site as an 80 place child care centre.
Date of Lodgement	8 February 2018
Applicant	Dillon and Savage Architects
Owner	Bcfk Hjoldings Pty Ltd
Number of Submissions	Nil
Value of works	\$1.87 million
Reason for determination at Planning Panel	Part demolition of heritage item
Main Issues	<ul style="list-style-type: none"> • Concurrence denied by Department of Education in relation to indoor space being used as outdoor space; • Parking layout not satisfactory; • Impacts on heritage fabric; and • Location of outdoor play space
Recommendation	Refusal
Attachment A	Plans of proposed development
Attachment B	Letter from Department of Education
Attachment C	Traffic Impact Assessment



LOCALITY MAP

Subject Site		Objectors		↑ N
Notified Area		Supporters		

1. Executive Summary

This report is an assessment of the application submitted to Council for alterations and additions to existing heritage listed building and associated works, including demolition of rear extensions and detached storerooms, relocated parking and driveway, tree removal, landscaping and outdoor play areas, new fencing, signage, and site remediation, to facilitate the use of the site as an 80 place child care centre at 393 Darling Street, Balmain. The application was notified to surrounding properties and no submissions were received.

The main issues that have arisen from the application include:

- Denial of concurrence from Department of Education with regard to indoor play space being utilised as outdoor play space;
- The location, safety and practicality of parking spaces given the sensitive use as a childcare centre;
- Heritage requirements given that the site is a heritage item;
- The location of outdoor play space which will be overlooked by a residential flat building; and
- The insufficient setback from the side boundary of the first floor verandah on the western elevation adjacent to residential properties.

Given the issues raised in this report, particularly in relation to parking are such that regardless of the lack of concurrence by the Department of Education, the proposal is recommended for refusal in its current form.

2. Proposal

The proposal is for demolition of the rear of the existing building and two storey additions to the rear of the retained portion of the building. The proposed use of the entire building is for an 80 place childcare centre with operating hours of 7am to 7pm weekdays. The works include changing the existing driveway entrance from Darling Street from the western side of the building to the eastern side of the building, and the provision of 6 parking spaces on the eastern side of the building comprising of 3 x staff spaces, 1 x visitor and 2 x parent pick up/drop off spaces. The proposal also includes significant landscaping works, including removal of 30 trees on site.

3. Site Description

The subject site is located on the northern side of Darling Street, between North and King Streets. The site consists of one allotment which is irregular in shape with a wider frontage than rear boundary. The site has a total area of 1344m² and is legally described as Lot 1 DP997020. The site has a frontage to Darling Street of 30.44 metres.

The site supports a two storey building which has been added onto at various stages with the front sandstone portion being the original building. Vehicular entrance to the site from Darling Street is to the western side of the building and there is extensive bitumen driveway and parking on the western side and rear of the site. In the north-west corner of the site is a small two storey building.

The adjoining properties support to the east at No.291 Darling Street, an operational fire station and to the west a 3 storey residential flat building at No.1 King Street. 2, 5, 7 and 11 King Street and 4 North Street which are dwelling houses also back onto the property.

The subject site is listed as a heritage item and is located adjacent to a heritage item (Fire Station). The property is located within a conservation area. The site is not identified as a flood prone lot. Existing on the site are numerous trees.



Figure1: The site is located in the middle of the picture with fire station to the right and flat building to the left.



Figure 2: Photo of front façade of building provided by applicant

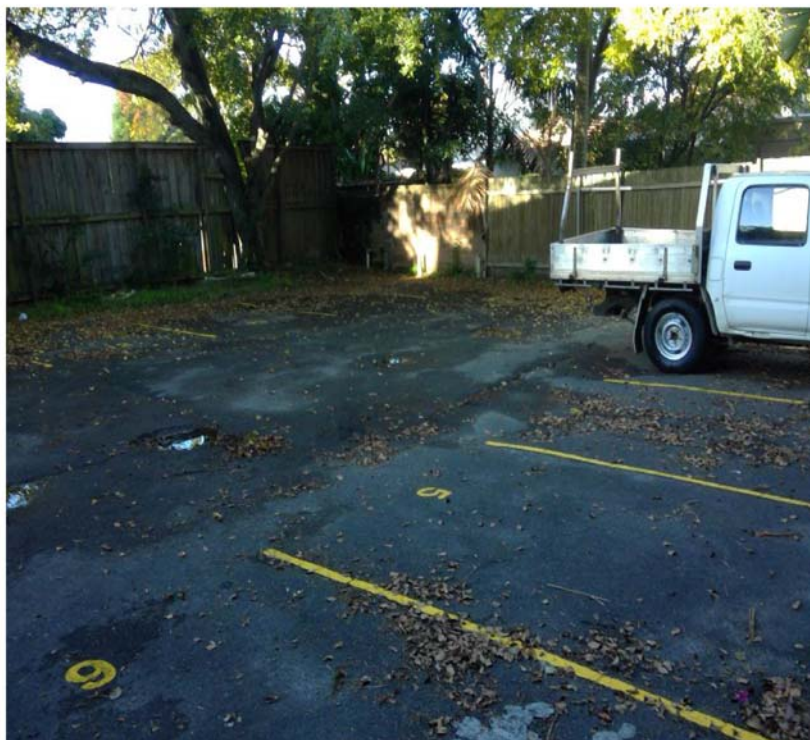


Figure 3: Rear of existing site showing existing parking area

4. Background

4(a) Site history

The following section outlines the relevant development history of the subject site and any relevant applications on surrounding properties.

Subject Site

Application	Proposal	Decision & Date
D/2015/74	Removal of trees from the heritage listed site	Approved 8.4.2015
PREDA/2017/101	Alterations and additions to existing building and use for 90 place child care centre.	Advice Letter Issued 18.9.2017.
PREDA/2017/256	Alterations and additions to existing building. Advice sought on the acceptability of the proposed off street parking with relocated driveway	Advice Letter Issued 20.12.2017.

It is noted that the first PreDA/2017/101 proposed parking and vehicular access on the western side of the site utilising the existing driveway crossover. Whilst the parking layout had some issues it was considered that there were workable solutions to achieve safe parking. It is also noted that outdoor play space was located to the rear and eastern side of the site.

The second PreDA/2017/256 proposed parking and vehicular access on the eastern side of the site and was not supported by Council officers. It is noted that the applicant has pursued this vehicular layout in the current DA proposal.

Surrounding properties391 Darling Street, Balmain – (Fire Station)

No relevant recent applications.

1 King Street, Balmain

Application	Proposal	Decision & Date
D/1999/699	Adding an extra window to Unit 9, on the top floor of an existing home unit.	Approved 15.11.1999
D/2003/260	Replacement of existing front fence	Approved 18.6.2003

3, 5, 9 and 11 King Street, Balmain

No relevant recent applications.

7 King Street, Balmain

Application	Proposal	Decision & Date
D/2009/341	Alterations and additions to existing dwelling	Approved 22.10.2009

4 North Street, Balmain

Application	Proposal	Decision & Date
PREDA/2015/40	Demolition of existing buildings and construction of a mixed use development comprising 3 commercial units to the Darling Street frontage and 20 residential dwellings above 2 levels of basement car parking.	Advice Letter Issued 2.6.2015.
D/2015/390	Demolition of existing buildings at Nos. 383 and 387-389 Darling Street and No. 2 North Street, excavation and remediation of the site and construction of a five-storey, mixed use development comprising 2 commercial units and 19 residential dwellings above a basement car park.	Approved on Appeal 30.8.2016
D/2017/277	Alterations and additions to an approved and unconstructed mixed use development, including to provide for an additional basement level with car parking and new third floor to accommodate one additional dwelling and roof terrace.	Refused 4.8.2017

4(b) Application history

The following table outlines the relevant history of the subject application.

Date	Discussion / Letter/ Additional Information
19 June 2018	<p>Council sent a letter requesting withdrawal.</p> <p>The letter raised the following design issues:</p> <ul style="list-style-type: none"> • Parking and driveway access not being safe and practicable for a childcare centre; • Location of ground floor outdoor play area on the western side of the building not considered appropriate due to overlooking of apartments at 1 King Street;

	<ul style="list-style-type: none"> • The play area mounds appear to be up to 2m higher than existing ground level which is a privacy concern in relation to the apartment building at 1 King Street; • The location of the first floor enclosed verandah is a privacy concern in relation to surrounding properties and adds to the bulk and scale of the building projecting beyond the western wall of the main original building which is not supported. The section of the verandah extending beyond the western wall of the first floor playroom 5 is to be deleted. • Amenity for the outdoor play area at first floor is questionable given it is fully enclosed. • Heritage issues Required heritage amendments <ul style="list-style-type: none"> - Replacement of front glass acoustic fence and gates with a metal palisade; - Front entry garden should be increased by reducing splay of front driveway - Bicycle storage to be relocated - Light diffusers on first floor level not supported - Cladding panels to have a smooth finish Potential amendments to be improve the heritage outcomes <ul style="list-style-type: none"> - Deletion of all or reduction in number and scale of skylights to main building - To improve relationship of rear addition to retained original building delete/relocate first floor storerooms 5, 6 and 7 and staff WC and replacement with a simple glazed roof. <p>The letter raised the following issues with documentation:</p> <ul style="list-style-type: none"> • Parking arrangement not supported in current configuration Plans – elevations and materials and finishes of boundary fencing other than the front fence not provided. • Heritage - requirements for additional information in relation to front fence and gates; internal glazing window to front office; rationale for glazing enclosure to ground floor front verandah; details of access ramp to front door; details of replacement main stairway; front garden details required (since provided); detail for re-use of slate tiles. • Stormwater – calculations for OSD and OSR incorrect. Stormwater drainage plans not acceptable.
26 June 2018	Written response from the applicant submitted. No amended plans lodged to address issues raised. The letter also advised that they did not wish to withdraw the application and were prepared to work with Council to achieve a satisfactory outcome before lodging an application with the Land and Environment Court.
13 August 2018	Referral for concurrence under State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 to the Department of Education with regard to an enclosed first floor verandah being used as outdoor play space.
6 September 2018	Notice of refusal of concurrence received from Department of Education
17 September 2018	Applicant advised that concurrence had been refused by the Department of Planning and asked if they wished to withdraw the application otherwise it would go before the Inner West Planning Panel who would have no choice but to refuse the application.
3 October 2018	To date the applicant has not withdrawn, and on this basis, the assessment of the proposal has proceeded.

5. Assessment

The following is a summary of the assessment of the application in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

5(a) Environmental Planning Instruments

The application has been assessed against the relevant Environmental Planning Instruments listed below:

- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
- State Environmental Planning Policy No 55—Remediation of Land
- State Environmental Planning Policy No 64 – Advertising and Signage
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017
- State Environmental Planning Policy (Coastal Management) 2018
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Leichhardt Local Environmental Plan 2013

The following provides further discussion of the relevant issues:

5(a)(i) State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

In accordance with the SEPP, the use is defined as a *centre-based child care facility* which is a type of *early education and care facility*. Part 3 of the SEPP applies to early education and care facilities. Part 3, Clause 25(2)(b) of the SEPP requires centre-based childcare facilities to comply with the indoor and outdoor unencumbered space requirements of the *Education and Care Services National Regulations* as shown in the table below.

Element	Required	Proposed
Unencumbered indoor space	3.25m ² per child = 260m ²	310m ²
Unencumbered outdoor space	7m ² per child = 560m ²	563m ² (comprised of 471m ² outdoor area and 92m ² enclosed first floor verandah)

In accordance with Clause 22(1)(b), in the event that the outdoor space requirements do not comply, concurrence with the Regulatory Authority, the Department of Education, is required. Given that the outdoor space includes indoor simulated outdoor space, the application was referred to the Department of Education for compliance.

The Department of Education provided a notice of refusal of concurrence which stated the following:

Decision

Following review of the development application the department has decided to refuse the concurrence request.

Reasons for decision

I have decided to refuse the concurrence for the reasons set out below:

1. *The development application does not include sufficient information on the proposed inclusion of play equipment, plant life or other features designed to promote learning outcomes within the enclosed verandah. As such, it is not possible to make a determination on the appropriateness of the use of the enclosed verandah as simulated outdoor space.*
2. *There are a number of services within the vicinity of this proposed service.*
3. *The requirement of exceptional circumstances to warrant approval of a concurrence does not exist.*

The SEPP states the following (most relevant part bolded):

- 22 *Centre-based child care facility—concurrence of Regulatory Authority required for certain development*
- (1) *This clause applies to development for the purpose of a centre-based child care facility if:*
- (a) *the floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the Education and Care Services National Regulations, or*
 - (b) *the outdoor space requirements for the building or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those Regulations.*
- (2) ***The consent authority must not grant development consent to development to which this clause applies except with the concurrence of the Regulatory Authority.***

The SEPP also requires under Clause 23 the consent authority to take into consideration any applicable provisions of the Child Care Planning Guideline. The applicant has undertaken an assessment against the requirements of the Child Care Planning Guideline in the Statement of Environmental Effects and is of the opinion that the proposal childcare is acceptable with regard to the relevant requirements. Whilst it is agreed that the proposed childcare centre complies with the majority of requirements of the Child Care Planning Guideline, the application is not considered to satisfy the following requirements:

3.5 – Visual and acoustic privacy

Visual privacy is about allowing residents on adjacent properties to occupy their private space without being overlooked by childcare facilities and ensuring child care facilities are not overlooked by neighbouring properties

Objective: To minimise impacts on privacy of adjoining properties.

C22 Minimise direct overlooking of main internal living areas and private open spaces in adjoining developments through:

- *appropriate site and building layout*

The location of the main outdoor play area adjacent to a 3 storey residential flat building with a large number of windows overlooking the play area is not considered an appropriate location for the play area. The proximity of the first floor verandah to the western boundary of residential properties is also considered to have privacy impacts.

3.8 Traffic, parking and pedestrian circulation

Site access from the public road to the site is important to ensure safety. At the same time, a safe pedestrian environment is essential on the site.

Objective: To provide parking that satisfies the needs of users and demand generated by the centre

C32 In commercial zones on street parking may only be considered where there are no conflicts with adjoining uses, that is no high levels of vehicle movement or potential conflicts with trucks and large vehicles.

Objective: To provide a safe and connected environment for pedestrians both on and around the site.

C36 The following design solutions may be incorporated into a development to help provide a safe pedestrian environment:

- *separate pedestrian access from the car park to the facility*
- *pedestrian paths that enable two prams to pass each other*

The proposed parking is not considered to be of an appropriate layout as discussed further below under Section 5(c) of this report. The proposed pathway from the drop off space is only 900mm wide, which is not considered a sufficient width and is not fenced in to allow children to safely approach the parking spaces.

Clause 26 of the SEPP removes the right of Council to apply some standards contained within Section 4 – C4.8 Child Care Centres of the Leichhardt Development Control Plan (DCP) 2013.

Overall, given that the Department of Education has refused concurrence, the proposed childcare centre is not acceptable with regard to State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017. Additionally, and as discussed further throughout this report, the proposed layout of parking is not considered acceptable and the location of outdoor play space is not considered appropriate with respect to adjoining residential properties.

5(a)(ii) State Environmental Planning Policy No 55—Remediation of Land

State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55) provides planning guidelines for remediation of contaminated land. Leichhardt DCP 2013 provides controls and guidelines for remediation works. SEPP 55 requires that remediation works must be carried out in accordance with a Remediation Action Plan (RAP) as approved by the consent authority and any guidelines enforced under the Contaminated Land Management Act 1997.

A Remedial Action Plan (RAP) dated 13 September 2017 prepared by Safe Work & Environments has been provided to address the management of contamination issues. The RAP has concluded that the site will include removal of contaminated soil and a geotextile barrier will be required to manage the remaining contamination on site. The report advises that a validation assessment report will also be required for the remediation works. The report concludes as follows:

A long term environmental management plan (EMP) will be required to manage the remaining contamination on Site. The EMP would incorporate the remediation works conducted, how to manage the future use of the land and potential intrusive work past the cap at a later stage. The EMP will require establishment of appropriate public notification under Section 149(2) of the EP&A Act 1979 or a covenant registered on the title to land under Section 88B of the Conveyancing Act 1919.

If the application was to be recommended for approval, an appropriate condition could be imposed in this regard noting that Council is limited in what can be imposed on a Section 149 Certificate (now known as Section 10.7), and therefore, it is likely that the relevant notification would be required to be registered on the certificate of title.

The application was referred to Council's Environmental Health Section who advised that the proposal is satisfactory subject to conditions (however, refusal is recommended).

5(a)(iii) State Environmental Planning Policy No. 64 - Advertising and Signage

SEPP 64 specifies aims and objectives and assessment criteria for signage. Schedule 1 of SEPP 64 specifies assessment criteria for signage relating to character of the area, special areas, views and vistas, streetscape, setting or landscaping, site and building, illumination and safety.

The applicant has stated in their Statement of Environmental Effects that "*signage for centre will be mounted on the solid paling fence close to the entry path. The design and size will comply with DCP requirements for signs on heritage items*". No details of signage have been provided on the elevational plans. Insufficient information has been submitted to be able to assess whether signage is appropriate, particularly given that the site is a heritage item.

It is noted that State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 does not permit Business Identification Signage as exempt development for heritage items. Likewise the Leichhardt LEP 2013 does not permit business identification as exempt development for heritage items. C1.15 – Signs and Outdoor Advertising within Section 1 – General Provisions of the Leichhardt Development Control Plan 2013 does not set specific requirements eg dimensions for signage for Heritage Items and in Heritage Conservation Areas, rather it provides guidance on what signs should and shouldn't do. Accordingly, the application cannot be assessed with regard to proposed signage.

Notwithstanding the above, the application is recommended for refusal.

5(a)(iv) State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The application has been assessed against the requirements of the SEPP and is considered acceptable. The applicant has provided an arborist report to detail existing trees on site and a landscape plan has been provided. Council's landscape officer inspected the site and has advised as follows:

30 site trees are adversely impacted by the proposal, seven of which are exempt in accordance with C1.14.2 of the LDCP2013. The majority of the trees have been over planted, or are self-sown, they have reached maturity but are stunted and show suppressed form because of light and space restrictions. Individually the trees have low retention value and are approved for removal.

Three site trees show good condition and are retained and are to be protected.

Fifteen trees which will attain heights ranging from 5 – 8 metres at maturity are proposed as part of the landscape plan and will replace the lost tree canopy. The selected species are considered appropriate compensatory plantings and suitable trees for a child care centre.

The submitted Landscape Plan Series LA-01 — LA-05 (amendment 2) dated 30/01/2018 drawn by Paterson Design Studio is to be conditioned.

Relevant conditions have been recommended by Council's Landscape Officer, however, the application is recommended for refusal.

5(a)(v) State Environmental Planning Policy (Coastal Management) 2018

The Coastal Management SEPP does not apply to the site.

5(a)(vi) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

An assessment has been made of the matters set out in Clause 20 of the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. It is considered that the carrying out of the proposed development is generally consistent with the objectives of the Plan and would not have an adverse effect on environmental heritage, the visual environment, the natural environment and open space and recreation facilities.

5(a)(vii) Leichhardt Local Environment Plan 2013 (LLEP 2013)

The application was assessed against the following relevant clauses of the Leichhardt Local Environmental Plan 2013:

- Clause 1.2 – Aims of the Plan
- Clause 2.3 – Zone objectives and Land Use Table
- Clause 2.7 – Demolition Requires Development Consent
- Clause 4.4 – Floor Space Ratio
- Clause 4.5 – Calculation of floor space ratio and site area
- Clause 5.10 – Heritage Conservation
- Clause 6.1 – Acid Sulphate Soils
- Clause 6.2 – Earthworks
- Clause 6.4 – Stormwater management

The following table provides an assessment of the application against the development standards:

Standard (maximum)	Proposal	% of non compliance	Compliances
Floor Space Ratio Permitted: 1:1 1344m ²	0.61:1 823.08m ²	Complies	Yes

The following provides further discussion of the relevant issues:

C1.2 – Aims of the Plan

The proposed childcare centre is not considered to sufficiently satisfy the following aims of the plan:

- (b) *to minimise land use conflict and the negative impact of urban development on the natural, social, economic, physical and historical environment,*
- (c) *to identify, protect, conserve and enhance the environmental and cultural heritage of Leichhardt,*
- (e) *to protect and enhance the amenity, vitality and viability of Leichhardt for existing and future residents, and people who work in and visit Leichhardt,*
- (l) *to ensure that development is compatible with the character, style, orientation and pattern of surrounding buildings, streetscape, works and landscaping and the desired future character of the area,*
- (o) *to prevent undesirable incremental change, including demolition that reduces the heritage significance of places, conservation areas and heritage items,*

The layout of the onsite parking is not considered safe and workable as discussed further below under Section 5(c) - C1.11 – Parking. The location of outdoor play space is not considered an optimum location on the site and the extent of the first floor verandah is considered overbearing to surrounding residential properties as further discussed under Section 5(c) – C4.5 – Interface Amenity. The application has also not sufficiently satisfied heritage requirements as further discussed below under C5.10 – Heritage Conservation.

C2.3 – Zone Objectives and Land Use Table

The site is located within the B2 Local Centre zone. One of the objectives of the zone is:

- *To ensure that development is appropriately designed to minimise amenity impacts.*

The proposed childcare centre is not deemed to adequately satisfy the above objective.

It is not considered that the childcare centre is appropriately designed with regard to the location of outdoor play space adjacent to a 3 storey residential flat building. The flat building has extensive windows overlooking the childcare centre which is considered to result in privacy impacts to both uses. The extent of part of the first floor verandah adjacent to the residential properties is also considered to be overbearing due to its proximity to residential properties.

It is considered that parking would be more appropriately located within the western side of the property with the outdoor play space relocated to the rear and eastern side of the building which would minimise amenity impacts. The extent of the first floor verandah should also be reduced.

C5.10 – Heritage Conservation

The site is a local heritage item No. 202 – House, including interiors. Council's heritage inventory sheet describes it as follows:

No. 393 Darling Street is of local historic and aesthetic significance as a good and intact representative example of a former large two storey Victorian Regency style stone residence constructed in c. 1871 and designed by E. T. Blacket for his brother Russell. The building significantly retains its large hipped slate roof with bracketed eaves and stone chimneys, separate ground floor verandah and cast iron details. The building makes a positive contribution to the Darling Street streetscape through its house and garden setting and is part of the Balmain Civic group.

Significant demolition works are proposed as part of the application. Council's heritage advisor had previously advised under PreDA/2017/101 that in principle the following parts could be demolished subject to appropriate analytical information being submitted:

- *The 1980/1990s rear additions;*
- *The post 1943 Single storey brick storerooms on the eastern side of the property;*
- *The full removal of the of the post 1889/pre1943 rear wing*
- *The removal/replacement of the front fence;*

The current application was referred to Council's heritage advisor who advised that many of the heritage issues raised in the original PreDA/2017/101 had been satisfactorily addressed however there remained outstanding additional information and required amendments some of which were previously identified in the PreDA. In order for a satisfactory heritage outcome to occur additional information and required and preferred amendments as detailed above under Section 4(b) application history of this report are required.

The applicant has not submitted sufficient information/amended plans that satisfactorily address all the heritage issues raised.

Accordingly, the application is not supported with regard to heritage and does not sufficiently satisfy the following objectives of the clause:

- (1)(a) *to conserve the environmental heritage of Leichhardt,*
- (1)(b) *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views.*

C6.4 – Stormwater Management

The Stormwater plan submitted is not satisfactory as advised by Council's engineers who have stated the following:

The stormwater reuse calculations appear to be based on a water balance calculation. The on-site detention (OSD) and/or on site retention for rainwater reuse (OSR) must be sized in accordance with Section E1.2.3 (C2 and C3) with a maximum total site discharge to the kerb and gutter of 15 L/s.

The submitted SDCP states that the play areas along the western and northern boundaries are pervious surfaces. This is not substantiated by the plans which propose a significant area of impervious surfaces e.g. artificial turf, rubber path and paved surfaces within these play areas.

SDCP only provides for roof drainage system. It appears the carpark area may drain to the below ground water reuse tanks via grated access lids however this is unclear. The drainage from all outdoor landscaped area must bypass the water use tanks and drain to the Council drainage system via gravity.

Accordingly, the proposal does not satisfy the objective of the stormwater management clause which seeks to minimise the impacts of urban stormwater.

5(b) Draft Environmental Planning Instruments

The application has been assessed against the relevant Draft Environmental Planning Instruments listed below:

- Draft Environment State Environmental Planning Policy (Environment)
The proposed childcare does not raise any issues with regard to the draft Environment SEPP.

5(c) Development Control Plans

The application has been assessed and the following provides a summary of the relevant provisions of Leichhardt Development Control Plan 2013.

Part	Compliance
Part A: Introductions	
Section 3 – Notification of Applications	Yes
Part B: Connections	
B1.1 Connections – Objectives	Yes
B2.1 Planning for Active Living	Yes
B3.1 Social Impact Assessment	Yes
B3.2 Events and Activities in the Public Domain (Special Events)	N/A

Part C	
C1.0 General Provisions	Yes
C1.1 Site and Context Analysis	Yes
C1.2 Demolition	N/A
C1.3 Alterations and additions	No
C1.4 Heritage Conservation Areas and Heritage Items	No
C1.5 Corner Sites	N/A
C1.6 Subdivision	N/A
C1.7 Site Facilities	Yes
C1.8 Contamination	Yes
C1.9 Safety by Design	Yes
C1.10 Equity of Access and Mobility	No
C1.11 Parking	No
C1.12 Landscaping	Yes
C1.13 Open Space Design Within the Public Domain	N/A
C1.14 Tree Management	Yes
C1.15 Signs and Outdoor Advertising	No
C1.16 Structures in or over the Public Domain: Balconies, Verandahs and Awnings	N/A
C1.17 Minor Architectural Details	N/A
C1.18 Laneways	N/A
C1.19 Rock Faces, Rocky Outcrops, Cliff Faces, Steep Slopes and Rock Walls	N/A
C1.20 Foreshore Land	N/A
C1.21 Green Roofs and Green Living Walls	N/A
Part C: Place – Section 2 Urban Character	
Suburb Profile	
C2.2.2.1 Darling Street Distinctive Neighbourhood and the Residential and Civic Precinct Sub Area (C2.2.2.1(a))	No
Part C: Place – Section 3 – Residential Provisions	N/A
C3.1 Residential General Provisions	N/A
C3.2 Site Layout and Building Design	N/A
C3.3 Elevation and Materials	N/A
C3.4 Dormer Windows	N/A
C3.5 Front Gardens and Dwelling Entries	N/A
C3.6 Fences	N/A
C3.7 Environmental Performance	N/A
C3.8 Private Open Space	N/A
C3.9 Solar Access	N/A
C3.10 Views	N/A
C3.11 Visual Privacy	N/A
C3.12 Acoustic Privacy	N/A
C3.13 Conversion of Existing Non-Residential Buildings	N/A
C3.14 Adaptable Housing	N/A
Part C: Place – Section 4 – Non-Residential Provisions	
C4.1 Objectives for Non-Residential Zones	No
C4.2 Site Layout and Building Design	Yes
C4.3 Ecologically Sustainable Development	Yes
C4.4 Elevation and Materials	Yes
C4.5 Interface Amenity	No
C4.6 Shopfronts	N/A

C4.7 Bulky Goods Premises	N/A
C4.8 Child Care Centres	No
C4.9 Home Based Business	N/A
C4.10 Industrial Development	N/A
C4.11 Licensed Premises and Small Bars	N/A
C4.12 B7 Business Park Zone	N/A
C4.13 Markets	N/A
C4.14 Medical Centres	N/A
C4.15 Mixed Use	N/A
C4.16 Recreational Facility	N/A
C4.17 Sex Services Premises	N/A
C4.18 Vehicle Sales or Hire Premises And Service Stations	N/A
C4.19 Vehicle Repair Station	N/A
C4.20 Outdoor Dining Areas	N/A
C4.21 Creative Industries	N/A
Part D: Energy	
Section 1 – Energy Management	Yes
Section 2 – Resource Recovery and Waste Management	Yes
D2.1 General Requirements	No
D2.2 Demolition and Construction of All Development	Yes
D2.3 Residential Development	N/A
D2.4 Non-Residential Development	No
D2.5 Mixed Use Development	N/A
Part E: Water	
Section 1 – Sustainable Water and Risk Management	No
E1.1 Approvals Process and Reports Required With Development Applications	Yes
E1.1.1 Water Management Statement	Yes
E1.1.2 Integrated Water Cycle Plan	N/A
E1.1.3 Stormwater Drainage Concept Plan	Yes
E1.1.4 Flood Risk Management Report	N/A
E1.1.5 Foreshore Risk Management Report	N/A
E1.2 Water Management	
E1.2.1 Water Conservation	No
E1.2.2 Managing Stormwater within the Site	No
E1.2.3 On-Site Detention of Stormwater	No
E1.2.4 Stormwater Treatment	Yes
E1.2.5 Water Disposal	No
E1.2.6 Building in the vicinity of a Public Drainage System	N/A
E1.2.7 Wastewater Management	Yes
E1.3 Hazard Management	N/A
E1.3.1 Flood Risk Management	N/A
E1.3.2 Foreshore Risk Management	N/A
Part F: Food	
Section 1 – Food	
F1.1 Food Production	N/A
F1.1.3 Community Gardens	N/A
Part G: Site Specific Controls	
Old Ampol land, Robert Street	N/A
Jane Street, Balmain	N/A

Old Balmain Power Station	N/A
Wharf Road Birchgrove	N/A
Anka Site – No 118-124 Terry Street Rozelle	N/A
233 and 233A Johnston Street Annandale	N/A

The following provides discussion of the relevant issues:

C1.3 – Alterations and additions and C1.4 – Heritage Conservation Areas and Heritage Items

The majority of the proposed works to the heritage item to create a childcare centre are supported, however, there are some elements that are not satisfactory as previously discussed under C5.10 – Heritage within Section 5(a)(vii) of this report. As currently proposed, the application does not sufficiently satisfy the following objectives:

C1.3

O1 To ensure that development:

- h. retains existing fabric wherever possible and maintains and repairs, where necessary, rather than replaces the fabric*

C1.4

O1 Development:

- a. does not represent an unsympathetic alteration or addition to a building;*
- b. conserves and enhance the fabric and detail of a building that contributes to the cultural significance of the building in its setting;*

C1.10 – Equity of Access and Mobility

The applicant has provided a DA Stage BCA Access report prepared by Urban Health & Access Consultants. However, the access report does not appear to directly address the issue of the pedestrian path between the pick up / drop off parking spaces and the main entrance, nor does it address the lack of provision of a disabled car space on site. This pathway is only 900mm wide, and there is a need for this pathway to be fenced for safety. Accordingly, the application is not considered to satisfy the following objectives of C1.10:

- O1 To promote at the initial planning stages, consideration of accessibility to and within developments;*
- O3 To provide controls to facilitate equity of access to:*
 - b. proposed changes to existing buildings or their uses;*
- O6 To provide dignified and equitable access to all persons.*
- O7 To ensure the safe access and egress of all persons.*
- O10 To facilitate provision of sufficient accessible car parking.*

C1.11 - Parking

The parking rates required for childcare centres under Table C4 within C1.11 - Parking of the Leichhardt DCP2013 are:

- Pick up/drop off – 2 spaces (minimum);
- Loading zone / visitors – 1 space (minimum)
- Staff parking – 1 space per 30 children (minimum) = 3 spaces
- Total 6 spaces required

Whilst 6 spaces have been provided, the layout of the parking and driveway is not adequate as detailed below by Council's Engineers. The Childcare Planning Guideline requires parking provision at a rate of 1 space per 4 children if a DCP does not specify a rate which would require 20 parking spaces. Whilst it is acknowledged that the guidelines allow a reduction in rate for adaptive reuse of a heritage item, it is unlikely that a reduction to 6

spaces would not have been considered appropriate if the guidelines were the applicable controls. The site currently has extensive parking, noting that some of it would be non-compliant with the current Australian Standards. The extent of demolition being supported is substantive such that the site is not considered to be so constrained that 6 workable parking spaces that allow for adequate turning and safe pedestrian access is not unrealistic.

The site constraints are created by the number of children proposed to be accommodated at the childcare centre being 80. If the number of children was reduced, the extent of indoor and outdoor play space required could be reduced, and therefore, would allow a larger, more workable parking area that could be redesigned to be safe for pedestrians.

Accordingly, the application is not considered to satisfy the following objectives and controls of Clause C1.11:

- O2 *Priority is to be given to the needs of pedestrians, disabled people and cyclists above the needs of the car. This must be taken into consideration in the location and design of any parking facilities.*
- O6 *To accommodate on-site parking that is safe, accessible, well laid out and appropriately lit.*
- O12 *Vehicle access, manoeuvring and parking will:
e. enable the safe, convenient and efficient movement of vehicles, pedestrians and cyclists.*
- C2 *The layout and design of parking areas shall:
d. provide clear, safe, direct, legible and well-lit pedestrian and cycling routes through the parking area to adjacent access points and main building entry points; and*
- C4 *On-site parking areas must be designed and constructed to ensure that the movements of pedestrians and cyclists are properly accommodated, and that the safety and accessibility of disabled people is not compromised.*

The application was referred to Council's Engineers for comment who provided the following response:

It is recognised that there are significant constraints to the design of the proposed centre, including to the off street parking arrangements, resulting from heritage and landscape concerns. In this respect, the following comments reflect the need for some degree of compromise to achieve an appropriate design, but also the utmost importance of providing a safe environment for children, parents and staff, particularly during the morning and afternoon pick-up/ drop-off periods.

The proposed off street parking arrangement is not supported for the following reasons:

- a) *The proposed angled access driveway is not acceptable. It is restrictive on manoeuvring, and will create conflict and confusion when vehicles are entering and exiting at the same time.*

The plans should be amended to provide for the access driveway as close as possible to perpendicular to the boundary crossing and the kerb alignment of Darling Street. The plans should correctly show the kerb alignment in Darling Street, as it continues beyond the property boundary, as well as the location of the adjacent vehicle crossing. There must remain some separation between the two crossings.

- b) *The proposed pick-up / drop-off parking spaces are unsafe due to their close proximity to the rear wall of the retained portion of the building. This significantly limits sight lines between drivers and parents / children on the adjacent pathway. These parking spaces need to be set back at least 2 metres behind the building to improve sight lines.*

- c) *The carpark arrangement does not make adequate provision for the occasions that a third vehicle arrives for pick-up / drop-off, which would be expected to occur on multiple occasions every morning and afternoon. The current design would result in multiple manoeuvres, confusion, and most likely, parking contrary to the approved layout.*
- d) *The proposed visitor parking space further constrains manoeuvring and sight lines in the vicinity of the pick-up / drop-off area. It is also likely that parents will utilise this space when the others are occupied. In such cases, the vehicle would need to be turned around at the rear turning bay.*
- e) *The proposed turning bay requires tight manoeuvring, which may be suitable for staff, but for the reasons described above, it is likely that this area will need to be utilised during pick-up / drop-off. If parents are likely to use the turning bay, it needs to be enlarged.*
- f) *The pathway between the entry to the centre building and the pick-up / drop-off area needs to be fenced to provide a safe environment for parents and children. Due to the fencing, the visitor parking space would need to be deleted/ relocated.*

Consideration should be given to the deletion / relocation of the Bin Wash, Accessible toilet, Laundry and Cot Room so that the parking area can be extended into these areas.

Alternatively, options previously raised in the PreDA advice should be reconsidered.

C1.14 – Tree Management

Council's landscape officer does not object to the proposal and has advised the following:

- *30 site trees are adversely impacted by the proposal, seven of which are exempt in accordance with C1.14.2 of the LDCP2013. The majority of the trees have been over planted, or are self-sown, they have reached maturity but are stunted and show suppressed form because of light and space restrictions. Individually the trees have low retention value and are approved for removal.*
- *Three site trees show good condition and are retained and are to be protected.*
- *Fifteen trees which will attain heights ranging from 5 – 8 metres at maturity are proposed as part of the landscape plan and will replace the lost tree canopy. The selected species are considered appropriate compensatory plantings and suitable trees for a child care centre.*

Appropriate conditions are recommended if the application was to be recommended for approval.

C1.15 Signs and Outdoor Advertising

No detailed information provided with regard to signage accordingly the application cannot be assessed in this regard. Refer to SEPP 64 assessment above under Section 5(a)(iii) of this report which previously discussed signage.

C2.2.2.1 Darling Street Distinctive Neighbourhood and the Residential and Civic Precinct Sub Area (C2.2.2.1(a))

The proposal additions to the existing building and location of outdoor play space including part of the proposed enclosed first floor verandah area are not considered to satisfy the following controls within the Darling Street Distinctive Neighbourhood:

C4 The interface between Business zoned sites along Darling Street and adjacent Residential zoned land is to be carefully considered in light of issues relating to bulk, scale and residential amenity. In this regard the provision of Part C4.5 – Interface Amenity within this Development Control Plan are to be considered in the assessment of development on business zoned land along the interface boundary between Residential and Business zoned land.

C12 Development adjacent to residentially zoned land is to be considered in light of Part C4.5 – Interface Amenity within this Development Control Plan. Such consideration is to apply only to the interface boundary and has the following objectives:

- c. to preserve residential amenity, and*
- d. to ensure an appropriate transition in bulk and scale of development.*

Refer to Clause C4.5 assessment below for further discussion.

C4.1 Objectives for Non-Residential Zones

The proposed childcare is not considered to satisfy the following objectives of C4.1:

- O2 To respect the values of Heritage Items, including fabric and setting.*
- O8 To achieve an appropriate balance between promoting economic prosperity and protecting established residential amenity.*
- O10 To ensure a sensitive transition to adjoining residential areas at zoning boundaries.*

As discussed previously under Section 5(a)(vii), the proposal does not satisfy all heritage requirements. The proposal is not considered to adequately address the interface between the proposed childcare and adjoining residential properties as discussed further below under C4.5 – Interface amenity.

C4.5 – Interface Amenity

It is considered that the first floor enclosed verandah is overbearing to neighbouring residences at 1, 3, 5, and 7 King Street given that it is only setback 3m from the adjoining boundary for a length of 12m. It is considered that the verandah should not extend beyond the western wall of the first floor playroom 5, which would result in an approximately 4m minimum setback to the boundary with residential properties. Accordingly, the proposal is not considered to satisfy Objective O1e which requires development not impacting the surrounding area by being overly bulky or overbearing that significantly reduces outlook or privacy. The relevant setback controls in C2 relate to rear setbacks requiring a minimum setback of 6m at first floor. The properties most impacted by the proposal have their rear setbacks facing the side setback of the subject site. Given the alignment of the sites being a side setback for the childcare centre and a rear setback for the residential properties, a minimum 4m setback at first floor to the boundary is considered an appropriate and logical compromise in the site circumstances. The landscape plans also indicate a number of raised mounds that are up to 2m above the surrounding play area which could result in visual privacy concerns for surrounding residential properties if adult carers stand on these mounds

Although acoustic attenuation measures are proposed, they are considered extensive and overbearing, requiring 2.5m high side boundary fencing and a projecting acoustic screen overhanging the outdoor play space by 2m along the majority of the western boundary. It is considered that a more appropriate location for the majority of the outdoor play space would be on the eastern side of the site away from the residential properties. The proposal is therefore not considered to satisfy control C4 requiring noise generating activities to be located and orientated away from residential uses.



Figure 4: Subject site showing surrounding properties

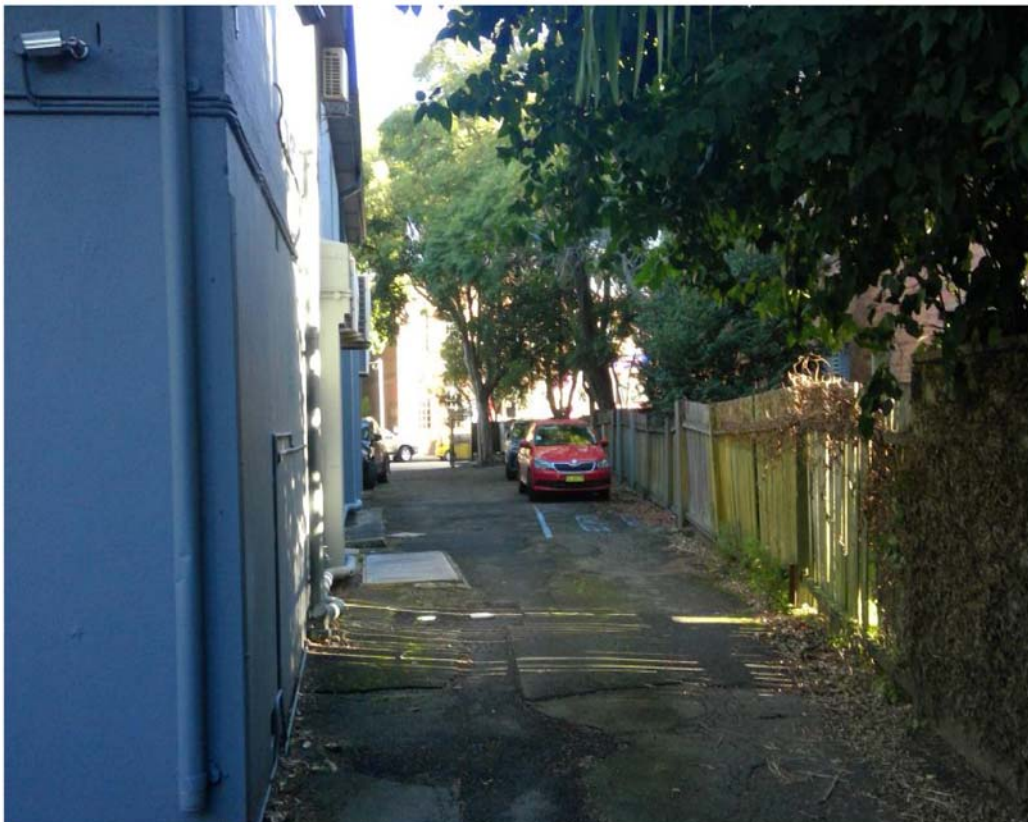


Figure 5: Existing driveway location where outdoor play space intended to be located

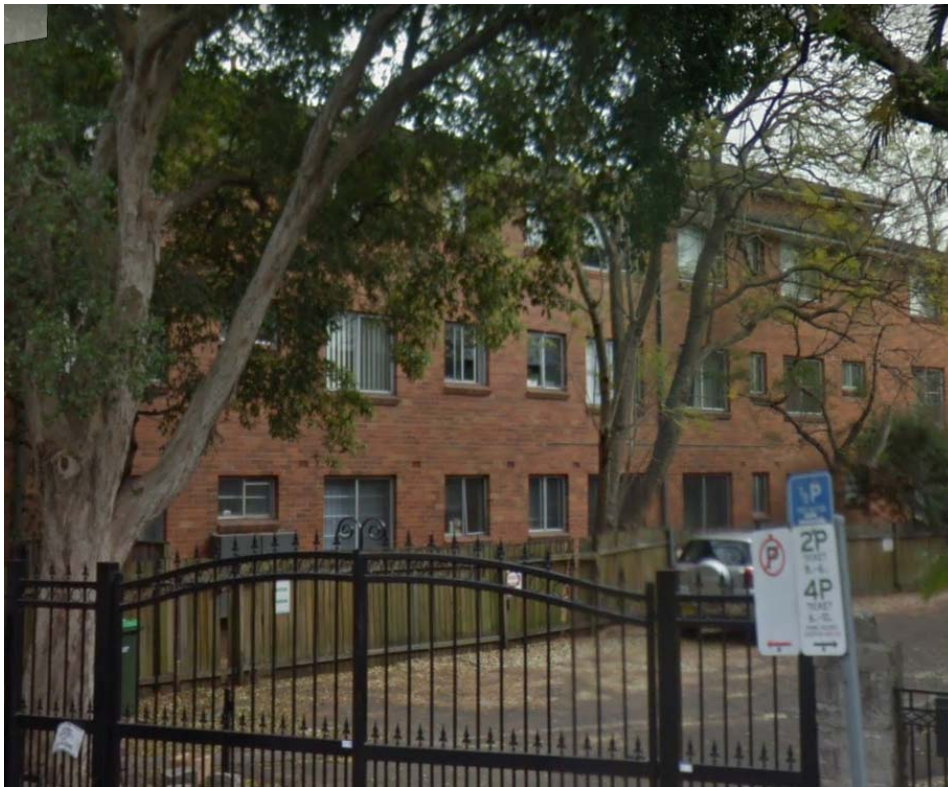


Figure 6: Residential flat building (1 King Street) that overlooks the proposed outdoor play area

C4.8 – Childcare centres

The requirements for childcare centres in C4.8 are principally superseded by State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 and the Child Care Planning Guideline. However, it is noted that Control C12 requires development to reduce the potential for adverse impacts on residential amenity. As previously discussed under C4.5 – Interface Amenity, the location of the outdoor play space for the childcare centre adjacent to a flat building is not considered appropriate and the proximity of the first floor verandah to neighbouring residential properties is not considered appropriate.

Parking provision for childcare has previously been discussed above under C1.11 – Parking.

Part D Energy: D2.1 – General Requirements and D2.4 – Non-Residential Development

The applicant has advised that they intend to provide 5 x 240L bins (3 x waste, 2 x recycle) based on the waste generated in the existing childcare centres run by Balmain Care for Kids.

Appendix D – Site Waste Minimisation and Management Plan Template of the Leichhardt Development Control Plan 2013 anticipates the requirement for childcare centres of 7 x 250L bins and 7 x 120L bins.

It is noted that the proposal is for 80 children with the majority of them (up to 64) being 3-5 year olds who would generally not require nappies.

The Plan of Management provided by the applicant states that pre-prepared food will be brought in therefore there would be minimal food waste and that waste would be collected daily Monday to Friday.

Had the proposal been recommended for approval, appropriate conditions could have been imposed with regard to waste management and storage.

Part E Water: Section 1 – Sustainable Water and Risk Management; E1.2.1 – Water Conservation; E1.2.2 – Managing Stormwater within the Site; E1.2.3 – On-Site Detention of Stormwater; E1.2.5 – Water Disposal

As previously discussed above under C6.4 Stormwater Management within Section 5(a)(vi) of this report, the proposed stormwater management of the site is not considered acceptable as proposed and does not satisfy the relevant objectives and controls of Part E Water.

5(d) The Likely Impacts

The assessment of the Development Application demonstrates that the proposal will have an adverse impact on the locality in the following way:

Indoor space as outdoor space

The Department of Education has advised that the proposed use of indoor space as simulated outdoor space is not acceptable.

Parking

As previously discussed, the layout of the parking and accessways (both vehicular and pedestrian) are not sufficient or safe for the sensitive use of a childcare centre.

Heritage Fabric

An insufficient level of detail has been provided for some aspects of the proposed work to the building that has heritage significance.

Location of outdoor play space

The location of the majority of the outdoor play space next to a 3 storey residential flat building is not considered appropriate with regard to privacy to both the childcare centre and residents of the flat building.

Bulk and scale of enclosed verandah

The proximity of the part of the first floor enclosed verandah extending beyond the first floor western wall of playroom 5 to the western boundary is considered to result in unnecessary bulk and scale and privacy issues to residential properties adjacent to the western boundary.

Stormwater

Stormwater drainage has not been adequately addressed in accordance with Council's requirements for the site.

5(e) The suitability of the site for the development

The site is zoned B2 Local Centre. It is considered that the proposal will have an adverse impact on adjoining residential properties; would have safety implications with regard to parking; does not sufficiently address heritage requirements; the location of outdoor space is not appropriate and the proposed simulated outdoor play space is not acceptable. Therefore, it is considered that the site is unsuitable to accommodate the proposed development in its current form.

5(f) Any submissions

The application was notified in accordance with the Leichhardt Development Control Plan 2013 for a period of 14 days to surrounding properties. No submissions were received.

5(g) The Public Interest

The public interest is best served by the consistent application of the requirements of the relevant Environmental Planning Instruments, and by Council ensuring that any adverse effects on the surrounding area and the environment are appropriately managed.

The proposal is contrary to the public interest.

6 Referrals

6(a) Internal

The application was referred to the following internal sections/officers and issues raised in those referrals have been discussed in section 5 above or discussed in further detail below.

- Heritage Officer – as detailed further within Section 5 of this report which concludes that the proposal cannot be supported in its current form with respect to heritage.
- Development Engineer – as detailed further within Section 5 of this report which concludes that the proposal cannot be supported in its current form with respect to parking, access to parking and stormwater requirements.
- Landscape – as detailed further within Section 5 of this report which concludes that the proposal could be supported subject to conditions.
- Health – as detailed further within Section 5 of this report which concludes that the proposal could be supported subject to conditions.
- Children's Services - Council's Children's Services Section has reviewed the documentation provided and has advised they have no objection to the proposed childcare centre.
- Community Services
The application was referred to Council's Community Planning and Development section who do not object to the proposal.
- Building Surveyor
The application was referred to Council's Building Surveyors for comment. They do not object to the proposed childcare centre, however, did raise the issue of alternative solutions potentially being required for any Building Code of Australia / National Construction Codes issues and the requirement for accessibility to and within the premises.

6(b) External

The application was required to be referred to the Department of Education as previously addressed above, including under Section 5 (a)(i).

7. Section 7.11 Contributions

Section 7.11 (previously known as Section 94) contribution plans are applicable to the proposal as follows:

- Developer Contributions Plan No. 1 – Open Space and Recreation
- Developer Contributions Plan No.2 – Community Facilities and Services
- Leichhardt Developer Contributions Plan – Transport and Access

The carrying out of the proposed development would result in an increased demand for public amenities and public services within the area, and had the application been recommended for approval, a condition requiring that contribution to be paid would have been imposed on any consent granted.

8. Conclusion

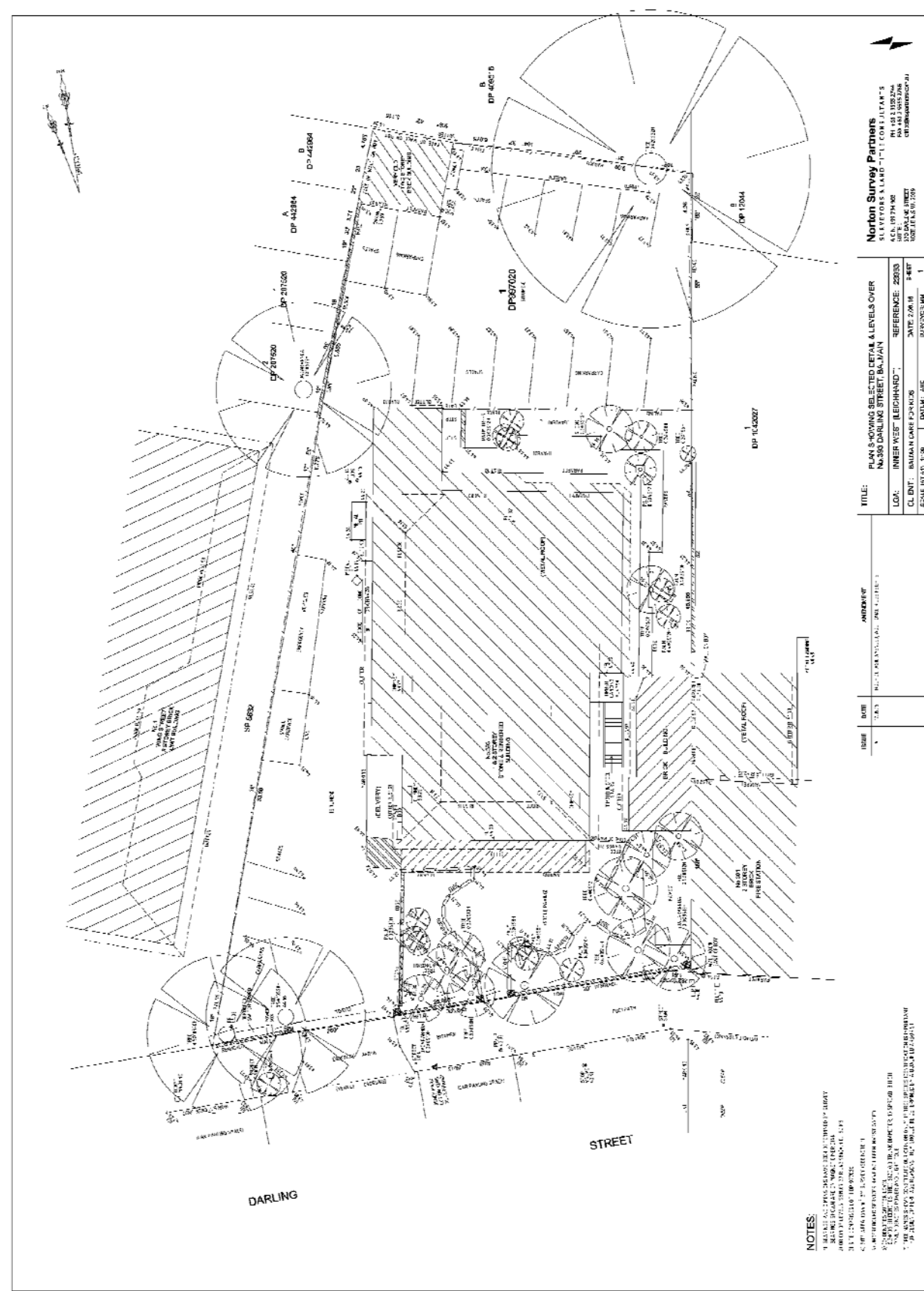
The proposal does not comply with the aims, objectives and design parameters contained in Leichhardt Local Environmental Plan 2013, Leichhardt Development Control Plan 2013 and other relevant Environmental Planning Instruments. The development is considered to result in adverse impacts on the amenity of adjoining premises and is not considered able to safely function with regard to parking. The application is considered unsupportable and in view of the circumstances, and hence, refusal of the application is recommended.

9. Recommendation

- A. That the Inner West Local Planning Panel exercising the functions of the Council, as the consent authority pursuant to s4.16 of the Environmental Planning and Assessment Act 1979, refuse the Development Application No. D/2018/69 for alterations and additions to existing heritage listed building and associated works, including demolition of rear extensions and detached storerooms, relocated parking and driveway, tree removal, landscaping and outdoor play areas, new fencing, signage, and site remediation, to facilitate the use of the site as an 80 place child care centre at 393 Darling Street, Balmain for the following reasons.
1. The proposal does not satisfy State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979;
 2. The proposal does not satisfy the following Clauses of the Leichhardt Local Environmental Plan 2013, pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979:
 - i) Clause 1.2 – Aims of Plan
 - ii) Clause 2.3 – Zone objectives and Land Use Table
 - iii) Clause 5.10 – Heritage Conservation
 - iv) Clause 6.4 – Stormwater Management
 3. The proposal does not satisfy the following Parts of the Leichhardt Development Control Plan 2013, pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979:
 - i) Part C – Section 1 – C1.3 – Alterations and Additions
 - ii) Part C – Section 1 – C1.4 – Heritage Conservation Areas and Heritage Items
 - iii) Part C – Section 1 – C1.10 – Equity of Access and Mobility
 - iv) Part C – Section 1 – C1.11 – Parking
 - v) Part C – Section 1 – C1.15 – Signs and Outdoor Advertising
 - vi) Part C – Section 2 – C2.2.2.1 – Darling Street Distinctive Neighbourhood
 - vii) Part C – Section 4 – C4.1 – Objectives for Non-Residential Zones
 - viii) Part C – Section 4 – C4.5 – Interface Amenity
 - ix) Part C – Section 4 – C4.8 – Child Care Centres
 - x) Part D – Section 2 – D2.1 – General Requirements
 - xi) Part D – Section 2 – D2.4 – Non-Residential Development
 - xii) Part E – Section 1 – Sustainable Water and Risk Management
 - xiii) Part E - E1.2.1 – Water Conservation
 - xiv) Part E – E1.2.2 – Managing Stormwater within the site
 - xv) Part E – E1.2.3 – On-Site Detention of Stormwater
 - xvi) Part E – E1.2.5 – Water Disposal

4. The proposal is considered to result in adverse environmental impacts on the built environment pursuant to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979.
5. The proposal is not considered suitable for the site in its current form pursuant to Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.
6. The proposal is not considered to be in the public interest pursuant to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979.

Attachment A – Plans of proposed development

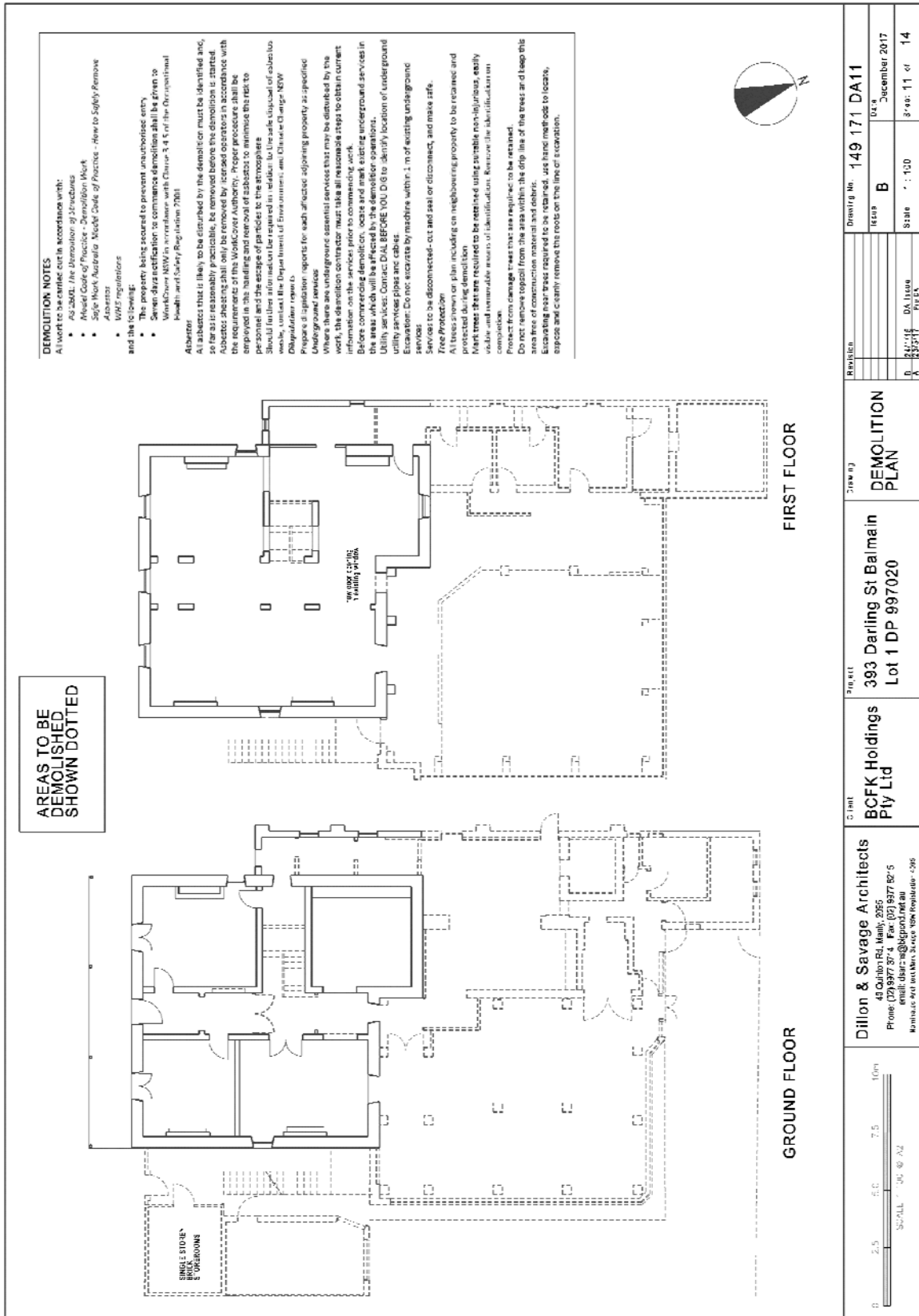


Norton Survey Partners
 2/101 DARLING STREET, BALMAIN NSW
 A/C 159234000
 U/F 159234000
 P/O 159234000
 C/O 159234000

TITLE:	PLAN & SECTIONS SETTING DETAILS & LEVELS OVER
LOC:	INNER WEST - LEICHHARD - 220/33
CL.DNT:	BALMAIN GOLF PARKS
SCALE:	AS SHOWN
DATE:	2018
DATE:	2018
DATE:	2018

DATE	BY	DESCRIPTION
2018	J.M.S.	PLAN & SECTIONS SETTING DETAILS & LEVELS OVER

NOTES:	1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED
	2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED
	3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED
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	8. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED



DEMOLITION NOTES

All work to be carried out in accordance with:

- AS 2862: The Demolition of Structures
- Model Code of Practice - Demolition Work
- Safe Work Australia Model Code of Practice - How to Safely Remove Asbestos
- WHS regulations

and the following:

- The property being cleared to prevent unauthorised entry.
- Demolition activities to be carried out in accordance with the provisions of the Environmental Protection Act 1986 (EPA) and the Environmental Protection Regulations 2001.

Asbestos:

All asbestos that is likely to be disturbed by the demolition must be identified and, so far as is reasonably practicable, be removed before the demolition is started. Asbestos sheeting shall only be removed by licensed operators in accordance with the requirements of the WorkCover Authority. Proper procedures shall be employed in the handling and removal of asbestos to minimise the risk to personnel and the escape of particles to the atmosphere.

Should further information be required in relation to the safe disposal of asbestos, contact the Environmental Protection Department of Environment and Heritage, 100 Parkville, Victoria 3045.

Preparation of site:

Prepare a site plan for each affected adjoining property as specified.

Underground services:

Where there are underground services that may be disturbed by the work, the demolition contractor must take all reasonable steps to obtain current information on the services prior to commencing work.

Before commencing demolition, locate and mark existing underground services in the areas which will be affected by the demolition operations.

Utility services: CONTACT ALL BEFORE YOU DIG to identify location of underground utility services prior to excavation.

Services to be disconnected by machine within 1 m of existing underground services. Do not cut by hand and seal or disconnect, and make safe.

Tree Protection:

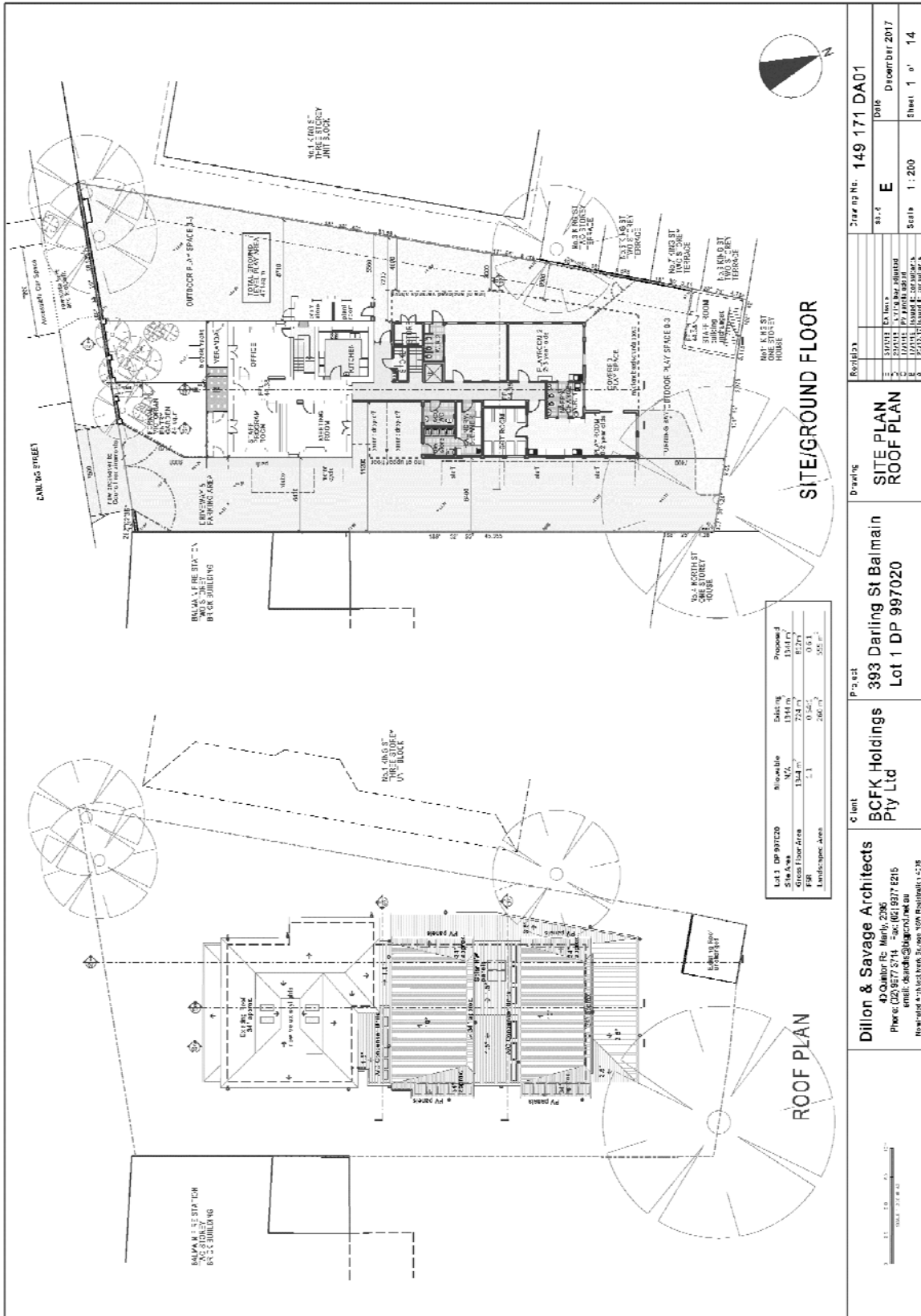
All trees shown on plan including on neighbouring property to be retained and protected during demolition.

Mark trees that are required to be retained using suitable non-toxic, easily visible and removable means of identification. Remove the identification on completion.

Protect from damage trees that are required to be retained.

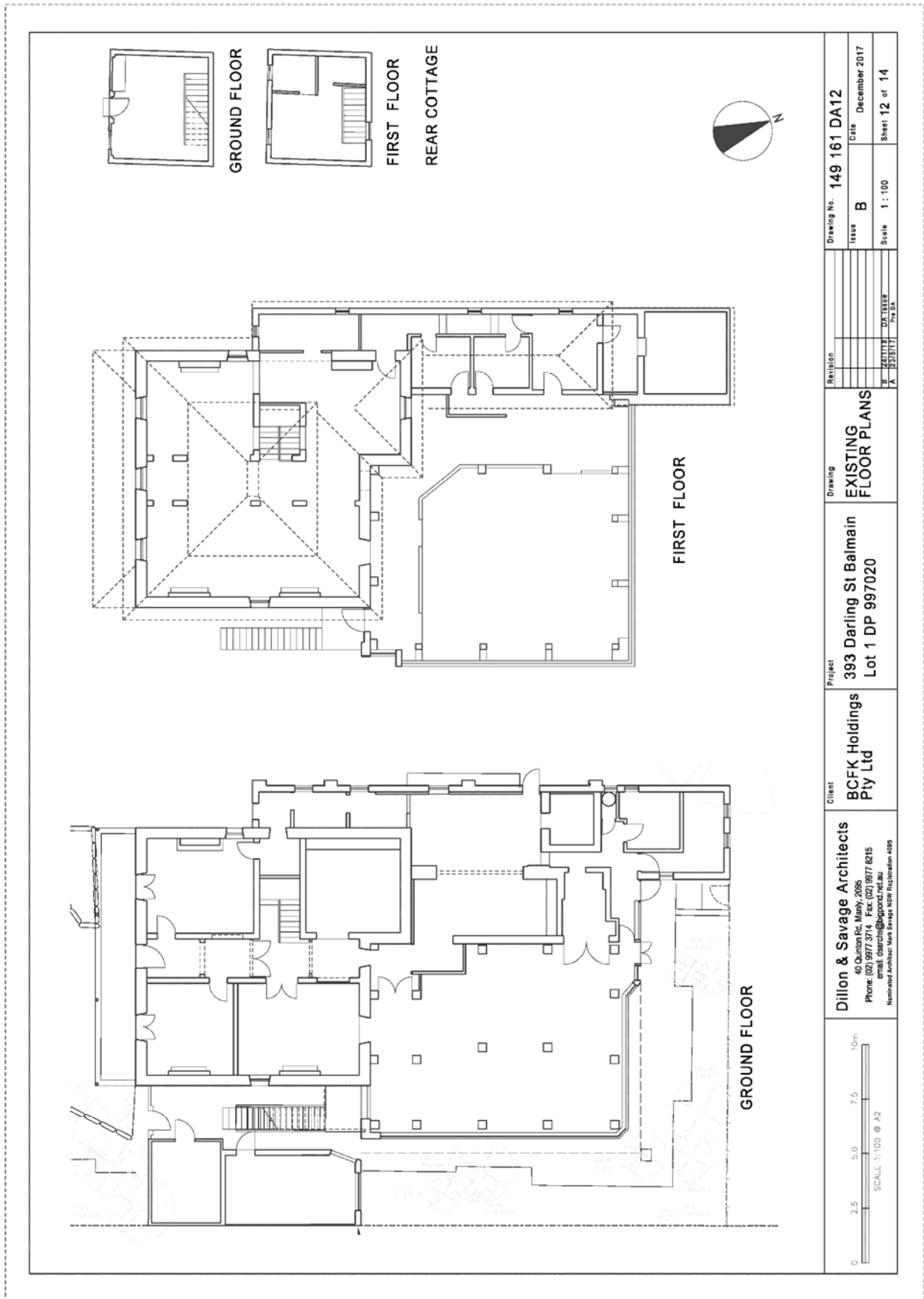
Do not remove topsoil from the site until the drip line of the tree and keep this topsoil in place until the tree has been removed.

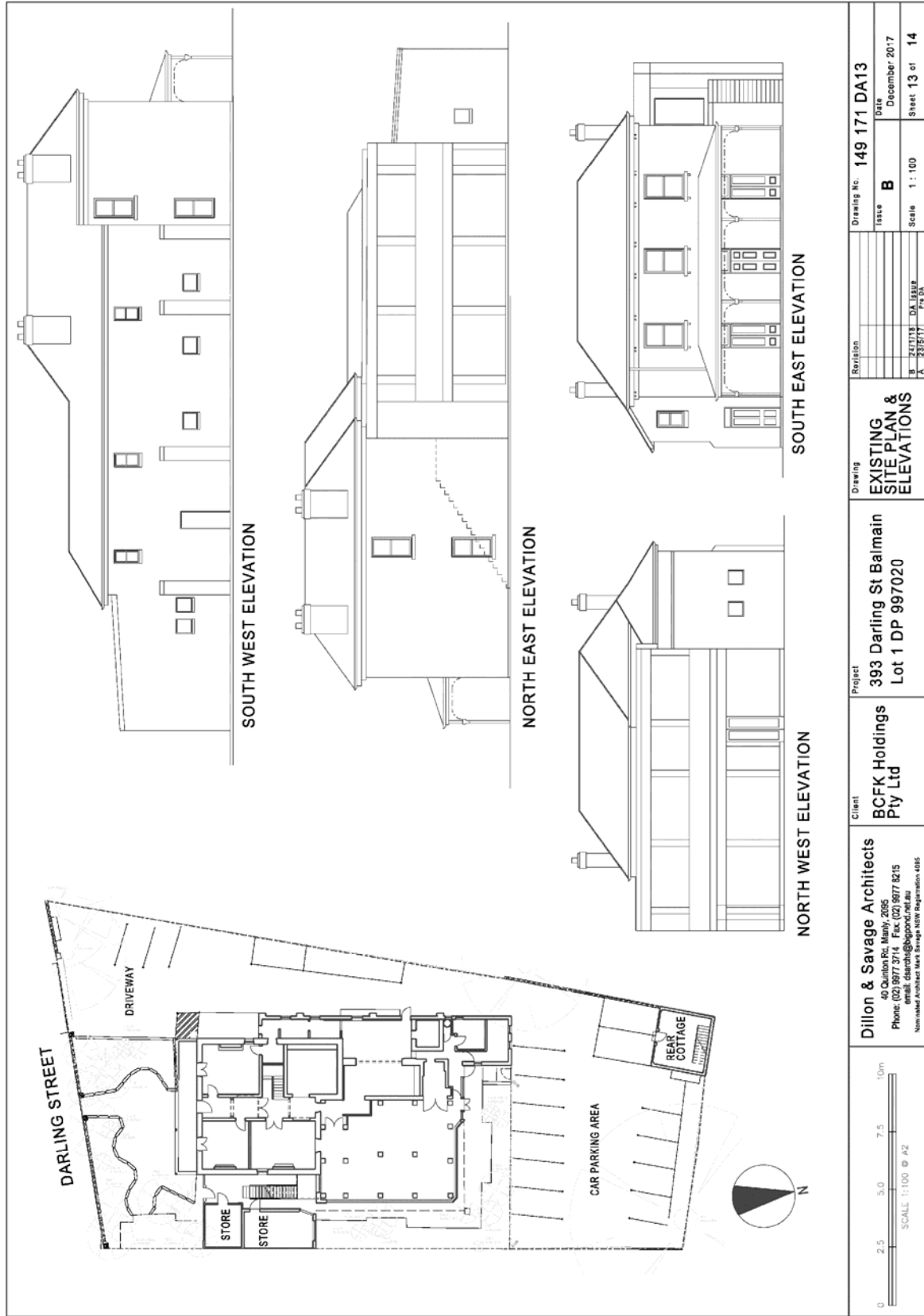
Excavating near trees required to be retained, use hand methods to locate, expose and clearly remove the roots on the line of excavation.

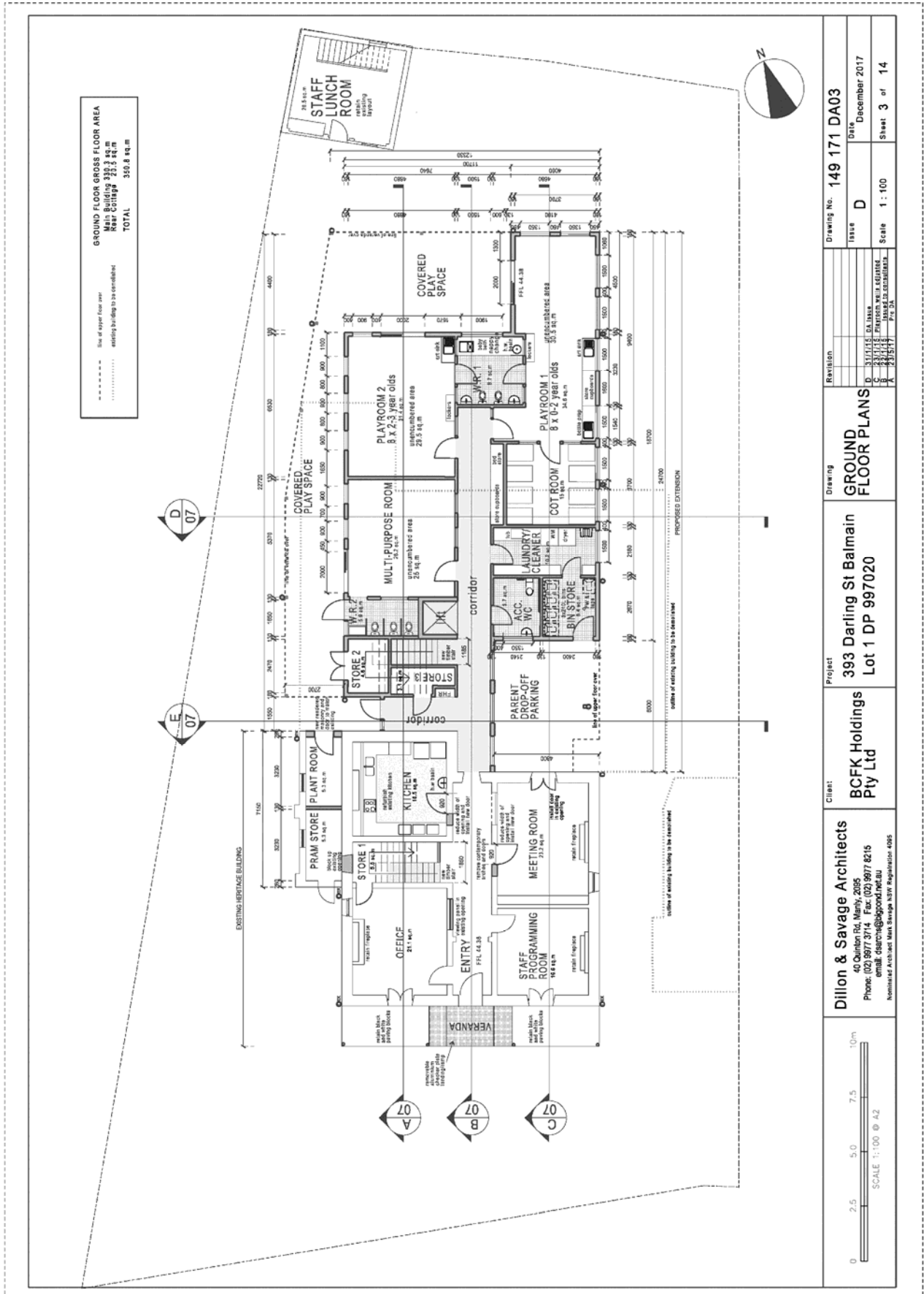


Lot 1 DP 997020	Site Area	Existing	Proposed
1344 m ²	1344 m ²	1344 m ²	1344 m ²
1344 m ²	724 m ²	724 m ²	627 m ²
0.00	0.54	0.54	0.46
0.00	246 m ²	246 m ²	252 m ²

Dillon & Savage Architects 40 Collins St, Melbourne, VIC 3000 Phone: (03) 9272 5114, Fax: (03) 9272 6216 email: ds@dsai.com.au Howland Structures Pty Ltd, 100 Howland St, Melbourne, VIC 3000	Client BCFK Holdings Pty Ltd	Project 393 Darling St Balmain Lot 1 DP 997020	Drawing SITE PLAN ROOF PLAN	1: 2000 2: 1: 2000 3: 1: 2000 4: 1: 2000
				1: 2000 2: 1: 2000 3: 1: 2000 4: 1: 2000
Drawing No. 149 171 DA01			Date: December 2017	Sheet 1 of 14







GROUND FLOOR GROSS FLOOR AREA
 New Building 233.8 sq.m
 Existing Building to be demolished 121.0 sq.m
TOTAL 350.8 sq.m

D 07

E 07

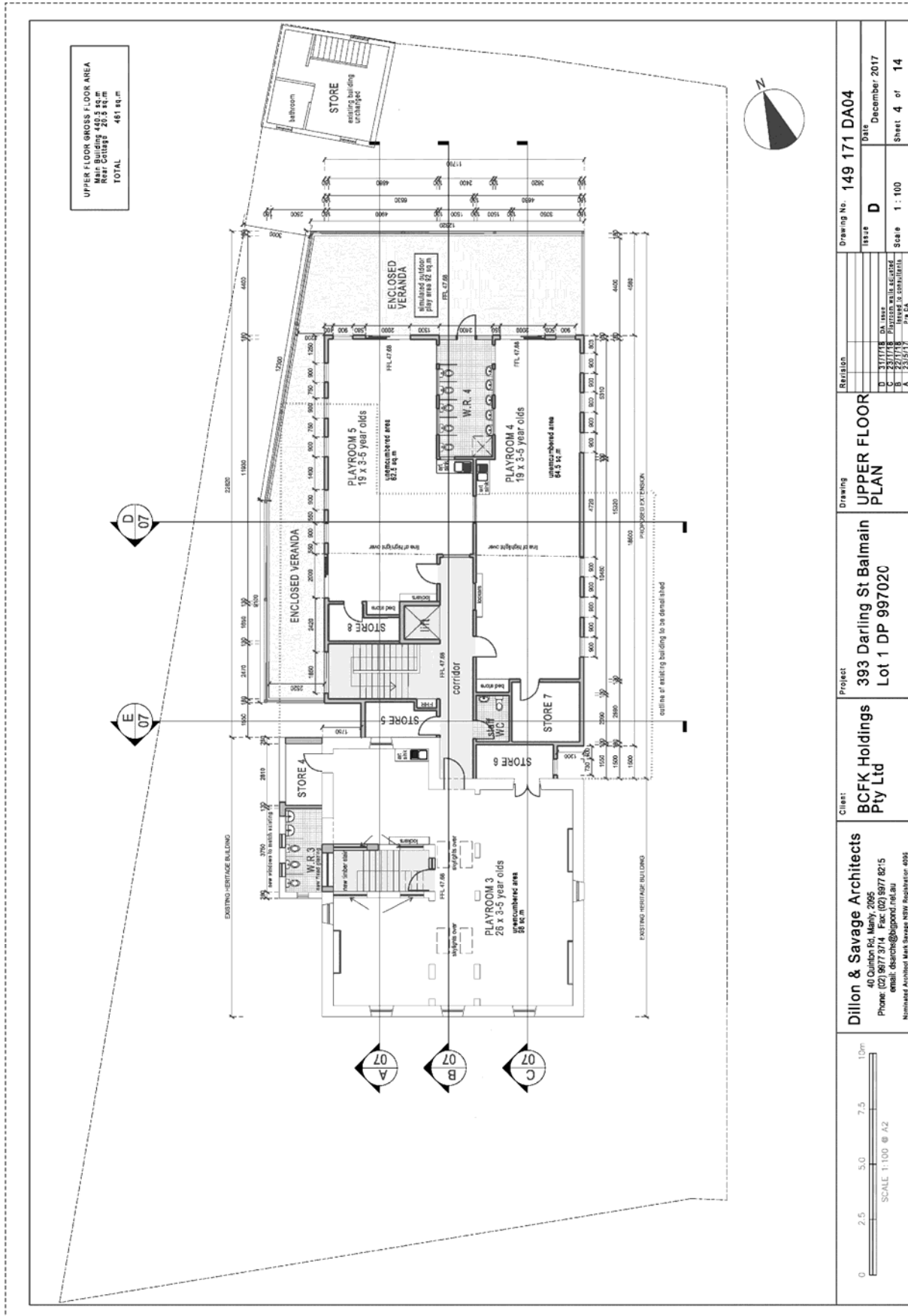
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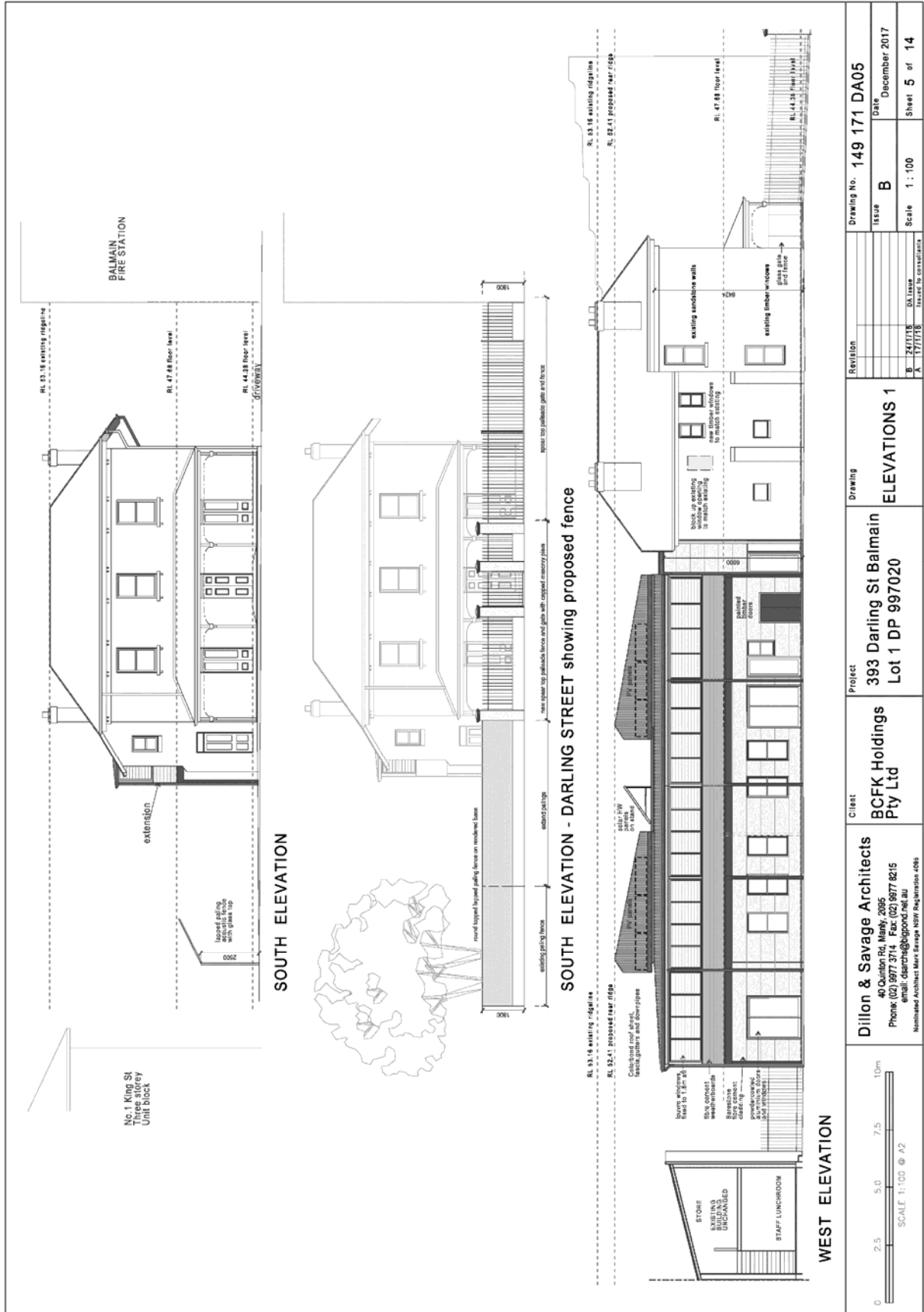
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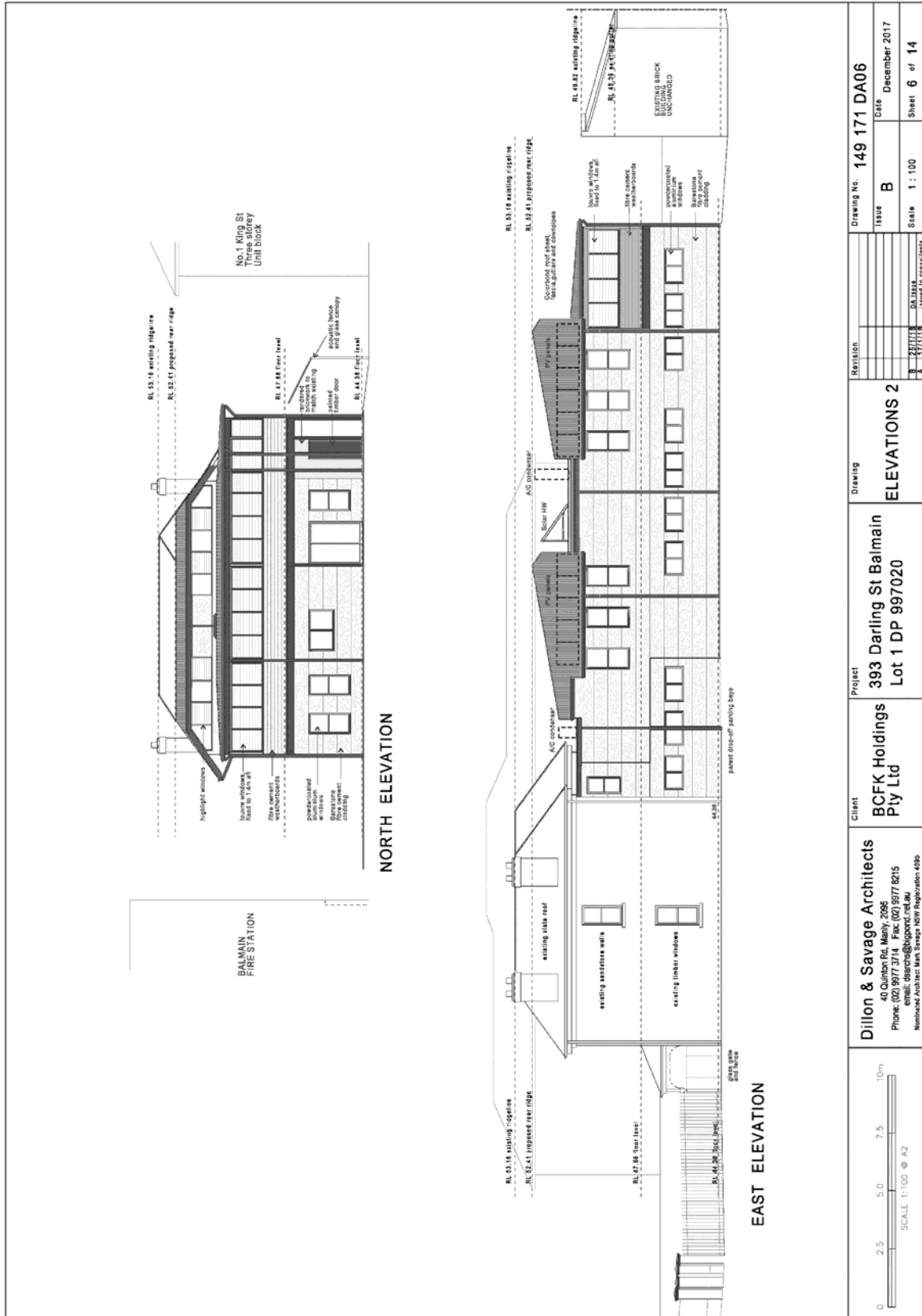
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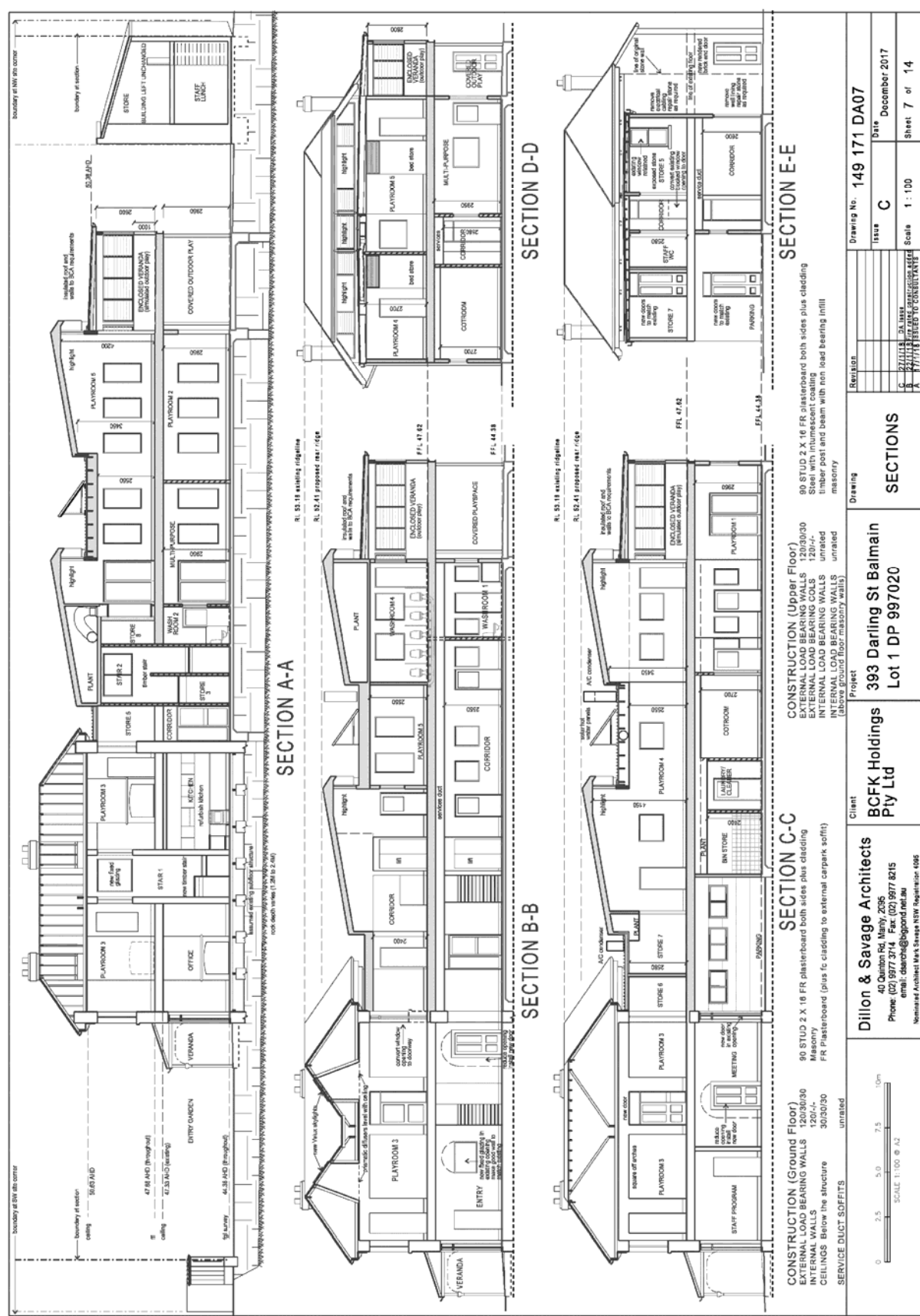
<p>Dillon & Savage Architects 40 Quinlan Rd, Manly, 2095 Phone: (02) 9977 3714 Fax: (02) 9977 8215 email: dsarc@dsarc.net.au Nominated Architect Mark Savage NSW Registration: 4085</p>	<p>Client: BCFK Holdings Pty Ltd</p>	<p>Project: 393 Darling St Balmmain Lot 1 DP 997020</p>	<p>Drawing: GROUND FLOOR PLANS</p>	<p>Revision: <table border="1"><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td>D</td><td>31/11/16</td><td>D.L.HARRIS</td><td> </td></tr><tr><td>C</td><td>23/11/16</td><td>FRANCIS WELLS/SHARON WELLS</td><td> </td></tr><tr><td>A</td><td>23/11/16</td><td>FRANCIS WELLS/SHARON WELLS</td><td> </td></tr></table></p>					D	31/11/16	D.L.HARRIS		C	23/11/16	FRANCIS WELLS/SHARON WELLS		A	23/11/16	FRANCIS WELLS/SHARON WELLS		<p>Drawing No: 149 171 DA03</p>
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Revision	Issue	Date
A	ISSUE TO CONSULTANT	
B	ISSUE TO CLIENT	
C	ISSUE TO LOCAL PLANNING PANEL	
D	ISSUE TO LOCAL PLANNING PANEL	
E	ISSUE TO LOCAL PLANNING PANEL	
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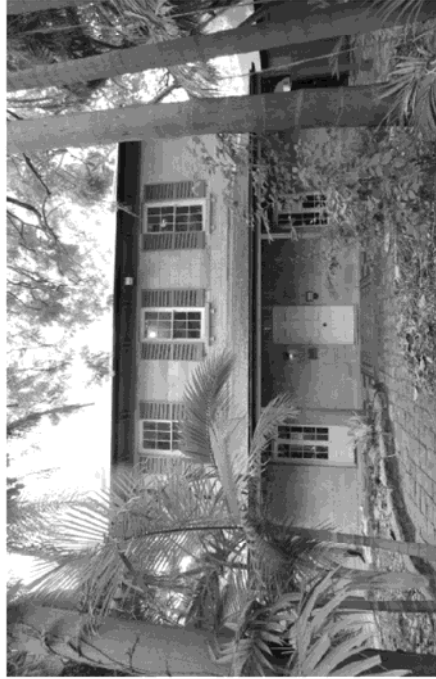
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SECTION B-B	SECTION B-B
SECTION C-C	SECTION C-C
SECTION D-D	SECTION D-D
SECTION E-E	SECTION E-E

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Drawing No.	Issue	Date
149 171 DA07	C	December 2017
Scale	1:100	Sheet 7 of 14

No. 393 Darling Street, BALMAIN Development Application Landscape Works

Sheet	Title
LA01	Cover sheet
LA02	Landscape Plan
LA03	Landscape Sections
LA04	Planting Schedule
LA05	Character Images



SITE PHOTO: CONTEXT

Basix Landscape Commitments:

The landscape design has been designed to be consistent with BASIX principles of low water use plants and a strong consideration of using native indigenous species where appropriate. The schedule has been developed using Sydney Water "Water Drop Rating" scheme and reference to the relevant LGA's list of species deemed appropriate for this site and LGA.

Arborists Report:

Refer for technical report by Birds Tree Consultancy PTY LTD.

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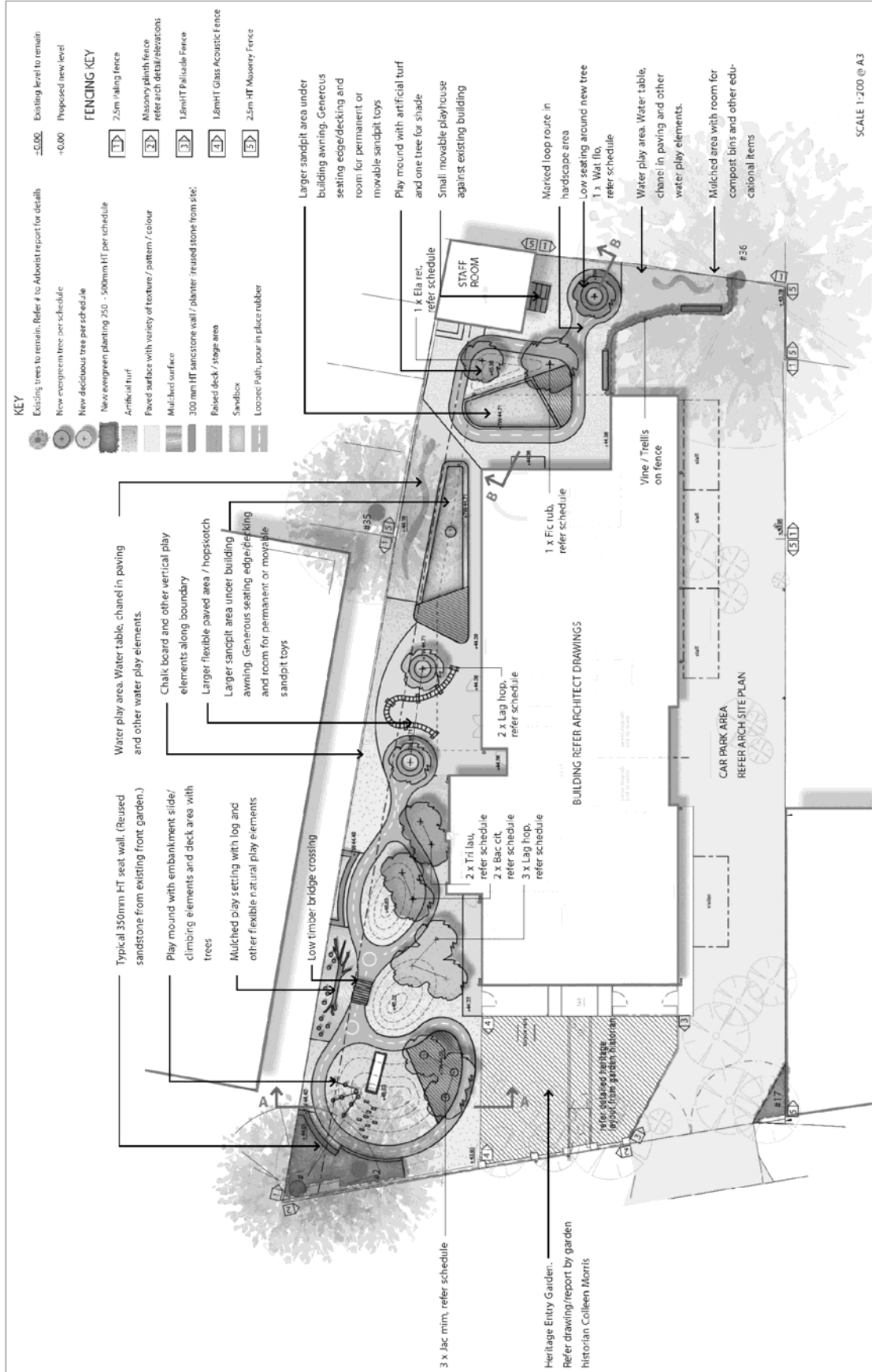
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10 <td>20/08/11 <td>CONCEPT</td> </td>	20/08/11 <td>CONCEPT</td>	CONCEPT

PROJECT
LANDSCAPE WORKS FOR
No. 393 Darling Street
Balmain
DRAWING TITLE
COVER SHEET

ISSUE
DA ISSUE
SCALE
AS SHOWN
DRAWING NO.
LA-01

PROJECT NO
REVISION
1



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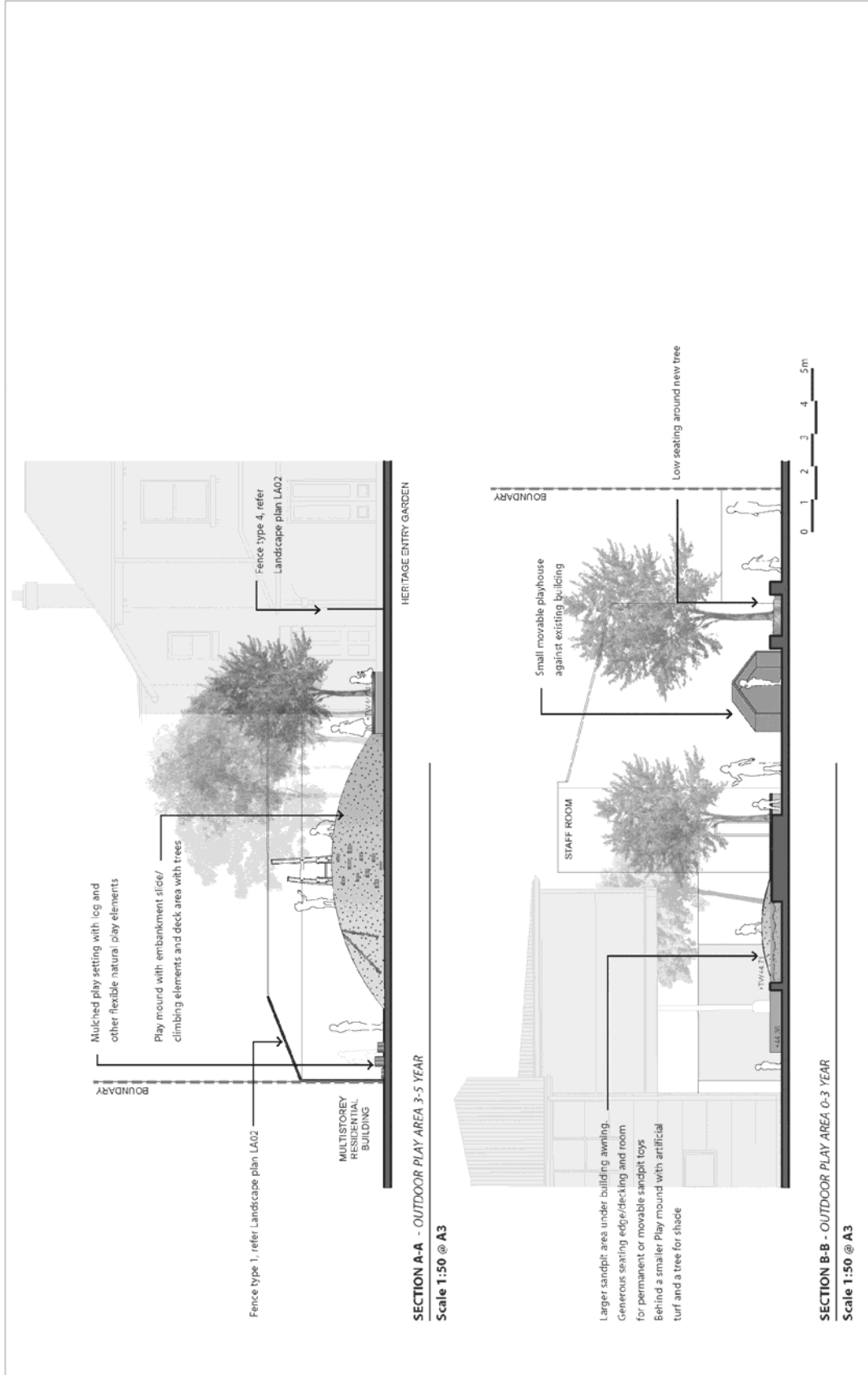
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 No. 353 Darling Street
 Barmain

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SCALE: A3 @ 1:200
PROJECT NO: 150125
DRAWING NO: 1.A-02
REVISION:

ISSUE:
 DA ISSUE
 SCALE: A3 @ 1:200

DISCIPLINE:
 LANDSCAPE PLAN

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ARCHITECT PDS PDS Landscape Architects / Urban Designers 11/15 The Arcade, Sydney NSW 1588 Phone: (02) 9239 3000 Fax: (02) 9239 3001 www.pdsarchitects.com.au 11/15 The Arcade, Sydney NSW 1588 Phone: (02) 9239 3000 Fax: (02) 9239 3001 www.pdsarchitects.com.au	CLIENT BCEK Holdings Pty Ltd	PROJECT LANDSCAPE WORKS FOR No. 293 Darling Street, Balmain DRAWING TITLE LANDSCAPE SECTIONS	ISSUE DA ISSUE SCALE AS SHOWN	PROJECT NO. -
			DRAWING NO. LA-03	REVISION -

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Planting Schedule - 393 Darling Street, Balmain: Child Care NSW

Symbol	Botanic Name	Common Name	Size (H x W x D) (height x width x depth)	Installation Pot Size	Native low water use	Evergreen/Deciduous	Native plant	Indigenous plant
Proposed Trees								
Jac 1m	<i>Jacaranda mimosifolia</i>	Jacaranda	6x8	200L	N		N	
Ela ret	<i>Elaeocarpus reticulatus</i>	Blueberry Ash	7x3	100L	Y	Y	Y	Y
Lag top	<i>Lagerstroemia indica x laurina</i> "Hopi"	Crape Myrtle	6x4	100L	N		N	N
Tri lau	<i>Tristanopsis laurina</i>	Water Gum	6x5	100L	Y	Y	Y	Y
Wat flo	<i>Waterhousea torturata</i>	Weeping Lilly Pilly	6x5	100L	Y	Y	Y	Y
Bac cit	<i>Baccharis citrifolia</i>	Lemon Scented Myrtle	6x4	100L	Y	Y	Y	N
Fic rub	<i>Ficus rubiginosa</i>	Port Jackson Fig	6x6	100L	Y	Y	Y	Y
Proposed Shrubs								
Acn Min	<i>Acmenia smithii</i> var. <i>Minor</i>	Lilli Pili	2x2	45L	Y	Y	Y	Y
Cor Alb	<i>Correa Alba</i>	White Correa	1x1	45L	Y	Y	Y	Y
Ela eum	<i>Elaeocarpus eumundi</i>	Eumundi Quandong	4x1	45L	Y	Y	Y	Y
Proposed Grasses, Sedges								
Lir eve	<i>Liriodendron muscari</i> "Evergreen giant"	Liriodo	6x 5m	140mm	N	Y	N	N
Alp cat	<i>Alphacarpus caeruleum</i>	Native Gillyer	6x9	140mm	Y	Y	Y	Y
Jun usi	<i>Juncaus usitatus</i>	Common rush	1x1	140mm	Y	Y	Y	Y
dic rep	<i>Dichondra repens</i>	Kohey weed	1x2	140mm	Y	Y	Y	Y
Dia cas	<i>Dianella caerulea</i>	Flax lily	7x 7	140mm	Y	Y	Y	Y
Dia cas	<i>Dianella caerulea</i> "Cassa Blue"	Cassa blue	6x 5	140mm	Y	Y	Y	Y
Dia lit	<i>Dianella revoluta</i> "Lilto Roy"	Blue flax lily	7x 7	140mm	Y	Y	Y	Y
Dia tas	<i>Dianella revoluta</i> "Tas Red"	Tas Red	6x 5	140mm	Y	Y	Y	Y
Dia uto	<i>Dianella prunina</i> "Utopia"	Flax Lily	6x 9	140mm	Y	Y	Y	Y
Vines / Climbers								
Tre jas	<i>Trechospermum jasminoides</i>	Star Jasmine	6x 9	140mm	N	Y	N	N

ARCHITECT

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PROJECT

LANDSCAPE WORKS FOR
 No. 393 Darling Street
 Balmain

DRAWING TITLE

PLANT SCHEDULES

DATE ISSUE

2016.08.09

PROJECT NO.

15-20

DRAWING NO.

LA-04

REVISION

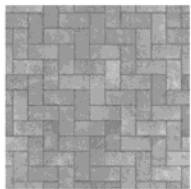
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CHARACTER IMAGES

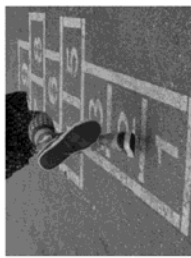
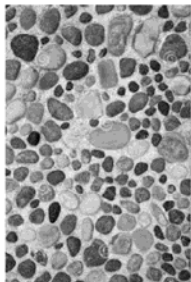
HARDSCAPE



Medwood timber decking



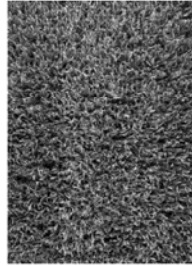
Variety of hardscape textures and colours such as concrete paving, pavers, exposed pebbles concrete etc.



Hop skip patterns in pavement

CHARACTER IMAGES

SOFTSCAPE



Artificial turf. Some areas with safety rubber surface underneath where needed due to play equipment / fall zones



Mulch in smaller play areas such as balance beams and smaller stepping stones.



Sand in sandbox areas



Rubber active looped path

CHARACTER IMAGES

PLAY ELEMENTS



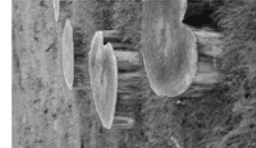
Chalk boards mounted on fencing



Meandering paved water-play channel.



Balance beams and stepping stones in mulched area



Play mound with play elements on all sides

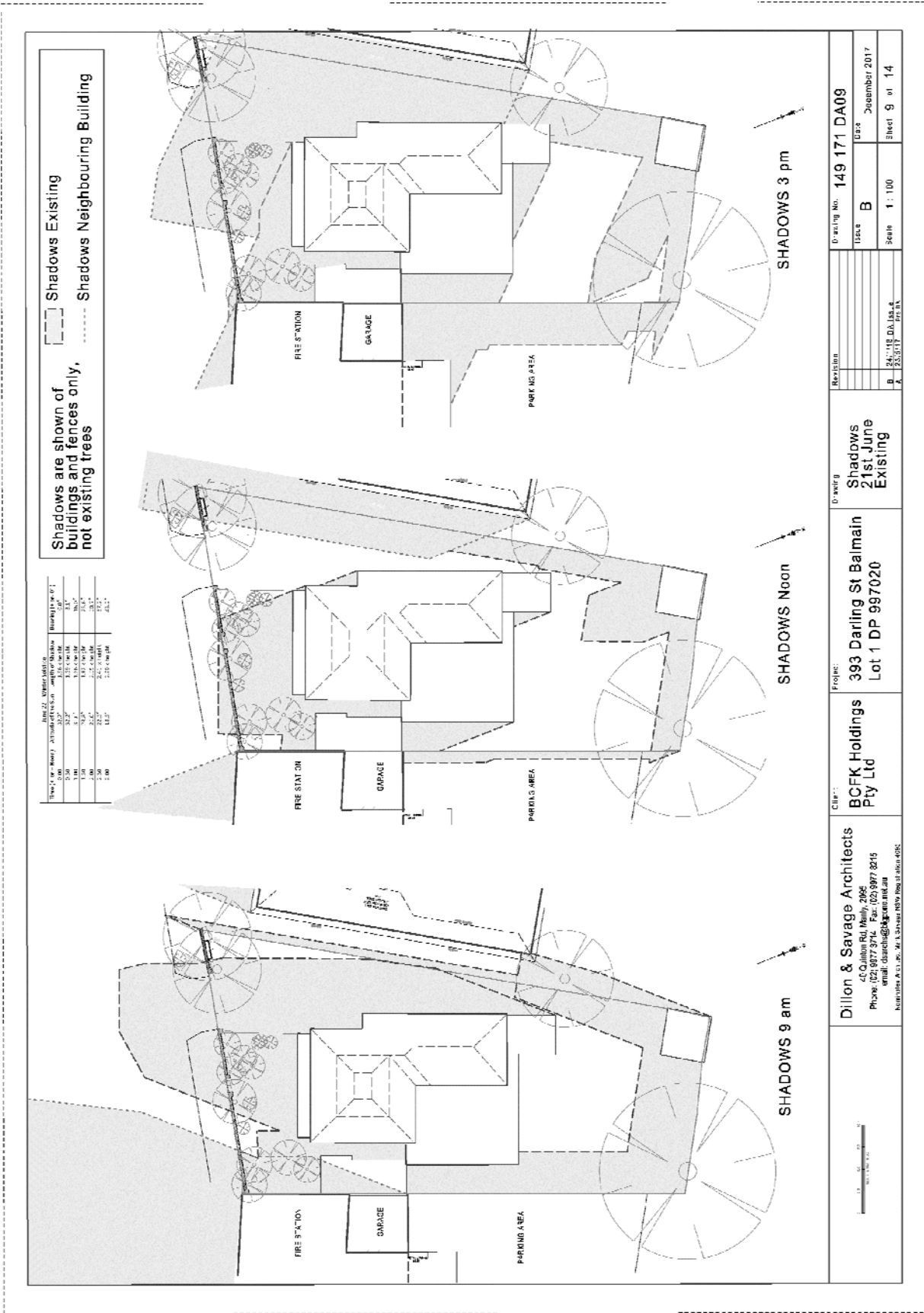
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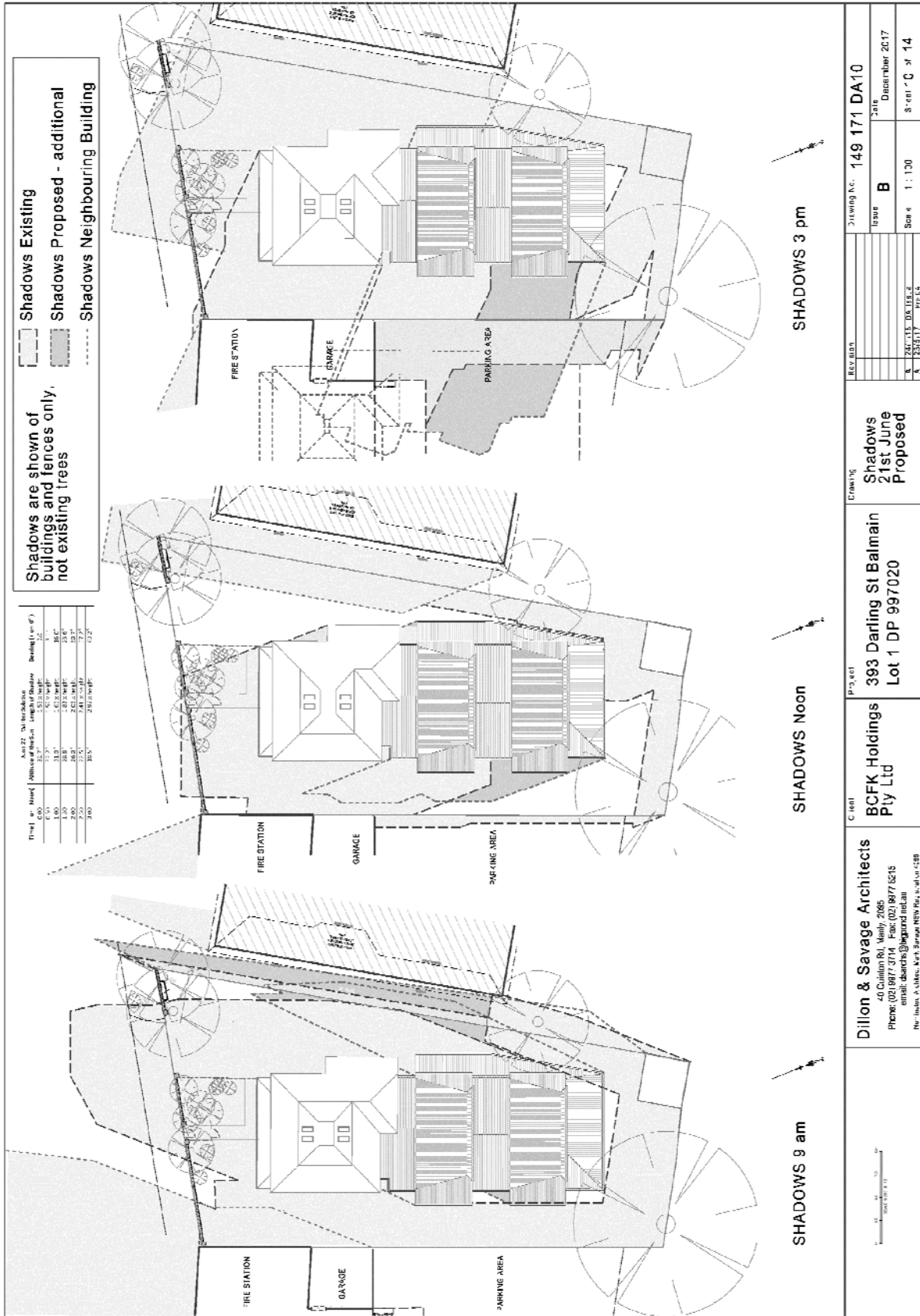
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PROJECT
 LANDSCAPE WORKS FOR
 No. 393 Darling Street
 Balmain

ISSUE DA ISSUE
SCALE A8 B1 OWN
DRAWING NO. LA-05
PROJECT NO. PROJECT NO.
REVISION REVISION





Attachment B – Letter from Department of Education



Planning Ref: DA/2018/69

Ms Anna Walker
Inner West Council
Email: anna.walker@innerwest.nsw.gov.au

Dear Ms Walker

Notice of refusal of concurrence

Section 22(5) of the *State Environment Planning Policy (Educational Establishments and Childcare Facilities) 2017* ('the SEPP')

On 9 August 2018, the NSW Department of Education (the "department") received your referral for the development application described below:

Application Number: DA/2018/69
Property: 393 Darling Street BALMAIN NSW

Reason for Referral

The development application for the purpose of a centre-based child care facility was referred to the department under section 22 of the SEPP which states:

- (1) *This clause applies to development for the purpose of a centre-based child care facility if:*
- (b) *the outdoor space requirements for the building or place do not comply with clause 108 (outdoor unencumbered space requirements) of the Education and Care Services National Regulations.*

Decision

Following review of the development application the department has decided to refuse the concurrence request.

Reasons for decision

I have decided to refuse the concurrence for the reasons set out below:

1. The development application does not include sufficient information on the proposed inclusion of play equipment, plant life or other features designed to promote learning outcomes within the enclosed verandah. As such, it is not

possible to make a determination on the appropriateness of the use of the enclosed verandah as simulated outdoor space.

2. There are a number of services within the vicinity of this proposed service.
3. The requirement of exceptional circumstances to warrant approval of a concurrence do not exist.

Service approval

A person may not operate an education and care services, as defined by the National Law or the *Children (Education and Care Services) Supplementary provisions Act 2011*, unless they hold a service approval.

Contact

Should you have any questions about this letter please contact Early Childhood Education on 1800 619 113 or concurrence.ece@det.nsw.edu.au.

Yours sincerely



Edward Issa
R/Director, Statewide Operations Network
Early Childhood Education
Delegate of the Secretary, Department of Education

6 September 2018

Attachment C – Traffic Impact Assessment



Traffic Impact Assessment;

**393 Darling Street, Balmain -
Child Care Centre**

For Dillon and Savage Architects
31 January 2018

parking;
traffic;
civil design;
communication;
ptc.



Document Control

393 Darling Street, Balmain - Child Care Centre, Traffic Impact Assessment

Issue	Date	Issue Details	Author	Reviewed	For the attention of
1	30/01/18	Draft Issue	SH	AU	Jane Dillon
2	31/01/18	Final Issue	SH	AU	Jane Dillon
3					

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1. Executive Summary

- **ptc.** has been engaged by Dillon and Savage Architects, on behalf of Balmain Care For Kids Pty Ltd, to provide a Traffic and Parking Assessment to accompany a Development Application (DA) to Inner West Council for the construction of a Child Care Centre, accommodating 80 children and 15 staff, at 393 Darling Street, Balmain;
- In the context of parking, the development will provide six parking spaces. This includes three staff spaces, two pick-up/drop off spaces and one visitor space. The parking provision also provides two bicycle racks (accommodating four bicycle spaces) and one motorcycle space. Therefore, the parking provision complies with the Council's DCP requirements;
- With reference to the most recent RMS survey data, a review of the potential traffic generation of the site revealed that the development will lead to a net increase in 17 vehicular trips during the AM peak hour, and 13 vehicular trips in the PM peak hour. This represents a marginal increase, and as such, the proposed development is not anticipated to generate any negative impacts to the local road network;
- The proposed driveway has been designed in such a way that a traffic light control at the Darling Street access is no longer required, which was discussed in the pre-DA stage;
- The architectural plans have been amended to provide a driveway crossover that is perpendicular to the property alignment and slightly skewed inside the property boundary, due to the existing site constraints. Swept path assessment conducted demonstrates that two-way vehicular flow is achievable along the driveway with appropriate clearances (see Attachment 2);
- **ptc.** acknowledges the Council's concerns of the possible safety risk that may be caused due to the right turn entry and exit into the site, which will force vehicles to cross the double centreline along Darling Street. However, it is also acknowledged that motorists are allowed to cross double centrelines to enter/exit a property, and it is the responsibility of the motorist to do so with due care. It is also noted that the existing site provides a driveway crossover on the western side and vehicles are currently crossing the double centreline to enter/exit the site;
- In terms of its impact on Darling Street, it is anticipated that the impact will be minor as net increase of traffic to the site is very minor;
- The pick-up/drop-off parking spaces have been relocated to reduce the potential interaction and conflict between vehicles along the aisle and disembarking passengers. The review indicates that the pick-up/drop-off spaces are compliant with the Australian Standards and meet the clearance requirements (door opening, entry flanges, column locations);
- A review of the facility, undertaken with reference to AS2890.1:2004 and AS2890.3:2015, found the proposal to be in compliance with and meeting the intent of the relevant standards; and
- In light of the above, the proposed development has been endorsed in the context of parking and traffic.



2. Introduction

2.1 Project Summary

ptc. has been engaged by Dillon and Savage Architects, on behalf of Balmain Care For Kids Pty Ltd, to prepare a Traffic and Parking Assessment to accompany a DA to Inner West Council regarding a proposed Childcare Centre accommodating up to 80 children and 15 staff at 393 Darling Street, Balmain (see Figure 1).



Figure 1 - Site Location



2.2 Purpose of this Report

This report presents the following considerations in relation to the Traffic and Parking assessment of the Proposal:

- | | |
|-----------|--|
| Section 2 | A description of the project; |
| Section 3 | A description of the road network serving the development property, and existing traffic volumes through key local intersections; |
| Section 4 | Determination of the traffic activity associated with the development proposal, and the adequacy of the surrounding road network; |
| Section 5 | Assessment of the proposed parking provision in the context of the relevant planning control requirements; and |
| Section 6 | Assessment of the proposed car park, vehicular access and internal circulation arrangements in relation to compliance with the relevant standards, and Council policies. |



2.3 Site Context

The proposed site lies within a local centre precinct (B2), situated to the east of the Parramatta River. Key features surrounding the site include:

- To the north-west, lies a public recreation precinct (RE1) comprising the Elkington Park and Dawn Fraser Baths;
- To the east the local centre precinct (B2) continues, comprising the Balmain Town Centre; and
- The greater residential precinct of Balmain, comprising typically general residential (R1) zones.



Figure 2 - Local Land Use Map (Source: NSW Planning Viewer)

2.4 Development Site

The proposal relates to the following site (Figure 3):

- 393 Darling Street, Balmain (Lot No.1, DP997020)



Figure 3 - Aerial View of Subject Site & Surrounds (Source: Neamap)

The total site area is 1,344m² with a property frontage of approximately 30m to Darling Street currently accommodates a two-storey commercial property and 18 at grade parking spaces (Figure 5). The immediate surrounds of the site are typically commercial and residential in nature and the site is adjacent to Balmain Fire Station (Figure 4).



Figure 4 - Site Frontage

393 Darling Street, Balmain - Child Care Centre; Dillon and Savage Architects; 31 January 2018;
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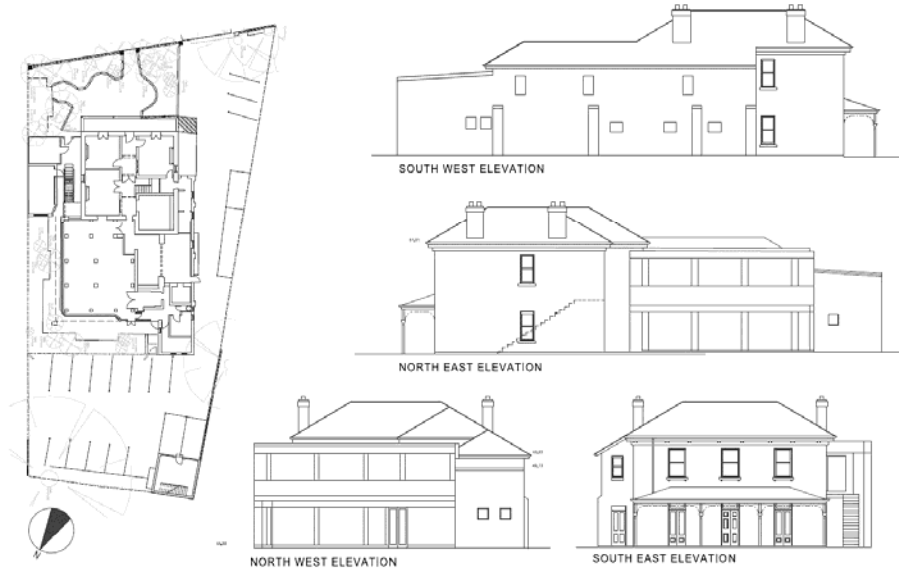


Figure 5 - Existing Site Layout and Elevations



2.5 Development Proposal

The development proposal involves the refurbishment of the existing building to accommodate a child care facility for a maximum of 80 children;

- Eight × 0-2 year old (babies)
- Eight × 2-3 year old (toddlers)
- 64 × 3-5 year old (pre-school)

The children will be cared for by a maximum of 15 staff on site at any one time.

As part of the proposal, vehicular access to the site will be provided via the new 7.5m wide driveway leading to an at grade car park costing of 6 car spaces, one motorcycle space and two bicycle racks, located in the front entry garden, accommodating four bicycles (Figure 6).

The arrangement of the proposal layout and associated parking space is illustrated in the drawings prepared by Dillon and Savage Architects provided as Attachment 1 and in Figure 6.

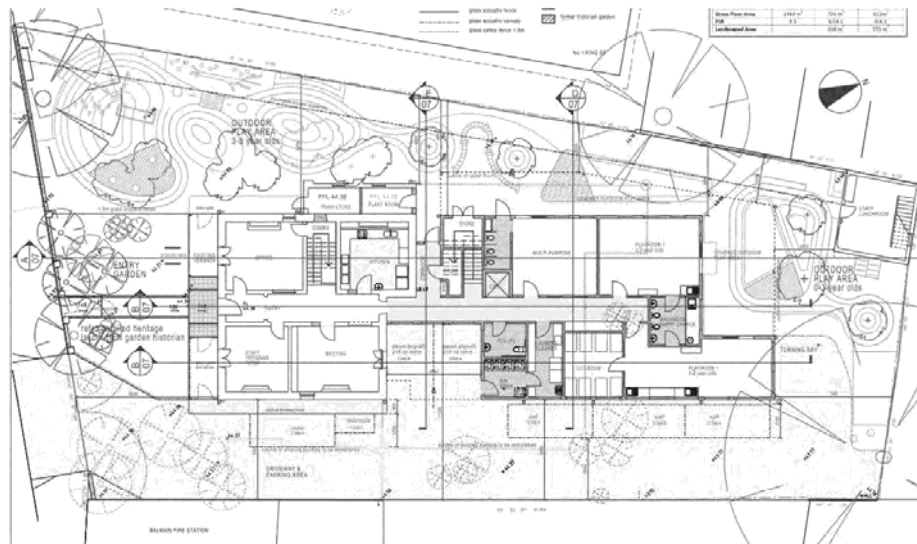


Figure 6 - Proposed Development

3. Existing Transportation Facilities

3.1 Road Hierarchy

The subject development is located in the suburb of Balmain. The road network servicing the area consists of State Road (Victoria Road) and a Regional Road (Darling Street) which provides direct access into the property.



Figure 7 - Road Hierarchy

The NSW administrative road hierarchy, illustrated in Figure 7 comprises the following road classifications, which align with the generic road hierarchy as follows:

- State Roads - Freeways and Primary Arterials (RMS Managed)
- Regional Roads - Secondary or sub arterials (Council Managed, partly funded by the State)
- Local Roads - Collector and local access roads (Council Managed)



The immediate road network serving the site includes:

Table 1 - Existing Road Network - Victoria Road

Victoria Road	
Road Classification	State Road
Alignment	South East – North West
Number of Lanes	3 lanes in each direction of travel (at the vicinity of the site)
Carriageway Type	Divided
Carriageway Width	22.0m
Speed Limit	60kph
School Zone	No
Parking Controls	Clearway Mon-Fri 6am to 10am & 3pm to 7pm, Sat-Sun 8am to 8pm
Forms Site Frontage	No
Bus Zones	Yes



Figure 8 - Victoria Road - North Eastbound

Table 2 - Existing Road Network - Darling Street

Darling Street	
Road Classification	Regional Road
Alignment	East – West
Number of Lanes	1 lane in each direction of travel (plus parking lane)
Carriageway Type	Undivided
Carriageway Width	12m
Speed Limit	40kph
School Zone	No
Parking Controls	2P (ticket) 8am to 6pm & 4P (ticket) 6pm to 10pm
Forms Site Frontage	Yes

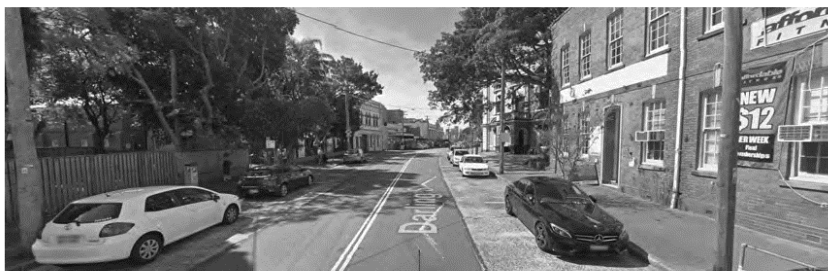


Figure 9 - Darling Street – Eastbound

393 Darling Street, Balmain - Child Care Centre; Dillon and Savage Architects; 31 January 2018;
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3.2 Public Transport

In assessing the accessibility of the site to public transport, reference is made to the NSW Planning Guidelines for Walking and Cycling (2004) (the Cycling and Walking Guide). This document recommends a distance of 400-800m is a walkable catchment to access public transport and local amenities.

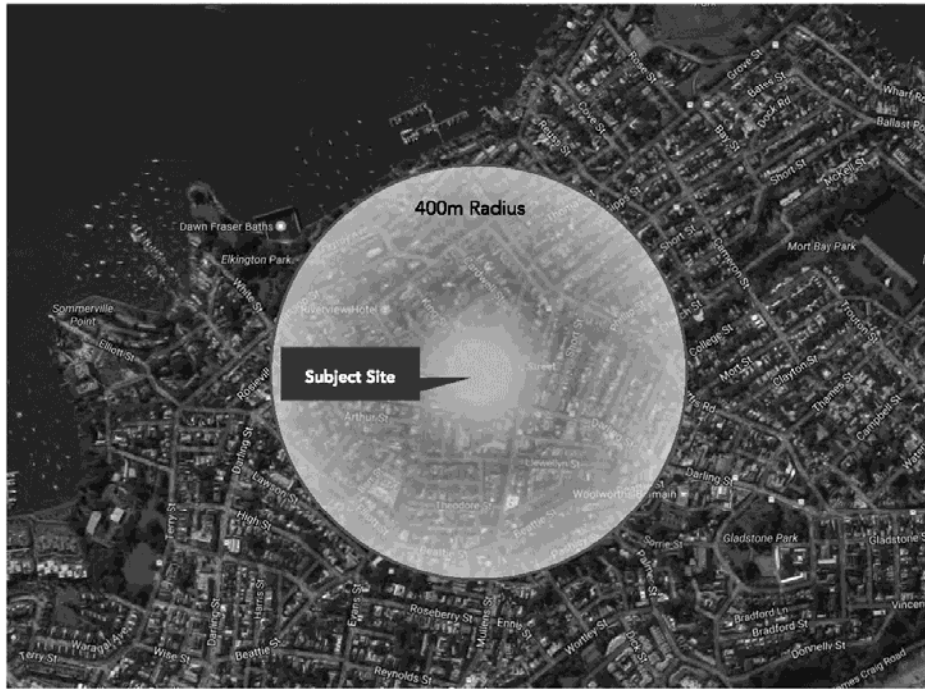


Figure 10 - Walkable catchment to the site

Detail of the public transport options available are outlined in the following sections.

3.3 Bus Services

The site is well serviced by buses that provide five routes along Darling Street and Montague Street. The closest bus stops are located 100 metres west of the site on Darling Street and 170 metres east of the site on Montague Street.

The locations of identified services are highlighted in Figure 11 with details of each service presented in Table 3.

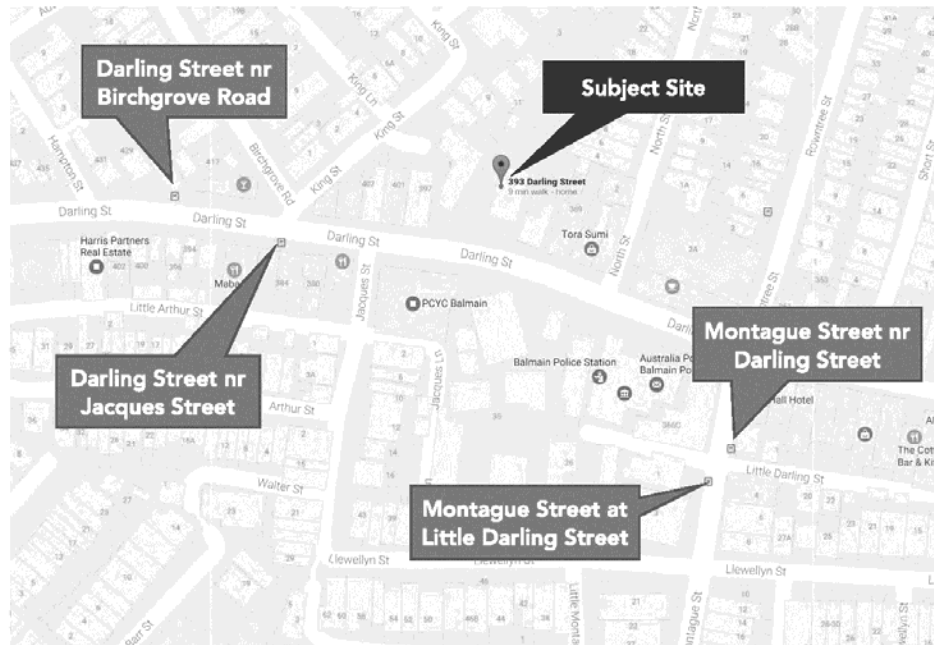


Figure 11 - Location of Bus Stop

Table 3 - Bus Service Summary

Route	Frequency	Coverage
441	20-30 minute intervals between 6.20am & 10.51pm	Birchgrove to The City (QVB)
442	20-30 minute intervals between 5.50am & 12.30am (with additional services at peak times)	Balmain East to The City (QVB)
433	20-30 minute intervals between 5.00am & 12.00am (with additional services at peak times)	Balmain to Central
444	20 minute intervals between 6.00am & 8.00am and 2.30pm and midnight	Balmain East to Campsie

393 Darling Street, Balmain - Child Care Centre; Dillon and Savage Architects; 31 January 2018;
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Route	Frequency	Coverage
445	20 minute intervals between 8.25am & 2.15pm	Balmain East to Campsie (via Lilyfield Road)

It is established that bus routes operate within comfortable walking distance from the site and is served by regular bus services operating within the surrounding region.

3.4 Active Travel

In addition to public transport, the locality was also assessed for its active transport potential. It is noted that the proximity of a number of a number of public recreational areas such as Elkington Park and Gladstone Park which will likely lead to higher rates of walking and cycling.

In terms of public infrastructure, the local road network offers a high level of amenity and safety for pedestrians, providing refuge islands, separated footpaths, pedestrian crossings, supporting signage and appropriate lighting throughout the locality.

3.4.1 Cycling

Leichhardt Municipal Council Bike Plan, in 2016, seeks to provide the needs of the people that live in, undertake activities within and pass through the Leichhardt LGA, while integrating the broader metropolitan strategies and bicycle networks, both existing and planned.

Figure 12 presents the existing cycle routes within the vicinity of the site and identifies a number of cycleways providing access to the local and greater Sydney cycle network.

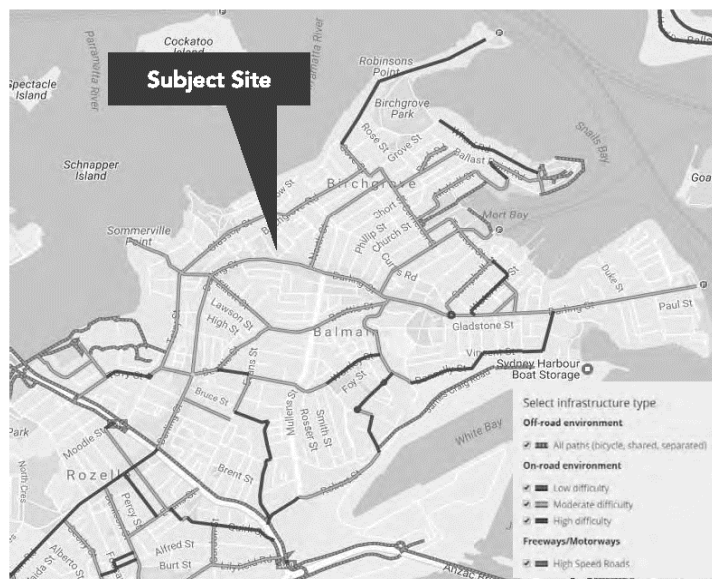


Figure 12 - Existing Routes (Source: RMS Cycleway Finder)



3.5 Existing Traffic Conditions

3.5.1 Existing Traffic Generation

The RMS Guide to Traffic Generating Developments (the Guide), and Technical Direction TDT2013/04 provide an outline of traffic generating characteristics for new developments. The traffic generation of the existing development was established based on the standard practice of referencing published data.

In relation to the existing premises, the RMS Technical Direction TDT2013/04 provides guidance in terms of the impact of the following trip generation rates associated with commercial properties.

- Peak hour – 2 vehicles per 100m² GFA
- Daily – 10 vehicles per 100m² GFA

No rate is presented for the afternoon peak period, however there is no evidence to suggest it would be higher or lower than the morning peak.

Applying the above rates, the existing land use of the commercial consisting of 724m² GFA, leads to the potential following trip generation as outline in Table 4.

Table 4 - Existing Trip Generation Summary

Period	GFA	Rate (trips per dwelling)	Existing Trips
Peak Hour	724m ²	2 vehicles per 100m ²	15 (14.48)
Daily	724m ²	10 vehicles per 100m ²	73 (72.4)

The existing site has the potential to generate a total of 15 vehicle movements during the peak hour periods and 73 daily vehicle movements.

3.5.2 Existing Traffic Volumes

In order to assess the existing traffic conditions in the vicinity of the site, traffic intersection surveys were undertaken at the following intersections:

- Darling Street and Birchgrove Road
- Darling Street and Rowntree Street / Montague Street

The surveys were undertaken on Wednesday 15th February 2017, between 7am and 9am and 4pm and 6pm. These periods were selected in order to identify the morning and evening peaks and from the data collected it was established that peak periods are as follows;

- Darling Street and Birchgrove Road
 - Morning peak – 7.45am to 8.45am (800 vehicles)
 - Afternoon peak - 5.00am to 6.00am (850 vehicles)
- Darling Street and Rowntree Street / Montague Street
 - Morning peak - 8.00am to 8.00am (1165 vehicles)



Afternoon peak - 4.30pm to 5.30pm (1252 vehicles)

The peak hour results of these surveys are shown in Figure 13 and Figure 14.

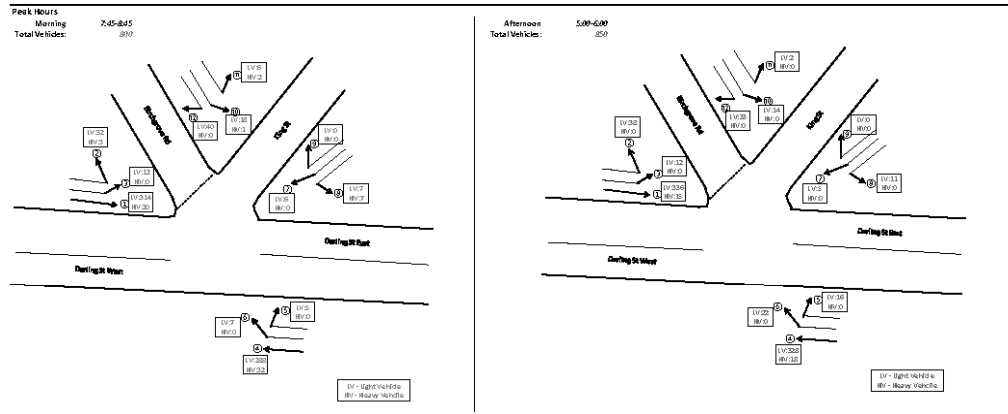


Figure 13 – Darling Street / Birchgrove Road Intersection Peak Hour Survey Results

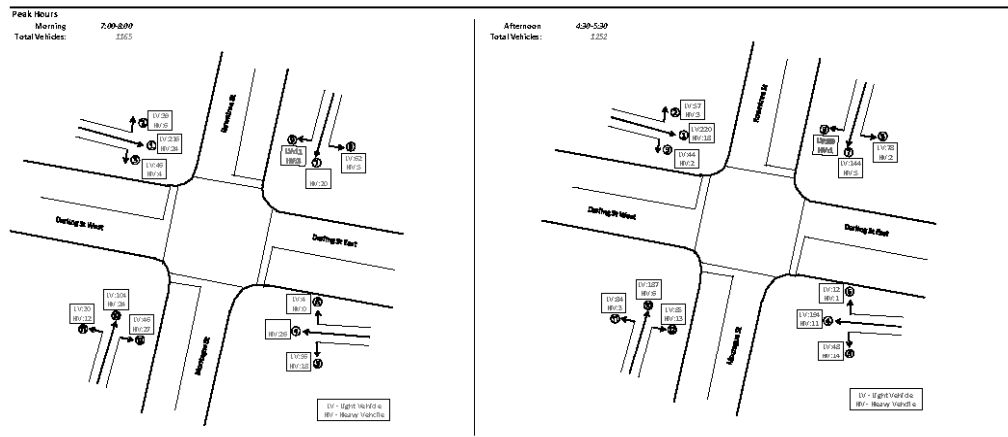


Figure 14 – Darling Street / Rowntree Street Intersection Peak Hour Survey Results

3.5.3 Intersection Modelling

In order to confirm the current operation of the intersection, an assessment has been undertaken using the SIDRA Intersection modelling software, which presents a range of performance indicators (Level of Service, Average Delay, etc).

Typically, there are three performance indicators used to summarise the performance of an intersection, being:



- Degree of Saturation – The total usage of the intersection expressed as a factor of 1 with 1 representing 100% use/saturation. (e.g. 0.8=80% saturation)
- Average Delay- The average delay encountered by all vehicles passing through the intersection. It is often important to review the average delay of each approach as a side road could have a long delay time, while the large free flowing major traffic will provide an overall low average delay.
- Level of Service (LoS) - This is a categorization of average delay, intended for simple reference. The RMS adopts the following bands:

Table 5 - Intersection Performance

Level of Service	Average Delay (secs/vehicle)	Traffic Signals, Roundabout	Give Way & Stop Signs
A	<14	Good operation	
B	15 to 28	Good with acceptable delays & spare capacity	Acceptable delays & spare capacity
C	29 to 42	Satisfactory	Satisfactory, but accident study required
D	43 to 56	Operating near capacity	Near capacity & accident study required
E	57 to 70	At capacity. At signals, incidents would cause excessive delays. Roundabouts require other control mode	At capacity, requires other control mode
F	>70	Extra capacity required	Extreme delay, major treatment required

A summary of the SIDRA results is presented in the following tables.

Table 6 - Existing SIDRA Modelling Results

Intersection	Degree of Sat.	Average Delay (sec)	Level of Service
Darling Street/ Birchgrove Road – AM	0.218	1.6	A
Darling Street/ Birchgrove Road – PM	0.228	1.6	A
Darling Street/ Rowntree Street – AM	0.832	24.9	B
Darling Street/Rowntree Street – AM	0.859	26.3	B

* For priority-controlled intersections, results are reported for the approach with the greatest average delay.

Based on the traffic volumes and subject to favourable conditions along the Darling Street corridor, the results indicate the intersections provide an acceptable level of service during the typical weekday peak periods.



4. Development Traffic Assessment

The traffic generation of the proposed development has been established with reference to the RMS Guide to Traffic Generating Developments. The traffic generation of the proposed development was established based on the standard practice of referencing published data.

The proposed developed consists of child care facility to accommodate 80 children and supported by up to 15 staff. The guide provides traffic generation data for child care facilities for pre-school, long day care and before/after school care based upon children in attendance to the facility.

The proposed child care facility operates a long day care in which the RMS guide outlines that potential traffic generation rate of:

- 7:00am-9:00am: 0.8 Vehicle trips per child
- 2:30pm-4:00pm: 0.3 Vehicle trips per child
- 4:00pm-6:00pm: 0.7 Vehicle trips per child

In the context of peak hour traffic generation rate for AM and PM peak period for the proposed development consisting of 80 children, the peak hour traffic generation was distributed evenly over the 2-hour peak period to produce the peak hour generation of:

AM Peak Hour: 32 vehicle trips

PM Peak Hour: 28 vehicle trips

Applying the above rates to the subject development and compared to the peak hour weekday trip generation of the existing development the following trip rates and net trip rates are outlined in Table 7.

Table 7 - Trip Generation Summary

Period	Existing Trip Generation	Proposed Trip Generation	Net Trips
AM Peak Hour Trips	15	32	17
PM Peak Hour Trips	15	28	13

* Net Trips reflect the difference between existing and proposed trip rates

The assessment indicates that the proposed development is anticipated to generate a marginal increase compared to the existing use, with a net increase of 17 trips in the AM peak hour (approximately one vehicle trip every 3-4 minutes) and 13 trips in the PM peak hour (approximately one vehicle trip every 4-5 minutes). This represents a minor increase in traffic volume which would fall within typical daily fluctuations. It has also been demonstrated that the site is ideally situated for public transport, and in light of such, actual trips would not be expected to deviate significantly from the RMS survey data. Moreover, the SIDRA results in Table 6 shows that the adjoining intersections are operating with reasonable spare capacity. Therefore, additional traffic generated by the development is unlikely to generate any significant traffic impacts to the local road network.



5. Parking Provisions

5.1 Planning Policy Requirements

The proposed development is subject to the parking provision rates stipulated in Section 1 of the Leichhardt Development Control Plan 2013, and are repeated below:

- 2 pickup/ drop-off spaces (minimum);
- 1 staff space per 30 children; and
- 1 visitor space (minimum)

5.2 Proposed Parking Provision

The proposed development will accommodate 80 children. Applying the above DCP rates to this development leads to the provisions outlined in Table 8.

Table 8 - Minimum Car Parking Provision

Component	No. of Children	DCP Parking Rate (minimum)	DCP Parking Requirement (minimum)	Proposed Parking Provision
Pick-up/Drop off			2	2
Staff	80	1 space/ 30 children	3	3
Visitor			1	1
TOTAL				6

The current plans (included in Attachment 1) includes the provision of six spaces. This aligns with the minimum car parking requirements outlined in the Council DCP.

5.3 Bicycle Parking

In reference to the Council DCP Clause C1.11.3, the following outlines the minimum bicycle parking provision for childcare facilities:

- 1 space per 10 staff; and
- 2 visitor spaces per centre

Based upon the minimum bicycle parking provision outline in the DCP, a bicycle facility should be provided to accommodate a minimum of four (4) bicycles.

The proposal provides four (4) bicycle spaces (two racks) and therefore meets the DCP requirements.



5.4 Motorcycle Parking

In accordance with Clause 23 of the DCP, motorcycle parking is to be provided at the following minimum rate:

- 1 space for developments with 1 to 10 spaces; and
- 5% of the required vehicle parking thereafter.

As stated in Section 5.2, the development required 6 parking spaces, resulting in a minimum requirement of one motorcycle bay. The design includes one motorcycle space, therefore satisfying the requirements of the DCP.

5.5 Servicing

Given the limited site area and the heritage factors of the property, it is proposed that servicing of the development will be undertaken on street, as per the current arrangements, which is consistent with other commercial premises in the local vicinity.

5.6 On-Street Parking

It is understood that the kerb along the existing driveway crossing will be reinstated to provide an additional on-street parking space. It is proposed that this space is restricted to 10-15minute parking, during 7.00am-9.00am & 3.00pm-5.00pm to serve the pick-up/drop-off periods, whilst other times Council can operate meter parking. This proposal will be discussed with Council in due course.



6. Access and Car Park Assessment

The following section presents an assessment of the proposed development with reference to the requirements of AS2890.1:2004 (Off-street car parking) and AS2890.3:2015 (Bicycle Parking). This section is to be read in conjunction with the architectural plans (Drawing No. 149 171 DA02) provided by Dillon and Savage Architects on 25 December 2017 (Attachment 1) and the car park assessment undertaken by ptc. (Attachment 2).

6.1 Pedestrian Access

The proposed development has been designed to provide separate access for pedestrians and vehicles, which will minimise the conflict between vehicular and pedestrian activity.

6.2 Vehicular Access & Circulation

The proposal involves the demolition of the existing 6.0m wide driveway at the western end of the Darling Street frontage, and the construction of a new driveway on the eastern end.

When considering the access category of the development, it has been established that the development will accommodate six parking spaces and is accessible via a regional road, leads to a classification of Category 1. A Category 1 facility requires an access driveway width of 3.0m-5.5m.

The proposal involves the construction of a 7.5m driveway and therefore complies with the intent of AS2890.1 for driveway vehicular access. Swept path assessments conducted indicates that two-way flow is achievable, accommodating the passing of a B99 and a B85 design vehicle with appropriate clearances (see Attachment 2).

It is noted that a portion of the driveway (within the property boundary) is skewed due to the existing site constraints, however, the driveway cross-over itself is perpendicular to Darling Street. Swept path assessment demonstrates that the proposed driveway design allows vehicles to enter and exit the site perpendicular to the road alignment (see Attachment 2).

6.2.1 Entry and Exit from Darling Street

ptc. acknowledges the Council's concerns that right turn entry and exit, into the proposed site, will require vehicles to cross the double centreline along Darling Street which can be a potential safety risk for motorists. However, vehicles are allowed to cross double centrelines when they are entering/ exiting a property, and it is the responsibility of the driver to do so with due care. Moreover, vehicles are currently entering/ exiting the existing site by crossing the double centreline with no major issues. Relocation of the driveway to the eastern side of the site is no exception to the existing turn movement to/from the current site.

In terms of its impact on Darling Street, it is anticipated that the impact will be minor as the net increase of traffic to the site is marginal.

6.3 Sight Distance

The sight distance requirements are outlined in Section 3.2 of AS2890.1 and are prescribed on the basis of the posted speed limit or 85th percentile speeds along the frontage road.



Darling Street has a posted speed limit of 40km/h, which requires a desirable visibility distance 55 metres and a minimum distance of 35 metres. The proposed driveway is located in a straight section of the road where sufficient sight distance is provided.

The proposed car park allows for all vehicles to enter and exit in a forward direction, therefore minimising potential conflict points and maintaining the overall safety of the road network.

6.4 Car Park Arrangement

6.4.1 Typical Requirements

The car park access and parking arrangements have been assessed against the requirements of AS2890.1:2004:

- Pick-up/Drop-off Spaces (90° angle parking): 2.6m x 5.4m (Class 3)
- Staff and Visitor Spaces (parallel parking): 2.1m x 5.4m (unobstructed end with 3.6m aisle width)
2.1m x 5.9m (inner spaces with 3.6m aisle width)

It is noted that the staff parking space, closest to the pick-up/drop off area, is required to be 2.1m x 6.2m as it is slightly obstructed by the adjacent 90-degree pick-up/drop-off parking space. However, it is anticipated that staff will arrive before drop-off and leave after the pick-up hours. Therefore, the likelihood that this staff parking space is obstructed during staff arrival/departure periods will be uncommon. Moreover, any obstruction of this staff space is anticipated to be temporary and will be manageable. In light of this, all parking spaces have been individually assessed and found to be compliant with the standards.

The aisle widths provided range between 3.4 metres and 4 metres along the parallel spaces which satisfies the minimum 3.0m aisle width stipulated in the standards for parallel parking spaces. However, due to existing heritage site constraints, an aisle width of 5.8m is provided along the 90-degree staff parking spaces. Australian Standard requires an increased aisle width by 300mm to the side bounded by a wall or other high vertical obstruction. The swept path assessment conducted indicates that vehicles are able to manoeuvre in and out of the pick-up/drop of spaces safely. However, the pick-up/drop-off spaces will have to be restricted to reverse-in only, which will be enforced by appropriate signage. This will allow vehicles to exit the spaces more safely and in a forward direction.

In the context of pedestrian safety, the location of the proposed pick-up/drop-off spaces are considered appropriate and will allow children to get in and out of vehicles safely, without having to walk onto the aisle. Prior to construction certification, appropriate warning signage may be installed within the site, advising drivers to be vigilant of pedestrians and children.

To ensure suitable manoeuvrability is maintained within the site, a turning head is provided at the northern end of the car park, to enable vehicles to exit the site in a forward direction (see Attachment 2).

6.4.2 Bicycle Parking

Approved Bicycle Parking Devices (BPD's) shall be adopted prior to obtaining a construction certificate. AS2890.3:2015 stipulated the following bicycle parking envelopes:

- Horizontal: 1800mm x 500mm
- Accessible aisle: 1500mm



All proposed bicycle parking meets the above requirements.



7. Conclusion

In summary, the proposal comprises the construction of a Child Care Centre, accommodating a maximum of 80 children and 15 staff.

The likely traffic generations to be produced by the proposal are considered minor, with approximately 17 vehicle trips in the AM peak hour and 13 vehicle trips in the PM peak hour. Furthermore, the SIDRA results (see Table 6) demonstrates that the adjoining intersections are operating with adequate spare capacity to accommodate the traffic generated by the proposed development.

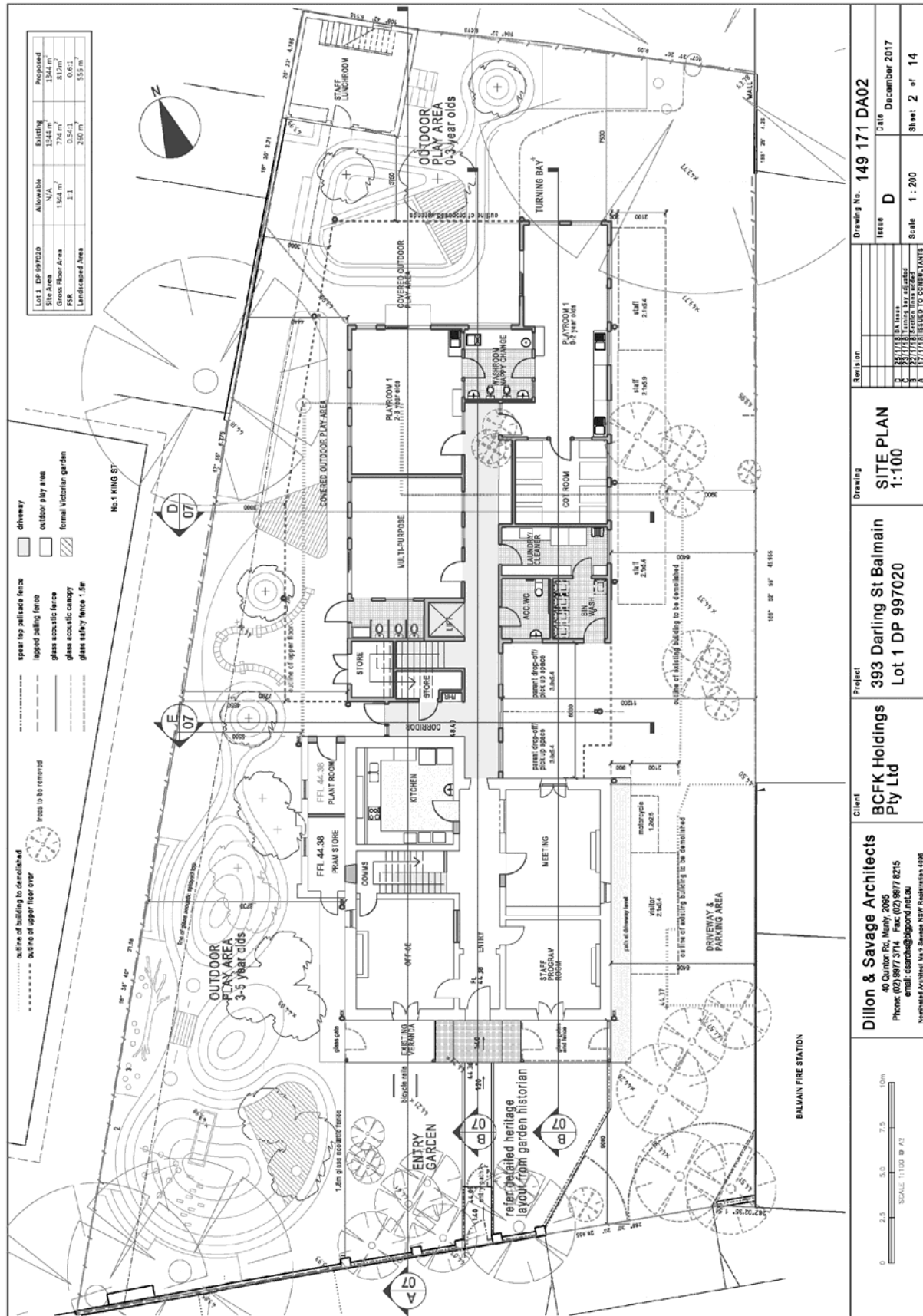
The parking provision of six car spaces, one motorcycle space and two bicycle racks (accommodating four bicycle spaces) complies with the DCP requirements.

The parking and vehicular access arrangements have been designed in accordance with the relevant Australian Standards and DCP requirements, and circulation has been further demonstrated through a swept path assessment.

In light of the above, the proposed development has been endorsed in a traffic and parking context.

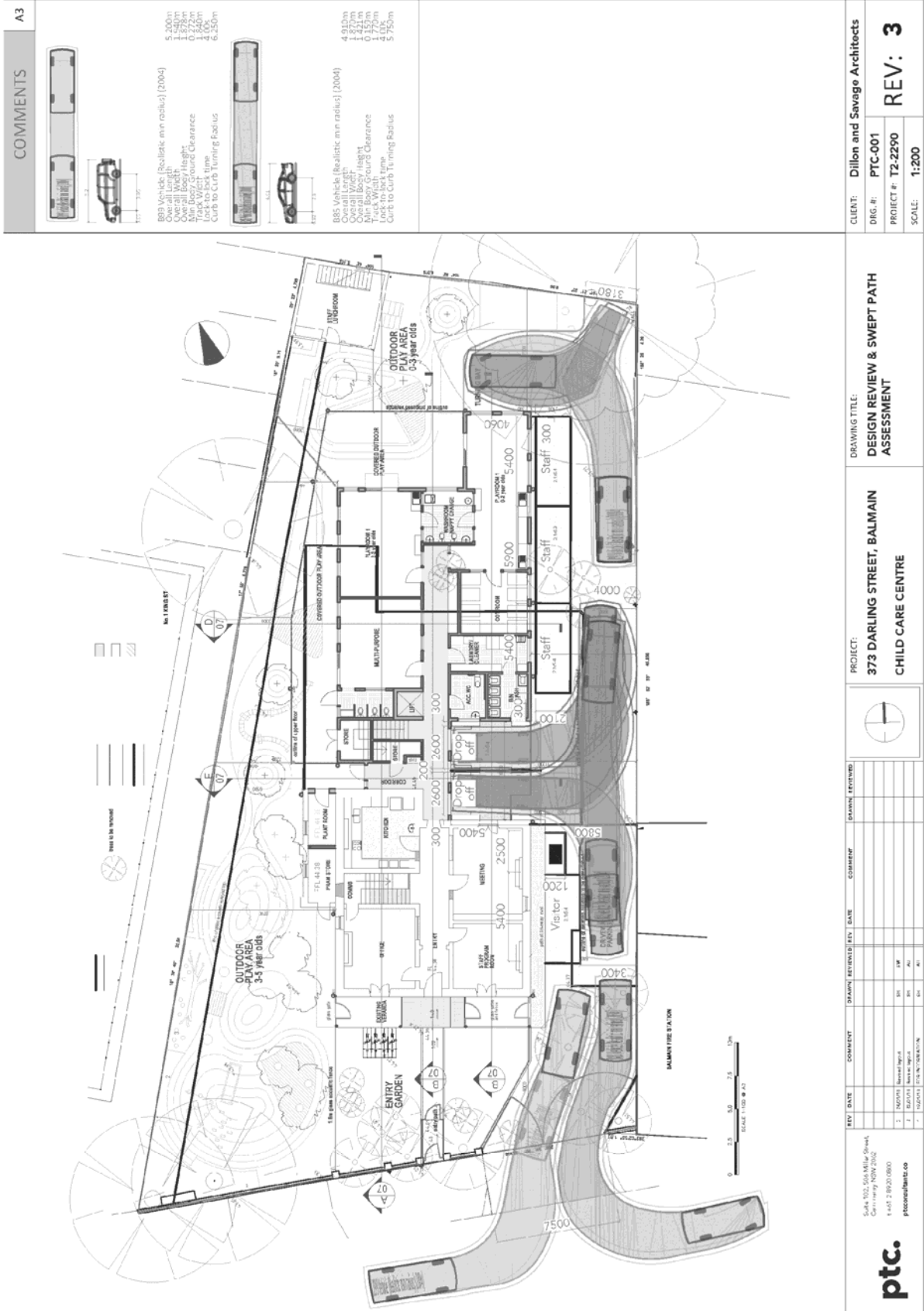


Attachment 1 Architectural Plans





Attachment 2 Car Park Review



COMMENTS A3

<p>B89 Vehicle (Realistic min radius) (2004)</p> <ul style="list-style-type: none"> Overall Length: 5.95m Overall Width: 1.540m Overall Body Height: 1.578m Min Body Ground Clearance: 0.152m Track Width: 1.840m Lock-to-lock Turn: 4.106m Curb to Curb Turning Radius: 6.500m 	<p>B85 Vehicle (Realistic min radius) (2004)</p> <ul style="list-style-type: none"> Overall Length: 4.910m Overall Width: 1.421m Overall Body Height: 1.471m Min Body Ground Clearance: 0.152m Track Width: 1.606m Lock-to-lock Turn: 4.006m Curb to Curb Turning Radius: 5.750m
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CLIENT: Dillon and Savage Architects
DRG. #: PTC-001
PROJECT #: T2-2290
SCALE: 1:200
REV: 3

DRAWING TITLE:
DESIGN REVIEW & SWEEP PATH ASSESSMENT

PROJECT:
373 DARLING STREET, BALMAIN
CHILD CARE CENTRE



REV	DATE	COMMENT	DRAWN	REVIEWED	EST.	DATE	COMMENT
1	14/07/15	Revised Report	SK	MP			
2	22/07/15	Revised Report	SK	MP			
3	02/07/15	Final Report	SK	MP			

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