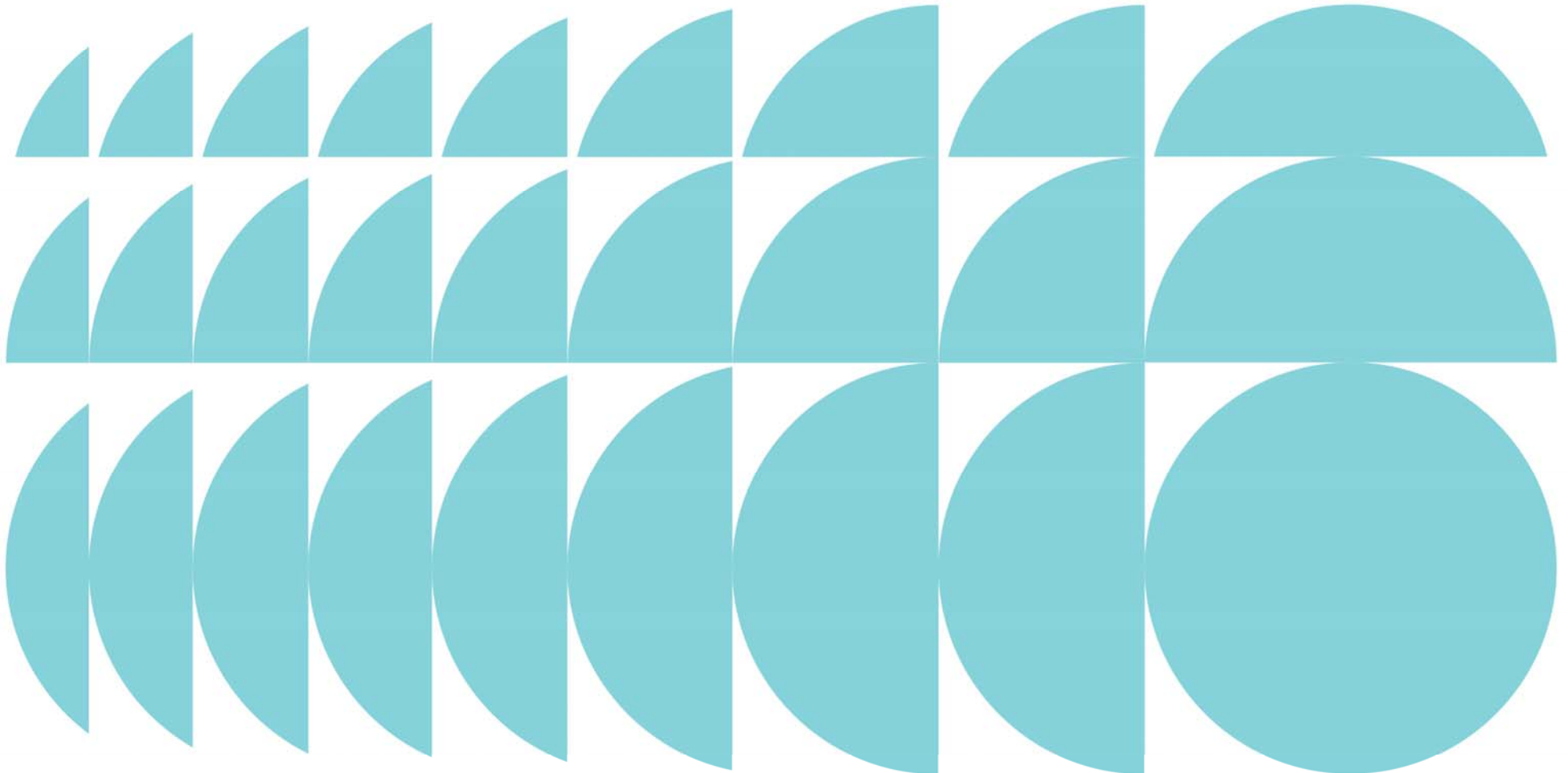




1.0 SEPP (Educational Establishments and Child Care Facilities) 2017

This application seeks concept approval only for the 100 place child care facility at ground level of the SHOR building. Approval for detailed design (fit out and operation) will be subject to a separate future application once a suitable operator has been appointed by Heath Infrastructure (HI). Any future fit out application will be prepared in accordance with the Child Care Planning Guidelines and the provisions of the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Educational SEPP).

The design of the Child Care Centre, whilst not included as part of this application, provides for up to 100 child capacity. The internal and external areas provided meet the requirements of the *Education and Care Services National Law Act 2010* and the *Education and Care Services National Regulations 2011* for 100 children, i.e. 7m² per child for external area and 7m² per child for internal area (exclusive of toilets, staff areas and circulation).

Pursuant to Clause 23 of the Educational SEPP, **Table 1** provides a high level assessment of the proposed facility against design principles and matters of consideration under Part 2, Part 3 and Part 4 of the Child Care Planning Guidelines.

Table 1 Child Care Planning Guidelines

Component	Proposal
Part 2: Design Quality Principles	
Principle 1 - Context	The proposed child care centre is identified at the ground level of the commercial building subject to this application and is not designed as a standalone centre. The site, located within Royal North Shore Hospital (RNSH) Precinct and in close proximity to St Leonards Train Station, is well suited to the proposed use. The co-location of the child care centre with commercial and hospital uses provides benefits for hospital employees and workers within the proposed commercial building with the convenience of having access to child care services in close proximity to their work.
Principle 2 – Built form	As mentioned above, the child care centre is proposed at the ground level of the commercial building and is not designed as a standalone centre. Notwithstanding this, the proposed commercial building is contextually designed to respond to its setting.
Principle 3 – Adaptive learning spaces	This proposal only seeks concept approval for use of a part of the ground floor for a child care centre. Any future fit out application will further demonstrate consistency with this principle or adopt suitable measures to address this principle.
Principle 4 – Sustainability	The base commercial building is designed with the intention to achieve a 5 Star Green Star Rating, 5 Star NABERS Energy Rating including a 5 Star Tenancy Rating, and 4 Star NABERS Water Rating. Any future child care fit out application will further demonstrate consistency with this principle or adopt suitable measures to address this principle.
Principle 5 – Landscape	Landscape plans, prepared by Arcadia, provide the concept landscape strategy for the wider site (being Site 4A). Any future child care fit out application will demonstrate consistency with this principle or adopt suitable measures to address this principle.
Principle 6 – Amenity	This proposal only seeks concept approval for use of a part of the ground floor level for a child care centre. Nonetheless, the design of the base building is such that any future child care facility can achieve the intent of this principle.
Principle 7 – Safety	The setting, location and context of the child care centre is such that any future facility can achieve the intent of this principle.

Component	Proposal
Part 3: Matters for consideration	
3.1 Site selection and location Objective: To ensure that appropriate zone considerations are assessed when selecting a site.	The proposed site is zoned SP2 Hospital. A child care centre is a permissible use with development consent in this zone, given that it will operate as incidental or ancillary to the hospital use of the site.
Objective: To ensure that the site selected for a proposed child care facility is suitable for the use.	Providing a child care centre at this zone is consistent with the RNSH Concept Plan, which envisaged the provision of a new child care facility with increased capacity.
Objective: To ensure that sites for child care facilities are appropriately located.	Further, the proposed child care centre facility will replace an existing child care centre that provided child care services to employees of the hospital. As such, the site has and will continue to be suitable for the proposed use.
Objective: To ensure that sites for child care facilities do not incur risks from environmental, health or safety hazards.	Importantly, in this instance, the co-location of the child care centre with the hospital is favourable as it will service the child care services needs of hospital employees.
3.2 Local character, streetscape and the public domain interface Objective: To ensure that the child care facility is compatible with the local character and surrounding streetscape.	The proposed child care centre is integrated at the ground level of the commercial building. The tenancy is designed as cold shell tenancy. Approval for detailed design (fit out and operation) will be subject to a separate future application once a suitable operator has been appointed by NSW Health Infrastructure.
Objective: To ensure clear delineation between the child care facility and public spaces.	The proposed child care centre is provided as part of the commercial building and not a stand alone separate building.
Objective: To ensure that front fences and retaining walls respond to and complement the context and character of the area and do not dominate the public domain.	
3.3 Building orientation, envelope and design Objective: To respond to the streetscape and site, while optimising solar access and opportunities for shade.	
Objective: To ensure that the scale of the child care facility is compatible with adjoining development and the impact on adjoining buildings is minimised.	The proposed child care is designed as a centre based facility that is located within the ground level of the commercial building and not a stand alone building.
Objective: To ensure that setbacks from the boundary of a child care facility are consistent with the predominant development within the immediate context.	
Objective: To ensure that the built form, articulation and scale of development relates to its context and buildings are well designed to contribute to an area's character.	
Objective: To ensure that buildings are designed to create safe environments for all users.	
Objective: To ensure that child care facilities are designed to be accessible by all potential users.	

Component	Proposal
3.4 Landscaping Objective: To provide landscape design that contributes to the streetscape and amenity.	The proposed child care centre is located within the commercial building. The outdoor area requirements are met through an outdoor balcony area provided at ground level. As such, given the circumstances, the following objectives are not pertinent to the proposed facility. Further, landscaping plans proposed for the surrounding public domain areas are provided as part of the SSDA package.
C18 Appropriate planting should be provided along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space. Use the existing landscape where feasible to provide a high quality landscaped area by: • reflecting and reinforcing the local context • incorporating natural features of the site, such as trees, rocky outcrops and vegetation communities into landscaping.	Refer to above comment.
C19 Incorporate car parking into the landscape design of the site by: • planting shade trees in large car parking areas to create a cool outdoor environment and reduce summer heat radiating into buildings • taking into account streetscape, local character and context when siting car parking areas within the front setback • using low level landscaping to soften and screen parking areas.	Car parking for the child care tenancy is provided at basement level 1 of the building. Given the circumstances the following provisions do not apply.
3.5 Visual and acoustic privacy Objective: To protect the privacy and security of children attending the facility.	The proposed facility is consistent with this objective. Entry and access to the child care facility is separated from the rest of the building's uses to ensure safety and security.
C20 Open balconies in mixed use developments should not overlook facilities nor overhang outdoor play spaces.	The proposal is consistent with the intent of the objective of this section to ensure visual and acoustic privacy for the children attending the facility.
C21 Minimise direct overlooking of indoor rooms and outdoor play spaces from public areas through: • appropriate site and building layout • suitably locating pathways, windows and doors • permanent screening and landscape design.	The proposed facility is designed to minimise overlooking from surrounding public domain. The finished floor levels of the child care facility and the outdoor play area is on average 2m – 4m above the surrounding public realm.
Objective: To minimise impacts on privacy of adjoining properties.	The proposal is generally consistent with this objective.
C22 Minimise direct overlooking of main internal living areas and private open spaces in adjoining developments through:	The proposed child care facility is not within immediate proximity of adjoining residential developments. The design is such, the direct overlooking will be minimised. Any future fit out application will further demonstrate consistency with this control or adopt suitable measures to address this control.

Component	Proposal
• appropriate site and building layout • suitable location of pathways, windows and doors • landscape design and screening.	
Objective: To minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments.	The proposed facility does not immediately adjoin any residential developments. Potential noise emission from the child care centre on surrounding noise sensitive receivers has been assessed as part of the Noise Assessment Report by Renzo Tonin & Associates (provided as part of the EIS package). Suitable noise criteria has been adopted. Any future fit out application will further demonstrate consistency with this control or adopt suitable measures to address this control.
A new development, or development that includes alterations to more than 50 per cent of the existing floor area, and is located adjacent to residential accommodation should: • provide an acoustic fence along any boundary where the adjoining property contains a residential use. (An acoustic fence is one that is a solid, gap free fence). • ensure that mechanical plant or equipment is screened by solid, gap free material and constructed to reduce noise levels e.g. acoustic fence, building, or enclosure.	The proposed facility is not immediately adjacent to any residential buildings. A Noise Assessment Report (provided as part of the EIS package) identifies relevant noise criteria for the child care centre. Any future fit out application will further demonstrate consistency with this control or adopt suitable measures to address this control.
C24 A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters: • identify an appropriate noise level for a child care facility located in residential and other zones • determine an appropriate background noise level for outdoor play areas during times they are proposed to be in use • determine the appropriate height of any acoustic fence to enable the noise criteria to be met.	A Noise Assessment Report prepared by Renzo Tonin & Associates (provided as part of the EIS package) is provided with this submission and identifies the suitable noise criteria. Any future fit out application will further demonstrate consistency with this control or suitable measures to address this control.
3.6 Noise and air pollution Objective: To ensure that outside noise levels on the facility are minimised to acceptable levels.	This application only includes concept approval for the child care use. A separate future fit out application will demonstrate consistency with this control or adopt suitable measures to address this control.
C25 Adopt design solutions to minimise the impacts of noise, such as: • creating physical separation between buildings and the noise source • orienting the facility perpendicular to the noise source and where possible buffered by other uses • using landscaping to reduce the perception of noise • limiting the number and size of openings facing noise sources • using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens) • using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and soffits	This application only includes concept approval for the child care use. A separate future fit out application will demonstrate consistency with this control or adopt suitable measures to address this control.

Component	Proposal
• locating cot rooms, sleeping areas and play areas away from external noise sources.	
C26 An acoustic report should identify appropriate noise levels for sleeping areas and other non play areas and examine impacts and noise attenuation measures where a child care facility is proposed in any of the following locations: • on industrial zoned land • where the ANEF contour is between 20 and 25, consistent with AS 2021 – 2000 • along a railway or mass transit corridor, as defined by State Environmental Planning Policy (Infrastructure) 2007 • on a major or busy road • other land that is impacted by substantial external noise.	This application only includes concept approval for the child care use. A separate future fit out application will demonstrate consistency with this control or adopt suitable measures to address this control.
Objective: To ensure air quality is acceptable where child care facilities are proposed close to external sources of air pollution such as major roads and industrial development.	It can reasonably be assumed, given the location of the site within RNSH Campus and away from major roads, the air quality levels within the area are acceptable. As such, the intent of this objective can be met.
C27 Locate child care facilities on sites which avoid or minimise the potential impact of external sources of air pollution such as major roads and industrial development.	The proposed centre does not front a major road and is not located within an industrial precinct. Any future fit out application will further demonstrate consistency with this control or adopt suitable measures to address this control.
C28 A suitably qualified air quality professional should prepare an air quality assessment report to demonstrate that proposed child care facilities close to major roads or industrial developments can meet air quality standards in accordance with relevant legislation and guidelines. The air quality assessment report should evaluate design considerations to minimise air pollution such as: • creating an appropriate separation distance between the facility and the pollution source. The location of play areas, sleeping areas and outdoor areas should be as far as practicable from the major source of air pollution • using landscaping to act as a filter for air pollution generated by traffic and industry. Landscaping has the added benefit of improving aesthetics and minimising visual intrusion from an adjacent roadway • incorporating ventilation design into the design of the facility.	Any future fit out application will further demonstrate consistency with this control or adopt suitable measures to address this control.
3.7 Hours of operation Objective: To minimise the impact of the child care facility on the amenity of neighbouring residential developments.	The proposed development only seeks concept approval for use of the child care centre. Matters such as hours of operation will be ascertained once a suitable operator has been appointed by HI. Accordingly, any future fit out application will further demonstrate consistency with this control or adopt suitable measures to address this control.
C29	Refer to above comment.

Component	Proposal
Hours of operation within areas where the predominant land use is residential should be confined to the core hours of 7.00am to 7.00pm weekdays. The hours of operation of the proposed child care facility may be extended if it adjoins or is adjacent to non-residential land uses.	
Within mixed use areas or predominantly commercial areas, the hours of operation for each child care facility should be assessed with respect to its compatibility with adjoining and co-located land uses.	Refer to above comment.
3.8 Traffic, parking and pedestrian circulation Objective: To provide parking that satisfies the needs of users and demand generated by the centre.	Designated car parking for the child care centre is provided at Basement Level 1 of the commercial building. As such, the intent of this objective can be met.
Objective: To provide vehicle access from the street in a safe environment that does not disrupt traffic flows.	The proposal provides a well designed off street drop off/pick up zone at Basement Level 1 of the building. 10 car parking spaces will be available for parents to temporarily park their vehicle when dropping off/picking up their children.
C31 Off street car parking should be provided at the rates for child care facilities specified in a Development Control Plan that applies to the land.	The proposed car parking rates, equating to 19 parking spaces are consistent with the maximum rates permitted for the use under the Willoughby Development Control Plan 2012 (WDCP 2012).
C32 In commercial or industrial zones and mixed use developments, on street parking may only be considered where there are no conflicts with adjoining uses, that is, no high levels of vehicle movement or potential conflicts with trucks and large vehicles.	No on-street car parking is proposed.
C33 A Traffic and Parking Study should be prepared to support the proposal to quantify potential impacts on the surrounding land uses and demonstrate how impacts on amenity will be minimised. The study should also address any proposed variations to parking rates and demonstrate that: • the amenity of the surrounding area will not be affected • there will be no impacts on the safe operation of the surrounding road network.	The proposal is consistent with the maximum parking rates permitted under the WDCP 2012. A Transport & Accessibility Report prepared by Ason Group (Appendix F of the EIS package) confirms that the development is consistent with the relevant parking rates. The report also undertakes an assessment of potential traffic impact on the surrounding road network as a result of the development (including the child care component).
Objective: To provide vehicle access from the street in a safe environment that does not disrupt traffic flows.	Off street vehicle access is provided under this proposal. As such the intent of this objective is seen to be met.
C34	Not applicable.

Component	Proposal
Alternate vehicular access should be provided where child care facilities are on sites fronting: • a classified road • roads which carry freight traffic or transport dangerous goods or hazardous materials. The alternate access must have regard to: • the prevailing traffic conditions • pedestrian and vehicle safety including bicycle movements • the likely impact of the development on traffic.	
C35 Child care facilities proposed within cul-de-sacs or narrow lanes or roads should ensure that safe access can be provided to and from the site, and to and from the wider locality in times of emergency.	Not applicable.
Objective: To provide a safe and connected environment for pedestrians both on and around the site.	The proposal is consistent with this objective. Any future fit out application will further demonstrate consistency with this control or adopt suitable measures to address this control.
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 • defined pedestrian crossings included within large car parking areas • separate pedestrian and vehicle entries from the street for parents, children and visitors • pedestrian paths that enable two prams to pass each other • delivery and loading areas located away from the main pedestrian access to the building and in clearly designated, separate facilities • in commercial or industrial zones and mixed use developments, the path of travel from the car parking to the centre entrance physically separated from any truck circulation or parking areas • vehicles can enter and leave the site in a forward direction.	The proposal provides a safe and continuous path of travel to the facility via both the basement level and the ground level. Any future fit out application will further demonstrate consistency with this control or adopt suitable measures to address this control.
C37 Mixed use developments should include: • driveway access, manoeuvring areas and parking areas for the facility that are separate to parking and manoeuvring areas used by trucks • drop off and pick up zones that are exclusively available for use during the facility's operating hours with spaces clearly marked accordingly, close to the main entrance and preferably at the same floor level. Alternatively, direct access should avoid crossing driveways or maneuvering areas used by vehicles accessing other parts of the site parking that is separate from other uses, located and grouped together and conveniently located near the entrance or access point to the facility.	The proposal includes drop off and pick up zone at Basement Level 1 of the commercial building. Any future fit out application will further demonstrate consistency with this control or adopt suitable measures to address this control.

Component	Proposal
C38 Car parking design should: • include a child safe fence to separate car parking areas from the building entrance and play areas • provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards • include wheelchair and pram accessible parking.	The designatd child care drop off/pick up area is generally designed in accordance with this control. Any future fit out application will further demonstrate consistency with this control or adopt suitable measures to address this control.
Part 4: Applying the National Regulations to development proposals	
4.1 Indoor space requirements - Regulation 107 - Education and Care Services National Regulations	
Every child being educated and cared for within a facility must have a minimum of 3.25m ² of unencumbered indoor space. If this requirement is not met, the concurrence of the regulatory authority is required under the SEPP.	Any future fit out application will demonstrate consistency with this control or adopt suitable measures to address this control.
It is recommended that a child care facility provide: • a minimum of 0.3m³ per child of external storage space • a minimum of 0.2m³ per child of internal storage space.	Refer to above comment.
4.2 Laundry and hygiene facilities - Regulation 106 Education and Care Services National Regulations	
There must be laundry facilities or access to laundry facilities; or other arrangements for dealing with soiled clothing, nappies and linen, including hygienic facilities for storage prior to their disposal or laundering. The laundry and hygienic facilities must be located and maintained in a way that does not pose a risk to children. Child care facilities must also comply with the requirements for laundry facilities that are contained in the National Construction Code.	Refer to above comment.
On site laundry facilities should contain: • a washer or washers capable of dealing with the heavy requirements of the facility • a dryer • laundry sinks • adequate storage for soiled items prior to cleaning • an on site laundry cannot be calculated as usable unencumbered play space for children	Refer to above comment.
4.3 Toilet and hygiene facilities - Regulation 109 Education and Care Services National Regulations	
A service must ensure that adequate, developmentally and ageappropriate toilet, washing and drying facilities are provided for use by children being educated and cared for by the service; and the location and design of the toilet, washing and drying facilities enable safe use and	Any future fit out application will demonstrate consistency with this control or adopt suitable measures to address this control.

Component	Proposal
convenient access by the children. Child care facilities must comply with the requirements for sanitary facilities that are contained in the National Construction Code.	
Toilet and hygiene facilities should be designed to maintain the amenity and dignity of the occupants	Refer to above comment.
4.4 Ventilation and natural light - Regulation 110 Education and Care Services National Regulations	
Services must be well ventilated, have adequate natural light, and be maintained at a temperature that ensures the safety and wellbeing of children. Child care facilities must comply with the light and ventilation and minimum ceiling height requirements of the National Construction Code. Ceiling height requirements may be affected by the capacity of the facility.	Any future fit out application will demonstrate consistency with this control or adopt suitable measures to address this control.
4.5 Administrative space - Regulation 111 Education and Care Services National Regulations	
A service must provide adequate area or areas for the purposes of conducting the administrative functions of the service, consulting with parents of children and conducting private conversations.	Any future fit out application will demonstrate consistency with this control or adopt suitable measures to address this control.
4.6 Nappy change facilities - Regulation 112 Education and Care Services National Regulations	
Child care facilities must provide for children who wear nappies, including appropriate hygienic facilities for nappy changing and bathing. All nappy changing facilities should be designed and located in an area that prevents unsupervised access by children.	Any future fit out application will demonstrate consistency with this control or adopt suitable measures to address this control.
Child care facilities must also comply with the requirements for nappy changing and bathing facilities that are contained in the National Construction Code.	Refer to above comment.
4.7 Premises designed to facilitate supervision - Regulation 115 Education and Care Services National Regulations	
A centre-based service must ensure that the rooms and facilities within the premises (including toilets, nappy change facilities, indoor and outdoor activity rooms and play spaces) are designed to facilitate supervision of children at all times, having regard to the need to maintain their rights and dignity	Any future fit out application will demonstrate consistency with this control or adopt suitable measures to address this control.
Child care facilities must also comply with any requirements regarding the ability to facilitate supervision that are contained in the National Construction Code.	Refer to above comment.
4.8 Emergency and evacuation procedures - Regulations 97 and 168 Education and Care Services National Regulations	

Component	Proposal
Regulation 168 sets out the list of procedures that a care service must have, including procedures for emergency and evacuation. Regulation 97 sets out the detail for what those procedures must cover including: • instructions for what must be done in the event of an emergency • an emergency and evacuation floor plan, a copy of which is displayed in a prominent position near each exit • a risk assessment to identify potential emergencies that are relevant to the service.	Any future fit out application will demonstrate consistency with this control or adopt suitable measures to address this control.
Multi-storey buildings with proposed child care facilities above ground level may consider providing additional measures to protect staff and children. For example: • independent emergency escape routes from the facility to the ground level that would separate children from other building users to address child protection concerns during evacuations • a safe haven or separate emergency area where children and staff can muster during the initial stages of a fire alert or other emergency. This would enable staff to account for all children prior to evacuation.	Not applicable.
An emergency and evacuation plan should be submitted with a DA	Any future fit out application will demonstrate consistency with this control or adopt suitable measures to address this control.
4.9 Outdoor space requirements - Regulation 108 Education and Care Services National Regulations	
An education and care service premises must provide for every child being educated and cared for within the facility to have a minimum of 7.0m ² of unencumbered outdoor space.	Any future fit out application will demonstrate consistency with this control or adopt suitable measures to address this control.
If this requirement is not met, the concurrence of the regulatory authority is required under the SEPP.	Refer to above comment.
4.10 Natural environment - Regulation 113 Education and Care Services National Regulations	
The approved provider of a centre-based service must ensure that the outdoor spaces allow children to explore and experience the natural environment. Creating a natural environment to meet this regulation includes the use of natural features such as trees, sand and natural vegetation within the outdoor space.	Any future fit out application will demonstrate consistency with this control or adopt suitable measures to address this control.
4.11 Shade - Regulation 114 Education and Care Services National Regulations	
The approved provider of a centre-based service must ensure that outdoor spaces include adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun.	Any future fit out application will demonstrate consistency with this control or adopt suitable measures to address this control.

Component	Proposal
Outdoor play areas should: • have year-round solar access to at least 30 per cent of the ground area, with no more than 60 per cent of the outdoor space covered. • provide shade in the form of trees or built shade structures giving protection from ultraviolet radiation to at least 30 per cent of the outdoor play area • have evenly distributed shade structures over different activity spaces.	Refer to above comment.
4.12 Fencing - Regulation 104 Education and Care Services National Regulations	
Any outdoor space used by children must be enclosed by a fence or barrier that is of a height and design that children preschool age or under cannot go through, over or under it.	Any future fit out application will demonstrate consistency with this control or adopt suitable measures to address this control.
Child care facilities must also comply with the requirements for fencing and protection of outdoor play spaces that are contained in the National Construction Code.	Refer to above comment.
Design considerations for side and rear boundary fences could include: • being made from solid prefinished metal, timber or masonry • having a minimum height of 1.8 metres • having no rails or elements for climbing higher than 150mm from the ground.	Refer to above comment.
4.13 Soil assessment - Regulation 25 Education and Care Services National Regulations	
Subclause (d) of regulation 25 requires an assessment of soil at a proposed site, and in some cases, sites already in use for such purposes as part of an application for service approval. With every service application one of the following is required: • a soil assessment for the site of the proposed education and care service premises • if a soil assessment for the site of the proposed child care facility has previously been undertaken, a statement to that effect specifying when the soil assessment was undertaken • a statement made by the applicant that states, to the best of the applicant's knowledge, the site history does not indicate that the site is likely to be contaminated in a way that poses an unacceptable risk to the health of children.	Any future fit out application will demonstrate consistency with this control or adopt suitable measures to address this control. A Detailed Site Investigation Report has been provided with the EIS package (Appendix J) which confirms the suitability of the site for the proposed child care use. Any future fit out application will further demonstrate consistency with this control or adopt suitable measures to address this control.
An assessment of soil for a children's service approval application may require three levels of investigation: • Stage 1 - Preliminary investigation (with or without soil sampling) • Stage 2 - Detailed site investigation • Stage 3 - Site specific human health risk assessment.	Refer to above comment.