

CITY OF WEST TORRENS



Confidential Report Items 7.1

of the

COUNCIL ASSESSMENT PANEL

will be held in the George Robertson Room, Civic Centre
165 Sir Donald Bradman Drive, Hilton

on

TUESDAY, 13 MARCH 2018
at 5.00pm

Pursuant to section 236(2) of the *Planning, Development and Infrastructure Act 2016* and clauses 16 & 17 of the *Assessment Panel Members – Code of Conduct*, it is an offence to disclose the information provided in confidence within this agenda except with prior approval of the Assessment Manager.

Angelo Catinari
Assessment Manager

City of West Torrens Disclaimer

Council Assessment Panel

Please note that the contents of this Council Assessment Panel Agenda have yet to be considered and deliberated by the Council Assessment Panel therefore the recommendations may be adjusted or changed by the Council Assessment Panel in the process of making the formal Council Assessment Panel decision.

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Released

7 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

7.1 432 & 434 Sir Donald Bradman Drive, BROOKLYN PARK

Application No 211/738/2017

Reason for Confidentiality

It is recommended that this Report be considered in CONFIDENCE in accordance with regulation 13(2)(a) (viii) of the *Planning, Development and Infrastructure (General) Regulations 2017*, which permits the meeting to be closed to the public for business relating to the following:

- (viii) legal advice.

as this matter is before the Environment Resources and Development Court and it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.

RECOMMENDATION

It is recommended to the Council Assessment Panel that:

- On the basis that this matter is before the Environment Resources and Development Court so any disclosure would prejudice the position of Council, the Council Assessment Panel orders pursuant to regulation 13(2) of the *Planning, Development and Infrastructure (General) Regulations 2017*, that the public, with the exception of the Chief Executive Officer, members of the Executive and Management Teams, Assessment Manager, City Development staff in attendance at the meeting, and meeting secretariat staff, and other staff so determined, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential reports submitted by the Assessment Manager on the basis that this matter is before the Environment Resources and Development Court and it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.
- At the completion of the confidential session the meeting be re-opened to the public.

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Construct a childcare centre with associated car parking and landscaping
APPLICANT	Eastern Building Group Pty Ltd
LODGEMENT DATE	19 June 2017
ZONE	Residential
POLICY AREA	Low Density Policy Area 20
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 3
REFERRALS	Internal <ul style="list-style-type: none"> ▪ City Assets
DEVELOPMENT PLAN VERSION	30 May 2017

RECOMMENDATION

The Council Assessment Panel, having considered the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* (as amended) finds the proposal to be not seriously at variance with the Development Plan and resolves to advise the Environment Resources and Development Court that it does SUPPORT Development Plan Consent for Application No. 211/738/2017 by Eastern Building Group Pty Ltd to undertake the construction of a childcare centre with associated car parking and landscaping at 432 & 434 Sir Donald Bradman Drive, Brooklyn Park (CT 5704/545 & 5694/228) subject to the following conditions:

Council Conditions

1. The development shall be undertaken and completed in accordance with the plans by John Perriam Architects amended plans marked Dwg Nos 08/17-P1F, 08/17-P2C, 08/17-P3B and Herriot Consulting site works and Drainage Plan File No. C1706-076 Sheet C1 Rev. B and information detailed in this application except where varied by any conditions listed below.
2. The access to Rushworth Avenue shall be constructed in general accordance with the John Perriam Site Plan, Drawing No. 08/17-P1F and the Herriot Consulting site works and Drainage Plan File No. C1706-076 Sheet C1 Rev. B.
3. The access point shall be suitably flared to Rushworth Avenue in accordance with the John Perriam Site Plan, Drawing No. 08/17-P1F and the Herriot Consulting site works and Drainage Plan File No. C1706-076 Sheet C1 Rev. B. to allow convenient ingress and egress movement in order to minimise disruption to the free flow of traffic.
4. The existing crossover on Sir Donald Bradman Drive shall be considered redundant and must be closed off to the satisfaction of Council. Any new or modified crossing places shall be constructed to Council's requirements. New vehicle crossing places must be located a minimum of 500mm from any existing or proposed verge features (i.e. crossing places, trees, stormwater connections, stobie poles).
5. The car park shall be arranged, managed and signed to allow and direct all vehicles to enter and exit the site in a forward direction at all times.
6. The hours of operation of the Childcare centre shall be limited to the hours between 6.30am and 6.30pm on any day.
7. The total number of children accommodated in the facility at any one time shall be limited to 57.
8. The sliding gate at the Rushworth Avenue entry shall be kept open during operating hours, to allow vehicles to enter and exit the car park unhindered to prevent traffic queuing and obstructing vehicle movements on Rushworth Avenue.
9. Fencing adjacent to the south-western boundary shall ensure that sightlines to/from 436 Sir Donald Bradman Drive can be achieved in accordance with AS/NZ2890.1:2004.
10. All stormwater generated by the proposal shall be appropriately collected and disposed of without jeopardising the safety of the adjacent arterial road.
11. Stormwater detention shall be installed prior to the occupation of the development and maintained thereafter in accordance with the stormwater calculations by Herriot Consulting dated 8/11/2017.

12. All stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
13. All waste shall be placed within garbage containers with lids that are closed at all times to limit odours and to prevent insects and vermin accessing the waste at all times.
14. The bin enclosure shall be increased in size to accommodate more than two 240 litre mobile garbage bins such that all waste produced by the facility is able to be stored in enclosed receptacles at all times with the frequency of collection increased through the use of private contractors to avoid the creation of odours or other nuisance all to the reasonable satisfaction of Council.
15. General service vehicles for the subject development shall be restricted to an 'SRV' (in reference to AS 2890.2-2002), and servicing shall be restricted to outside of peak times.
16. Security lighting and lighting of the driveways, parking and manoeuvring areas and footpaths shall be in accordance with the Australian Standard 1158 during the hours of darkness that they are in use. Such lights shall be directed and screened so that overspill of light into nearby premises is avoided and minimal impact on passing motorists occurs. When not in use such lights should be dimmed to levels sufficient for security purposes only to diminish impacts on adjacent dwellings after operating hours. All such lighting on the subject site shall be directed and screened so that overspill of light into the nearby premises is avoided and minimal impact on passing motorists occurs.
17. All landscaping shall be planted in accordance with the approved plans prior to the occupancy of the development. Such landscaping shall be cultivated, tended, nurtured, and maintained and shall be promptly replaced if it becomes seriously diseased or dies, to the reasonable satisfaction of Council.
18. An automatic watering system shall be installed as part of the landscaping to ensure it is adequately watered at all times to enable it to establish and flourish.
19. All driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained prior to commencement of the use of the development, and shall be maintained in reasonable condition at all times.
20. Driveways, car parking spaces, manoeuvring areas and landscaping areas shall not be used for storage of materials or goods such as waste products and refuse.
21. Waste shall be collected onsite from a private contractor after 6:30pm and before 8:30pm Monday to Friday.

Condition imposed at the direction and advice of DPTI:

- 22 The corner cut-off at Sir Donald Bradman Drive/Rushworth Avenue junction shall be increased to 4.5m x 4.5m in order to maximise driver sight lines and improve pedestrian circulation at Sir Donald Bradman Drive and Rushworth Avenue junction. All development (including landscaping and fencing) shall be kept clear of the above corner cut-off.

Notes

1. This approval does not include the erection of any signs. Further permission may be required from Council for the erection or display of any signs.
2. Any retaining walls will be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
3. This consent does not obviate the need to obtain any other necessary approvals from any/all parties with an interest in the land (e.g. Strata/Community Corp or the Developer/ Encumbrancee).
4. Your attention is drawn to the *Disability Discrimination Act 1992* which may prescribe requirements for people with disabilities additional to those contained within the Building Code of Australia.

FURTHER

1. Pursuant to regulation 13(2) of the *Planning, Development and Infrastructure (General) Regulations 2017*, Item 7.1 - 432 & 434 Sir Donald Bradman Drive, BROOKLYN PARK, including the report, attachments and any discussions (excluding the decision), having been dealt with in confidence under regulation 13(2)(a)(vii) and (viii) of the *Planning, Development and Infrastructure (General) Regulations 2017* and in accordance with regulation 14(4) of the *Planning, Development and Infrastructure (General) Regulations 2017*, be kept confidential until a decision of the Environment, Resources and Development Court relevant to the item is made, on the basis that it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.
2. The Council Assessment Panel gives authority to the Assessment Manager to review, but not extend, the confidential order on a monthly basis.

BACKGROUND

The application was presented to the Council Assessment Panel at the 9 January 2018 meeting. During this meeting, five representors appeared before the Panel to speak against the proposal. The Applicant's planning consultant responded to the concerns raised and a number of questions posed by the Panel. Ultimately the Panel resolved that the development did not have sufficient merit to gain a Development Plan Consent and refused the application. The reasons for refusal were as follows:

The proposed development is contrary to:

- General Section - Transport & Access - Objective 1 (b)
Reason: The proposal is not considered to ensure a high level of safety.
- General Section - Transport & Access - Objective 2 (a)
Reason: The proposal is not considered to provide safe and efficient movement for the anticipated transport modes.
- General Section - Transport & Access - Principle of Development Control 8
Reason: The proposal is not considered to provide safe and convenient access for the anticipated transport modes.

- General Section - Transport & Access - Principle of Development Control 6
Reason: The proposal is not considered to minimise the interference to exiting traffic.
- General Section - Transport & Access - Principle of Development Control 7
Reason: The proposal is not considered to fulfil this provision.
- General Section - Waste - Objective 1
Reason: The proposal is not considered to minimise, reuse, treat and dispose of waste in an environmentally friendly manner.
- General Section - Waste - Principle of Development Control 1
Reason: The proposal is not considered to minimise, reuse, treat and dispose of waste in an environmentally friendly manner.
- General Section - Waste - Principle of Development Control 2
Reason: The proposal is not considered to store, treat and dispose of waste without risk to health or impairment of the environment.
- General Section - Interface between land uses - Principle of Development Control 5
Reason: The proposal is not considered to minimise negative impacts on lawfully existing developments.

The Applicant appealed this decision to the Environment Resources and Development Court (ERDC).

Five Joinder applications were also received by the ERDC. People who are not original parties to an appeal may apply to be joined as a party. Most commonly, applications to be joined (or 'for joinder') are made by people who have made a representation to the Council in relation to the proposed development which is the subject of the appeal.

The Commissioner decides who may or may not be joined as a party. A person will never be joined as a matter of course. Important factors the judge or commissioner may take into account include:

- the nature and strength of the person's interest in the outcome of the appeal, e.g. location to the proposed development;
- the contribution the person is likely to make to the resolution of the dispute;
- whether the person's interests are already being adequately dealt with by one of the existing parties;
- the potential of the proposed development to affect the person's interests;
- the person's prior involvement in the development application;
- the nature of the issues the person intends to raise;
- the potential for the person's involvement to prolong the appeal;
- the interests of the existing parties;
- the public interest;
- the impact of the person being joined on the court; and
- other issues relevant to the particular case.

Each of the five representors heard by the Panel sought to be joined. The Commissioner only allowed two parties. These were Karen Smith and Craig and Andrea Johnston.

In anticipation of a reaching a compromise, the Applicant has provided some amended plans and information that seeks to address the reasons for refusal. A copy of the amended plans are contained in **Attachment 1**.

It is worthwhile noting that, should the Panel consider that the amendments to the proposal have sufficiently allayed their concerns and wish to support the proposal, the appeal is still likely to proceed. This is because all parties to the appeal, including the Joinders would also need to support the proposal. Early signs indicate that the Joinders have a fundamental issue with the proposed land use and no matter what amendments are made they will not be supporting it.

In preparation for a hearing, the Administration has contacted numerous planning consultants and traffic engineers to find expert witnesses that can support the Panel's refusal.

Two traffic consultants, Paul Morris of GTA consultants and Ben Green of CIRQA Pty Ltd, could not support the refusal. They were of the same opinion as Council's traffic engineer, Frank Siow, and the Applicant's traffic engineer, Phil Weaver.

However, there is a traffic engineer that has indicated initial support of the refusal. It should be noted that they have limited experience as acting as an expert witness for the ERDC.

At this stage, the Administration has not been able to find a planning consultant that can support the Panel's refusal. The following consultants have been contacted:

- Ben Green of Ben Green and Associates;
- Jeff Smith from the Planning Chambers; and
- Garth Heynen of Heynen Planning Consultants.

Garth Heynen has provided some initial advice which is contained in **Attachment 2**.

A copy of the previous report to the Council Assessment Panel is contained in **Attachment 3**.

AMENDMENTS

The Applicant has provided the following amended documentation and supplementary information:

- a reduction in the number of children from 65 to 57;
- an acoustic report;
- a noise management plan;
- confirmation that waste will be picked up by a private contractor;
- an amended site plan updating the bin storage location and
- a supplementary traffic report.

A copy of the Applicant's planning consultant response to the refusal is contained in **Attachment 4**.

Number of children

The original application provided 12 car parks which is a shortfall of two onsite car parking spaces when assessed against Table WeTo/2 of the Development Plan. This table states that there should be one on site car park space for every four children. This parking rate is reflected in the Planning SA Planning Bulletin, Parking Provisions for selected land uses (Suburban Metropolitan Adelaide) dated October 2001.

The reduction in the number of children has meant that this car parking rate has now been satisfied.

Acoustic report and noise management plan

An acoustic report has been provided by Sonus that has assessed the development against the relevant provisions of the Development Plan. It is noted that the noise from children is specifically excluded from the EPA's *Environment Protection (Noise) Policy 2007*. The World Health Organisation WHO has published *Guidelines for Community Noise* which states that to protect the majority of people from being seriously annoyed during the day (7am-10pm), noise should not exceed 55dB.

The Acoustic report states:

"The noise from children within different age groups in outdoor areas has previously been measured at similar childcare facilities. Based on these measurements, noise from the proposed facility has been predicted, based on the centre operating at full capacity in all age groups, totalling 57 children.

With the current proposed "1.8m high Colorbond" boundary fences, the average noise level from children playing in outdoor areas at the proposed centre is predicted to be less than 50dB(A) at all residences. Therefore the noise criteria determined in accordance with the WHO Guidelines will be achieved."

The City of West Torrens Development Plan does not outline acoustic quantitative measures that child care centres need to meet. However, it does encourage that noise attention measures be implemented where necessary.

The acoustic report supplied has identified that noise from children is an issue that frequently occurs from the establishment of child care centres and that the installation of a 1.8m high Colorbond fence is sufficient to mitigate it.

This information appears to allay the concerns that the proposal will be significantly detrimental to amenity of the locality.

A copy of the Acoustic Report is contained in **Attachment 5**.

The Applicant has also provided a noise management report that discusses how the facility will operate. In this plan it states:

"Activity in the Outdoor play areas will be managed by:

*Limiting outdoor play to one room group at a time;
Keeping children in small, highly supervised groups;
Not allowing rowdy, rough or noisy behaviour;
Limiting outdoor activity in periods of hot or wet weather;
Providing a diversity of play activities."*

A copy of the Noise Management Plan is contained in **Attachment 6**.

It is considered that the information contained within the acoustic report and noise management plan are sufficient to provide enough confidence that the proposed development will be operated in an appropriate manner.

Notwithstanding the above, it is important to note the circumstances of the locality. Specifically the subject site's proximity to Sir Donald Bradman Drive and the Adelaide International Airport. It is not considered that there will be a significant detrimental impact to the adjoining residential properties as a result of this development.

Private waste collection and bin storage enclosure

The application has been amended to include waste collection by a private collector. This will be undertaken outside of the operating hours. This resolves Council's City Assets Department's concerns, however, this may create an additional noise source that could affect the amenity of the adjoining residential properties.

Due to the operating hours of this facility, it is considered that there will be less of an impact if the waste is collected after 6:30pm, rather than before 6:30am. A condition has been added to the recommendation to this effect.

The bin enclosure has been moved in a north westerly direction and is now located on the northern property boundary. The enclosure has marginally increased in size from 2.0 x 2.5 metres, to 3.2 x 2.5 metres.

The enclosure is formed of 1.8m high Colorbond fence with gates opening onto the carpark.

Traffic report

The Applicant has provided a supplementary traffic report. In this report it states:

"The proposed reduction in the capacity of the child care centre would also result in an approximately 14% reduction in forecast volumes of am and pm peak hour traffic, compared to that of the previously proposed capacity of 65 children.

In percentage terms such a reduction is significant, notwithstanding that I was of the opinion that the forecast volumes of traffic associated with a 65 place child care centre would not have resulted in either capacity issues or adverse impact on the amenity of the adjoining stakeholders."

Council's traffic engineer considered the original proposal to be acceptable. No further comments were sought from Council's traffic engineer given the reduction in the capacity of the child care centre is considered to further reduce any potential traffic impacts in comparison to the original proposal.

As previously discussed, Administration contacted several Independent traffic engineers to seek whether or not they could support the Panel's refusal. Ben Wilson and Paul Morris indicated that they consider the proposal to be acceptable and could not support the refusal.

A copy of the applicants supplementary Traffic Report is contained in **Attachment 7**.

LEGAL ADVICE

Administration has sought the services of Claire Ryan from Norman Waterhouse Lawyers to act on the behalf of Council. In anticipation of the appeal heading to a hearing, Administration requested an opinion on the likelihood of the initial refusal being upheld by the ERDC.

Peter Saltis from Norman Waterhouse Lawyers made the following comments:

"....While I stress that this is only a superficial view, we are nevertheless pessimistic about the Council's prospects of defending the appeal on the basis that the overwhelming majority of experts who have been approached by the Council are unable to support the decision to refuse it.

As such, we recommend that serious consideration be given by the CAP to determining to support the proposed compromise subject to the imposition of appropriate conditions."

SUMMARY

The Applicant has responded to the Council Assessment Panel's concerns with a number of amendments and additional information. These include reducing the number of children attending the facility, including private waste collection, reviewing the size of the bin enclosure, an acoustic report and a noise management plan.

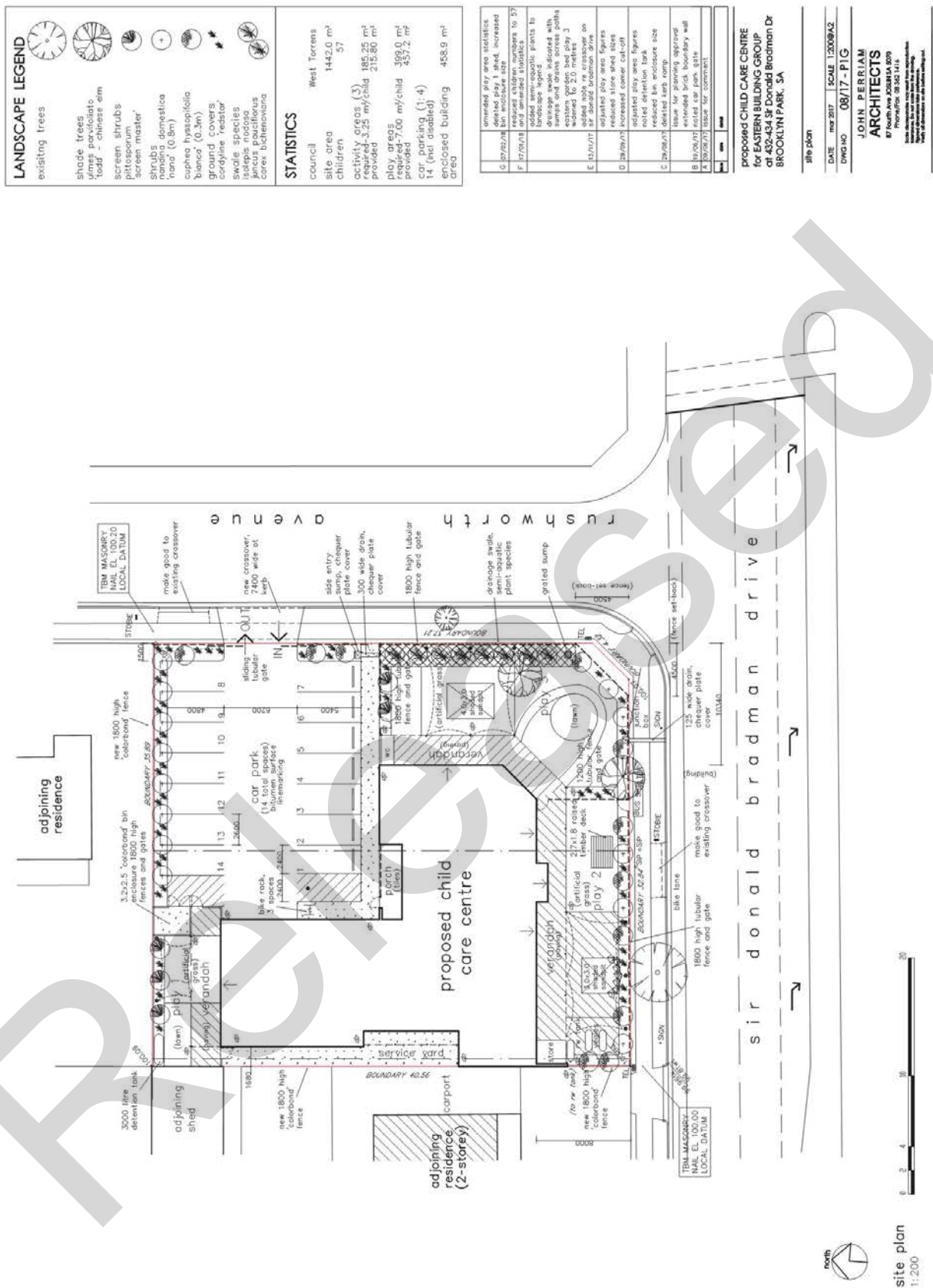
In respect of the traffic issues raised by the CAP, a traffic engineer has advised the Administration that he can support the refusal. However it is noted that the Administration is aware of four other traffic consultants that support the proposal in its amended and original form, including its own traffic engineer.

The main planning issues forming part of the refusal related to concerns regarding the detriment to the local amenity. The amendments have sought to diminish these issues by reducing the amount of children and therefore volumes of traffic attending the site as well as controlling when and how children use the outdoor areas.

The Administration are of the opinion that the proposal holds sufficient merit to be granted Development Plan Consent as it reasonably satisfies the majority of the relevant provisions of the West Torrens Council Development Plan.

Attachments

1. Amended Site Plan and Floor Plan
2. Garth Heynen's Initial Advice
3. Previous Report to Council Assessment Panel
4. Response to Council's refusal from Applicant's Planning Consultant
5. Acoustic Report
6. Noise Management Plan
7. Supplementary Traffic Report



[illegible]

proposed CHILD CARE CENTRE
for EASTERN BUILDING GROUP
at 432-434 St Donald Bradman Dr
BROOKLYN PARK, SA

floor plan

DATE	may 2017	SCALE	1:100@A2
DWG NO	08/17 - P2C		

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22 February 2018

City of West Torrens
ATT: Jordan Leverington
165 Sir Donald Bradman Drive
HILTON SA 5033

By Email

Dear Jordan

RE: ERD-18-9 (DA 21/738/2017)
432 & 434 SIR DONALD BRADMAN DRIVE BROOKLYN PARK

I confirm your instructions to provide a "brief comment on the original proposal..." and given the appellant is seeking to amend the proposal to focus the "bulk of... [my] comments" on the "compromise proposal".

In forming my opinion I have considered the Book of Documents, noted aerial imagery and *Streetview*, considered ERD Court judgement on similar child care facility applications, assessed the Development Plan and reviewed the Development Regulations.

I have noted the reasons for refusal (paraphrased as transport and access, waste management and interface between land uses) and consideration of these items has been provided via my assessment of (a) the suitability of the proposed land use and (b) the appropriateness of the impacts generated by the proposed Child Care Facility. Please note, I have kept my opinions relatively brief given the time lines and nature of Councils request.

The Appropriateness of the Proposed Land Use

I note that the Residential Zone provides the following of relevance:

Residential Zone – Desired Character

There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be complementary to surrounding dwellings.

Further clarity is provided by PDC 1 of the Residential Zone as follows (my underlining added):

Residential Zone

PDC 1 The following forms of development are envisaged in the zone:

- small scale non-residential use that serves the local community, for example:
- child care facility

Land uses are also guided by Policy Area 20 which reinforces the "local community" reference by way of PDC 1.¹

¹ I note that the local community "test" is common to Policy Areas 19 to 28 of the Residential Zone inclusive and that the Local Centre Zone also seeks uses that serve the local community. In contrast Neighbourhood and District Centre Zones anticipate a broader ("non-local") catchment.

The scale and whether the proposal serves the local community is a key factor in considering the planning merit of the proposal. Put another way, if the child care facility serves a non-local community the intensity of such an activity would be better suited to a Neighbourhood or District Centre Zone.

In this regard, the matter of *Emali Early Learning Centre Inc v City of Mitcham & [2015] SAERDC 36* considered the appropriateness of a child care centre in a Residential Zone and noted of relevance:

"He further relied upon an assertion, without analysis or research, that the proposed facility and use was one that was needed and in demand in the local area and therefore that it comprised a local community facility. In addition, given its siting on a main road and being accessible to a local area/community, weight should be placed on that broader test to enable acceptance, in-principle, of the land use. He also embellished that view by indicating that it was his experience that such pre-school uses were usually found outside of Centres within residential zones and often as stand-alone development, providing greater convenience, ease of access and a better environment for children and their parents. He further asserted, without research, that such a location would not prejudice, economically, the nearby district or indeed any other designated Centre."

The matter of *St Andrew's School Inc v Corporation of The Town of Walkerville & Ors [2004] SAERDC 55* is likewise relevant, with the appellant seeking consent for a pre-school of 60 students within a Residential Zone which considered the "local" nature of a proposal by way of the following:

"The analysis and opinions of the planning witnesses on catchment areas do not demonstrate that the existing St Andrew's School and, by extrapolation, the proposal, will serve either only or principally the local community. The evidence shows that a very significant percentage, perhaps 60% of students/parents travel to these facilities from across wide areas of metropolitan Adelaide and the semi-urban fringe as tends to be the case with many private schools. Without needing to be precise, and without exhaustive research of all, or at least a valid sample compared to the evidence presented, I conclude that the St Andrew's School, the proposed extension to the primary school and its additional pre-school, would not sufficiently meet the intended policy test of being "local", ..."

Further consideration of the "local function" of a proposal is provided in the matter of *Shahin Group of Companies v City of Burnside and Walshe [2002] SAERDC 22*, extract provided below:

"..... All facilities have a local function, irrespective of whether they be local, neighbourhood, district or regional facilities. Even the largest regional centre, such as one finds at Marion or Tea Tree Plaza, serve the local community. The fact that such facilities serve the local community does not, by reason of that fact alone, define the area which they serve. Accordingly, the fact that a facility serves the local community does not mean that it is a local service facility."

In considering the compromise proposal and also the original "as refused" application it is assumed that Council was satisfied that the scale of the development was one that would serve the local community. From my review of the Book of Documents it was not readily apparent that specific information addressed the anticipated catchment of the child care facility (albeit that such a conclusion may have been gleaned from the traffic assessment and discussions with the applicant).

I note that the proposed building maintains an outwardly domestic appearance and design, while the space around the building, set backs to boundaries and the landscaping and fencing are each aspects of the proposal which are "complementary to surrounding dwellings" in both the sense of the streetscape and relationship between buildings.

The location of the car parking area (noting the driveway crossover is residential in dimensions in a technical sense) is not ideal, but largely unavoidable given DPTI standard policy and is not an issue that alters my view that the use is "on balance" appropriate.

The Impact on Amenity

Having regard to the compromise proposal and the as refused proposal, the planning issues remain largely the same in relation to the potential for a loss of amenity. More specifically, the reduction in children under care and the provision of private waste collection warrant review.

In relation to the private waste collection the sliding gate as per recommended Condition 8 will prevent after hours waste collection. It is anticipated that a MRV would collect waste from the site, and it would appear that such a vehicle could not enter and exit in a forward facing direction when vehicles are parked on site. Accordingly, the collection of waste every second day outside of operating hours requires attention (in relation to Condition 8, traffic assessment and potential condition regarding the timing of the collection).

I suggest that additional details on waste collection and how the site will be accessed outside of operating hours should be provided by the appellant (consideration of noise may also be relevant depending upon the response from the appellant).

In relation to the bin storage and the specific location, no detail is provided by the compromise proposal and again this information is required to consider possible amenity impacts and also the potential loss of car park(s).

In my opinion, this aspect of the compromise proposal does not address the reasons for refusal – at this point in time. I suggest that additional clarification be sought in relation to the above points and in my opinion these issues should not be addressed by way of a Reserved Matter as per the previous CAP report recommendation.

Additionally, the floor plan provides for a kitchen and I note that it is likely that the child care centre will provide meals inclusive of morning tea, lunch, afternoon tea and a late snack. In seeking further details from the appellant, access for food service vehicles should also be considered.

Allied with the bin collection, the type and timing of food delivery vehicles should also be considered as part of the compromise proposal. Furthermore, the preparation of meals and snacks may require kitchen exhaust flue(s). It is not apparent whether this aspect has been considered and the compromise proposal should also clarify provisions in relation to noise and odour and compliance with the relevant EPA policies to ensure that the amenity of the locality is not detrimentally impacted upon.

I note that the planning drawings also lack detail with regard to air-conditioning condenser units (given the large amount of east, west and south facing glazing it is reasonable to expect a large or even several large air-conditioning units will be required to cool the facility). The compromise proposal should detail these units and also ensure compliance with the relevant EPA policy.

I assume that the reduction in children under care seeks to resolve car parking related reasons for refusal. Clearly, the appropriateness of both the car parking rate and the appropriateness of manoeuvrability must be considered. The matter of *Emali Early Learning Centre Inc v City of Mitcham & [2015] SAERDC 36* provides guidance again (my underlining added):

“The traffic engineers disagreed with the selection of which user class under the Standard[26] was appropriate for layout design purposes. Mr Weaver selected class 3 (uses with short term parking needs including medical centres). Mr Morris selected user class 3A for higher turnover parking situations (such as shopping centres) and which produces a higher level of safety in the parking area. I prefer the opinion of Mr Morris, although the proposed layout has elements of both.

The aisle widths are designated 6.2 metres and there was a difference in opinion between Mr Weaver and Mr Morris, based on the relevant Standard as to its adequacy. The latter was of the opinion that a 6.6 metre wide aisle (for user class 3A situation) was appropriate to minimise the risks to safety from

3(5)

congestion and more restricted movement and manoeuvring, and for parents with small children. Mr Weaver was of the opinion that it was both inappropriate and unnecessary and that 6.2 metres or less, was acceptable.

On safety grounds and a conservative approach with children at risk, I consider that it would be required if consent were to be forthcoming."

Accordingly, a consistent approach from the Court may seek for a 6.6 m wide aisle "to minimise the risks to safety from congestion and more restricted movement and manoeuvring, and for parents with small children". Consideration of the vehicle movements as class 3A users is warranted noting the movements anticipated with the high turnover of parking from the drop off and pick up of children, and in this regard it did not appear that Councils traffic engineer has considered this issue (page 23 to 27 of the second Book of Documents).

In terms of car parking numbers, the report prepared by Phil Weaver in the form of a supplementary report considers the proposal against the broad provision of Table WeTo/2. Having undertaking my own brief empirical assessment I have considered the staff to child numbers are per the DECD requirements. I have also factored in the addition of an administration/director role and a full time cook. The following staff numbers are broadly anticipated:

As Refused	Staff Ratio (educator per child)	Number of Children	Total Staff	Car Parks (min and max) per 0.9 to 1.0 rate ²
Staff Admin	1	1	1	
Cook	1	1	1	
0 to 24 months	1:4	16	4 required	
24 months to 36 months	1:5	24	4.8 (5 required)	
36 months plus	1:10	25	2.5 (3 required)	
			12 to 14 Staff	10.8 to 14

Figure 1: Brief Assessment of Educator to Child Ratio and Support Staff

I understand that my comment is only a brief assessment of the minimum staffing rates required, however use of 11 to 14 car parks by staff appears to leave a very limited amount of car parks for pick up and drop off of children (albeit that staff shifts may be "staggered" somewhat).

I simply raise the car parking comment to highlight that the spaces would likely be regularly "full".

In summary, I conclude that the "as refused" development was an appropriate land uses, albeit "on balance" and on the assumption that Council confirmed that the development would serve the "local community".

That said, the development "as recommended" raised and continues to raise issues which should be properly addressed during consideration of a compromise proposal, namely:

- waste collection timing and vehicle type and interplay with hours of operation and residential amenity;
- waste collection manoeuvrability;
- bin storage location and dimensions and interplay with proposed car parking spaces;
- clarification of kitchen flues, odour and noise and specific waste management for perishables;
- deliveries associated with food preparation and timing of deliveries and type of delivery vehicles;
- air conditioning units and compliance with the EPA policy; and
- appropriateness of the 6.2 m aisle width versus the 6.6 m aisle width ("conservative" approach).

² The commonly accepted Aurecon report applies a 0.9 to 1.0 space per employee rate.

Should you have any queries, please contact me at your convenience otherwise I look forward to being kept apprised of the progress of the appeal.

Yours faithfully



Garth Heynen, MPLA
BA Planning, Grad Dip Regional and Urban Planning, Grad Dip Property

5(5)

6.4 432 & 434 Sir Donald Bradman Drive, BROOKLYN PARK

Application No 211/738/2017

Appearing before the Panel will be:

Representors: **David & Linda Reid** of 4 Rushworth Avenue, Brooklyn Park, wishes to appear in support of the representation.

Maria Papageorgiou of 436 Sir Donald Bradman Drive, Brooklyn Park, wishes to appear in support of the representation.

Craig and Andrea Johnston of 12 Rushworth Avenue, Brooklyn Park, wishes to appear in support of the representation.

Karen Smith of 3 Rushworth Avenue, Brooklyn Park, wishes to appear in support of the representation.

Elizabeth White of 430 Sir Donald Bradman Drive, Brooklyn Park, wishes to appear in support of the representation.

Applicant/s **David Hutchison** of Access Planning wishes to appear to respond to representations.

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Construct a childcare centre with associated car parking and landscaping
APPLICANT	Eastern Building Group
APPLICATION NO	211/738/2017
LODGEMENT DATE	19 June 2017
ZONE	Residential
POLICY AREA	Low Density Policy Area 20
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 3
REFERRALS	Internal <ul style="list-style-type: none"> City Assets External <ul style="list-style-type: none"> DPTI
DEVELOPMENT PLAN VERSION	30 May 2017
MEETING DATE	9 January 2018

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/738/2017 by Eastern Building Group Pty Ltd to undertake construction of a childcare centre with associated car parking and landscaping at 432 & 434 Sir Donald Bradman Drive (CT5694/228) subject to the following conditions of consent:

Council Conditions

1. The development shall be undertaken and completed in accordance with the plans by John Perriam Architects amended plans marked Dwg Nos 08/17-P1D, 08/17-P2B, 08/17-P3B and Herriot Consulting site works and Drainage Plan File No. C1706-076 Sheet C1 Rev. B and information detailed in this application except where varied by any condition(s) listed below.
2. The access to Rushworth Avenue shall be constructed in general accordance with the John Perriam Site Plan, Drawing No. 08/17, Issue B, dated 19/06/2017 and the Herriot Consulting site works and Drainage Plan File No. C1706-076 Sheet C1 Rev. B.
3. The access point shall be suitably flared to Rushworth Avenue in accordance with the plans John Perriam Site Plan, Drawing No. 08/17, Issue B, dated 19/06/2017 and the Herriot Consulting site works and Drainage Plan File No. C1706-076 Sheet C1 Rev. B. to allow convenient ingress and egress movement in order to minimise disruption to the free flow of traffic.
4. The existing crossover on Sir Donald Bradman Drive shall be considered redundant and must be closed off to the satisfaction of Council. Any new or modified crossing places shall be constructed to Council's requirements. New vehicle crossing places must be located a minimum of 500mm from any existing or proposed verge features (i.e. crossing places, trees, stormwater connections, stobie poles).
5. The car park shall be arranged, managed and signed to allow and direct all vehicles to enter and exit the site in a forward direction at all times.
6. The hours of operation of the Childcare centre shall be limited to the hours between 6.30am and 6.30pm on any day.
7. The total number of students accommodated in the facility at any one time shall be limited to 65.
8. The sliding gate at the Rushworth Avenue entry shall be kept open at all times when the facility is operating with children present, to allow vehicles to enter and exit the car park unhindered to prevent traffic queuing and obstructing vehicle movements on Rushworth Avenue.
9. Fencing adjacent to the south-western boundary shall ensure sightlines to/from 436 Sir Donald Bradman Drive can be achieved in accordance with AS/NZ2890.1:2004.
10. All stormwater generated by the proposal shall be appropriately collected and disposed of without jeopardising the safety of the adjacent arterial road.
11. Stormwater detention shall be installed prior to the occupation of the development and maintained thereafter in accordance with the stormwater calculations by Herriot Consulting dated 8/11/2017.
12. All stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or

public ways.

13. All waste shall be placed within garbage containers with lids that are closed at all times to limit odours and to prevent insects and vermin accessing the waste at all times.
14. The bin enclosure shall be increased in size to accommodate more than two 240 litre mobile garbage bins such that all waste produced by the facility is able to be stored in enclosed receptacles at all times with the frequency of collection increased through the use of private contractors to avoid the creation of odours or other nuisance all to the reasonable satisfaction of Council.
15. Any private waste collection service vehicle access to the site shall be restricted to a maximum size of 'MRV' (in reference to AS 2890.2-2002), and be restricted to outside of operating hours.
16. General service vehicles for the subject development shall be restricted to an 'SRV' (in reference to AS 2890.2-2002), and servicing shall be restricted to outside of peak times.
17. The fence along the northern boundary shall be not less than 2.0m in height, extend to ground level without gaps in or below the fence and be double sheeted to provide adequate separation and noise attenuation between the facility and the adjoining premises.
18. Security lighting and lighting of the driveways, parking and manoeuvring areas and footpaths shall in accordance with the Australian Standard 1158 during the hours of darkness that they are in use. Such lights shall be directed and screened so that overspill of light into nearby premises is avoided and minimal impact on passing motorists occurs. When not in use such lights should be dimmed to levels sufficient for security purposes only to diminish impacts on adjacent dwellings after operating hours. All such lighting on the subject site shall be directed and screened so that overspill of light into the nearby premises is avoided and minimal impact on passing motorists occurs.
19. All landscaping shall be planted in accordance with the approved plans prior to the occupancy of the development. Such landscaping shall be cultivated, tended and nurtured, maintained and shall be promptly replaced if it becomes seriously diseased or dies, to the reasonable satisfaction of Council.
20. An automatic watering system shall be installed as part of the landscaping to ensure it is adequately watered at all times to enable it to establish and flourish.
21. All driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained prior to commencement of the use of the development, and shall be maintained in reasonable condition at all times.
22. Driveways, car parking spaces, manoeuvring areas and landscaping areas shall not be used for storage of materials or goods such as waste products and refuse.

Condition imposed at the direction and advice of DPTI

- 23 The corner cut-off at Sir Donald Bradman Drive/Rushworth Avenue junction shall be increased to 4.5m x 4.5m in order to maximise driver sight lines and improve pedestrian circulation at Sir Donald Bradman Drive and Rushworth Avenue junction. All development (including landscaping and fencing) shall be kept clear of the above corner cut-off.

Notes

1. This approval does not include the erection of any signs. Further permission may be required from Council for the erection or display of any signs.

2. Any retaining walls will be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
3. This consent does not obviate the need to obtain any other necessary approvals from any/all parties with an interest in the land, including but not limited to VARIABLE (e.g. Strata/Community Corp or the Developer/ Encumbrancee).
4. Your attention is drawn to the *Disability Discrimination Act 1992* which may prescribe requirements for people with disabilities additional to those contained within the Building Code of Australia.
5. Any existing crossing places not providing vehicle access shall be considered redundant and must be closed off to the satisfaction of Council. Any new or modified crossing places shall be constructed to Council's requirements. New vehicle crossing places must be located a minimum of 500mm from any existing or proposed verge features (i.e. crossing places, trees, stormwater connections, Stobie poles).

BACKGROUND

The development proposal is presented to the Council Assessment Panel (CAP) for the following reason:

- All Category 2 or 3 applications where a representor has requested to be heard shall be assessed and determined by the CAP.

PREVIOUS OR RELATED APPLICATION(S)

DA: 211/327/2016, Construction of two (2) single storey detached dwellings, a carport, masonry wall and demolition of existing outbuildings. The development has not been undertaken.

DA: 211/881/2016, Land division - Torrens Title; SPAC No. 211/D104/16 (Unique ID 54925); Creating two (2) additional allotments. The approval has not been implemented.

SITE AND LOCALITY

The site comprises two allotments, each of which contains a single storey detached dwelling several decades old which are intended to be demolished.

The land is relatively level with only a gentle gradient from the north downwards to the Sir Donald Bradman Drive frontage. There is no vegetation or any other noteworthy features on the land.

There are no easements or other features of the land that would restrict its development.

The locality on the northern side of Sir Donald Bradman Drive comprises a mix of one and two storey residential development at relatively low densities, although there are examples of some infill development having occurred.

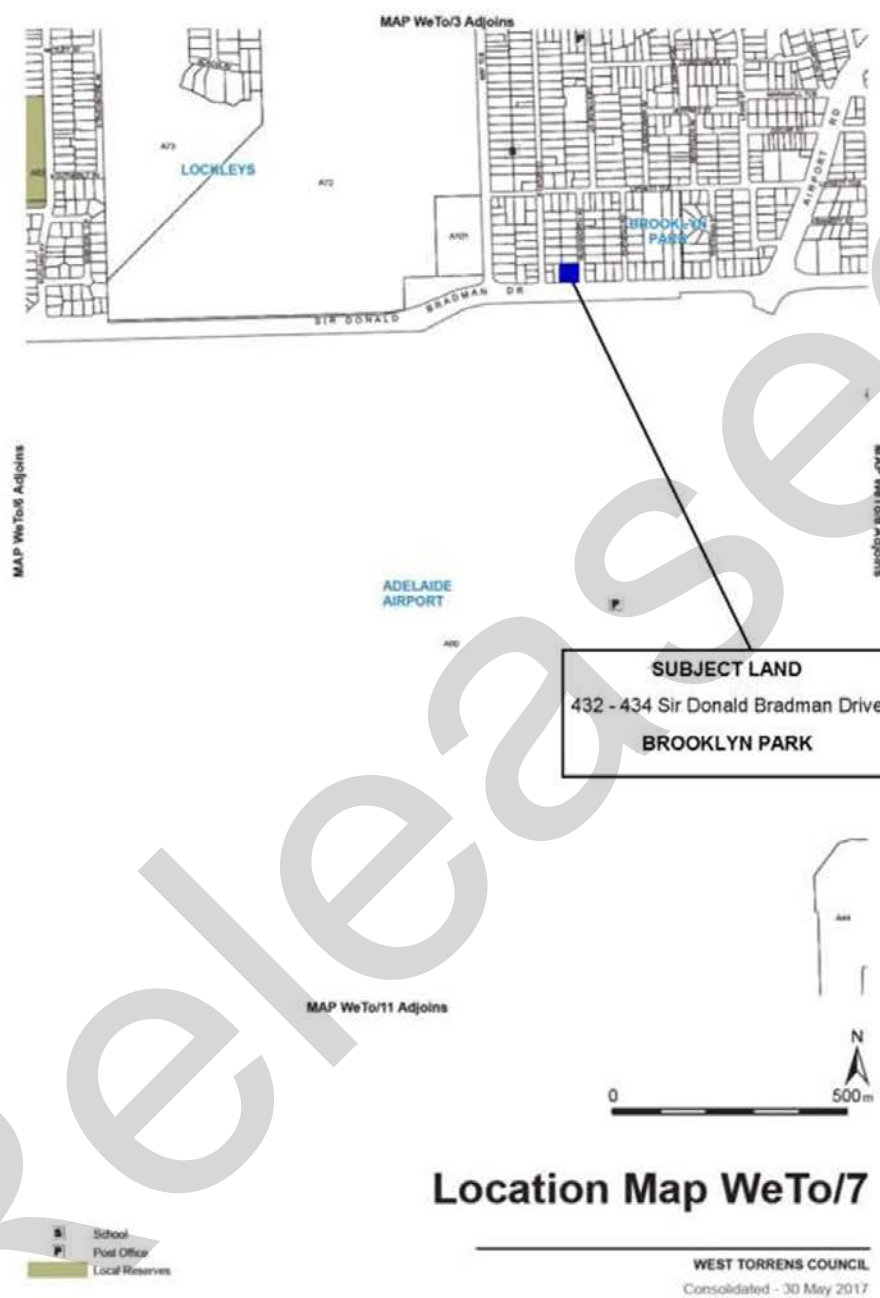
Significant features of the locality include the entry to Adelaide Airport to the east of the subject land, on the southern side of Sir Donald Bradman Drive. The IKEA facility and other commercial development is located on the opposite of the subject land on that road.

Overall, the locality onto which the subject land is oriented is very active in nature with estimated 24 hour two way traffic flows of 28,300 vehicles. In addition there is the traffic in and out of the Adelaide Airport and the surrounding retail and commercial land uses.

To the north of the subject land the locality comprises residential development on straight streets on a grid pattern. Rushworth Avenue is an open streetscape with the high levels of activity along Sir Donald Bradman Drive being evident and which would produce relatively high ambient noise levels.

There is a bus stop located adjacent the frontage of the subject land which would provide ready access to public transport on Sir Donald Bradman Drive.

Released





PROPOSAL

The proposal comprises the demolition of the existing single storey detached dwellings and the construction of single storey, hipped roof residential style of building for use as a childcare centre as follows:

- The building is to contain 3 large rooms to accommodate children according to age groups, a sleep room for 16 cots, office, staffroom, store room and amenities.
- The facility will accommodate a maximum of 65 children. Based on Government standards staff members required are 1 per 4 children under 2 years of age, 1 per 5 children for 2 to 3 years of age and 1 per 10 children over 3 years of age. The number of staff required would depend on the age of the children enrolled in the centre in the order of 8 to 10 staff.
- The building wall height is 2.7m, roof ridge height of approximately 5.4m and a roof pitch of 30 degrees.
- The building floor area is 458.9m² excluding the verandahs.
- 3 outdoor play lawned and paved areas with shade sails over with ancillary decks.
- A 14 space sealed car park including 1 disabled space and a 3 space bicycle rack.
- A new double width access from Rushworth Avenue approximately 27m north of the junction with Sir Donald Bradman Drive.
- 1.8m high Colorbond fence along the western and northern boundaries.
- 1.8m high tubular fences and gates to the Sir Donald Bradman Drive and Rushworth Avenue frontages.
- A sliding tubular gate at the carpark entry on the Rushworth Avenue frontage.
- 2.5m x 2.0m Colorbond shed in Play Area 1 and a similar sized store at the western end of the verandah facing Sir Donald Bradman Drive.
- 1m wide landscaping strips along the road frontages and the northern car park edge except for a 1.5m wide strip along the Rushworth Avenue frontage of the car park.

A copy of the plans and documents are contained in **Attachments 1 to 7**.

PUBLIC NOTIFICATION

The application is a Category 3 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations and Residential Zone, Procedural Matters.

Properties notified:	Eight properties were notified during the public notification process together with a notice in the Advertiser newspaper.
Representations:	Six representations were received.
Persons wishing to be heard:	Five representors identified that they wish to address the Panel. <ul style="list-style-type: none"> • David and Linda Reid • Maria Papageorgiou • Craig and Andrea Johnston

	<ul style="list-style-type: none"> • Karen Smith • Elizabeth White
Summary of Representations:	<p>Concerns were raised regarding the following matters:</p> <ul style="list-style-type: none"> • Insufficient parking and related issues in Rushworth Avenue and surrounding streets. Parents from nearby Lockleys Primary School already park in that street; • No parking available on Sir Donald Bradman Drive between 7am to 9am; • Increased traffic in Rushworth Avenue and junction with Sir Donald Bradman Drive; • There are already two childcare centres less than a kilometre from the site; • 14 car parks are not enough to cater for the facility and would not even cater for staff; • Positioning on a main road where there is no parking is a problem that cannot be overcome; • Risks for children near a bus stop; • Traffic noise and accidents; • There is no room for a new pedestrian crossing on Sir Donald Bradman Drive and it would be a dangerous road for children to cross; • The car park entry on Rushworth Avenue will cause massive congestion; • Rushworth Avenue does not have adequate space for parents to drop off their children into the centre; • On street parking will really inconvenience actual residents; • Rubbish will be a health hazard; • Emptying commercial rubbish bins at night would cause disturbance; • A commercial development will devalue houses; • Commercial premises would have no concerns for residents and attract crime; • The site is too small; • Why have not all residents of Rushworth Avenue been notified?

The Applicant has provided a response to the representation(s), as summarised below:

- The development falls marginally below Table WeTo/2 requirement of 1 space per 4 children accommodated in the centre. A report by Phil Weaver & Associates has been provided which refers to the MFY Child Care Centre Parking Rates Review undertaken for the Australian Childcare Alliance SA found that parking requirements at a number of such centres ranged between 4.2 and 6.7 spaces per child. Empirical data supports the proposed parking provision.
- Children's noise is occasional, brief and a pleasure to hear when playful and content and generally limited in early morning when numbers of children are low.
- Traffic noise from Sir Donald Bradman Drive will suppress some noise from the proposed development in an area where residential amenity is already diminished.
- Concerns about odour impacts. The waste area is suitably located and nappies will be double-sealed in biodegradable waste bags to prevent odour nuisance.
- There are many good reasons for dispersing child care centres including shorter trips for parents, convenience and accessibility and close proximity to schools with assimilation benefits for children and their parents.
- Location on an arterial road and in proximity to bus stops provides convenient access.

- Some other childcare centres in the general area service particular places or groups with little or no connection to local residents and are not indicative of how this centre would operate.
- Choice of centres is desirable.
- Feasibility of centres is not a planning issue.
- The ERD Court has said: the evidence is that a long day care pre-school is intended to be 'a home away from home' and to this end is more desirably located within a residential environment.
- Property is generally accepted as not a matter for consideration in a planning assessment.
- Movement activated lights will be provided over 'at risk' outdoor spaces for security. Child care centres are rarely the subject of anti-social activity.
- The proposal is considered consistent with relevant Development Plan criteria.

A copy of the representations and the applicant's response is contained in **Attachments 8 & 9**.

REFERRALS

Internal

- City Assets

Concerns were raised regarding the following matters:

- Stormwater quality
- Closing of redundant driveway crossovers
- Finished Floor Levels
- Waste collection will be limited to normal weekly pickup of a single waste bin. Any additional collection would be by private contractor and would need to be restricted to a medium rigid vehicle (MRV).

The concerns have been addressed and City Assets are accepting of the development subject to conditions dealing with the operative requirements of the centre.

A full copy of the relevant report is contained in **Attachment 10**.

External

Pursuant to Section 38 and Schedule 8 of the Development Act and Regulations, the application was referred to:

- DPTI

No in principle objections were raised subject to the following:

A directed condition that:

- The corner cut-off at Sir Donald Bradman Drive/Rushworth Avenue junction shall be increased to 4.5m x 4.5m in order to maximise driver sight lines and improve pedestrian circulation at Sir Donald Bradman Drive and Rushworth Avenue junction. All development (including landscaping and fencing) shall be kept clear of the above corner cut-off.

A number of further recommended conditions addressing:

- Construction of the access into the car park.
- Safe and convenient vehicle movements.
- Fencing of the corner cut-off at the road.
- All stormwater disposal so as not to jeopardise road safety on an arterial road.
- A note referencing the Metropolitan Road Widening Plan.

A full copy of the relevant report is contained in **Attachment 11**.

ASSESSMENT

The subject land is located within the Residential Zone and more particularly the Low Density Policy Area 20 as described in the West Torrens Council Development Plan consolidated on 30 May 2017. The main provisions of the Development Plan which relate to the proposed development are as follows:

<u>General Section</u>		
Advertisements	Objectives	1, 2 & 3
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 & 22
Building near Airfields	Objectives	1
	Principles of Development Control	1, 2, 3 & 4
Community Facilities	Objectives	1 & 2
	Principles of Development Control	1, 2 & 3
Crime Prevention	Objectives	1
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7, 8 & 10
Design and Appearance	Objectives	1
	Principles of Development Control	1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 19, 20, 21, 22 & 23
Energy Efficiency	Objectives	1 & 2
	Principles of Development Control	1, 2 & 3
Hazards	Objectives	1, 2, 3, 4, 5, 6, 7, 8, 9 & 10
	Principles of Development Control	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 & 15
Interface between Land Uses	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 5 & 7
Landscaping, Fences and Walls	Objectives	1 & 3
	Principles of Development Control	1, 2, 3, 4 & 6
Natural Resources	Objectives	1, 2, 4, 5, 6, 7 & 10
	Principles of Development Control	1, 2, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, & 38
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 3, 4, 5 & 6
Residential Development	Objectives	1
	Principles of Development Control	1, 2, 3, 4, 5 & 6
Transportation and Access	Objectives	1 & 2
	Principles of Development Control	1, 2, 8, 9, 10, 11, 12, 14, 18, 20, 21, 22, 23, 24, 26, 27, 28, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41 & 42
Waste	Objectives	1 & 2
	Principles of Development Control	1, 2, 3, 4, 5, 6, 10 & 11
Zone: Residential		
<i>Desired Character Statement:</i> This zone will contain predominantly residential development. There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be		

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complementary to surrounding dwellings.

Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.

Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a **Historic Conservation Area**.

Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.

<i>Objectives</i>	1 & 4
<i>Principles of Development Control</i>	1, 3, 5, 8, 11, 12, 13 & 14

Policy Area: Low Density Policy Area 20

Desired Character Statement: Allotments in the policy area will be at low density, accommodating predominantly detached dwellings and some other dwellings types such as semi-detached and group dwellings. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage.

Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings.

Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.

<i>Objectives</i>	1
<i>Principles of Development Control</i>	1 & 2

QUANTITATIVE ASSESSMENT

The proposal is assessed for consistency with the prescriptive requirements of the Development Plan as outlined in the table below:

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA	None	1442m ² (existing & to be retained) Satisfies
SITE FRONTAGE	None	32.84m on Sir Donald

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		Bradman Drive + 3m corner cut-off (existing & to be retained) 37.21m on Rushworth Avenue +3m corner cut-off (existing & to be retained) Satisfies
SITE DEPTH	None	40.56m (existing & to be retained) Satisfies
STREET SETBACK Residential Zone PDC 8.	8.25m approximately (average of buildings either side) on Sir Donald Bradman Drive Rushworth Avenue 8m approximately	5.5m to verandah & 8m to wall from Sir Donald Bradman Drive boundary Does Not Satisfy 7.8m to verandah and 10.2m to wall from Rushworth Avenue boundary Satisfies
SIDE/REAR SETBACKS Residential Zone: PDC 12 & 13.	Side Minimise visual impact and overshadowing Rear No standard for non-residential buildings	Limited wall on boundary with balance 1.68m & 2.7m high Satisfies 2.7m setback to verandah & approximately 5.7m to wall Satisfies
LANDSCAPING General Section: Landscaping, Fences & Walls PDC: 4	10%	Approximately 12.1% (175m ²) (along frontages and car park perimeter) Satisfies
CARPARKING SPACES General Section, Transportation and Access PDC: 34	1 per 4 children car-parking spaces required	14 provided Does Not Satisfy

QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development satisfies the relevant Development Plan provisions with the exception of the following, as discussed under the following sub headings:

Land Use and Zoning

The development of a childcare centre is an envisaged use on the Low Density Policy Area 20 in PDC 1 as it is in PDC 1 of the Residential Zone. It is a form of small scale community facility that

services the needs of the community and is therefore considered appropriate for the site in land use terms.

Surrounding Uses

The uses that immediately surround the subject land are primarily single and two storey detached dwellings but with some examples of infill development. The proposed childcare centre has been designed in the form of a large residential style building with the play areas dispersed around the perimeter of the building in a manner that is sympathetic to the abutting residential premises. The fence height, which is a typical 1.8m in height, is a satisfactory separation from the residential premises adjacent the western boundary where at the rear the neighbour has a shed sited on the common boundary and there is only side access along this side of the building where children will not have access. Along the northern boundary it would be preferable to have a 2m high fence to provide what may be perceived as better separation for the adjoining residents and to ensure that the fence has noise attenuating properties. To this end, the northern fence should extend to ground level without gaps and be double sheeted to protect the adjacent residential premises from potential noise from within both the car park and children's Play Area 1. A recommended condition of consent will address this requirement.

The uses on the southern side of Sir Donald Bradman Drive are retail and commercial and create a non-residential character. These developments are relatively remote from the subject land and are not of a kind that would adversely impact on the proposed child care centre.

Bulk and Scale

Although the building footprint is substantially larger than its residential neighbours, the form and appearance of the building is sympathetic and compatible with the built form of the dwellings in the locality and is appropriate for the Sir Donald Bradman Drive streetscape by way of design and materials.

Setbacks

The proposed verandah, attached to the childcare centre, has a setback of approximately 7.8m from Rushworth Avenue. This is considered satisfactory as it is similar to the setback of the dwelling north of the subject land. From Sir Donald Bradman Drive the verandah has a front setback of approximately 5.5m which is 4m less than the adjacent dwelling to the west. The wall of the main building has a setback of 8m from Sir Donald Bradman Drive. The shortfall in the front setback for the proposed childcare centre is not considered to be fatal to the application. The dwelling located to the east of the subject land has a setback from Sir Donald Bradman Drive of approximately 6m. It is noted that within the locality the dwellings do not have a consistent front setback from Sir Donald Bradman Drive. Also the design of the childcare centre has provided a degree of visual permeability to the main façade of the building. Overall, the siting of the building is considered satisfactory.

Pedestrian, Cyclist and Vehicular Access

The development will require parents and guardians of children to enter the car park, sign their children into the centre and then depart. The car park will be fitted with a sliding gate at the entry. This will provide after-hours security but it is important that the gate is kept open when the centre is operating to maintain unhindered traffic movements at the junction of Rushworth Avenue and Sir Donald Bradman Drive.

Pedestrian access will be available from both street frontages with convenient paths of travel along footpaths, through secure gates with safety lock devices to prevent opening by children and along internal pathways.

There are three bicycle racks incorporated into the development. These can be satisfactorily accessed through the carpark from Rushworth Avenue.

Car parking Provisions

In accordance with Table WeTo/2 a childcare facility would require 16 car parking spaces on the basis of 1 space per 4 children accommodated in the centre. The proposed car park will provide 14 spaces (including 1 disabled space) plus a 3 place bicycle rack for 3. The applicants and Council's Traffic Consultants agree that with the adjacent bus stop, bicycle parking, a small number of on-street spaces available on Rushworth Avenue and taking into account the operational/functional requirements of other childcare centres, 14 spaces is adequate to meet the needs of the facility. It is noted that childcare centres produce traffic demands with less intense peaks than schools. Starting and pick-up times are not dictated by the facility, but by the differing starting times for the day of parents and guardians.

Public Transport Access

The facility has good access to public transport with a bus stop on Sir Donald Bradman Drive immediately adjacent the site. This or other traffic will not pose a risk to children as they will be enclosed by secure fencing with landscaping and gates that prevent opening by small children.

Movement of People and Goods

The flow and nature of vehicle movements has been assessed as satisfactory by Council's traffic engineers.

It is expected that the majority of the users of the facility would travel to it via Sir Donald Bradman Drive, enter the car park where they are able to turn and exit onto the back onto Sir Donald Bradman Drive rather than travel through the local residential streets. The predicted peaks for vehicle movements based on accepted standards are:

- 52 trips between 7am and 9am (equivalent to 1 trip per 2.3 minutes on average)
- 20 trips between 2.30pm and 4.00pm (equivalent to 1 trip per 4.5 minutes on average)
- 46 trips between 4.00pm and 6.00 pm (equivalent to 1 trip per 2.6 minutes on average)

The number and frequency of vehicles involved is expected to be well within the capacity of the road network with only small numbers associated with the childcare centre likely to travel through the residential area.

Waste Storage and Collection

The proposal plans indicate a small bin enclosure adjacent the carpark and near the northern boundary of the site with reliance on the standard once weekly Council waste collection service.

The enclosure would accommodate one waste bin and one recyclables bin. This is unlikely to accommodate all napkins, food and packaging waste for one week in a manner that would keep bin lids closed and to avoid odours during periods of high temperatures such as in summer.

It is noted that the information provided with the application indicates that napkins are to be double wrapped/bagged. There is however potential for odours to escape particularly after several days and warm temperatures and for flies etc. to be attracted to the bins. It would be possible to increase the size of the bin enclosure to accommodate 4 mobile garbage bins or a small skip as required. The addition of more bins would require collection by a private waste collection service.

Should the CAP be minded to approve the application, a condition is recommended to increase the size of the bin enclosure and for commercial collection at a frequency to avoid nuisance from odours etc.

City Assets have advised that any private waste collection should be outside of opening hours using a Medium Rigid Vehicle (MRV).

Landscape Assessment

General Section - Landscaping, Fences & Walls Module PDC 4 calls for a minimum of 10 per cent of a development site to be landscaped.

The proposal is for perimeter landscaping comprising two trees in proximity of the road junction (sufficiently setback for line of sight of road users) and rows of shrubs with ground covers and occupies approximately 12% of the site. This will be sufficient to enhance the amenity of both the facility internally and as viewed from the streetscape.

The installation of an automatic watering system is recommended.

Lighting and Security

The proposal does not include detailed information on external lighting. Should CAP be minded to approve the application a condition is recommended with respect to such lighting to ensure that adequate lighting is provided for night time security purposes but in a manner and at a level that is commensurate with street lighting to avoid nuisance or distraction for neighbours or road users.

Aircraft Noise

The property is located to the west of the flight path into Adelaide Airport and the building, except for a very small portion of its south-eastern corner, is located outside of the 20 ANEF line where no noise attenuation action is required. The facility is not expected to be adversely affected by aircraft noise.

SUMMARY

The proposal is a community facility of a kind that serves the needs of the community through the provision of childcare. The proposal has the following characteristics:

- It is to be accommodated in a building that has a form that is compatible in terms of character and amenity of the locality.
- The development is of a form and scale that is envisaged by the Development Plan provisions for the Residential Zone and Low Density Policy Area 20.
- It is at the low end of the scale that is generally accepted as viable and does not impose excessive demands of the road network.
- The location adjacent an arterial road provides for convenient travel to and from the centre with minimal impact on the residential amenity.
- The layout of the facility minimises the impact of children's play on the adjoining residential premises by locating the small outdoor play area for under 2 year olds who will be less boisterous and less independent, adjacent the adjoining residential premises and the dwelling on the western side is shielded by the building itself.
- The ambient noise levels from Sir Donald Bradman Drive will tend to mask the activity associated with the proposed childcare centre.
- Such facilities do not operate into the evening or on weekends when residents of adjacent premises are enjoying leisure hours.
- The number of car parking spaces is 2 less than that set out in Table WeTo/2 but based on accepted standards for car parking provision, ready access to public transport and provision of bicycle parking the shortfall of 2 spaces is considered acceptable.

Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan.

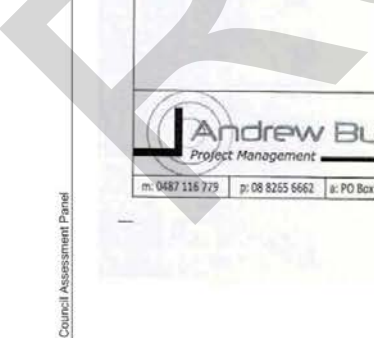
On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 30 May 2017 and warrants Development Plan Consent.

Attachments

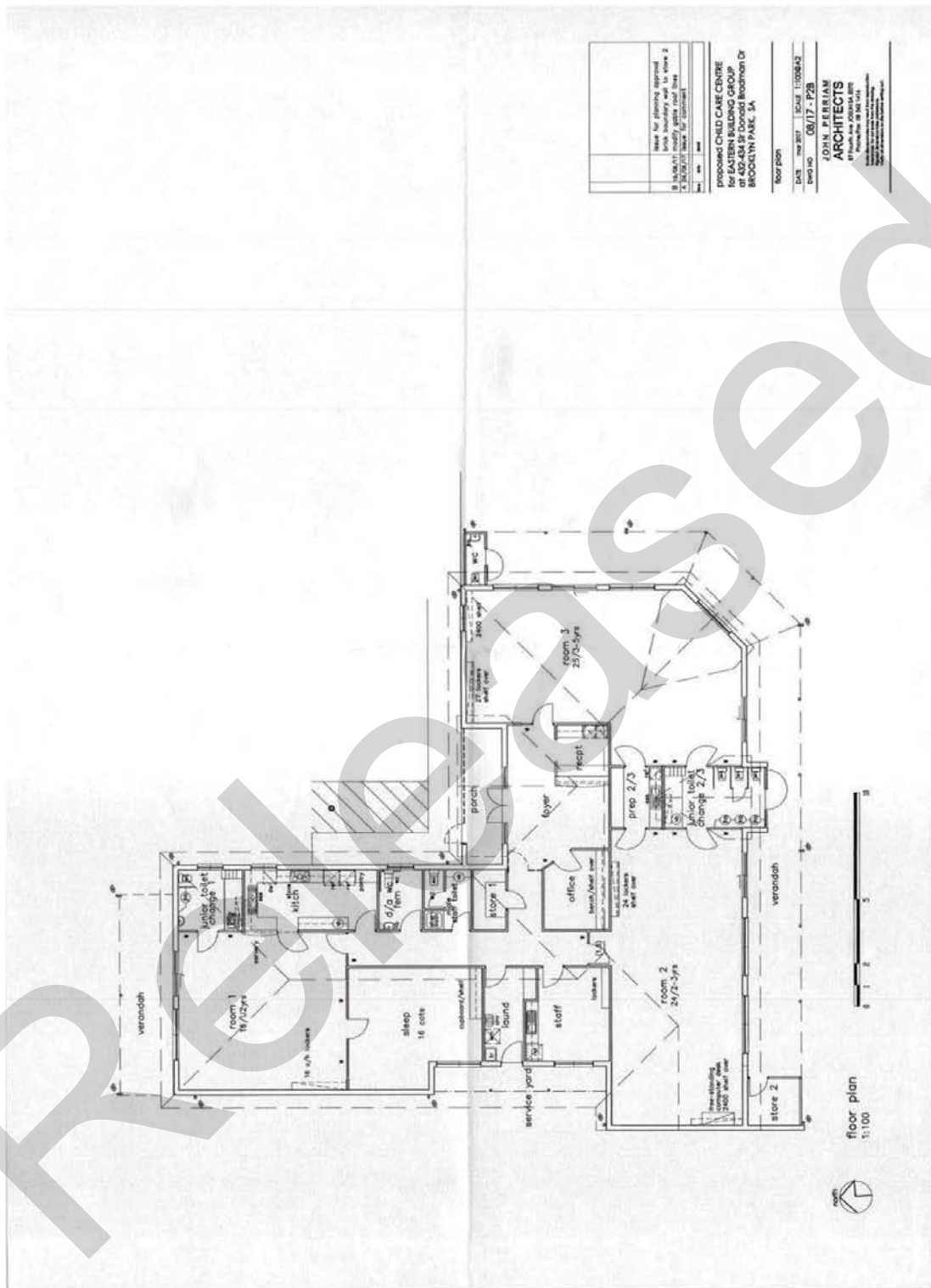
1. **Set of plans**
2. **Amended site plan**
3. **Civil site plan**

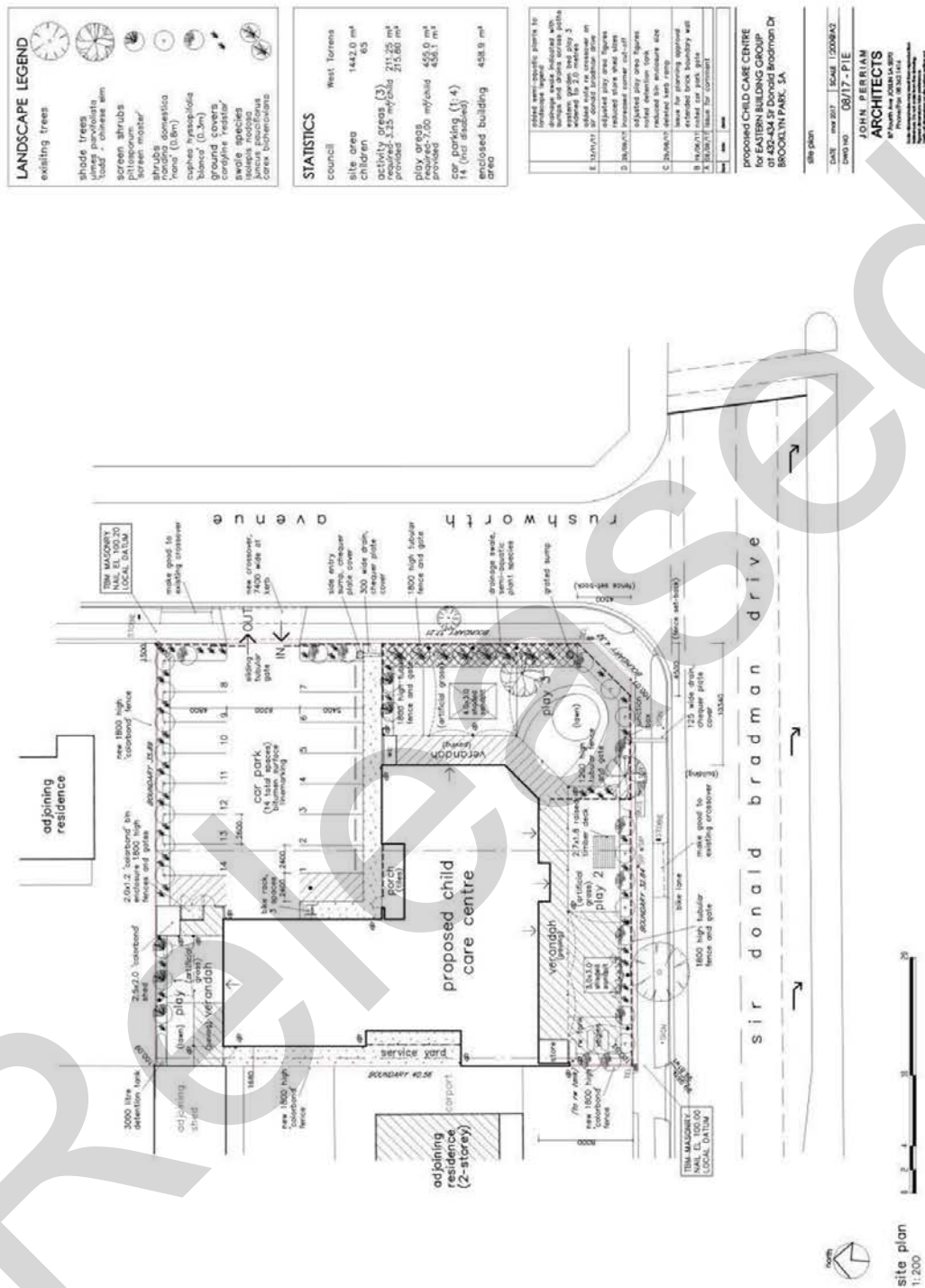
4. Stormwater modelling
5. Stormwater plan
6. Locality drainage plan
7. Swale plants
8. Representations
9. Traffic response to representations
10. City Assets referral response
11. DPTI referral response

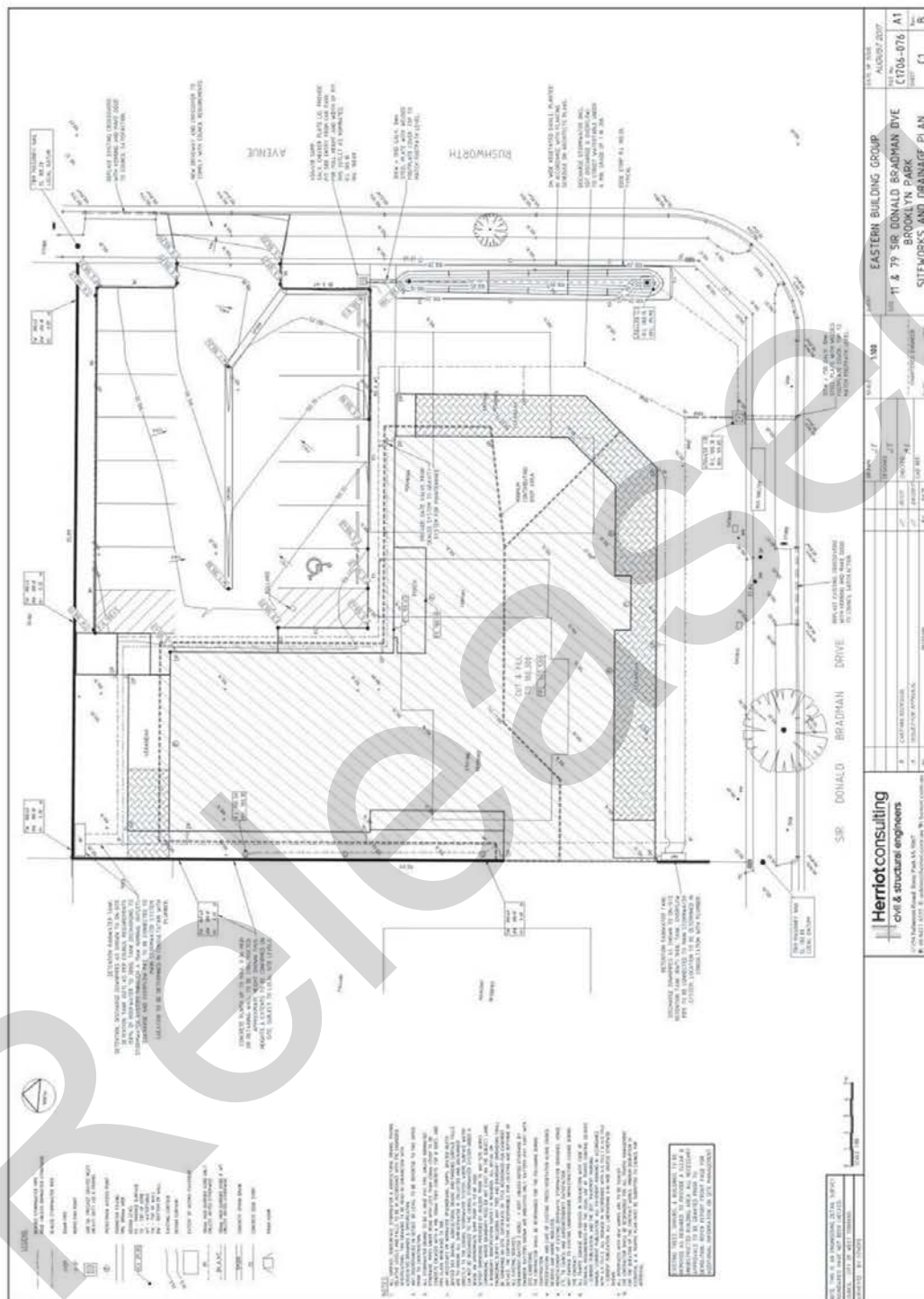
Released

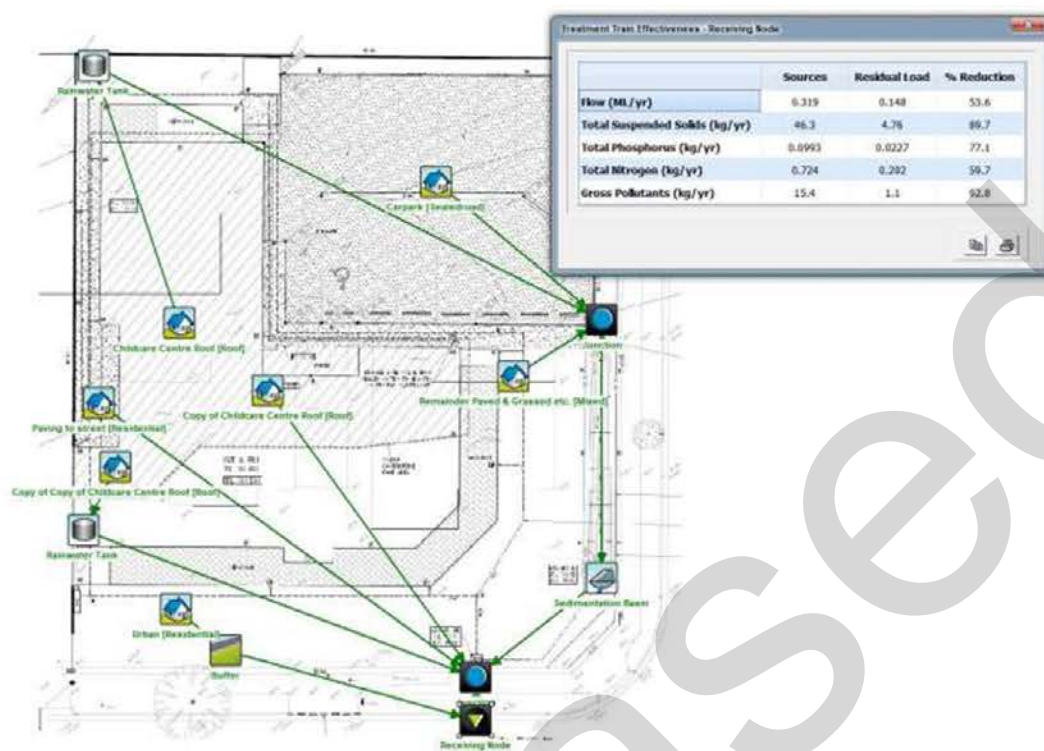












**STORMWATER CALCULATIONS****CLIENT:** Eastern Building Group**OWNER:** Eastern Building Group**SITE ADDRESS:** 11 & 79 Sir Donald Bradman Drive, Brooklyn Pk**JOB NO:** 1706-076**COUNCIL:** CITY OF WEST TORRENS**DESIGNER:** John Taglienti **DATE:** 8/11/20171/154 Fullarton Road Rose Park SA 5067 **P:** 08 8431 4555 **E:** admin@herriot.com.au **W:** herriot.com.au

Page 1



STORMWATER INVESTIGATION

COUNCIL CITY OF WEST TORRENS
 JOB 1706-076
 CLIENT Eastern Building Group
 DATE 8/11/2017

STORMWATER CALCULATIONS FOR - 11 & 79 Sir Donald Bradman Drive, Brooklyn Pk

DESCRIPTION : Determine Peak discharge of a 20 Yr A.R.I critical storm event with discharge to council Stormwater system, to be restricted to 20L/s from the developed site.

APPROACH - RATIONAL METHOD

$$Q_p = C \cdot I \cdot A / 360$$

Where -

- Q_p = Is the design flow rate (m^3/s) of A.R.I (y) years
 C = Is a dimensionless runoff Coefficient
 I = The rainfall intensity (mm/h) corresponding to a storm duration & A.R.I of (y) years
 A = Area of Catchment (ha)

Area Dimensions (m)

width	depth	total
0	0	$A = 1445 \text{ m}^2$
		0.145 ha

(Total only if irregular dimensions)

A.R.I (average recurrence interval)

Current Aust. Practice 20 or 50yr For intensely developed business, commercial & industrial areas
 10yr Other business, commercial, industrial areas & intensely developed residential areas
 5yr Other residential areas and open spaces.
 therefore $A.R.I = 20$

Time of Concentration : As adopted by A.R&R for flows for single dwellings a nominated time can be assumed of 5 min.

For more complex sites the kinematic wave equation should be adopted.

Kinematic wave equation (time of overland flow)

$$t = 6.94(L \cdot n^*)^{0.8} / I^{0.4} \cdot S^{0.3}$$

- t = Overland flow time (min)
 L = Flow path length (m)
 n^* = Refer Table 1.0
 I = Rainfall intensity
 S = Slope

Table 1.0 Surface roughness coefficient

0.010-0.013	Concrete or Asphalt
0.010-0.016	Bare Sand
0.012-0.030	Graveled Surface
0.012-0.033	Bare clay-Loam soil
0.053-0.130	Sparse Vegetation
0.100-0.200	Shod grass prairie
0.170-0.480	lawns

ALLOWABLE RUNOFF - 20YR

$$Q_{20} = 0.02000 \text{ m}^3/\text{s}$$

$$20.0 \text{ L/s}$$

Allowable discharge

Adopt 150Dia @ 0.5% to maintain outflow to 18L/s - AS/NZS 3500.3:2003, Figure 5.1



STORMWATER INVESTIGATION

COUNCIL CITY OF WEST TORRENS
 JOB 1706-076
 CLIENT Eastern Building Group
 DATE 8/11/2017

STORMWATER CALCULATIONS FOR -

11 & 79 Sir Donald Bradman Drive, Brooklyn Pk

POST DEVELOPMENT RUNOFF - 20Yr

A.R.I =	20	(Council Requirement)
20yr Frequency = F_y	1.05	

Total A (m ² / ha)	1445	0.145
Roof A (*)	620	0.062
Paved/Grassed A (*)	825	0.083

Run-off Coefficients

$C = (C_p A_p) + (C_g A_g) / A_{tot}$	Percentage	% Area (m ²)	% Area (ha)	coefficient
(a) = pervious/grass	48%	400	0.040	0.1
(b) = impervious/paved	52%	425	0.043	0.9
Paved/Grassed	$C_{post} =$	0.51	$x F_y =$	0.54

$C = (C_p A_p) / A_r$	Percentage	% Area (m ²)	% Area (ha)	coefficient
(r) = impervious/Roof	100%	620	0.062	0.9
Roof	$C_{post} =$	0.90	$x F_y =$	0.95

Quick approximate estimate of outflow peak

$$Q_{100} = C.I.A/360$$

Where -

	Roof	Paved/Grassed
C =	0.95	0.54
I =	?	?
	mm/hr	mm/hr
A =	0.062	0.083
	ha	ha
therefore -	$Q_{20} =$	$Q_{20} =$
	0.00016	0.00012
	xl ha	xl ha
Total _{post}	0.00029	xl ha

$$Q_p = I_p(1 - S_{max}/V_l)$$

Where -

 $I_p =$ $Q_p =$ $V_l =$ $S_{max} =$

Refer Appendix A

peak discharge of inflow hydrograph
 peak discharge of outflow hydrograph
 volume of inflow flood

20.0 L/s allowable

 $Q_p \times t_c$

Storage

t_c (Min.)	I (mm/hr)	I_p (m ³ /s)	V_l (m ³)	S_{max} (m ³)
5	121	0.0346	10.38	4.38
10	89.2	0.0255	15.31	3.31
20	61.9	0.0177	21.24	-2.76
30	48.7	0.0139	25.07	-10.93
60	31.3	0.0090	32.22	-39.78
90	25.5	0.0073	39.38	-68.62
120	19.7	0.0056	40.56	-103.44

Estimated critical storm



STORMWATER INVESTIGATION

COUNCIL CITY OF WEST TORRENS
 JOB 1706-076
 CLIENT Eastern Building Group
 DATE 8/11/2017

STORMWATER CALCULATIONS FOR -
 therefore I_p -

11 & 79 Sir Donald Bradman Drive, Brooklyn Pk

$$Q_{20} = C.I.A/360$$

Where -

C =	0.95		0.54	
I =	121	mm/hr	121	mm/hr
A =	0.062	ha	0.083	ha
therefore - Q_{20} =	0.0197	m ³ /s	0.0149	m ³ /s

Total_{post}

0.0346	m ³ /s
34.6	L/s

DETENTION REQUIREMENTS

Minimum Tank Storage

$$Q_{\text{roof to detention}} =$$

50% of Roof Flow

$$Q_r = C.I.A/360 \times \% \text{ Inflow}$$

C =	0.95			
I =	121	mm/hr		
Ax% =	0.031	ha	Equivalent	310 m ² per outlet
Q_{100R} =	0.00985	m ³ /s		

Therefore Inflow =

9.8	L/s
-----	-----

$$Q_o = C.A.\sqrt{2g.H}$$

$$Q_o = C.A.\sqrt{2g.H}$$

where

C = coefficient of orifice

A = Area of orifice

g = gravity (m/s²)

H = Height of water (head) meters

Dia. (mm)	Area (m ²)
15	0.00018
20	0.00031
30	0.00071

C = 0.65 orifice plate coefficient

A = 0.00018 m²

g = 9.81 m/s²

H = 1.00 m

No. of Outlets

1

$$\text{therefore - } Q_o =$$

$$\times \text{No. of dwellings}$$

$$Q_{\text{roof to street}} =$$

50%

0.00051	m ³ /s	0.5	L/s
0.0005	m ³ /s	0.5	L/s
0.0098	m ³ /s	9.8	L/s

$$Q_{\text{paving / grass to street}} =$$

0.01491	m ³ /s	14.9	L/s
---------	-------------------	------	-----

$$Q_{\text{Total to street}} =$$

0.02527	m ³ /s	25.3	L/s
---------	-------------------	------	-----

Post Development

$$\text{minus } Q_{20 \text{ ALLOW}} =$$

0.00527	m ³ /s	5.3	L/s
---------	-------------------	-----	-----

Additional Storage Req'd =

$$V_{\text{req'd}} = Tc.60.(Q_{20R} - Q_{20A}) / 1000 =$$

1.58	m ³
------	----------------

$$V_{\text{stored}} = Tc.60.(Q_r - Q_o) =$$

2801.28	L
2.80	m ³ overall
2.80	m ³ per outlet



STORMWATER INVESTIGATION

COUNCIL CITY OF WEST TORRENS
 JOB 1706-076
 CLIENT Eastern Building Group
 DATE 8/11/2017

STORMWATER CALCULATIONS FOR -

11 & 79 Sir Donald Bradman Drive, Brooklyn Pk

Additional Detention

Road Pipe Storage

Length - Line 1	0.00	m	100 dia
Storage m ² - Req.m ²	0.008	m ²	
Volume	0.00	m ³	

Pits	0.05	m ³
------	------	----------------

Pond Storage

(1/3 ave depth x m²)

0.17	m
36	m ²
2.04	m ³

100.15 Outflow
 100.2 overflow

Volume modelled

Total Volume	2.09	m ³	O.K
--------------	------	----------------	-----

SUMMARY

Council requirements require post development flows from the site to be detained to a maximum 20L/s runoff for the 20yr ARI critical storm. This critical storm for this maximum flow = 34.6L/s therefore requires detention.

To reduce post development flow to the required outflow rate, 50% of roof stormwater or 310m² per tank is to be directed to a minimum 2800L tank discharging to the stormwater system via a 15mm orifice.

Roof stormwater and detention discharge and overflow is to be directed to the main stormwater system under gravity.

Post RWT detention, the critical storm volume required for detention is 1.58m³.

Driveway & Swale detention consist of ponded volume of 2.04m³ up to R.L. 100.15 prior to overflow, and pit & pipe detention.

This configuration detains maximum flow for the critical 20yr up to 20L/s.

Council Assessment Panel

Item - Attachment 6

In reply please quote 2017/01931/01, Process ID: 466492
 Enquiries to Reece Loughron
 Telephone (08) 8226 8386
 Facsimile (08) 8226 8330
 E-mail dpti.luc@sa.gov.au



Government of South Australia

Department of Planning,
Transport and Infrastructure

RECEIVED - CWT IM

24 AUG 2017

16/08/2017

SAFETY AND SERVICE -
Traffic OperationsGPO Box 1533
Adelaide SA 5001Telephone: 61 8 8226 8222
Facsimile: 61 8 8226 8330

ABN 92 366 288 135

Mr Jordan Leverington
 City of West Torrens
 165 Sir Donald Bradman Drive
 HILTON SA 5033

Dear Jordan,

SCHEDULE 8 - REFERRAL RESPONSE

Development No.	211/738/17
Applicant	Eastern Building Group
Location	432-434 Sir Donald Bradman Drive (cnr Rushworth Avenue), Brooklyn Park
Proposal	Childcare centre (65 children) with associated car parking and landscaping

I refer to the above development application forwarded to the Safety and Service Division of the Department of Planning, Transport and Infrastructure (DPTI) in accordance with Section 37 of the *Development Act 1993*. The proposed development involves development adjacent a main road as described above.

The following response is provided in accordance with Section 37(4)(b) of the *Development Act 1993* and Schedule 8 of the *Development Regulations 2008*.

THE PROPOSAL

The development involves the demolition of existing structures and the construction of a child care centre.

CONSIDERATION

The subject site abuts Sir Donald Bradman Drive and Rushworth Avenue. Sir Donald Bradman Drive is identified as a Major Traffic Route, Primary Freight Route, Public Transport Corridor and a Major Cycling Route in DPTI's 'A Functional Hierarchy for South Australia's Land Transport Network' and is gazetted for 26.0 metre B-Double vehicles. At this location Sir Donald Bradman Drive has an AADT of 26,900 vehicles per day (3.5% commercial vehicles) and a posted speed limit of 60 km/h.

Access and Road Safety

The subject site includes two existing residential allotments which have access to Sir Donald Bradman Drive and Rushworth Avenue. The John Perriam Architects Site Plan (refer Drawing No. 08/17 - P1B, Issue B, dated 19/06/17) indicates that the existing Sir Donald Bradman Drive access will be closed and the Rushworth Access will be relocated slightly south to enable the provision of a 14 space car parking. In-principle, no objection is raised to this access arrangement as it minimises access to arterial roads. The Sir Donald Bradman Drive crossover should be reinstated with kerb and gutter as part of the approval.

/DOCS AND FILES# 11813940

The relocated access will be 6.2 metres wide at the property boundary which is considered sufficient to cater for two-way vehicle movements. In order to ensure vehicles entering the site are not restricted by vehicles reversing from spaces 7 & 8 it is recommended that these be dedicated to staff use only.

With respect to on-street parking adjacent the site, DPTI strongly recommends that on-street parking on the western side of Rushworth Avenue is banned from the Sir Donald Bradman Drive / Rushworth Avenue junction to the proposed access in order to ensure the unrestricted two-way flow of vehicles (including waste collection) can occur without impacting the free flow of traffic on Sir Donald Bradman drive. All costs associated with line marking and sign installation should be borne by the applicant.

With respect to the proposed boundary fencing adjacent the access to 436 Sir Donald Bradman, it is recommended that this be modified to be of an open nature to ensure that pedestrian sightlines to/from the access can be achieved in accordance with AS/NZS2890.1:2004. In addition, the proposed fencing at the Sir Donald Bradman Drive/Rushworth Avenue must be designed so that sightlines at the Rushworth Avenue junction can be maximised. It is noted that the existing footpath is relatively narrow and a bus shelter is located downstream of the junction that could restrict sightlines. DPTI recommends that a larger cut-off be provided in the order of 4.5m x 4.5 metres as described below.

Road Widening

The Metropolitan Adelaide Road Widening Plan (MARWP) shows a possible requirement for a 4.5 metres x 4.5 metres corner cut-off at the junction of Sir Donald Bradman Drive and Rushworth Avenue. It is noted that CT 5704/545 shows that a 3.048 metres x 3.048 metres corner cut-off has already been provided. However, the corner cut off should be increased to 4.5 metres x 4.5 metres in order to maximise driver sightlines and improve pedestrian circulation at the Sir Donald Bradman Drive and Rushworth Avenue junction.

It should be noted that the consent of the Commissioner of Highways under the MARWP Act is required to all building works on or within 6.0 metres of the corner cut-off requirement. It is noted that the built form is proposed more than 6.0 metres from the corner cut off and as such consent is not required in this instance.

CONCLUSION

In-principle, no objection is raised to the proposed development subject to the following conditions.

ADVICE

The planning authority is directed to attach the following conditions to any approval:

1. The corner cut-off at the Sir Donald Bradman Drive / Rushworth Avenue junction shall be increased to 4.5 meters x 4.5 metres in order to maximise driver sightlines and improve pedestrian circulation at the Sir Donald Bradman Drive and Rushworth Avenue junction. All development (including landscaping and fencing) shall be kept clear of the above corner cut-off.

The planning authority is advised to attach the following conditions to any approval:

2. The access to Rushworth Avenue shall be constructed in general accordance with the John Perriam Architects Site Plan, Drawing No. 08/17 – P1B, Issue B, dated 19/06/17.
3. The access point shall be suitably flared to Rushworth Avenue to allow convenient ingress and egress movements in order to minimise disruption to the free flow of traffic.

/DOCS AND FILES# 11813940

Council Assessment Panel

Item - Attachment 6

3

4. All vehicles shall enter and exit the site in a forward direction.
5. Fencing adjacent the south western boundary shall ensure sightlines to/from 436 Sir Donald Bradman Drive can be achieved in accordance with AS/NZS2890.1:2004.
6. All stormwater generated by the proposal shall be appropriately collected and disposed of without entering or jeopardising the safety of the adjacent arterial road network.

The following notes provide important information for the benefit of the applicant and are required to be included in any approval:

- i. The Metropolitan Adelaide Road Widening Plan (MARWP) shows a possible requirement for a 4.5 metres x 4.5 metres corner cut-off at the junction of Sir Donald Bradman Drive and Rushworth Avenue. The consent of the Commissioner of Highways under the MARWP Act is required to all building works on or within 6.0 metres of the corner cut-off requirement. As all built form is proposed more than 6.0 metres from the corner cut-off, consent is not required in this instance.

Yours sincerely,



MANAGER, TRAFFIC OPERATIONS

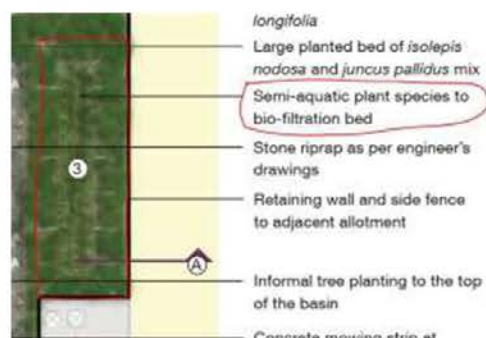
For COMMISSIONER OF HIGHWAYS

A copy of the decision notification form should be forwarded to dpti.developmentapplications@sa.gov.au

/DOCS AND FILES# 11813940

Council Assessment Panel

Item - Attachment 7



Council Assessment Panel

Item - Attachment 8

Received
16 OCT 2017
City of West Torrens
Information Management

STATEMENT OF REPRESENTATION
Pursuant to Section 38 of the Development Act, 1993

TO Chief Executive Officer
City of West Torrens
165 Sir Donald Bradman Drive
HILTON 5033

DEVELOPMENT No. 211/738/2017
PROPERTY ADDRESS: 432 & 434 Sir Donald Bradman Drive, BROOKLYN PARK SA 5032

YOUR FULL NAME	CRAIG ALAN JOHNSTON + ANDREA DAHL-JOHNSTON
YOUR ADDRESS	12 RUSHWORTH AVENUE BROOKLYN PARK
YOUR PHONE No	
YOUR EMAIL	
NATURE OF INTEREST	Adjoining resident <small>(eg. Adjoining resident, owner of land in the vicinity etc.)</small>
REASON/S FOR REPRESENTATION see attached note	
MY REPRESENTATIONS WOULD BE OVERCOME BY (state action sought)	

City of West Torrens
17 OCT 2017
City Development

RECEIVED
AM 7 8 9 10 11 (2)
16 OCT 2017
PM 1 2 3 4 5 6
West Torrens CSU

Please indicate in the appropriate box below whether or not you wish to be heard by Council in respect to this submission:-

I DO NOT WISH TO BE HEARD ☐

I DESIRE TO BE HEARD PERSONALLY ☒

I DESIRE TO BE REPRESENTED BY _____ ☐
(PLEASE SPECIFY)

SIGNED C. Johnston DATE 9/10/17
A. Dahl-Johnston

Responsible Officer: Jordan Leverington
Ends: Wednesday 18 October 2017

If space insufficient, please attach sheets

The following concerns regarding the proposed category 3 Development at 432 & 434 Sir Donald Bradman Drive – Development Number 211/738/2017:

1. Development of a commercial property next to a residential property will immediately devalue the residential property. We currently reside in a residential zone not a commercial zone.
2. There are several childcare centres in a 5 kms radius of the proposed development. In fact the same company has begun a development for Stepping Stones childcare 3 kms west further along on Sir Donald Bradman. This reinforces that this development is purely a commercial one which in no way considers the local community or the residents within the adjacent residential street.
3. We purchased our home in a residential area specifically not buying on the busy road but rather in a quieter residential area with distance between our property and those across the road (which is the other side of Sir Donald Bradman Drive) where there are commercial properties. We purchased this in December 2007 with the desire for accessibility but avoiding of commercial, school or apartment properties. Purchasing of properties should be made with knowledge of "the local area" and what you are buying in to. Clearly we had no desire for a property which was adjacent to a commercial property. If that was the case we would have bought a cheaper property within that demographic 10 years previously.
4. Our residential property has recently been upgraded with a council approved building which does not appear considered within the plan. Large bins, sheds and children's play areas do not back onto an open backyard area but rather onto the residence, meaning that the noise and smells are more likely to impact upon the residents within the adjacent building; our family.
5. The large bin for the childcare is almost on the boundary of our property. Given the type of waste that a childcare centre will generate it is anticipated that this will provide odour which will impact upon us as residents and this will potentially occur not just during the opening hours of the centre. As such the bins should be relocated in order to impact less on residents well away from the property boundaries. In addition the bins will require regular waste removal with large vehicles which again will impact upon us as residents both in terms of noise and traffic.
6. Adequate car parking for potentially 65 children cannot be provided with 14 spaces. Although there will be prime times for parking this will impact upon ourselves being the closest residence and in fact is likely to impact upon many residents in Rushworth Ave. Rushworth Ave has a large number of cars which belong to residents. Congestion as well as childcare staff and families taking resident parks will be an issue. Being a childcare centre will not be able to just drop children off (as per a school) but will need to park and take their children into the centre. The increased number of cars is a safety risk for small children.
7. Parking for staff does not appear to be a consideration. Typically staff to children ratios are either 1:5 in babies rooms and 1:10 for older children. Potentially there would be at least 10 staff who would be requiring parking (as there would also be administrative staff and cooking staff). Given the 14 parks it is not clear where these staff would park. Sir Donald Bradman is not a place to park and in fact has a bus stop outside of the proposed child care centre. Currently Rushworth Ave has a high number of cars attached to the residences.

8. There is also no parking on Sir Donald Bradman Drive between 7.00-9.00am. This is the drop off time for the childcare centre.
9. Security is likely to be a greater consideration when a "business" is so close as these can be targeted and as such the surrounding residences can also be targeted.
10. The actual building of this business appears to be large and will require construction over considerable time – noise and air pollution and the impact on surrounding areas need to be addressed. Review of the other childcare centre being built by this company (as referred to above) – porta loos, building equipment, bobcats etc. are all present on the site and have been for over 6 months.
11. The small play area adjoining our property is likely to pose a greater noise than would typically occur in a residential area. It is requested that number of children that can be accommodated in this area is provided and ways in which noise pollution due to numbers of children will be reduced to have minimal impact on residents occurs.
12. The height of the fence between our property and the proposed centre is too low in order to provide adequate privacy and consideration of noise as indicated above.


Andrea Dahl-Johnston and Craig Johnston

Owners of Residence: 12 Rushworth Ave, Brooklyn Park

Council Assessment Panel

Item - Attachment 9



Consultant Traffic Engineers
ABN 67 051 665 680
204 Young Street
Unley SA 5061
P: 08 8271 5999
F: 08 8271 5666
E: mail@philweaver.com.au

File: 152-17

1 November 2017

Mr George Skrembos
Eastern Building Group
142 Payneham Road
STEPNEY SA 5069

Dear Skrembos,

PROPOSED CHILD CARE CENTRE 432-434 SIR DONALD BRADMAN DRIVE, BROOKLYN PARK - TRAFFIC AND PARKING ASSESSMENT AND RESPONSE TO REPRESENTATIONS

I refer to our recent discussions relating to the proposed development of a 65 place child care centre and associated car parking on the above site.

As requested I have undertaken the following assessment of the traffic and parking related aspects of the subject development.

This assessment has also addressed the representations recently received by West Torrens Council in respect to the proposed development.

EXISTING SITUATION

The subject site is located on the north-western corner of the intersection of Sir Donald Bradman Drive with Rushworth Avenue, Brooklyn Park.

The subject site is currently undergoing demolition works. The development site accommodates:-

- An unoccupied residential dwelling and garage at 432 Sir Donald Bradman Drive, and
- An unoccupied residential dwelling at 434 Sir Donald Bradman Drive.

The subject site has frontages of approximately 33m to Sir Donald Bradman Drive and approximately 40m to Rushworth Avenue inclusive of a 3m by 3m corner cut-off.

Currently there are two access points associated with the subject site. These consist of:-

- A crossover associated with the existing residential use of 432 Sir Donald Bradman Drive. This access point is located approximately 15m from the western boundary of the site and provides a width of approximately 4m, and
- An access point off Rushworth Avenue, approximately 4.5m in width located adjacent to the northern boundary of the site. This crossover is associated with the existing residential use of 434 Sir Donald Bradman Drive.

Sir Donald Bradman Drive, adjacent to the subject site, provides two traffic lanes and a bicycle lane in each direction separated by a central median. The bicycle lanes operate between 7.30am and 9.00am Monday to Friday on the northern side of this roadway and between 4.30pm and 6.00pm Monday to Friday on the southern side of this road.

A right turn lane for traffic turning from Sir Donald Bradman Drive into the (Ikea access roadway) associated with the retail outlets located on the southern side of this roadway is located directly opposite the subject site.

The intersection of Sir Donald Bradman Drive with the access point into the commercial development on the southern side of this roadway, opposite the subject site is controlled by traffic signals. This intersection is located approximately 20m to the east of the subject site i.e. immediately to the east of Rushworth Avenue. The median within Sir Donald Bradman Drive extends across the intersection (T-junction) with Rushworth Avenue. Hence, traffic entering and exiting this side road is restricted to left turn in and left turn out movements only.

A bus zone is located directly in front of the subject site on the northern side of Sir Donald Bradman Drive, while the corresponding bus zone on the southern side of this roadway is slightly further to the west. Parking on the northern side of Sir Donald Bradman Drive to the west of the bus zone is prohibited by No Stopping Anytime restrictions.

Rushworth Avenue, adjacent to the subject site, has a kerb to kerb width of approximately 9m with verge widths of approximately 3m on each side of this roadway.

Details of traffic volumes on Sir Donald Bradman Drive have been obtained from the Department of Planning, Transport and Infrastructure, (DPTI). From a traffic count undertaken on Wednesday 4th May 2015 it is identified that the two-way Annual Average Daily Traffic (AADT) volume adjacent to the subject site is approximately 23,800 vpd on Sir Donald Bradman Drive.

The speed limit on Sir Donald Bradman Drive, adjacent to the subject site, is 60 km/h. The urban default speed limit of 50 km/h applies on Rushworth Avenue.

TRAFFIC SURVEYS

In order to determine the current level of traffic using the intersection of Rushworth Avenue with Sir Donald Bradman Drive, surveys have been undertaken of vehicles entering and exiting Rushworth Avenue at this location.

The traffic surveys were conducted on Tuesday 31st October and Wednesday 1st November 2017 in 15 minute intervals over the periods from:-

- From 3.00 pm to 6.00 pm on Tuesday 31st October, and
- From 7.30 am to 9.30 am on Wednesday 1st November 2017.

The peak hour traffic volumes in the morning and afternoon periods were identified from the results of the above surveys as occurring between 8.00 am and 9.00 am and between 4.30 pm and 5.30 pm, respectively. The existing peak hour traffic entering and exiting Rushworth Avenue is identified in Figure 1 below.

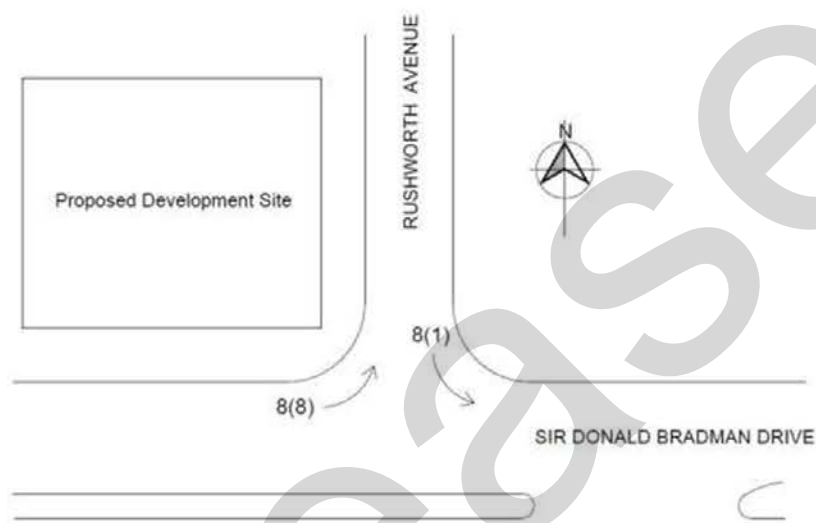


Figure 1: Existing am (pm) peak hour traffic volumes entering / exiting Rushworth Avenue, Brooklyn Park

As identified above, all traffic turning into and out of Rushworth Avenue is restricted to left turn entry and left turn exit movements only.

The traffic surveys identified that:-

- 16 vehicles entered / exited Rushworth Avenue to and from Sir Donald Bradman Drive (8 in / 8 out) during the am peak hour period,
- 9 vehicles entered / exited Rushworth Avenue to and from Sir Donald Bradman Drive (8 in / 1 out) during the pm peak hour period, and
- At no time during either the morning or afternoon periods was there more than one car queued when drivers of vehicles were waiting to turn left out of Rushworth Avenue.

Based upon the peak hour traffic volumes in the am or pm peak hour periods typically being equivalent to approximately 10% of the of traffic on an a residential roadway, I estimate that the Average Weekday Traffic volume on this roadway would be of the order of 200 vpd. This indicates that there is no capacity issue within this section of roadway, particularly given that the residential amenity level within such a residential roadway is considered to be of the order of 1000 to 1500 vpd.

PROPOSED DEVELOPMENT

The proposed development is identified on a series of plans prepared by John Perriam Architects including a Site Plan (Drawing No. 08/17-P1D).

I note that the proposed development will include:-

- Demolition of the existing buildings on the site,
- Construction of a single storey building with a floor area of 458.9m² to accommodate a 65 place child care centre,
- Construction of a car parking area on the north-eastern side of the building to provide 14 spaces including a disability space and adjacent shared area. This car parking area will also provide a turnaround area in the north-western corner of this car park,
- A bicycle parking area, providing 3 bicycle spaces to be located on the south-western corner of the car park,
- Provision of a new access point off Rushworth Avenue, to be located approximately 6m from the northern boundary of the site. This access point will be gated and provide a width of approximately 6.5m, and
- Closure of the existing access points on Rushworth Avenue and Sir Donald Bradman Drive.

I understand that the hours of operation of the proposed child care centre will be 6.30 am to 6.30 pm Monday to Friday with the centre closed on weekends and public holidays.

The design of the at-grade car parking area provides:-

- Car parking spaces of 2.6m in width,
- Car parking spaces of 5.4m in length and 4.8m in length where provision has been made for a 600mm overhang, and
- An aisle width of 6.2m.

As such, I consider that the design of the on-site car parking area would conform to the requirements of the relevant off-street car parking standards (AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009).

While the proposed development will require provision for a new crossover on Rushworth Avenue, the existing crossover will be closed permitting the area to the immediate north of the crossover to be used for car parking.

PARKING ASSESSMENT

Table WeTo/2 – Off Street Vehicle Parking Requirements within the West Torrens (City) Development Plan identifies car parking provisions relevant to a child care centre on the subject site, as follows:-

- One car parking space per 4 children, and
- One accessible (disability) space for a development with a total of 10 to 25 parking spaces.

Based on the subject child care centre accommodating 65 children, the proposed development would require 16.25 parking spaces.

The subject development will provide a total of 14 car parking spaces (including one disability space). Consequently, there would be a minor shortfall in the on-site car parking.

However, I note that a car parking rate of one space / 4.2 children has been identified as an appropriate car parking rate for such a development, based on findings within the report prepared by MFY Pty Ltd (**Child Care Centre Parking Rates Review - Parking Review**) on behalf of the **Australian Childcare Alliance**.

On the basis of the above parking review, the proposed development would require 16 spaces. Hence, it is calculated that there would be a shortfall of at most two spaces.

Given the proximity of the subject development to public transport on Sir Donald Bradman Drive, which would potentially result in a reduced level of car parking demand, I consider that the peak parking demand of the proposed development could be lower than required by either of the above standards.

In any event, I consider that there would be an opportunity to accommodate such a minor shortfall of on-site car parking within Rushworth Avenue.

PARKING REVIEWS

In order to determine the current level of parking on-street in Rushworth Avenue, we have undertaken a number of parking reviews over the following periods:-

- Monday 30th October 2017 at 11.15am,
- Tuesday 31st October 2017 between 3.00pm and 6.00pm, and
- Wednesday 1st November 2017 between 7.30am and 9.30am.

The above reviews conducted in Rushworth Avenue identified the following:-

- There is a capacity to accommodate approximately 42 cars on-street within Rushworth Avenue,
- There were 6 cars parked on the Monday morning,
- During the Tuesday review there were 8 cars parked at 3.00pm, 11 cars parked at 4.45pm and 13 cars parked at 6.00pm, and
- During the Wednesday review there were 13 cars parked at 7.30am, 9 cars parked at 8.15am and 8 cars parked at 9.30am.

It was evident that there was a significant level of unused on-street car parking capacity remaining within Rushworth Avenue during the corresponding periods when the child care centre would be operational.

TRAFFIC ASSESSMENT

The "Guide to Traffic Generating Developments" report produced by the former Roads and Traffic Authority of NSW (now Roads and Maritime Services) identifies peak hour traffic generation rates associated with a child care centre equivalent to:-

- A rate of 0.8 trips per child in the am peak period (7.00am to 9.00am),
- A rate of 0.3 trips per child in the period between 2.30pm and 4.00pm, and
- A rate of 0.7 trips per child in the pm period (4.00pm to 6.00pm).

On the above basis the number of peak hour trips associated with the child care centre would be:-

- 52 trips in the am peak hour period,
- 20 trips between 2.30pm and 4.00pm, and
- 46 trips in the pm peak hour period.

It is anticipated that the majority of the peak hour traffic movements accessing the proposed child care centre in the am peak periods would travel from the west to access the centre and exit to the east, with drivers undertaking left turn entry / left turn exit movements to and from Sir Donald Bradman Drive.

While there would be a small proportion of traffic that could potentially use adjoining sections of the local road network to access the proposed child care centre, the number of these movements would not have any significant impacts on the capacity of these roads or the amenity of the adjoining stakeholders, particularly given the relatively small size of the proposed development and the low volumes of traffic recorded on Rushworth Avenue.

Outside of peak hour periods on weekdays there will be minimal traffic generated by the subject child care centre.

There will be very infrequent deliveries to the proposed child care centre given the nature and size of this proposed facility. The majority of these deliveries would be made by small vans or similar sized vehicles with deliveries typically being undertaken in late morning / early afternoon periods i.e. outside of arrival and departure periods associated with children attending the centre.

The proposed development includes a bin storage area to accommodate waste and recycling. The level of waste and recycling would not be significantly different to that of the two residential properties previously occupied on the site.

Waste and refuse will be stored in wheelie bins and will be placed on the adjoining verge area on bin collection nights for servicing by Council's waste and recycling contractors.

CONSULTATION

Discussions were undertaken with staff of the Safety and Service, Traffic Operations Section of the Department of Planning, Transport and Infrastructure (DPTI) in relation to the proposed development.

DPTI has previously provided Council with a Schedule 8 Referral Response in correspondence dated 16th of August 2017. I understand that this correspondence included the following comments/recommendations, namely that:-

- DPTI is comfortable with the proposed access arrangements but suggested that car parking be restricted at all times along the western side of Rushworth Avenue between Sir Donald Bradman Drive and the proposed access point,
- That parking bays 7 and 8 should be assigned for use by staff only, given the proximity of the spaces to the boundary of the site, and
- A 4.5m x 4.5m corner cut-off should be provided on the south-eastern corner of the subject site in lieu of the current 3.0m x 3.0m corner cut-off.

I note/consider that:-

- Given the very low volumes of traffic using Rushworth Avenue during periods when the child care centre would be in operation, I consider that it would not be necessary to restrict parking along the western boundary of the site,
- Parking bays 7 and 8 will be assigned for use by staff only, and
- The design has been modified to provide a corner cut-off of 4.5 m x 4.5 m on the south eastern corner of the subject land with the location of the boundary fence modified slightly from the plans previously submitted to Council.

RESPONSE TO REPRESENTATIONS

I note that a total of six representations were received by Council in which matters relating to traffic, parking and vehicular access arrangements were raised. I have summarised the relevant aspects of this representation and have provided a response to the various issues identified within the relevant representation.

Mr and Mrs Parisella - 2 Rushworth Avenue, Brooklyn Park

The above representation identified concerns in respect to:-

1. *"We have major concerns about the parking and impact on the traffic in our street and surrounding streets. As there is no parking on Sir Donald Bradman and Rushworth Avenue already has many vehicles attached to residences parked on the street. We have Lockleys Primary School closeby and parents already park in the surrounding streets to go there."*

In response to the above matters, it is noted that:-

- Reviews of the locality during weekday periods have not identified high levels of car parking demand on this roadway.

Ms Linda Reid - 4 Rushworth Avenue, Brooklyn Park

1. *"Traffic congestion - Sir Donald Bradman Drive / Rushworth Avenue. We already have a shortage of parking due to people using our street to leave their cars whilst on holidays not using airport facilities.*
2. *Dangerous frontage with bus stop right on corner of Sir Donald Bradman Drive and Rushworth Avenue.*
4. *Car parking for only 14 cars and 65 children seems totally unrealistic as parking for staff does not seem to have been considered and car parking is not allowed on Sir Donald Bradman Drive between the hours of 7am and 9am which is critical drop off time for child care centres.*

In response to these three issues, it is identified that:-

- The proposed development will not result in any significant impact to car parking demand currently occurring on Rushworth Avenue. More particularly, the proposed development will be open during weekday periods only and our reviews on site have identified only low levels of car parking demand during these periods. Furthermore, the proposed development will not be open during evening and weekend periods when residential parking demand would typically peak,
- A review of sight distance to the west along Sir Donald Bradman Drive has identified that required levels of sight distance along this roadway will continue to be met at this location. While sight distance would be interrupted by a bus standing at the bus stop to the west of Rushworth Avenue, this is not a result of the proposed development. Any delay that this causes to drivers exiting from Rushworth Avenue is minimal, and
- The adequacy of car parking associated with the proposed development has been considered in detail and has been measured against appropriate standards which contemplate both staff and parent / guardian parking demand. On this basis, there should be a potential requirement for at most two cars to park on street, within Rushworth Avenue. Car parking on Sir Donald Bradman Drive cannot legally occur due to the existing parking restrictions on this roadway.

Mr Craig Alan Johnston and Mrs Andrea Dahl-Johnston - 12 Rushworth Avenue, Brooklyn Park

5. *Adequate car parking for potentially 65 children cannot be provided with 14 spaces. Although there will be prime times for parking this will impact upon ourselves being the closest residence and in fact is likely to impact upon many residents in Rushworth Ave. Rushworth Ave has a large number of cars which belong to residents. Congestion as well as childcare staff and families taking resident parks will be an issue. Being a childcare centre will not be able to just drop children off (as per a school) but will need to park and take their children into the centre. The increased number of cars is a safety risk for small children.*

6. *Parking for staff does not appear to be a consideration. Typically staff to children ratios are either 1:5 in babies rooms and 1:10 for older children. Potentially there would be at least 10 staff who would be requiring parking (as there would also be administrative staff and cooking staff). Given the 14 parks it is not clear where these staff would park. Sir Donald Bradman is not a place to park and in fact has a bus stop outside of the proposed child care centre. Currently Rushworth Ave has a high number of cars attached to the residences.*

The above matters have been addressed in my previous responses.

Mr David Reid and Mrs Linda Reid - 4 Rushworth Avenue, Brooklyn Park

1. *This will substantially increase traffic congestion in street,*
2. *Street car parking is already a major issue - there is simply no capacity for extra parking,*
4. *The traffic congestion at intersection of May Terrace and Sir Donald Bradman Drive will undoubtedly increase. This is already a very dangerous intersection with no traffic lights.*

Items 1 and 2 within this representation have previously been addressed.

In respect to an anticipated increase in traffic congestion at the intersection of May Terrace and Sir Donald Bradman Drive, it is considered that the proposed development would result in a minimal increase in any traffic congestion at this intersection, particularly given:-

- The relatively small size of the proposed development compared to other child care centres within Metropolitan Adelaide, and
- The proportion of traffic accessing the proposed child care centre via the intersection of May Terrace with Sir Donald Bradman Drive would be minimal.

Ms Maria Papageorgiou - 436 Sir Donald Bradman Drive, Brooklyn Park

1. *Site of childcare centre is too small for 65 children, and*
2. *Parking will be a problem.*

I consider that these matters have been addressed above.

Ms Karen Marie Smith - 3 Rushworth Avenue, Brooklyn Park

1. *There is already a parking issue here in Rushworth Avenue. I have made a number of requests to council in relation to parking in this street over the past few years. I have requested resident only parking permits, as well as timed signs. Many people park here then go to the airport for their week long (or longer) holiday and do not wish to pay for parking, so park here in our small residential street causing congestion in the street. Even with resident's cars only, there is a considerable number of vehicle in the street every night.*

I note that the proposed Child Care Centre has fourteen car parks. This does not seem like an adequate number of carparks to cover 65 children & staff at any time.

The nearby Childcare centre at the corner of Henley Beach Road and Rowells Road has twenty five (25) carparks.

2. *There is no room for a new pedestrian crossing to be located on Sir Donald Bradman Drive, and even if one was placed there, the impact with the second set of lights at the IKEA entrance would cause traffic chaos in an already extremely busy stretch of road.*

Sir Donald Bradman Drive would be a very dangerous road for numerous children to be crossing without any pedestrian lights installed.

Sir Donald Bradman Drive out the front of the proposed Childcare centre is a bus zone, therefore there can be no parking there at any time. There is also a bike lane and signs indicating no standing at any time. Therefore, all drop offs will have to be in Rushworth Avenue or other nearby residential streets.

The gates to the carpark are on Rushworth Avenue, this will cause massive congestion in an already congested street. The likelihood for collisions will also rise, as well as the inherent dangers associated with small children and cars. There could be a serious or fatal collision due to frustration caused by congestion and the inability to get a park.

Dropping small children off at a childcare centre would no doubt require the parents or carers of the children to actually physically enter the centre to sign the children in. It is not the same as a school drop off where children can just be let out of the car and walk in alone.

Rushworth Avenue does not have adequate space for the parents of sixty five (65) children to drive in and park. Fourteen carparks is a grossly inadequate number of carparks for this type of development.

Does this mean that new signs will be erected such as signs for drop offs, 15 minute time limits or such during drop off periods? This will really inconvenience the actual residents of the street if they can't park outside their own houses during business hours. Who will police this?

In response to the various matters raised by the above representor, it is considered that:-

- The potential use (or otherwise) of car parking on-street associated with the proposed child care centre during weekday periods has been addressed above,
- The proposed child care centre will not operate at night or at weekends. Hence, on-street parking during these periods is not relevant to the proposed development,
- The existing child care centre on the corner of Rowells Road / Henley Beach Road is a larger centre and has a car parking ratio similar to that proposed by the subject development,

- There is no suggestion for an additional pedestrian crossing to be provided on Sir Donald Bradman Drive as a result of the proposed development. In any event, there is an existing (controlled) pedestrian crosswalk incorporated within the signalised intersection of Sir Donald Bradman Drive / IKEA access. This crosswalk is located to the immediate east of the intersection with Rushworth Avenue and provides safe pedestrian movements across Sir Donald Bradman Drive at this location,
- The concerns relating to the bus zone to the west of Rushworth Avenue have previously been addressed,
- The bicycle lane along Sir Donald Bradman Drive operates only between 7.30 am and 9.00 am on weekdays. It is considered that there will be no impact on the operation of this bicycle lane as a result of the proposed development,
- For the various reasons identified above, I do not consider that there would be any significant traffic impacts on the operation of Rushworth Avenue, particularly given that:-
 - The kerb to kerb width of this roadway is 9.2m,
 - Access into and out of this roadway to and from Sir Donald Bradman Drive is restricted to left in / left out movements only, and
 - The proposed access point into and out of the on-site car parking area will be located approximately 30m to the north of Sir Donald Bradman Drive,
 - As previously identified, children attending a child care centre are not 'dropped off' but must be escorted by parents/guardians and registered with this facility. Hence, it is contemplated that parents/guardians will park on site. Based on my experience with similar facilities, it is unlikely that parents/guardians would arrive at the same time to deliver/collect children,
 - No changes to parking is anticipated adjacent to the residential dwellings on Rushworth Avenue as a result of the proposed development.

SUMMARY AND CONCLUSIONS

The above traffic and parking assessment relates to the proposed development of a child care centre accommodating 65 places.

The proposed development will provide a total of 14 on-site car parking spaces which would be slightly less than the required 16 spaces. However, given the location of the proposed development within close proximity of public transport, a bicycle lane on the adjoining arterial road network and the potential for limited parking to occur on Rushworth Avenue, I consider that such a minor shortfall in on-site site parking would be acceptable.

A review of the proposed traffic generated by the subject development would indicate that, at most, there should be:-

- Approximately 52 trips in the am peak hour period, and
- Approximately 46 trips in the pm peak hour period.

Surveys of existing traffic movements entering / exiting Rushworth Avenue to and from Sir Donald Bradman Drive have identified that existing weekly traffic volumes on this roadway are very low and that there is no significant delay/queuing to drivers of vehicles turning out onto Sir Donald Bradman Drive.

The forecast volumes of traffic anticipated to be generated by the proposed development will be readily accommodated by the adjoining road network.

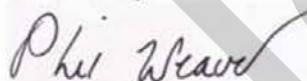
In my opinion there will be no detrimental traffic impacts on either capacity of amenity associated with the subject development.

The proposed on-site car parking area has been designed in accordance with the requirements of the relevant off-street car parking standard and would be suitable for use by the proposed development.

In summary, the proposed development will:-

- Provide a total of 14 car parking spaces including one space for use by the disabled and an adjacent shared area. While this level of parking would be slightly less than the number of spaces typically required for a facility accommodating 65 children on-site, there is an opportunity for this minor shortfall in car parking provision to be provided on-street,
- Not result in adverse traffic impacts on the adjacent road network, based upon the analysis of the forecast traffic generation of the subject development, provided within this report, and
- Provide a design standard which is appropriate and meets the requirement of the relevant Australian / New Zealand Standard for off-street car parking areas.

Yours sincerely



Phil Weaver
Phil Weaver and Associates Pty Ltd

Preliminary Traffic, Flooding & Stormwater Assessment

Development Application No: 211/738/2017

Assessing Officer: Jordan Leverington
Site Address: 432 & 434 Sir Donald Bradman Drive, BROOKLYN PARK SA 5032
Certificate of Title: CT-5704/545, CT-5694/228
Description of Development: Construct a childcare centre with associated car parking and landscaping

TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

- ☐ Site drainage and stormwater disposal
- ☐ Required FFL
- ☐ On-site vehicle parking and manoeuvrability
- ☐ New Crossover
- ☐ Your advice is also sought on other aspects of the proposal as follows:

.....

PLANNING OFFICER - Jordan Leverington

DATE 27 October, 2017



Memo

To: Jordan Leverington
From: Andrew King
Date: 27/10/2017
Subject: 211/738/2017, 432 & 434 Sir Donald Bradman Drive, BROOKLYN PARK SA 5032

Jordan Leverington,

The following City Assets Department comments are provided with regards to the assessment of the above development application. This referral shall be read in conjunction with the initial City Assets referral authored on 4/09/2017. Please refer Doc Set Id A2042911.

1.0 Traffic Comments

The following comments are provided by Council traffic Consultant Frank Siow.

I refer to the above development for a child care centre on the subject site. The subject site is located at the north-western corner of the junction of Sir Donald Bradman Drive/Rushworth Avenue. Fourteen (14) parking spaces are proposed on-site with the car park access from Rushworth Avenue. The child care centre is proposed to have a maximum capacity of 65 children.

I have read the referral response letter from DPTI dated 16/8/17 and note that there is a Metropolitan Adelaide Road Widening Plan requirement for a 4.5m by 4.5m corner cut-off to be provided by the subject site. The proposal plan should be amended accordingly to include this requirement, alternatively this could be dealt with by a condition of approval.

The subject site is located opposite the Adelaide Airport. Only left in left out movements are permitted from Rushworth Avenue to Sir Donald Bradman Drive, due to the central median/traffic signals on the main road. There are bicycle lanes in Sir Donald Bradman Drive adjacent to the subject site. There is also an existing bus stop in the City-bound direction in front of the subject site.

The Council's Development Plan specifies a parking rate of 1 space per 4 children for a child care centre. Based on the maximum capacity of 65 children, the parking required would be 16 parking spaces (rounded down). For sites that are adjacent to public transport and bicycle lanes and if bicycle parking is also provided, it would not be uncommon to discount the parking



requirement. I note that 3 bicycle parking spaces are proposed within the car park.

Assuming that a 10% discount were to be applied, the parking required would be 14 spaces (rounded down). The provision of 14 parking spaces on-site would therefore be acceptable. I note that some on-street parking opportunity would also be available in Rushworth Avenue adjacent to the subject site.

The proposed parking spaces are shown with dimensions of 2.4m by 5.4m for the disabled and clear zone space, 2.6m by 4.8m (with overhang of 0.6m) or 2.6m by 5.4m for the general parking spaces and serviced by a 6.2m aisleway. These dimensions would comply with the parking standards. The proposed sliding tubular gate would enable the pedestrian sight line requirement of the parking standard to be satisfied.

While it would be preferable for the sliding gate to the car park to be set back from the boundary, in this instance, given that Rushworth Avenue is a local street, the proposed gate located at the boundary would be acceptable. I recommend that a condition be included to require the gate to be left open during the opening hours of the child care centre, so that parents and visitors are not delayed from entering the car park from Rushworth Avenue.

I note that there is a bin area located at the end of the proposed car park. If bin collection were to be undertaken after hours or before opening times of the child care centre, the standard MRV refuse truck would be able to access the subject site, turnaround without being obstructed by parked vehicles and leave the site in a forward direction. I recommend that a condition be included to require bin collection to occur before or after opening hours of the child care centre.

The infrequent general servicing of the child care centre could occur using the general parking spaces on-site. If the general servicing of the site were to occur after peak times (ie after drop off or before pick up times), then there would be some vacant car parking spaces that could be used by these infrequent service vehicles. I therefore recommend that a condition be included to require general servicing of the child care centre to occur during off-peak times and restricting these general service vehicles to passenger size vehicles only.

Finally, I am satisfied that the proposed development would not result in acceptable traffic impacts on the adjacent road network, given the relatively small scale of the child care centre development.

Based on the above assessment, I am of the opinion that the proposed development would be acceptable on traffic and parking grounds, subject to a number of conditions discussed above being included.

**ED Note 27/10/2017:**

The following items are still requiring addressing by the applicant.

- The referral response letter from DPTI dated 16/8/17 and note that there is a Metropolitan Adelaide Road Widening Plan requirement for a 4.5m by 4.5m corner cut-off to be provided by the subject site. The proposal plan should be amended accordingly to include this requirement, alternatively this could be dealt with by a condition of approval.

Items marked by traffic Consultant as planning conditions

- The gate to be left open during the opening hours of the child care centre, so that parents and visitors are not delayed from entering the car park from Rushworth Avenue.
- Bin collection to occur before or after opening hours of the child care centre.
- General servicing of the child care centre to occur during off-peak times and restricting these general service vehicles to passenger size vehicles only.

2.0 Stormwater Detention (Commercial - Less than 4000m²)

The total uncontrolled post development stormwater flow (site critical stormwater during the 20 year ARI event) of the proposed site has been calculated by Herriot Consulting in the stormwater calculation reports (Dated 23/08/2017) as 34.6 L/s. It has been proposed for the provision of stormwater detention tank of 3KL (15mm outlet orifice positioned at 1.0m of head and 50% roof area connected to tank) to restrict the maximum runoff of 20L/s at 20 Year ARI site critical storm event.

It is observed in the proposed architect's site plan (John Perriam Architects - Dwg No: 08/17-P1C, Dated- March 2017) that the outdoor play area abutting the southern and eastern boundary to predominantly consist of artificial grass areas. Runoff from an impervious areas such as arterial surfaces will generate greater runoff than that of the impervious areas such as natural grass. As such the coefficient runoff would be considered as 0.9 (mimicking impervious/paved areas) which in turn will increase the total uncontrolled post development flow, calculated by Council in excess of 41L/s. Additional storage will be required as opposed to the proposed 3KL detention system located at the North -West corner of the site. Alternatively, if the applicant can confirm that the artificial grass has the permeability/run-off characteristics to that of a pervious/grass, then the proposed detention would be sufficient in meeting the required detention requirements.

It is recommended that above requirement /clarification be provided to Council.



3.0 Stormwater Quality - Major concern

Council has previously indicated the design requirements and expectations for stormwater consideration for this development through correspondence in the referral dated 4/09/2017.

These requirements are consistent with the requested from numerous developments of similar scale and commercial nature.

The achieving of these standards of stormwater quality improvement are also reinforced through the State Government's WSUD Policy document.

There are numerous demonstrations of recent development within our Council area which have achieved stormwater management measures in the order of that requested from this development site, the majority of which achieving this without the ability to connect to a underground Council drain within the adjacent street. The solution necessary may just be more challenging than that which would be achieved with a direct underground connection.

There are multiple methods to achieve acceptable water quality treatment, which is now become more accepted as standard engineering practice.

Council's City Assets Department stands by the previously requested consideration for this development.

4.0 Closing of Redundant Crossovers

Not addressed by the applicant.

5.0 General Finished Floor Level (FFL) Consideration

In accordance with the provided 'Siteworks and Drainage Plan' (Herriot Consulting – File No: C1706-076 – Date of issue August 2017) the FFL of the proposed development (100.50 minimum) have been assessed as satisfying minimum requirements (100.40 minimum) in consideration of street and/or flood level information.

Should you require further information, please contact Andrew King on the following direct extension number 8416 633.

Regards

Andrew King
Coordinator City Assets

Civic Centre 165 Sir Donald Bradman Drive, Hilton 5033 South Australia Tel (08) 8416 6333 Fax (08) 8443 5709
E – mail csu@wtcc.sa.gov.au Website www.westtorrens.sa.gov.au

Council Assessment Panel

Item - Attachment 11

In reply please quote 2017/01931/01, Process ID: 466492
 Enquiries to Reece Loughron
 Telephone (08) 8226 8386
 Facsimile (08) 8226 8330
 E-mail dpti.luc@sa.gov.au



Government of South Australia

Department of Planning,
Transport and Infrastructure

RECEIVED - CWT IM

24 AUG 2017

16/08/2017

SAFETY AND SERVICE -
Traffic OperationsGPO Box 1533
Adelaide SA 5001Telephone: 61 8 8226 8222
Facsimile: 61 8 8226 8330

ABN 92 366 288 135

Mr Jordan Leverington
 City of West Torrens
 165 Sir Donald Bradman Drive
 HILTON SA 5033

Dear Jordan,

SCHEDULE 8 - REFERRAL RESPONSE

Development No.	211/738/17
Applicant	Eastern Building Group
Location	432-434 Sir Donald Bradman Drive (cnr Rushworth Avenue), Brooklyn Park
Proposal	Childcare centre (65 children) with associated car parking and landscaping

I refer to the above development application forwarded to the Safety and Service Division of the Department of Planning, Transport and Infrastructure (DPTI) in accordance with Section 37 of the *Development Act 1993*. The proposed development involves development adjacent a main road as described above.

The following response is provided in accordance with Section 37(4)(b) of the *Development Act 1993* and Schedule 8 of the *Development Regulations 2008*.

THE PROPOSAL

The development involves the demolition of existing structures and the construction of a child care centre.

CONSIDERATION

The subject site abuts Sir Donald Bradman Drive and Rushworth Avenue. Sir Donald Bradman Drive is identified as a Major Traffic Route, Primary Freight Route, Public Transport Corridor and a Major Cycling Route in DPTI's 'A Functional Hierarchy for South Australia's Land Transport Network' and is gazetted for 26.0 metre B-Double vehicles. At this location Sir Donald Bradman Drive has an AADT of 26,900 vehicles per day (3.5% commercial vehicles) and a posted speed limit of 60 km/h.

Access and Road Safety

The subject site includes two existing residential allotments which have access to Sir Donald Bradman Drive and Rushworth Avenue. The John Perriam Architects Site Plan (refer Drawing No. 08/17 - P1B, Issue B, dated 19/06/17) indicates that the existing Sir Donald Bradman Drive access will be closed and the Rushworth Access will be relocated slightly south to enable the provision of a 14 space car parking. In-principle, no objection is raised to this access arrangement as it minimises access to arterial roads. The Sir Donald Bradman Drive crossover should be reinstated with kerb and gutter as part of the approval.

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The relocated access will be 6.2 metres wide at the property boundary which is considered sufficient to cater for two-way vehicle movements. In order to ensure vehicles entering the site are not restricted by vehicles reversing from spaces 7 & 8 it is recommended that these be dedicated to staff use only.

With respect to on-street parking adjacent the site, DPTI strongly recommends that on-street parking on the western side of Rushworth Avenue is banned from the Sir Donald Bradman Drive / Rushworth Avenue junction to the proposed access in order to ensure the unrestricted two-way flow of vehicles (including waste collection) can occur without impacting the free flow of traffic on Sir Donald Bradman drive. All costs associated with line marking and sign installation should be borne by the applicant.

With respect to the proposed boundary fencing adjacent the access to 436 Sir Donald Bradman, it is recommended that this be modified to be of an open nature to ensure that pedestrian sightlines to/from the access can be achieved in accordance with AS/NZS2890.1:2004. In addition, the proposed fencing at the Sir Donald Bradman Drive/Rushworth Avenue must be designed so that sightlines at the Rushworth Avenue junction can be maximised. It is noted that the existing footpath is relatively narrow and a bus shelter is located downstream of the junction that could restrict sightlines. DPTI recommends that a larger cut-off be provided in the order of 4.5m x 4.5 metres as described below.

Road Widening

The Metropolitan Adelaide Road Widening Plan (MARWP) shows a possible requirement for a 4.5 metres x 4.5 metres corner cut-off at the junction of Sir Donald Bradman Drive and Rushworth Avenue. It is noted that CT 5704/545 shows that a 3.048 metres x 3.048 metres corner cut-off has already been provided. However, the corner cut off should be increased to 4.5 metres x 4.5 metres in order to maximise driver sightlines and improve pedestrian circulation at the Sir Donald Bradman Drive and Rushworth Avenue junction.

It should be noted that the consent of the Commissioner of Highways under the MARWP Act is required to all building works on or within 6.0 metres of the corner cut-off requirement. It is noted that the built form is proposed more than 6.0 metres from the corner cut off and as such consent is not required in this instance.

CONCLUSION

In-principle, no objection is raised to the proposed development subject to the following conditions.

ADVICE

The planning authority is directed to attach the following conditions to any approval:

1. The corner cut-off at the Sir Donald Bradman Drive / Rushworth Avenue junction shall be increased to 4.5 meters x 4.5 metres in order to maximise driver sightlines and improve pedestrian circulation at the Sir Donald Bradman Drive and Rushworth Avenue junction. All development (including landscaping and fencing) shall be kept clear of the above corner cut-off.

The planning authority is advised to attach the following conditions to any approval:

2. The access to Rushworth Avenue shall be constructed in general accordance with the John Perriam Architects Site Plan, Drawing No. 08/17 – P1B, Issue B, dated 19/06/17.
3. The access point shall be suitably flared to Rushworth Avenue to allow convenient ingress and egress movements in order to minimise disruption to the free flow of traffic.

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Council Assessment Panel

Item - Attachment 11

3

4. All vehicles shall enter and exit the site in a forward direction.
5. Fencing adjacent the south western boundary shall ensure sightlines to/from 436 Sir Donald Bradman Drive can be achieved in accordance with AS/NZS2890.1:2004.
6. All stormwater generated by the proposal shall be appropriately collected and disposed of without entering or jeopardising the safety of the adjacent arterial road network.

The following notes provide important information for the benefit of the applicant and are required to be included in any approval:

- i. The Metropolitan Adelaide Road Widening Plan (MARWP) shows a possible requirement for a 4.5 metres x 4.5 metres corner cut-off at the junction of Sir Donald Bradman Drive and Rushworth Avenue. The consent of the Commissioner of Highways under the MARWP Act is required to all building works on or within 6.0 metres of the corner cut-off requirement. As all built form is proposed more than 6.0 metres from the corner cut-off, consent is not required in this instance.

Yours sincerely,



MANAGER, TRAFFIC OPERATIONS

For COMMISSIONER OF HIGHWAYS

A copy of the decision notification form should be forwarded to dpti.developmentapplications@sa.gov.au

/DOCS AND FILES# 11813940



22nd January 2018

Ref: 6881compromiseplans

The Chief Executive Officer
City of West Torrens
165 Sir Donald Bradman Drive
HILTON SA 5033

Access Planning (SA) Pty Ltd
ABN 57 089 702 241

235 Henley Beach Road
Torrensville SA 5031

Telephone 08 8130 7222
Facsimile 08 8130 7299
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www.accessplanning.com.au

Attention: Mr. Jordan Leverington

Dear Jordan,

**RE: DEVELOPMENT APPLICATION NUMBER 211/738/17 FOR THE CONSTRUCTION
OF A CHILD CARE CENTRE WITH ASSOCIATED CAR PARKING AND
LANDSCAPING – 432 & 434 SIR DONALD BRADMAN DRIVE, BROOKLYN PARK**

As you are aware an appeal has been lodged in respect to the Council's refusal of the above development.

As part of the appeal process the applicant has provided amended plans that reduce the number of children to be enrolled at the centre from 65 to 57, to bring the development into compliance with the required car parking numbers.

In addition, I provide the following further information to address more specifically the reasons for the Council's refusal of the application.

Interface between Land Uses

Both the Residential Zone and relevant Policy Area provide for range of small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations.

The list of envisaged non-residential land uses includes the following;

- child care facility**
- health and welfare service
- open space
- primary and secondary school
- recreation area
- shop measuring 250 square metres or less in gross leasable floor area

It is difficult to see how the author of the Development Plan could list the range of uses identified above as being suitable in a Residential zone if there were to be insurmountable interface issues, noting that the subject land is located on a busy arterial road and adjacent to an airport that operates from 6am to 11pm daily.

That said, child care centres are not inherently noisy, and I make the following comments in relation to the relevant Development Plan criteria relating to land use interface issues.

- The proposed hours of operation are limited to 6.30am to 6.30pm. There is no activity on site out of these hours other than general maintenance and cleaning.



- Early morning activity on the site is generally limited because of low attendance prior to 7.30am. Children are kept indoors until sufficient numbers are in attendance to enable supervised outdoor activity.
- Play times are spread out over the day and occur inside and outside. Not all of the children are in the outdoor play spaces at any one time, or for sustained durations, and the use of the play areas is strictly supervised to ensure that noise levels are not excessive, and that rowdy behaviour is managed.
- Outdoor activities are spread over the some 566m² of outdoor play space in three indoor and 3 outdoor locations on the site, and care has been taken in the design of the development to provide appropriate indoor and outdoor play spaces, screened by appropriate fencing as recommended in the conditions of approval prepared by the Council staff, to ensure there is variety and diversity of play opportunities for children and so that noise from children in the outdoor play areas will not be such as to affect existing residential amenity.
- The play area for the younger children under 2 years of age is located at the rear of the site and adjacent to the rear yard of the adjoining houses. These children are less ambulatory and consequently are less active than the older children enrolled on site. The play areas for the older children are located at the front of the land where the background noise from passing traffic and other noise sources in the locality will mask the very limited noise of children playing.
- As advised at the meeting the EPA have not identified child care centres as being a source of noise complaint and Stepping Stones, the applicants in this matter, operate 20 child care centres, most in Residential zones, and have not had any noise complaints in relation to their centres.
- Stepping Stones have a strict Noise Management Policy, a copy of which is attached.

Waste

As advised previously, most child care centres of the size now proposed can manage waste disposal via the existing Council 3 bin system and I am aware of at least 3 similar sized centres that West Torrens Council has approved in very similar circumstances to the subject land where waste is managed using the Council collection service.

Waste from a small-scale child care centre such as that proposed is limited in volume, the most significant being the disposal of nappies which are always double bagged. Green waste resulting from ground maintenance is generally taken away of by the gardening contractor which leaves only a limited amount of recycled green waste from the kitchen. Recyclables are also not generated in high volumes and can readily be managed in the Council recycling bins.

At the very worst a site of this size might require 2 rubbish bins.

As I identified at the Panel meeting it is in the applicant's own interest to ensure that waste is managed properly and does not give rise to odours.

In this respect I note that the bin storage area is

- Adjacent a play area,
- Adjacent the car park being used by parent to drop off and pick up children;
- Less than 12m from the entry to the centre;



- Separated from adjoining houses by intervening buildings, landscaping and fences.

The bins are located in an enclosed area, will be emptied weekly and are strictly managed by staff at the Centre and as such are unlikely to give rise to impacts on adjoining land owners.

Transport and Access

In relation to the Transport and Access reasons Phil Weaver has responded as follows:

"I have reviewed the above matters, including consideration of the proposed reduction in the capacity of the child care centre from the previously proposed capacity of 65 child care places to the now proposed 57 child care places.

On the basis of my assessment I concluded that the design would not result in safety issues for the following reasons: -

- *The design conformed to the policy of the Department of Planning, Transport and Infrastructure (DPTI) to minimise direct access to and from the arterial road network,*
- *The design of the proposed access point would accommodate simultaneous entry / exit movements of vehicles typically accessing the proposed development,*
- *The proposed location of the access point being a distance of approximately 30m from the southern boundary of the site will address any concerns in respect to queuing and appropriate separation of the access point and drivers turning left into / out of Rushworth Avenue,*
- *The design incorporates provision for an increase in the corner cut-off on the south-eastern corner of the site, as recommended by DPTI, notwithstanding that more than adequate sight distance is currently provided at this location,*
- *All vehicles entering / exiting Rushworth Avenue, including those vehicles relating to the proposed development, will continue to turn left in / left out of Rushworth Avenue to and from Sir Donald Bradman Drive,*
- *The existing volumes of traffic entering and exiting Rushworth Avenue are very low and that there will not be a capacity issue on this roadway as a result of the proposed development,*
- *The reduction in the proposed capacity of the child care centre would address any concerns in terms of adequacy of on-site car parking. This is notwithstanding that the number of spaces on site was not considered to be an issue with the previously proposed capacity of 65 child places by Council staff,*
- *The proposed reduction in the capacity (number of child places) would result in pro-rata reduction in the forecast volume of traffic to be generated by the proposed development. For example, there would be a decrease from the previously forecast volume of traffic accessing the development of 52 trips between 7.00 am and 9.00 am (Council's Agenda report) to 46 trips in this period as a result of the approximately 13% reduction in the capacity of the proposed development. Irrespective, it was previously identified that there is sufficient capacity within the road network to safely accommodate the traffic generation of a 65 place child care centre,*



- A review of the Location SA Map Viewer has identified no recorded crashes at the intersection of Rushworth Avenue with Sir Donald Bradman Drive, over the 5 year data period provided on this web site. This indicates that there is no existing safety issue at this location. In my opinion, this will not change as a result of the proposed development, and;
- The proposed reduction in the capacity of the child care centre would fully address the anticipated car parking demands associated with the proposed development.

On this basis, I consider that there would be no reason why there would be any need for either staff or clients of the proposed development to park on-street. As previously identified, the demand for on-street parking associated with the proposed development is further minimised by the provision of on-site bicycle parking as well as close and convenient access to frequent public transport, including a bus stop located directly in front of the site.

Furthermore, it is reiterated that DPTI raised no objection to the previously proposed development and that Council's traffic engineers identified that the 'flow and nature of vehicle movements has been assessed as satisfactory'.

I see no reason why these opinions would change, given that the proposed reduction in the capacity of the proposed development should generate even lower levels of car parking demand and traffic movements.

I therefore remain of the opinion that the proposed (amended) design will not result in adverse traffic, parking or road safety issues as set out in the Council's reasons for refusal of the development."

Conclusion

I conclude from the above that the proposed land use will not give rise to adverse impacts on the amenity of nearby residents as identified by the Panel members. I am reinforced in this view by the approval by Council of similar sized child care centres in the Residential Zone at 246 -248 Henley Beach Road, Torrensville and 348 Henley Beach Road, Lockleys, both on corner sites with frontage to an arterial road and carparking access from a local road, both with adjoining residential neighbours and both utilising the Council waste collection services.

I am sure there are other examples of very similar developments that you would be aware of.

I trust the above and the compromise plans provided to Council are sufficient for the Panel to reconsider their decision to refuse the application.

If you have any further questions, please let me know.

Yours sincerely

A handwritten signature in blue ink that reads 'D Hutchison'.

David Hutchison BA CPP PIA
Access Planning (SA) Pty Ltd

Brooklyn Park Childcare Centre

432-434 Sir Donald Bradman Drive, Brooklyn Park, SA

Environmental Noise Assessment

February 2018

S5555C1

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Prepared by
Chris Turnbull (MAAS)

Reviewed by
Jason Turner (MAAS)

Brooklyn Park Child Care Centre
Environmental Noise Assessment
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INTRODUCTION

An environmental noise assessment has been made of the proposed child care centre located at 432-434 Sir Donald Bradman Drive, Brooklyn Park.

Preschools, schools, childcare centres and playgrounds are often located immediately adjacent to residences and the sound of children playing during the day is rarely of concern. However, in some situations, where adjacent residents are sensitive to the sound of children's voices, the noise can be annoying and can exceed objective noise criteria. For the purposes of this assessment, it has been assumed that the residences in the vicinity of the proposed development are sensitive to the sound of children's voices.

The acoustic environment in the vicinity of the proposed site is dominated by the noise from traffic on Sir Donald Bradman Drive. The level of influence is most significant in close proximity and reduces with distance and with the influence of building structures.

The closest noise sensitive receivers to the development are the residences located to the immediate north and west of the subject site and opposite Rushworth Avenue to the east. Appendix A shows the relative location of the nearby residences in relation to the site, including the receivers opposite Rushworth Avenue.

The assessment considers noise levels at the surrounding residences from children playing in outdoor areas, car park activity and mechanical plant operation.

The assessment has been based on the following;

- *John Perriam Architects* drawings of the proposal with project number "08/17" and drawing numbers "P2C, P3B and P1G", dated March 2017;
- The understanding that:
 - the outdoor play areas will not be used prior to 7:30am;
 - there will be no more than one age group class outside at any one time; and,
 - children will be outside for no more than 2 hours each day.
- The understanding that the number of children and distribution within the outdoor areas will be as indicated on the *John Perriam Architects* drawings.

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DEVELOPMENT PLAN

The proposed development and its surrounding residences are located within the Residential Zone of the West Torrens Council Development Plan¹. The Development Plan has been reviewed and particular regard given to the following relevant provisions.

General Section – Interface Between Land Uses

- Objective 1: Development located and designed to minimise adverse impact and conflict between land uses.*
- Objective 2: Protect community health and amenity from adverse impacts of development.*
- Objective 3: Protect desired land uses from the encroachment of incompatible development.*

PRINCIPLES OF DEVELOPMENT CONTROL

1. *Development should not detrimentally affect the amenity of the locality or cause unreasonable interference through any of the following:*
 - (b) *Noise*
2. *Development should be sited and designed to minimise negative impact on existing and potential future land uses desired in the locality.*
4. *Residential development adjacent to non-residential zones and land uses should be located, designed and/or sited to protect residents from potential adverse impacts from non-residential activities.*
6. *Non-residential development on land abutting a residential zone should be designed to minimise noise impacts to achieve adequate levels of compatibility between existing and proposed uses.*

Noise Generating Activities

7. *Development that emits noise (other than music noise) should include noise attenuation measures that achieve the relevant "Environment Protection (Noise) Policy" criteria when assessed at the nearest noise sensitive premises.*
8. *Development with the potential to emit significant noise (e.g. industry) should incorporate noise attenuation measures that prevent noise from causing unreasonable interference with the amenity of noise sensitive development.*

¹ Consolidated 6th February 2018

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OUTDOOR PLAY AREAS

Criteria

The Development Plan makes reference to the *Environment Protection (Noise) Policy 2007* (the Policy), however the noise from children playing is specifically excluded from assessment under the Policy. Predicted noise levels from children playing have therefore been compared against the recommendations of the *Guidelines for Community Noise* published by the World Health Organisation (WHO) with regard to annoyance during the day (7am and 10pm).

The WHO guidelines include:

"To protect the majority of people from being seriously annoyed during the daytime, the sound pressure level on balconies, terraces and outdoor living areas should not exceed 55 dB L_{Aeq} for a steady continuous noise. To protect the majority of people from being moderately annoyed during the daytime, the outdoor sound pressure level should not exceed 50 dB L_{Aeq} ."

Based on the above, it is proposed that the average L_{Aeq} noise levels during daytime hours from children playing at the centre be no greater than 50 dB(A) at surrounding noise sensitive locations.

Assessment

The noise from children within different age groups in outdoor areas has previously been measured at similar childcare facilities. Based on these measurements, noise from the proposed facility has been predicted, based on the centre operating at full capacity in all age groups, totalling 57 children.

With the currently proposed "1.8m high Colorbond" boundary fences, the average (L_{Aeq}) noise level from children playing in outdoor areas at the proposed centre is predicted to be less than 50 dB(A) at all residences. Therefore the noise criteria determined in accordance with the WHO Guidelines will be achieved.

CAR PARK ACTIVITY & MECHANICAL PLANT

Criteria

Interface Between Land Uses Principle of Development Control 7 references the *Environment Protection (Noise) Policy 2007* (the Policy). The Policy is based on preventing adverse impacts on the amenity of a locality and it is therefore considered that where the noise from car park activity and mechanical plant at the facility achieve the Policy, they will also satisfy the requirements of the Development Plan relating to noise.

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The Policy provides goal noise levels to be achieved at residences, based on the principally promoted land uses of the Development Plan Zones in which the noise source (child care centre) and the noise receivers (residences) are located. Based on the residential land use within the vicinity of the proposed child care, the Policy recommends an average (L_{eq}) noise level of 47 dB(A) during the day (7am to 10pm) and 40 dB(A) during the night (10pm to 7am) to be achieved at residences.

When measuring or predicting noise levels for comparison with the Policy, penalties may be applied to the average goal noise levels for each characteristic of tone, impulse, low frequency and modulation of the noise source. To apply a penalty, the characteristic must be considered dominant in the existing acoustic environment. In some instances the modulating nature of car park activity would result in a 5 dB(A) penalty being applied to the site, however given the level of existing traffic noise at the residences in the vicinity of the proposed child care centre, it is not considered applicable in this instance.

Assessment

Car Park Activity

The noise at residences from vehicle movements and general car park activity has been predicted based on previous noise measurements taken at similar facilities, which include people talking as they vacate or approach their vehicles, the opening and closing of vehicle doors, vehicles starting, vehicles idling, and vehicles moving into and accelerating away from their park.

The predictions have been based on a total of 5 vehicle movements into or out of the car park within any 15 minute period² before 7am and 10 vehicle movements into or out of the car park after 7am.

With the currently proposed "1.8m high Colorbond" boundary fences, the noise levels at all residence in the vicinity are predicted to be no more than 38 dB(A) and 42 dB(A) before and after 7am respectively.

In addition to the above, maximum noise levels from activities such as vehicles using the crossover, car doors closing and people talking are predicted to be within the range of existing maximum noise levels at these residences and therefore will not have an adverse impact on amenity.

² Default assessment period of the Policy

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Mechanical Plant

At the development application stage of a project, the mechanical plant is not generally designed or selected, and therefore detailed predictions of the noise cannot be made. However, based on typical plant selections for similar sites, it is likely that the Policy will be achieved through careful selection and placement of the plant.

The plant selections and locations should be reviewed during the detailed design phase to confirm that the goal noise levels of the Policy will be achieved, when considered in combination with car park activity. It is predicted that this will easily be achieved through careful placement on the Sir Donald Bradman Drive side of the building or screening and acoustic absorption which ensures a noise level of no more than 42 dB(A) at all residences from mechanical plant.

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CONCLUSION

An environmental noise assessment has been made for the proposed child care centre located at 432-434 Sir Donald Bradman Drive, Brooklyn Park. The assessment has considered noise at existing residences in the vicinity, from children playing in outdoor areas, car park activity and mechanical plant operation.

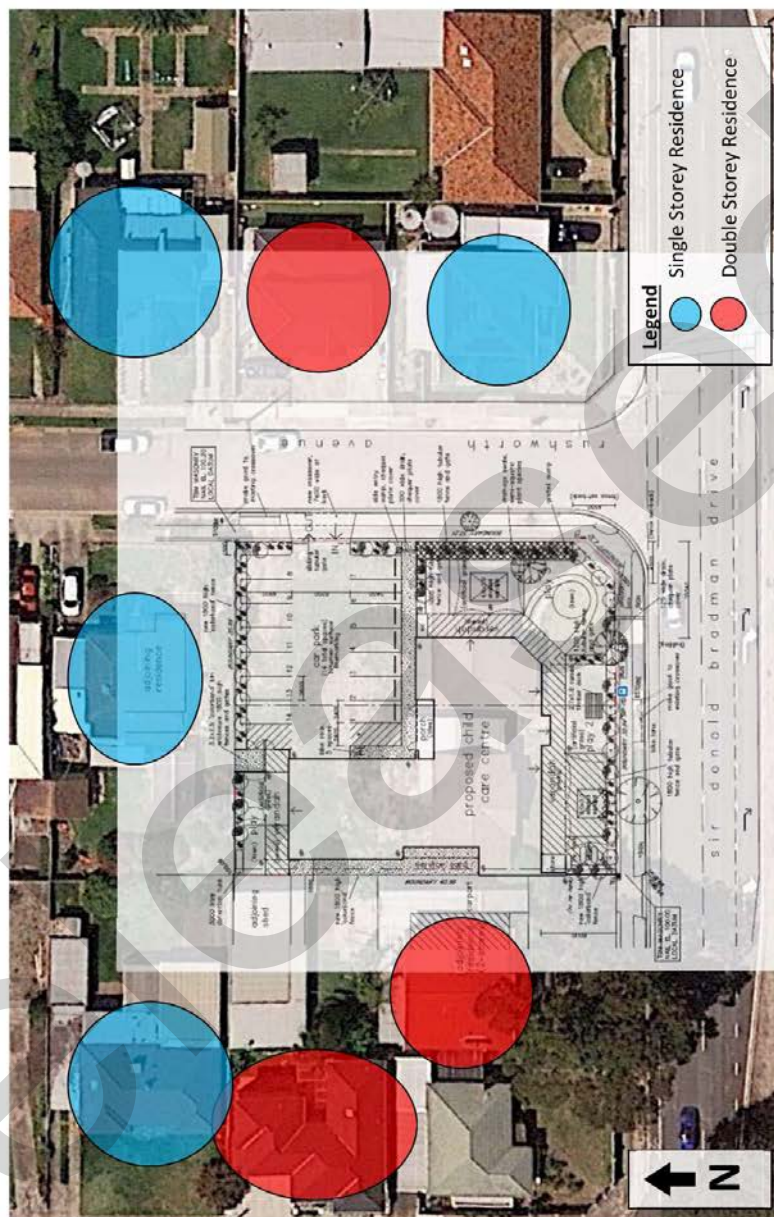
Relevant assessment criteria have been established based on the West Torrens Council Development Plan, *Environment Protection (Noise) Policy 2007* and the World Health Organisation recommendations to protect against annoyance. Acoustic barriers and absorption material have been recommended in order to achieve these criteria.

Based on the above, it is considered that the development will minimise adverse impact and conflict between land uses and not detrimentally affect the amenity of the locality or cause unreasonable interference through noise, thereby achieving the relevant provisions of the West Torrens Council Development Plan.

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APPENDIX A: Site Locality and Surrounding Residences





BROOKLYN PARK CHILDCARE CENTRE - NOISE MANAGEMENT PLAN
432 – 434 SIR DONALD BRADMAN DRIVE, BROOKLYN PARK

The Noise Management Plan provides written procedures to be used as part of the overall management system to ensure that the operation of Stepping Stone (SA) Childcare's centre at 432-434 Sir Donald Bradman Drive, Brooklyn Park, complies with the established noise performance criteria.

Responsible persons

Stepping Stone (SA) Childcare shall provide the occupants of all adjacent residential dwellings with the name and contact details (address & Phone number) of the person who will be responsible for the implementation of the Noise Management Plan.

At least one identified responsible person shall be on site at all times during operational hours.

Location of Play areas

Outdoor activities are spread over the some 566m² of outdoor play space in 3 indoor and 3 outdoor locations on the site, and care has been taken in the design of the development to provide appropriate indoor and outdoor play spaces, screened by appropriate fencing to ensure there is variety and diversity of play opportunities for children and so that noise from children in the outdoor play areas will not be such as to affect existing residential amenity.

The play area for the younger children under 2 years of age is located at the rear of the site and adjacent to the rear yard of the adjoining houses. These children are less active than the older children enrolled on site and thus their play activities are quieter. The play areas for the older children are located at the front of the land where the background noise from passing traffic and other noise sources in the locality will mask the very limited noise of children playing.

Control of Noise levels

The potential sources of noises from Stepping Stone (SA) Childcare are

- Children using the play areas;
- Vehicle movements and voices in the car park

Noise from the indoor play areas is not expected to be an issue but will nonetheless be managed by;

- Keeping structured play to about 2 hours a day;
- Limiting early morning activity prior to 7.30am to the indoor play areas;
- Keeping children in small, highly supervised groups;
- Not allowing rowdy, rough or noisy behaviour,
- Spreading activity between quiet, structured play and educational activities.

100% owned & operated by South Australians

209 Magill Road, Maylands South Australia 5069
 Ph 08 8211 0200 Fx 08 8362 6904 ABN 21 121 794 769

info@steppingstonesa.com.au
 www.steppingstonesa.com.au



Activity in the Outdoor play areas will be managed by;

- Limiting outdoor play to one room group at a time;
- Keeping children in small, highly supervised groups;
- Not allowing rowdy, rough or noisy behaviour.
- Limiting outdoor activity in periods of hot or wet weather
- Providing a diversity of play activities

Fencing will assist in maintaining noise at compliant levels.

Because of the street frontage parking locations and the ambient noise on in the locality, there will be minimal effects from on-site vehicle movements on neighbouring properties. This is enhanced by the limited operating hours of the centre and limited after-hours activity which includes cleaning and maintenance.

Action Plan

To minimise the effects of noise on neighbouring properties specific training will be provided to ensure that:

- Staff are fully aware of the need to control excessively noisy behaviour to maintain compliance with the noise limits.
- Outdoor play activates will be designed and managed to maintain children's interest and attention.
- Whilst active play is encouraged screaming and shouting is not - it is considered that this type of behaviour can be intimidating to other children
- There is no use of percussive hard wheeled and other potentially noisy toys in the outdoor play area.
- Outdoor music activates will only be offered on the covered deck and noise from these will be kept within required limits and a centre book is regularly read to children to remind them of the effect of noise on neighbours.

Staff Training

The management of Stepping stone (SA) Childcare recognise the importance of ensuring that staff are properly trained, understand the importance of controlling the effects of noise on neighbouring properties and are fully conversant with the provisions of the noise management plan.

Stepping Stone (SA) Childcare has a commitment to employing fully qualified staff whenever possible and the in-house training for all permanent staff will include familiarisation with the procedures and requirements set out in the noise management plan.

Those recent graduate and relievers who may lack experience in the operation of the centre will be supervised by permanent staff members and in addition all temporary staff will be required to read the noise management plan before starting work and to comply with at all times.

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Copies of this plan will be displayed in the office.

The Plan is also included in the reliever folder which all relieving educators new to the centre will be required to read.

Released

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File: 152-17

12 February 2018

Mr George Skrembos
Eastern Building Group
142 Payneham Road
STEPNEY SA 5069

Dear Mr Skrembos,

PROPOSED CHILD CARE CENTRE - 432-434 SIR DONALD BRADMAN DRIVE, BROOKLYN PARK

I refer to our recent discussions relating to the proposed development of a child care centre on the above site.

I have previously reviewed the traffic and parking aspects relating to the above development. This included preparation of a detailed traffic impact assessment dated 1st November 2017. This report also included a response to the representations received by Council from stakeholders within the locality.

I note that the previously proposed development contemplated a child care centre with a maximum of 65 children. However, the capacity of the proposed development is now proposed to be reduced by 8 places. Hence, this facility will now provide a capacity to accommodate a maximum of 57 children.

The amended design is identified on plans prepared by John Perriam Architects including a revised **Site Plan (Drawing No. 08/17-1PG)**.

The amended site plan will retain 14 spaces on the site, resulting in a car parking ratio of essentially 1 space per 4 children. This level of car parking would meet the car parking requirements within Council's Development Plan (**Table WeTo/2 - Off Street Car Parking Requirements**) noting that the design would provide:-

- The equivalent of 1 parking space per 4 children. This ratio includes provision for parking by both staff and clients (parents and carers with children) noting that the peak parking demands of staff and clients at such facilities do not generally coincide, and
- One accessible (disability) space for a development with a total of between 10 and 25 parking spaces.

On the above basis, the amended development should not result in any potential for use of on-street car parking, particularly given the proximity of the subject development to close and convenient public transport.

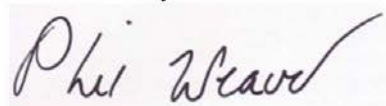
The proposed reduction in the capacity of the child care centre would also result in an approximately 14% reduction in forecast volumes of am and pm peak hour traffic, compared to that of the previously proposed capacity of 65 children.

In percentage terms such a reduction is significant, notwithstanding that I was of the opinion that the forecast volumes of traffic associated with a 65 place child care centre would not have resulted in either capacity issues or adverse impact on the amenity of adjoining stakeholders.

Finally, the proposed changes to the bin area would provide opportunities for waste to be collected by private waste contractor in after hour periods. This is notwithstanding that many large child care centres within Metropolitan Adelaide use Council's waste collection services.

In conclusion, consideration of the proposal to reduce the capacity of the subject child care centre from 65 children to 57 children reaffirms my previously expressed opinion in respect to the subject development, namely that the proposed development should not result in any adverse parking or traffic impacts within the locality of the subject site.

Yours sincerely



Phil Weaver
Phil Weaver and Associates Pty Ltd