AGENDA

Late Reports
General Committee Meeting

Date: Monday, 8 December 2025

Time: 5.30 pm

Location: Cowra Council Chambers
116 Kendal Street, Cowra

Paul Devery

General Manager

Order Of Business

7 Late Reports 3

7.4 Development Application No. 10.2025.42.1, Lot 1 DP 163191, 29 Liverpool Street Cowra, demolition of existing buildings and construction of a centre-based child care facility, lodged by Black Ink Architecture Pty Ltd. The property owner is Liverpool NSW Corp Pty Ltd. 3

7 LATE REPORTS

7.4 Development Application No. 10.2025.42.1, Lot 1 DP 163191, 29 Liverpool Street Cowra, demolition of existing buildings and construction of a centre-based child care facility, lodged by Black Ink Architecture Pty Ltd. The property owner is Liverpool NSW Corp Pty Ltd.

File Number: D25/1438

Author: Larissa Hackett, Director - Environmental Services

RECOMMENDATION

1. That Council notes that the reason for the decision is that the proposal largely complies with Section 4.15 of the Environmental Planning and Assessment Act 1979. The variation to Section M.1.5 of Part M of Council's Development Control Plan 2021 is sufficiently justified and the application was publicly notified, one submission was received within the notification period, and 3 late submissions were received; and

2. That Council approves a variation to M.1.5 of Part M of Council's Development Control Plan 2021 for this development to allow 11 on-site car parking spaces; and

3. That Development Application No. 10.2025.42.1, for the demolition of existing buildings and construction of a centre-based childcare facility on Lot 1 DP 163191, 29 Liverpool Street Cowra be approved subject to the following conditions:

GENERAL CONDITIONS

1. Development is to be in accordance with approved plans.

The development is to be implemented in accordance with the plans and supporting documents stamped and approved and set out in the following table except where modified by any conditions of this consent.

Plan No./ Supporting Document	Prepared by/Reference Details	Cowra Shire Council Reference
Site Survey	SRD Land Consulting Project 30230 Issue C Dated 05-09-2025	Received 31 October 2025 Stamped No. DA 10.2025.42.1 (A)
Site Analysis	Black Ink architecture Drawing SK02J 12/2025	Received 3 December 2025 Stamped No. DA 10.2025.42.1 (B)

Site Plan	**Black Ink architecture Drawing SK03M 2/12/2025**	**Received 3 December 2025 Stamped No. DA 10.2025.42.1 (B)**
Floor Plan	**Black Ink architecture Drawing SK04M 2/12/2025**	**Received 3 December 2025 Stamped No. DA 10.2025.42.1 (B)**
Roof Plan	**Black Ink architecture Drawing SK05M 2/12/2025**	**Received 3 December 2025 Stamped No. DA 10.2025.42.1 (B)**
Elevations 1 (North & East)	**Black Ink architecture Drawing SK06M 2/12/2025**	**Received 3 December 2025 Stamped No. DA 10.2025.42.1 (B)**
Elevations 2 (West & South)	**Black Ink architecture Drawing SK07M 2/12/2025**	**Received 3 December 2025 Stamped No. DA 10.2025.42.1 (B)**
Elevations 3 (West – view of adjoining property)	**Black Ink architecture Drawing SK08M 2/12/2025**	**Received 3 December 2025 Stamped No. DA 10.2025.42.1 (B)**
Demolition Plan	**Black Ink architecture Drawing SK09 14/7/2025**	**Received 15 July 2025 Stamped No. DA 10.2025.42.1 (A)**
Impression 1	**Black Ink architecture Drawing SK10A 2/12/2025**	**Received 3 December 2025 Stamped No. DA 10.2025.42.1 (B)**
Impression 2	**Black Ink architecture Drawing SK11A 2/12/2025**	**Received 3 December 2025 Stamped No. DA 10.2025.42.1 (B)**

Impression 3	**Black Ink architecture Drawing SK12A 2/12/2025**	**Received 3 December 2025 Stamped No. DA 10.2025.42.1 (B)**
Impression 4	**Black Ink architecture Drawing SK13A 2/12/2025**	**Received 3 December 2025 Stamped No. DA 10.2025.42.1 (B)**
Impression 5	**Black Ink architecture Drawing SK14A 2/12/2025**	**Received 3 December 2025 Stamped No. DA 10.2025.42.1 (B)**
Traffic and Parking Impact Assessment	**Motion Traffic Engineers Pty Ltd N255027A (Version 1a) July 2025**	**Received 29 July 2025 Stamped No. DA 10.2025.42.1 (B)**
General Arrangement Plan Drawing C01	**Calare Civil Job 2025.0145 Issue C 17 June 2025**	**Received 1 July 2025 Stamped No. DA 10.2025.42.1**
Preliminary Site Grading Drawing C02	**Calare Civil Job 2025.0145 Issue C 17 June 2025**	**Received 1 July 2025 Stamped No. DA 10.2025.42.1**
Catchment Plans and Drains Modelling Notes Drawing SW01	**Calare Civil Job 2025.0145 Issue C 17 June 2025**	**Received 1 July 2025 Stamped No. DA 10.2025.42.1**
Carpark Certification of a Proposed Childcare Centre	**Motion Traffic Engineers Pty Ltd N255027A (Version 1a) February 2025**	**Received 1 July 2025 Stamped No. DA 10.2025.42.1**
Landscape Plan	**Faulkner & Chapman Landscape Design Project 29LiverpoolLP 17 March 2025**	**Received 31 October 2025 Stamped No. DA 10.2025.42.1 (A)**

Noise Impact Assessment	**Octave Acoustics 3 November 2025**	**Received 3 November 2025 Stamped No. DA 10.2025.42.1 (A)**
Statement of Environmental Effects	**Civic Town Planning Issue 4 25 July 2025**	**Received 25 July 2025 Stamped No. DA 10.2025.42.1 (A)**

In the event of any inconsistency between conditions of this development consent and the plans/supporting documents referred to above, the conditions of this development consent prevail.

2. **The applicant shall comply with all relevant prescribed conditions of development consent under Part 4, Division 2 of the Environmental Planning and Assessment Regulation 2021 (see attached Advisory Note).**

3. **Where the proposed building works necessitate the cutting-in of new stormwater outlets into the existing street kerb, the Applicant and plumbing/drainage contractor shall ensure that the following procedures are carried out:**

   (i) A kerb adaptor suitable for the particular kerb profile and capable of withstanding vehicle loadings is to be utilised.

   (ii) The opening in the kerb is created by either a saw cut or bored hole only. Breaking out the kerb by impact methods is not permitted.

   (iii) The kerb adaptor is to be kept flush with the top and outside face of the kerb; and

   (iv) The fixing of the kerb adapter and filling in of side gaps is to be undertaken by the use of an epoxy resin. Mortar or concrete is not to be used.

4. **Car parking facilities, including all internal parking and manoeuvring areas are to be constructed and sealed in accordance with Australian Standard 2890.1 Off-Street Car Parking and Australian Standard 2890.2 Commercial Vehicle Facilities and are to include all necessary line marking, directional arrows and signage to delineate parking spaces, traffic flow and traffic priority. All costs associated with the construction of the parking area shall be borne by the Applicant.**

5. **All traffic movements in and out of the development are to be in a forward direction.**

6. **Liquid trade waste material is not to be discharged into the sewerage system without first obtaining the approval of Cowra Shire Council. An approval is needed if liquid trade waste is being discharged into the sewer. A liquid trade waste notification is required if it is produced but not discharged into Council's sewer system.**

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF DEMOLITION WORKS

7. All utility service connections, including sewer and water, shall be properly disconnected as part of the demolition works. In this regard the Applicant must consult with relevant service authorities regarding their requirements for the disconnection of services prior to any demolition works commencing at the site.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION WORKS

8. The demolition works shall comply with the provisions of Australian Standard AS2601:2001 The Demolition of Structures and the *Work Health and Safety Act 2011*.

9. Demolition works are to be carried out so as not to cause damage to adjacent and adjoining properties. All damage arising from the removal of the building is to be made good and any necessary repairs and renovations are carried out within six months. Existing site to be left in a clear, clean condition with all existing plumbing and drainage lines terminated to the satisfaction of Council.

10. Any works involving the removal and disposal of asbestos cement and other products containing asbestos must only be undertaken by contractors who hold a current WorkCover licence appropriate to the work being undertaken.

11. Any removal, transport and disposal of asbestos or other contaminated waste materials shall be controlled in accordance with the Work Health and Safety Act 2011 and the Safe Work Australia Code of Practice – How to Manage and Control Asbestos in the Workplace. Any delivery of asbestos waste to Cowra Shire Council's Materials Recycling Facility (MRF) must be pre-booked by phoning the MRF on (02) 6340 2140.

12. In the event of any damage being caused to the existing kerb, guttering, footpath, water mains, sewer mains or public roadway during demolition works, the applicant shall reimburse the Council for the full costs of repairing and making good. Any temporary cross-over material must not remain in the street gutter.

13. Any storage of goods and building materials and the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. All vehicles must be parked legally and no vehicles are permitted to be parked over the public footpath. The unloading of building materials over any part of a public road by means of a lift, hoist or tackle projecting over the footway will require separate approval under Section 68 of the Local Government Act 1993.

14. Demolition work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.

15. All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at an approved Waste

Landfill Depot. The container shall be erected on the development site prior to work commencing and shall be maintained for the term of the demolition to the completion of the project. No building rubbish or debris shall be placed or permitted to be placed on any adjoining public reserve, footway or road. The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the demolition site.

16. On the completion of any asbestos removal works, a Clearance Certificate is to be obtained in accordance with the *Work Health and Safety Regulations 2011* and provided to Council.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

17. Pursuant to Section 7.12 (formerly Section 94A) of the *Environmental Planning & Assessment Act 1979*, the monetary contribution set out in the following table is to be paid to Council prior to the issue of a Construction Certificate for Stage 1. The contribution is current as at the date of this consent and is levied in accordance with the Cowra Section 94A Contributions Plan 2016 adopted on 26 April 2016. The contribution payable will be calculated in accordance with the contributions plan current at the time of payment and will be adjusted at the time of payment in accordance with the Consumer Price Index (CPI) (All Groups Index for Sydney) published by the Australian Bureau of Statistic (ABS). Contribution amounts will be adjusted by Council each financial year.

Contribution Type	Proposed Cost of Development[1]	Levy Percentage	Total Contribution	Contribution Rate Remains Current Until
Section 94A Contribution[2]	$1,545,454.54	1%	$15,454.55	30 June 2026

Notes

[1] **As shown on the Development Application/Construction Certificate Application / Complying Development Certificate Application**

[2] **Council's Section 94A Contributions Plan 2016 may be viewed during office hours at Council's Customer Service Centre, 116 Kendal Street Cowra, or on Council's website www.cowracouncil.com.au**

18. Prior to the issue of a Construction Certificate, the Applicant must obtain consent from the roads authority pursuant to Section 138 of the Roads Act 1993 for the carrying out of works in a road reserve.

19. Prior to the issue of a Construction Certificate, the applicant is to submit amended plans showing waste storage areas within the development.

20. Prior to the issue of a Construction Certificate, a Stormwater Management Plan shall be submitted to Council for approval. The plan is to demonstrate that adequate provision will be made for the estimated potential stormwater runoff from the development to the satisfaction of Council. This is to include a comparison of existing and design flows and also show control measures for erosion and sedimentation. This is to include an easement to drain stormwater to Council's stormwater reticulation system which benefits lot 1 DP 163191 and burdens lot 2 DP 1246929.

21. In order to formalise the required inter-allotment drainage over adjoining properties, documentary evidence of the lodgement with NSW Land Registry Services of a Section 88B instrument is to be submitted to Council prior to the issue of the Construction Certificate. Prior to the issue of the Occupation Certificate, a copy of the registered Certificate of Title is to be submitted to Council verifying the creation of the drainage easement.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF WORKS

22. Before any site work commences, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land, to the satisfaction of the principal certifier. Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the principal certifier that all reasonable steps were taken to obtain access to the adjoining properties. Before any site work commences, adjoining building owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to council (where council is not the principal certifier) at the same time.

23. The Applicant is to obtain a Construction Certificate from either Council or an Accredited Certifier, certifying that the proposed works are in accordance with the Building Code of Australia and applicable Council Engineering Standards prior to any building and or subdivision works commencing. No building, engineering or excavation work is to be carried out in relation to this development until the necessary construction certificates have been obtained. It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable engineering standards in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.

24. It is the responsibility of the Applicant to ensure that the development complies with the Building Code of Australia and applicable engineering standards in the case of building work.

25. The Applicant is to submit to Cowra Shire Council, at least two days prior to the commencement of any works, a 'Notice of Commencement of Building or Subdivision Works' and 'Appointment of Principal Certifier'.

26. Prior to the commencement of work on the site, all erosion and sediment control measures shall be implemented and maintained prior to, during and after the construction phase of the development. The erosion and sediment control measures are to comply with Part B of Cowra Shire Council Development Control Plan 2021 at all times.

27. The Council's sewer main alignment and depth shall be accurately located and the greater of the following clearance criteria must be achieved prior to commencement of works:

(i) A line taken at an angle of 45 degrees downwards from the lower edge of the proposed footing will not intersect Council's sewer main and its trench;

(ii) A minimum 1100mm between the building's footings and centre line of the sewer main;

(iii) The building and its footings are located outside any existing sewer easement.

If the above criteria cannot be achieved, the submission to, and approval by Council of designs prepared by a suitably qualified engineer for special footings adjacent to Council's sewer main is required prior to the commencement of works. Construction is to be supervised by an engineer and certified as being constructed in accordance with the approved design prior to issue of the final certificate or occupation of the dwelling, whichever is the earliest.

CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

28. While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.

29. Any damage caused to footpaths, roadways, utility installations and the like by reason of construction operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction. The full cost of restoration/repairs of property or services damaged during the works shall be met by the Applicant.

30. All storage of goods and building materials and the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. All vehicles must be parked legally and no vehicles are permitted to be parked over the public footpath. The unloading of building materials over any part of a public road by means of a lift, hoist or tackle projecting over the footway will require separate approval under Section 68 of the Local Government Act 1993.

31. Building activities and excavation work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 6.00 pm on weekdays and 8.00 am and 1.00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.

32. All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at an approved Waste Landfill Depot. The container shall be erected on the building site prior to work commencing and shall be maintained for the term of the construction to the completion of the project. No building rubbish or debris shall be placed or permitted to be placed on any adjoining public reserve, footway or road. The waste container shall be regularly cleaned to ensure proper containment of the building wastes generated on the construction site.

33. All roofed and paved areas are to be properly drained in accordance with the

Plumbing Code of Australia to Council's Stormwater Management System in accordance with the approved stormwater management plan.

34. As soon as is practical, and within a maximum of 7 days following the placement of any roofing material, all guttering and downpipes must be installed and connected to Council's drainage system.

35. All plumbing work shall be carried out by a licensed plumber and drainer and to the requirements of the Plumbing Code of Australia. The licensed plumber or drainer must submit a Notice of Works form to Council prior to the commencement of any plumbing and drainage works and a Certificate of Compliance at the completion of the works. The plumbing and drainage works must be inspected by Council at the time specified below:

(a) Internal Drainage: When all internal drainage work is installed and prior to concealment. Pipes should be under water test.
(b) External Drainage: When all external drainage work is installed and prior to concealment. Pipes should be under water test.
(c) Water Supply: Hot and cold water supply pipework, when the pipework is installed and prior to concealment. Pipes should be under pressure test.
(d) Stormwater: When the stormwater and roof water drainage system has been completed.

CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

36. The Applicant must not commence occupation or use of the centre-based childcare facility until a Whole or Partial Occupation Certificate has been issued from the Principal Certifier appointed for the subject development.

37. Prior to the issue of a Whole Occupation Certificate, the Applicant shall construct an access crossing to the development site from Liverpool Street in accordance with consent from the road's authority pursuant to Section 138 of the Roads Act 1993 for the carrying out of works in a road reserve. The driveway is to be constructed in accordance with the Section 138 Permit. All costs associated with the construction of the access driveway(s) shall be borne by the Applicant.

38. The Applicant is required to obtain a Certificate of Compliance pursuant to Section 64 of the Local Government Act 1993 certifying that all works, fees and charges required in connection with the provision of water supply and sewerage to the development have been undertaken and complied with in full. The certificate shall include all relevant works verified by appropriate inspections, fees and charges that are currently being applied at the time of the issue of the Occupation Certificate.

Separate reticulated sewer mains and metered water services must be physically provided to the development in accordance with Cowra Infrastructure and Operations Engineering Standards. Council will not issue the Occupation Certificate until the Compliance Certificate has been issued, verifying that all

works have been satisfactorily completed. All monetary contributions in relation to the augmentation of reticulated water supply and sewerage must be paid in full to Cowra Shire Council before the Subdivision Certificate will be issued. Necessary inspections must be arranged at least 48 hours in advance. Contact Cowra Infrastructure and Operations on (02) 6340 2070.

ADVICE

If, during work, an Aboriginal object is uncovered then WORK IS TO CEASE IMMEDIATELY and the Office of Environment & Heritage is to be contacted urgently on (02) 6883 5300. Under the National Parks and Wildlife Act 1974 it is an offence to harm an Aboriginal object or place without an 'Aboriginal heritage impact permit' (AHIP). Before making an application for an AHIP, the applicant must undertake Aboriginal community consultation in accordance with clause 80C of the NPW Regulation.

No reserved parking spaces will be available for designated parking for this development on lot 2 DP 1246929.

INTRODUCTION

Development Application No. 10.2025.42.1 proposes the demolition of existing buildings on the subject site and construction of a centre-based childcare facility on Lot 1 DP 163191, 29 Liverpool Street Cowra. The application was lodged by Black Ink Architecture Pty Ltd on 1 July 2025. The property owner is Liverpool NSW Corp Pty Ltd.

The application is being reported to Council because of a variation to Section M.1.5. of Part M of Cowra Council's Development Control Plan 2021 which is discussed in the relevant section of this report. In addition, one objection has been received within the notification period, and three late submissions were received to the proposed development following Council's neighbour notification process.

A copy of the site and elevation plans of the proposed demolition of existing buildings and construction of a centre-based childcare facility are included in Attachment '1' to this report and a copy of the Statement of Environmental Effects is included in Attachment '2'.

Description of Site

Lot 1 DP163191, 29 Liverpool Street Cowra is a rectangular allotment of approximately 1837m². The lot is located in the R1 General Residential zone under Cowra Local Environmental Plan (LEP) 2012. The site contains an existing dwelling and carport.

A location map is included in Attachment '3' and an aerial photograph is included in Attachment '4' to this report.

Description of Proposal

The applicant proposes the demolition of existing buildings and construction of a centre-based childcare facility. The proposed facility will have a capacity of 64 children and would operate

6:30am to 6:30pm weekdays. The proposed building is single storey but would be split-level to follow the contours of the land.

Environmental Impact Assessment

In determining a development application, a consent authority is to take into consideration such of the matters as are of relevance to the development in accordance with Section 4.15(1) of the Environmental Planning and Assessment Act 1979. The following section provides an evaluation of the relevant Section 4.15 Matters for consideration for DA 10.2025.42.1:

Section 4.15(I) Evaluation Matters

S 4.15(1)(a)(i) provisions of any environmental planning instrument(s)

Local Environmental Plan (LEP)

The applicable LEP is the Cowra LEP 2012 (CLEP) and the relevant provisions of the LEP are discussed as follows.

1.2 Aims of Plan

The development is consistent the aims of the LEP.

1.4 Definitions

The proposed development is defined as a centre-based child care facility under the LEP.

centre-based child care facility *means—*

(a) a building or place used for the education and care of children that provides any one or more of the following—

(i) long day care,

(ii) occasional child care,

(iii) out-of-school-hours care (including vacation care),

(iv) preschool care, or

(b) an approved family day care venue (within the meaning of the Children (Education and Care Services) National Law (NSW)),

but does not include—

(c) a building or place used for home-based child care or school-based child care, or

(d) an office of a family day care service (within the meanings of the Children (Education and Care Services) National Law (NSW)), or

(e) a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or

(f) a child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium) to care for children while the children's parents are using the facility, or

(g) a service that is concerned primarily with providing lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or providing private tutoring, or

(h) a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility.

1.6 Consent authority

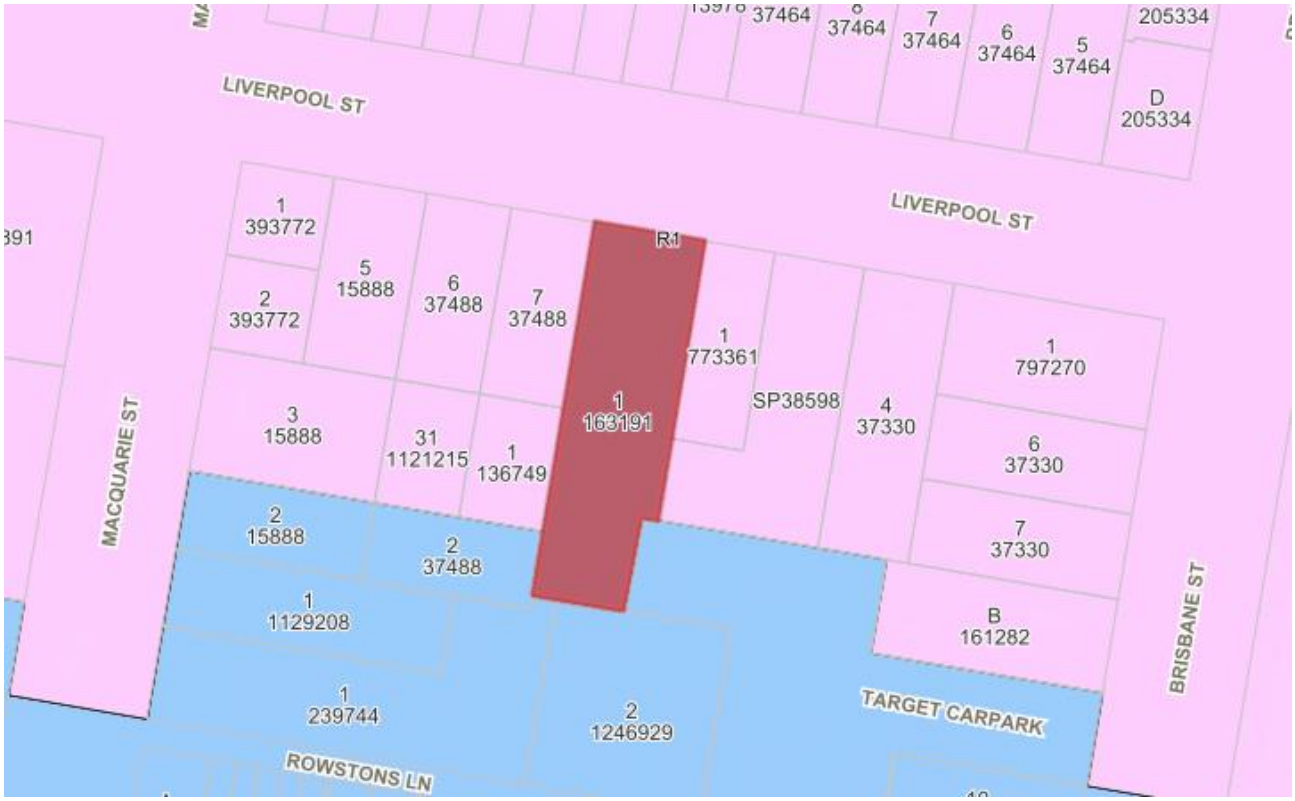
The consent authority for the purposes of this Plan is (subject to the Act) the Council.

1.9A Suspension of covenants, agreements and instruments

Any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose. There are no covenants imposed by Council or that Council requires to be imposed affecting the subject lot.

2.1 Land use zones

The site is zoned R1 General Residential, and the proposed development is permitted in the zone with consent.



2.3 Zone objectives

Objective	Comment
• To provide for the housing needs of the community.	Not inconsistent
• To provide for a variety of housing types and densities.	Not inconsistent
• To enable other land uses that provide facilities or services to meet the day to day needs of residents.	Consistent

• To provide attractive, affordable, well located and market-responsive residential land.	Not applicable
• To ensure that any non-residential land uses permitted within the zone are compatible with the amenity of the area.	Consistent
• To ensure that housing densities are broadly concentrated in locations accessible to public transport, employment, services and facilities.	Consistent
• To maximise public transport patronage and encourage walking and cycling.	Not inconsistent

2 Permitted without consent

Environmental protection works; Home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Building identification signs; Business identification signs; ***Centre-based child care facilities;*** Community facilities; Dwelling houses; Food and drink premises; Group homes; Home industries; Hostels; Kiosks; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Car parks; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Local distribution premises; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Public administration buildings; Recreation facilities (major); Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies

Comment:

The proposed development is permitted with consent.

2.7 Demolition requires development consent

The proposed demolition requires development consent.

5.10 Heritage conservation

There are no heritage items identified on either the State Heritage Register or in the LEP located on the site, and the site is not located in a Heritage Conservation Area.

5.11 Bushfire

Bush fire hazard reduction work authorised by the Rural Fires Act 1997 may be carried out without development consent.

5.21 Flood planning

The land is not in the flood planning area.

Part 6 Urban release areas

This Part applies to land that is identified as Urban Release Area on the Urban Release Area Map. The land is not mapped as being affected; accordingly, this clause is not applicable.

7.1 Earthworks

Substantial earthworks are required including cut and retaining walls to 1.8m to the northern portion and fill including retaining walls to 2.25m to the south to provide level building pads. Material from the cut areas will be retained on site for the fill areas. Retaining walls and battered slopes would be utilised to stabilise the earthworks. Standard advice regarding the uncovering of Aboriginal objects has been included. It is considered that there will be no adverse impact or environmental risk from the earthworks required.

Additionally, a dilapidation report to be conditioned as requested by the applicant to confirm no impact on any adjacent dwellings.

7.3 Terrestrial biodiversity

This clause applies to land that is identified as biodiversity land on the Terrestrial Biodiversity Map. The land is not mapped as being affected; accordingly, this clause is not applicable.

7.4 Riparian land and watercourses

This clause applies to land that is identified as a watercourse on the Watercourses Map, or is within 40 metres of a mapped watercourse. The land is not mapped as being affected; accordingly, this clause is not applicable.

7.5 Wetlands

This clause applies to land identifies on the wetlands map. The land is not mapped as being affected; accordingly, this clause is not applicable.

7.6 Groundwater vulnerability

This clause applies to land that is identified as groundwater vulnerable on the Groundwater Vulnerability Map. The land is not mapped as being affected; accordingly, this clause is not applicable.

7.7 Airspace operations

This clause applies to developments that penetrate the Limitation or Operations Surface of the Cowra Airport. Works carried out on the site will not project into the Airport airspace.

7.8 Essential Services

Water	The proposed development would connect to Council's reticulated water service.
Electricity	Electricity is available for connection.
Sewage	The proposed development will connect to Council's reticulated sewer service.
Stormwater	Concept plans indicate that stormwater from the proposed development would be directed to an onsite detention tank with overflow to the stormwater management system under Councils carpark to the south. Some roof stormwater can also be discharged to Liverpool Street. A recommended condition of consent requires the submission of a stormwater management plan for Council's approval.
Access	The proposed development would require an upgrade of the existing crossover to Liverpool Street and a S138 application has been conditioned.

7.11 Development on land in karst areas

This clause applies to land that is identified as karst environment on the Natural Resources Sensitivity Map. The land is not mapped as being affected; accordingly, this clause is not applicable.

State Environmental Planning Policies

SEPP	COMMENTS
SEPP (Biodiversity and Conservation) 2021	Not applicable
SEPP (Exempt and Complying Development Codes) 2008	Not applicable
SEPP (Housing) 2021	Not applicable
SEPP (Industry and Employment) 2021	Not applicable
SEPP (Planning Systems) 2021	Not applicable
SEPP (Precincts – Central River City) 2021	Not applicable
SEPP (Precincts – Eastern Harbour City) 2021	Not applicable
SEPP (Precincts - Regional) 2021	Not applicable
SEPP (Precincts – Western Parkland City) 2021	Not applicable
SEPP (Primary Production) 2021	Not applicable
SEPP (Resilience and Hazards) 2021	See comment below.

SEPP (Resources and Energy) 2021	Not applicable
SEPP (Sustainable Buildings) 2022	A BASIX certificate is not required for non-residential uses
SEPP (Transport and Infrastructure) 2021	This SEPP includes provisions for Child Care Centres. See comment below.

SEPP (RESILIENCE AND HAZARDS) 2021

Under Clause 4.6 a consent authority must not consent to the carrying out of any development on land unless:

(a) it has considered whether the land is contaminated, and

(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose

There are no known prior land-uses on the site that are likely to have resulted in the contamination of the land. Site inspection carried out did not reveal any evidence of contamination of the site. The proposal does not involve any demolition or works likely to result in contamination of the site. The SEE submitted with the application does not mention any previous land use that likely to have resulted in contamination of the site. No further investigation is warranted in this instance.

SEPP (TRANSPORT & INFRASTRUCTURE) 2021

Chapter 3 of the SEPP applies to educational establishments and child care facilities. The aims of the chapter are set out below:

3.1 Aims of Chapter

The aim of this Chapter is to facilitate the effective delivery of educational establishments and early education and care facilities across the State by—

(a) improving regulatory certainty and efficiency through a consistent planning regime for educational establishments and early education and care facilities, and

(b) simplifying and standardising planning approval pathways for educational establishments and early education and care facilities (including identifying certain development of minimal environmental impact as exempt development), and

(c) establishing consistent State-wide assessment requirements and design considerations for educational establishments and early education and care facilities to improve the quality of infrastructure delivered and to minimise impacts on surrounding areas, and

(d) allowing for the efficient development, redevelopment or use of surplus government-owned land (including providing for consultation with communities regarding educational establishments in their local area), and

(e) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and

(f) aligning the NSW planning framework with the National Quality Framework that regulates early education and care services, and

(g) ensuring that proponents of new developments or modified premises meet the applicable requirements of the National Quality Framework for early education and care services, and of the corresponding regime for State regulated education and care services, as part of the planning approval and development process, and

(h) encouraging proponents of new developments or modified premises and consent authorities to facilitate the joint and shared use of the facilities of educational establishments with the community through appropriate design.

The following sections are of particular relevance for Council's consideration:

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

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

Comment: The provisions of the Guideline have been taken into consideration with no issues of non-compliance identified.

3.24 Centre-based child care facility in certain zones—additional matters for consideration by consent authorities

(1) The object of this section is to minimise land use conflicts with existing developments on surrounding land and to ensure the safety and health of people using or visiting a centre-based child care facility on land in a prescribed zone.

(2) The consent authority must consider the following matters before determining a development application for development for the purpose of a centre-based child care facility on land in a prescribed zone—

(a) whether the proposed development is compatible with neighbouring land uses, including its proximity to restricted premises, sex services premises or hazardous land uses,

(b) whether the proposed development has the potential to restrict the operation of existing industrial land uses,

(c) whether the location of the proposed development will pose a health or safety risk to children, visitors or staff.

Comment: The proposal is satisfactory with regard to the above considerations, being not in proximity to restricted premises, sex services premises, hazardous land uses or industrial

land uses. It is considered the proposed location will not pose a health or safety risk to children, visitors or staff.

(3) The matters referred to in subsection (2) are in addition to any other matter that the consent authority must consider before determining a development application for development for the purpose of a centre-based child care facility.

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

Comment: The proposed development complies with subclauses (1) to (3) which relate to location, indoor or outdoor space, site area and site dimensions, and colour of building materials or shade structures.

The proposed development complies with all relevant remaining sections of Chapter 3.

Education and Care Services National Regulations 2011

Clause 107 requires the provision of at least 3.25m^2 of unencumbered indoor space for each child being educated and cared for by the service. Based on that calculation a total indoor space of 208m^2 is required within the proposed child care premise to accommodate a maximum number of 64 children. The proposed child care building includes a total of 214.39m^2 of unencumbered indoor space which satisfactorily fulfils that requirement.

The Child care centre premise requires at least 7m^2 of unencumbered outdoor space for each child as per Clause 108 of this regulation. Based on that calculation, a total outdoor space of 448m^2 is required. The proposal contains 461m^2 of unencumbered outdoor space to service a maximum number of 64 children which is consistent with the requirement.

The proposal is considered consistent with other clauses of this regulation.

S 4.15(1)(a)(ii) provisions of any draft Environmental Planning Instrument(s)

There are no draft Environmental Planning Instrument(s) that are relevant to the site.

S 4.15(1)(a)(iii) provisions of any Development Control Plan(s)

Cowra Shire Council Development Control Plan 2021

PART A – PLAN INTRODUCTION

Consent is required for the proposed development.

PART B – LAND MANAGEMENT

Appropriate erosion and sediment controls to be implemented prior to the commencement of works.

PART C – BIODIVERSITY MANAGEMENT

The development would require the removal of an assortment of existing native and exotic trees and shrubs. It is considered there would be negligible impact on biodiversity as the lot is located in the central urban area of Cowra. The development site is not identified as Terrestrial Biodiversity in the LEP or identified on the Biodiversity Values Map. No further assessment required relating to Biodiversity.

PART E – URBAN & VILLAGE DEVELOPMENT

No controls for child care centres in Part E. No controls apply.

PART H – COMMERCIAL DEVELOPMENT

The proposed development is not within an area identified in Part H. No controls apply.

PART K – LAND USE BUFFERS

Cowra Airport Obstacle Limitation Surface

The subject land is located outside of the OLS.

PART M – PARKING, ACCESS & MOBILITY

Section	Comments
M.1.1. Application of Section	The proposed development includes a new building, wherefore off-street parking considerations are required
M.1.2. Objectives	Considered compliant with the stated objectives.
M.1.3. Application of Standards and Guidelines	The proposed carparking areas can be built to Australian Standards, the Building Code of Australia, the (still current) RTA Guide to Traffic Generating Development.
M.1.4. Definitions	Noted
M.1.5. Off Street Parking Calculations	**Variation requested.** The proposed development would provide 11 off street car parking spaces contrary to the 23 required under M.1.5. The variation is considered at the end of this section.
M.1.6. Parking Credits	N/A for a new building
M.1.7. Car Parking Exceptions	The subject lot is not identified as an exception to this Part.
M.1.8. Variation to Parking Requirements	As the proposed development includes a variation to parking requirements, the application was submitted with a Traffic & Parking Impact Assessment.
M.3.1 Parking area locations	Complies. The proposed parking area location is accessible from the staff/customer entrance
M.3.2. Site access design	Complies. The proposed driveway is located 1.5m from the boundary and can be signposted and marked as conditioned.
M.3.3 Parking area design	Complies. The proposed car parks are designed in accordance with AS 2890.1
M.3.4. Disabled Parking	Complies. One disabled access parking space has been provided with a continuous path of travel to the building access point.
M.3.5. Internal road design	N/A
M.3.6. Loading / unloading facilities	N/A
M.3.7. Signage	Complies. Parking areas can be signposted and line marked. Conditioned accordingly.

M.3.8. Pedestrian travel	Complies. Footpaths would be provided to allow for pedestrian access between the street, carparking area, and childcare centre.
M.3.9. Safety & Security	Complies. The proposed carpark is sufficiently lit and would not be used extensively during night-time hours
M.3.10. Landscaping	Complies. The proposed carpark would be adequately landscaped to provide shade and visual amenity from the public domain.
M.3.11. Bicycle Parking	N/A The proposed development is not considered a significant bicycle destination.
M.3.12. Car Park Construction	Complies. The proposed carpark can be separated from non-traffic areas by a kerb and parking spaces would be line marked. Carpark drainage is considered adequate.
M.3.13. Surface Materials	Complies. The proposed carpark would be concrete sealed.

M.1.5. Off Street Parking Calculations

Section M.1.5. of Part M of the DCP states that the parking requirements for a child care centre is 1 space per 4 children + 1 space per 2 employees. For the proposed development for 64 children and 13 staff, the parking requirement is therefore 23 spaces (rounded up). The proposed development would provide 11 on site parking spaces, with a variation requested for 13 spaces.

The applicant provides the following response to the variation:

> *"It is noted that Liverpool Street provides kerb lane parking along both sides that is wide enough to accommodate 45-degree angled parking spaces. In this regard, the kerb lane can accommodate at 4 car parking spaces.*
>
> *Council's car park at the rear of the premises, which comprises of 42 parking spaces, will cater for the shortfall, with entry to the premises from the rear (via an easement for access agreed to by Council resolution at their Ordinary Meeting held on 27 February 2023)."*

The proposed development is supported by a Traffic and Parking Impact Assessment which is included in Attachment '5' to this report. It states that occupancy of the car park is low during drop off and pick up times (Before 9am and after 3pm). It is considered the proposed variation can be supported on the basis that on-street parking and Council's adjacent carpark can be utilised for overflow parking without adversely impacting on local amenity or nearby businesses.

PART N – LANDSCAPING

A suitable landscaping plan was submitted which complies with part N. A condition has been imposed to install landscaping prior to OC.

PART O – ENVIRONMENTAL HAZARD MANAGEMENT

The subject land is not mapped as flood prone.

The subject land is not mapped as bushfire prone.

There is no identified contamination on the subject land.

PART P – CPTED PRINCIPLES

The proposed development is assessed as consistent with the CPTED controls within the DCP. The proposed development includes passive surveillance over the street, and does not include any communal areas. The proposed development includes one partially blind corner to the south of the Activity Room 2, however it is noted this corner is located within the fenced and gated yard area and Activity Room 3 includes windows overlooking this alcove, therefore the opportunity for crime is considered minimal.

The development, as conditioned, will comply with the remaining relevant DCP controls.

S 4.15(1)(a)(iiia) provisions of any Planning Agreement(s)

There is no planning agreement that has been entered into under Section 7.4 of the Environmental Planning and Assessment Act 1979 by the applicant in relation to the development proposal. Similarly, the applicant has not volunteered to enter into a draft planning agreement for the development proposal.

S 4.15(1)(a)(iv) any matters prescribed by the regulations

Section 4.15(1)(a)(iv) requires the Council to also consider Clauses 61, 62, 63 and 64 of the Environmental Planning and Assessment Regulation. The following provides an assessment of the relevant Clauses of the Regulation:

- Clause 61 – The proposal does not involve demolition of a building and therefore the requirements of AS 2601-2001 are not required to be considered in accordance with Clause 61(1).

- Clause 62 – The proposal does not involve the change of a building use for an existing building, or the use of an existing building as a place of public entertainment and therefore the requirement to consider fire safety and structural adequacy of buildings in accordance with Clause 62 is unnecessary.

- Clause 63 – The proposal does not involve the erection of a temporary structure and therefore the requirements to consider fire safety and structural adequacy is unnecessary.

- Clause 64 – The proposal does not involve the rebuilding, alteration, enlargement or extension of an existing building or place of public entertainment and therefore the requirement to consider the upgrading of buildings into total or partial conformity with the Building Code of Australia is not required to be undertaken.

S 4.15(1)(b) the likely impact on the natural and built environment(s) and the likely social and/or economic impact on the locality

Section 4.15(1)(b) requires the Council to consider the likely impacts of the development, including environmental impacts on both the natural and built environments as well as the social and economic impacts in the locality. The following provides an assessment of the likely impacts of the development:

<u>Context and Setting</u>

The area is characterised by a mix of dwelling houses and commercial developments. The proposed child care centre would not change the existing character of the land, and is therefore considered consistent with the existing character of the locality.

<u>Access, Parking, traffic</u>

The site is accessible via Liverpool Street which is a sealed local road. The proposed development would be accessed via an expansion of the existing driveway and crossover, and a S138 application has been conditioned. A variation to on-site parking requirements has been requested, and discussed earlier in this report. No other traffic or parking concerns are identified.

Public Domain

The proposal will not have a negative impact on public recreational opportunities or public spaces in the locality.

Utilities

The site is serviced by adequate utilities to cater for the development.

Heritage

There are no items listed in schedule 5 of the LEP 2012 as present on the land and a search of the AHIMS records did not reveal any items or places of Aboriginal Cultural Significance identified as present on the land.

Other Land Resources

The land does not contain any recorded mineral deposits and the proposal will not negatively impact any water catchment areas.

Water, Sewerage and Stormwater

The proposed development would connect to Council's water, sewer and stormwater services.

Soils

No adverse impacts on soil is anticipated. A recommended condition will apply to require compliance with Council's DCP 2021.

Air and Microclimate

Minimal amounts of dust may be generated during the construction period. Once construction works are complete the development will not impact on air quality.

Flora and Fauna

The development would require the removal of existing native and exotic vegetation. The subject site is located adjacent to the CBD in a built-up urban area. It is assessed there will be no significant impact on native flora & fauna.

Waste

Any construction waste and ongoing domestic waste will be removed from the site and appropriately recycled or catered for at a licensed waste management facility.

Energy

A BASIX Certificate is not required.

Noise and Vibration

Some noise will occur during the construction period, but is not expected to adversely impact on any surrounding land uses. Council's standard condition regarding construction hours is recommended. The constructed development will not result in any ongoing noise or vibration.

Natural Hazards

The land is not identified as bushfire or flood prone land.

Technological Hazards

Council's records and inspection of the site did not reveal any technological hazards affecting the site. Council is not aware of and the SEE submitted with the application did not refer to any previous land use likely to have resulted in contamination.

Safety, Security and Crime Prevention

This development will not generate any activity likely to promote any safety or security problems to the subject land or surrounding area.

Social and Economic Impacts on the locality

The proposed development will not result in any negative social or economic impacts.

Site Design and Internal Design

The design of the development is satisfactory for the site and without any identified adverse impacts.

Construction

The proposed development will be built in accordance with the Building Code of Australia. No adverse impacts are anticipated to occur as a result of the development.

Cumulative impacts

The proposal is not expected to generate any ongoing negative cumulative impacts. A minimal increase in traffic activity to the site will occur during the construction phase. This will be limited by a condition of consent and will not continue once construction is completed.

S4.15(1)(c) The Suitability of the Site for the Development

The development is consistent with the zone objectives and consideration has been given to the impacts the development will have within the locality. It is considered that the proposed development will not create adverse impacts within its local setting. It is assessed that the development will not impact upon any existing services. The development site is not identified as bushfire or flood prone or otherwise unsatisfactorily constrained by natural features. The site is considered suitable for the development subject to the imposition of appropriate conditions of consent.

S4.15(1)(d) Any Submissions Received

Public Consultation

The subject Development Application was notified to adjoining owners in writing from 17 July 2025 to 7 August 2025, in accordance with Cowra Community Participation Plan 2024. One objection was received from an adjoining owner within the notification period in relation to the proposed development, which was further supported by a Review of Planning Controls prepared by Vision Property Development Hub after the notification period ended. In addition, three late objections were received from Cowra Early Childhood Services, Goodstart Early Learning, and Yalbillinga Boori Day Care Centre after the notification period ended. All submissions are included in Attachment '7' to this report and the applicant's response to the submission received during the notification period (including Review of Planning Controls) is included in Attachment '8'. Below is a summary of the submission's planning and development related concerns followed by assessment comments:

Objection 1 – Adjoining land owner:

1. Non Compliance with the Child Care Planning Guideline

Applicant response:

The neighbour correctly advises that the Child Care Planning Guideline states, that when selecting a site, ensure that it is not located closely to incompatible social activities such as hotels, and the like.

There are two such premises located within the Cowra Town Centre, however, both are a sufficient distance away from the subject site to be considered unlikely to have any negative impacts on the centre or on children attending the centre (refer Figure 1 below).

It is also suggested that all children attending the proposed child care centre would be under the care of their parents or guardians and would be dropped off and picked up as close to the centre as possible.

Assessment Comment:

It is considered the proposed development is compliant with the Child Care Planning Guideline.

2. Acoustic and Visual Privacy

Applicant response:

Visual Privacy

As noted above, the architectural plans have been amended to provide 3D views to and from the proposed development, and to include a 1.5m high acoustic screen along the eastern edge of the rear verandah.

From a visual perspective, the 3D views show that the outlook of the eastern-adjoining property is somewhat elevated relative to the subject premises. Furthermore, to obtain level platforms for the car parking area, and to ensure compliance with accessibility requirements, the application proposes cut up to 2.2m located mainly in the north-eastern portion of the site, where the slope is most significant.

This means that the finished levels for the car parking area and the front portion of the proposed building will sit even lower relative to the eastern-adjoining dwelling, and the adjoining property will look over the top of the car parking area and over the roof area of the front portion of the proposed development.

The rear portion of the proposed development will be able to be viewed from the elevated rear deck of the eastern-adjoining property. To this end, we have proposed the erection of 1.5m high perspex screen along the eastern edge of rear verandah, so that the verandah and indoor spaces cannot be seen. This perspex screen could also be erected along the eastern edge of the front verandah if deemed necessary.

It is noted that the outdoor play areas will not be visible. Additionally, the views to the south and south-west from the rear deck of the adjoining dwelling will remain mostly intact noting that there is vegetation to the south-west, which already blocks this view.

Acoustic Privacy

The proposed design and operation of the child care centre has been assessed by an acoustic consultant, which concluded the following:

Assessment of noise from outdoor play areas indicated that acoustic fencing to the extent shown in Appendix C is required on the boundaries of outdoor play areas to reduce noise impacts as far as practicable. To further minimise noise impacts, it is recommended that a noise management plan is implemented, which includes limiting use of outdoor play areas to a maximum of 2 hours in the morning and 2 hours in the afternoon.

Results of carpark noise modelling indicated that resulting noise levels will not likely to affect the health and wellbeing of neighbouring residences. Assessment of the relative increase in traffic noise found the increase to be below the threshold of perceptibility and therefore compliant with the RNP.

Assessment of plant noise indicated that noise from mechanical equipment associated with the Childcare Centre complies with NPfI criteria, provided that appropriate steps are taken to minimise noise transmission to nearby residences, as detailed in Section 4.2.

This noise impact assessment fulfills the requirements of the NSW Planning and Environment Childcare Planning Guideline. With the proposed recommendations in place, assessment indicates that resulting noise impacts will be appropriately managed and will not adversely impact the amenity of the local area.

Based on the opinion of the acoustic consultant, it is considered that the operation of the proposed child care centre would be able to meet the required environmental noise guidelines, subject to the erection of acoustic fencing and the implementation of operational measures as identified within the report.

Assessment Comment:

As a response to the objection, the applicant provided an acoustic report and amended plans with acoustic panels to the verandah and additional shade sails to screen the building and playground area from the neighbouring dwelling with the following comment:

"This is illustrated in the architectural plans and the 3d views show how they will work to block viewing. Please note, whilst the screens are shown as transparent in the images for analysis purposes, the shade cloth will be solid."

On review of the acoustic report and the amended plans, including 3D impressions, it is considered the amended design has adequately addressed the acoustic and visual privacy concerns of the adjoining dwelling owner. A copy of the acoustic report is provided as attachment '6' to this report.

3. Parking and Traffic Management

Applicant response:

The proposed development is deficient with respect to the number of parking spaces required to be provided on site. Having regard to the number of children and staff attending the centre on a daily basis, 23 car spaces are required, while only 11 are provided on site.

Section M.1.8 of Council's DCP states that where proposals are not able to comply with on-site car parking requirements, applications should be accompanied by a Traffic and Parking Report. The accompanying traffic report indicates that there is unrestricted on-street parking along Liverpool, Brisbane and Macquarie Streets.

It is important to note that these 3 streets have 18.5m carriageways with 45 degree angled parking on each side. As can be seen in Figure 2 below, there is a significant amount of on-street parking available within close proximity of the site.

There are also 4 local bus services that service the outer suburbs of Cowra (Bus routes 541, 543, 544 and 545). All four services provide a regular bus service to the Cowra Town Centre, with stops in close proximity to the subject site (refer to bus route map provided within the submitted Traffic Report).

The 45-degree angled parking provided along Liverpool Street allows 4 cars to be parked immediately in front of the site. Added to the 11 spaces within the on-site parking area, and the total parking demand required for the purpose of drop-off and pick-up of children as per Council's DCP (1 space per 4 children), being 16 spaces, is almost achieved. This means that most if not all parents will be able to utilise parking directly at the front of the site. Parents however, have the choice of also using the rear public parking area, which is available for all users of the adjoining commercial centre.

Even with all 4 angled spaces occupied in the peak am and pm periods, there would still be plenty of room for any buses to park along Liverpool Street prior to them being required for service at St Raphael's Catholic School located on the next block to the west.

The site is located just outside of the Cowra Town Centre. Based on the traffic numbers detailed in the accompanying traffic report, even in peak periods, traffic movements are relatively low, with both nearby intersections operating at Level of Service A with spare capacity. This means that the traffic environment immediately adjacent to the proposed centre is low and conducive to a child care centre operation.

With regard to the question of safety, it is noted that, even though Liverpool Street is sloping, there is still sufficient sight distance in both directions.

Assessment Comment:

The applicant has provided a Traffic Impact Assessment confirming the existing intersections have capacity to accommodate the additional traffic generated by the development with minimal impact on traffic safety, and the existing public carpark can accommodate the overflow parking requirements of the proposed development. A copy of the Traffic and Parking Impact Assessment is provided as attachment '5' to this report.

4. Concerns Over Cut and Fill

Applicant response:

In response to concerns raised, the architectural plans have been amended to provide a more visual representation of the proposed cut and fill as well as boundary treatments.

It is important to note that the site has a cross fall of approximately 3m from east to west at the front of the site. However, this slope is more pronounced adjacent to the eastern boundary and along the front boundary. The adjoining dwelling to the east is situated directly on top of this high point, which provides the eastern-adjoining dwelling with unimpeded views into the subject site.

While the extent of cut appears significant on the elevation plans, this is predominantly adjacent to the car parking area on the eastern side. The proposed retaining wall, and therefore cut, at this point is located 1.5m away from the common boundary with the eastern-adjoining property.

Beyond the car park, the development proposes a stepped retaining wall along the eastern boundary. The northern-most portion will retain cut up to a maximum height of 2.2m, and the southern-most portion will retain fill up to a maximum height of 2.2m. It is noted that there is already a 2m high retaining wall along the western boundary of SP 38598, otherwise known as 33 Liverpool Street.

With regard to the potential effects of cut (or excavation), it is noted that the extent of excavation along the eastern boundary is contained to a length of 21 m with a depth of cut ranging from Om to 2.2m. This amount of cut is not considered excessive, and the supporting walls will be designed by a structural engineer. Accordingly, it is recommended that Council's standard condition for the preparation of a dilapidation survey for all adjoining buildings be included within any draft conditions of consent.

Assessment Comment:

The applicant provided amended plans showing

Additionally, a dilapidation report to be conditioned as requested by the applicant to confirm no impact on any adjacent dwellings.

5. Notification to Affected Properties

Applicant response:

The application has been notified in accordance with Council's policy for the advertising of development applications. However, Council's notification process may not accord with the extent of properties assessed as part of the acoustic assessment.

Assessment Comment:

The application was notified in accordance with the 2024 Community Participation Plan.

6. Need for Another Childcare Centre

Applicant response:

All 5 child care centres currently operating in Cowra are at a considerable distance to the north and south of the town centre. Having a centrally located child care centre in close proximity to schools, public transport and commercial facilities is a key objective of the Child Care planning Guideline, as provided below.

Objective: To ensure that sites for child care facilities are appropriately located.

C3

A child care facility should be located:

- *near compatible social uses such as schools and other educational establishments, parks and other public open space, community facilities, places of public worship*
- *near or within employment areas, town centres, business centres, shops*
- *with access to public transport including rail, buses, ferries in areas with pedestrian connectivity to the*
- *local community, businesses, shops, services and the like.*

Assessment Comment:

It is considered unreasonable for Council to take business decisions and potential economic competition between private firms into account in the assessment of development applications.

Late objections:

Three late objections were received after the notification period, with objections on the following grounds.

1. **Non-Compliance with Parking Requirements / Inadequate Drop-Off/Pick-Up Design / Reliance on Public Infrastructure**

Assessment Comment:

The applicant has provided a Traffic Impact Assessment confirming the existing intersections have capacity to accommodate the additional traffic generated by the development with minimal impact on traffic safety, and the existing public carpark can accommodate the overflow parking requirements of the proposed development.

2. **Social, Economic, and Cultural Impacts / Oversaturation of Services in Cowra / Negative Impact on Existing Providers and Workforce Stability /**

Assessment Comment:

It is considered unreasonable for Council to take business decisions and potential economic competition between private firms into account in the assessment of development applications. Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979 requires the consent authority to consider the social and economic impacts of the development to the locality. It is considered the provision of an additional child care facility would not result in any negative economic or social impacts to the Cowra LGA.

3. **Building Over Sewer Main**

Assessment Comment:

The applicant has provided preliminary engineering showing piering below the Zone of Influence of the existing sewer. Council's Development and Traffic engineer has provided the following comments:

> *"A small part of the rear portion of the building is proposed to be located over the sewer main within the Zone of Influence. Amended architectural plans illustrate that appropriate clearance can be achieved.*
>
> *Detail Section SK08K shows depth of sewer retic main at 2.5m with proposed footings outside the zone of influence and exceeding more than 1.1m from the retic main.*
>
> *Plans to show location of sewer as found, and proximity to proposed structures."*

A standard condition for construction near sewer mains has been included. It is considered the proposed development is acceptable.

4. Visual and Acoustic Impact on Adjoining Residences

Assessment Comment:

As a response to the previous objection, the applicant provided an acoustic report and amended plans with acoustic panels to the verandah and additional shade sails to screen the building and playground area from the neighbouring dwelling with the following comment:

> *"This is illustrated in the architectural plans and the 3d views show how they will work to block viewing. Please note, whilst the screens are shown as transparent in the images for analysis purposes, the shade cloth will be solid."*

On review of the acoustic report and the amended plans, including 3D impressions, it is considered the amended design has adequately addressed the acoustic and visual privacy concerns of the adjoining dwelling owner.

5. Waste Management

Assessment Comment:

The submitted Statement of Environmental Effects states the waste generated by the proposed development can be accommodated in 4x240 litre waste bins. A condition has been added to provide amended plans showing waste storage areas has been included.

The remainder of the submission letter included business decision matters which are deemed non-planning matters and therefore irrelevant to this assessment.

Summary: It is assessed that the concerns expressed by the objector have been adequately addressed by the design of the development and/or the recommended conditions of consent.

Public Authority Consultation:

There are no public authority consultation requirements with this development application.

S4.15(1)(e) The Public Interest

The proposed development is permissible on the subject land and is not expected to adversely impact on the community interests of the area. The proposed development has been considered

in terms of the context and setting of the locality in previous sections to this report. The proposed alterations will positively contribute to the development within the locality and will not impose any identified adverse economic or social impacts on the local community.

S7.12 Fixed development consent levies

The proposed development is not within a growth area identified under the Cowra Council s94 Contributions Plan 2016. No evidence of any prior 7.11 Development Contributions being levied has been identified. Therefore, the recommended conditions include S7.12 (formerly S94A) development contributions to be levied in accordance with Cowra Council S94A Contributions Plan 2016.

Conclusion

Development Application No. 10.2025.42.1 proposes a demolition of existing buildings and construction of a centre-based child care facility on Lot 1 DP 163191, 29 Liverpool Street Cowra. The application was lodged by Black Ink Architecture Pty Ltd on 1 July 2025. The property owner is Liverpool NSW Corp Pty Ltd.

The application was supported by a Statement of Environmental Effects and development plans prepared by the applicant, which provide sufficient information to allow assessment of the proposal.

The proposed development has been assessed to be consistent with the requirements of Cowra Local Environmental Plan 2012, relating to development in the R1 General Residential zone and is consistent with existing land-use activities of the locality. The variation to Section M.1.5. of Part M of Cowra Council's Development Control Plan 2021 is sufficiently justified.

The development application was notified in accordance with Cowra Community Participation Plan 2024. One submission was received during the neighbour notification period, and three late submissions were received following the consultation process. Submission concerns are addressed in this report.

Having considered the documentation supplied by the applicant, the findings of site inspection(s) and the comments made from consultation, it is assessed that the impacts of the proposal and the likely environmental interactions between the proposed development and the environment are such that Council should not refuse the development application. Accordingly, a recommendation of conditional approval is listed in the recommendation.

ATTACHMENTS

1. DA 10.2025.42.1 - 29 Liverpool Street Cowra - Development Plans ⇩
2. DA 10.2025.42.1 - 29 Liverpool Street Cowra - Statement of Environmental Effects ⇩
3. DA 10.2025.42.1 - 29 Liverpool Street Cowra - Location map ⇩
4. DA 10.2025.42.1 - 29 Liverpool Street Cowra - Aerial view ⇩
5. DA 10.2025.42.1 - 29 Liverpool Street Cowra - Traffic and Parking Assessment Report ⇩
6. DA 10.2025.42.1 - 29 Liverpool Street Cowra - Acoustic Report ⇩
7. DA 10.2025.42.1 - 29 Liverpool Street Cowra - Copy of Submissions ⇩
8. DA 10.2025.42.1 - 29 LIverpool Street Cowra - Applicants response to submission ⇩

RECEIVED
Cowra Shire Council
3/12/2025
Plan No: DA 10.2025.42.1 (B)

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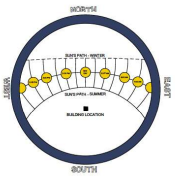
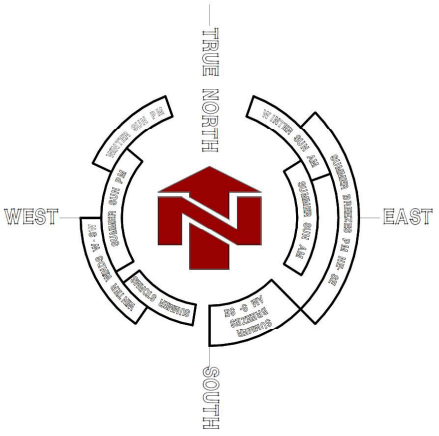
LEGEND



PRIMARY NOISE SOURCE
SECONDARY NOISE SOURCE
WINTER WINDS
SUMMER BREEZES
VIEWS



SITE ANALYSIS

SK02J

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RSF CORP PTY. LTD.

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BLACK INK architecture
MARK, DEBBIE & JOHN PERRY
a: PO BOX 1008, PARADISE POINT, 4216
e: admin@blackinkarchitecture.com
p: 0755194221 m: 0405164988

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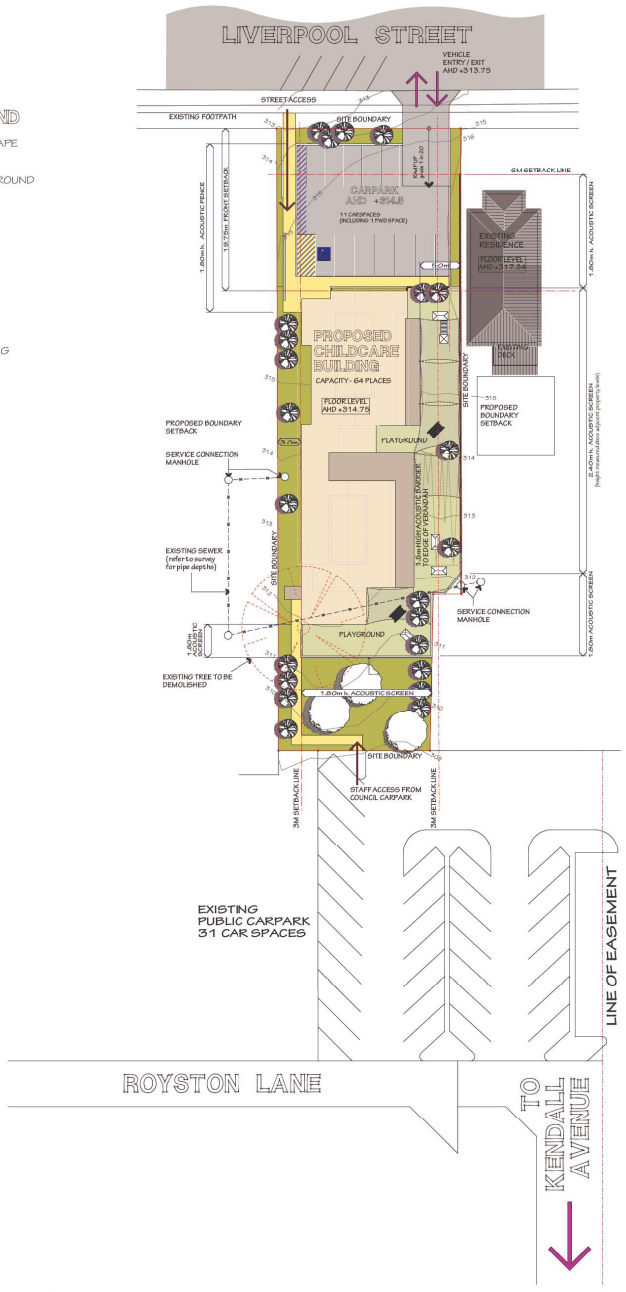
SITE CONCEPT LEGEND

1. GENERAL LANDSCAPE
2. CHILDCARE PLAYGROUND
3. PATHWAYS
4. DRIVEWAYS
5. FENCES
6. PROPOSED BUILDING
7. VERANDAHS



SITE PLAN

SK03M

SCALE: 1:500 (correct @ A3)

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a: PO BOX 1003, PARADISE POINT, 4216
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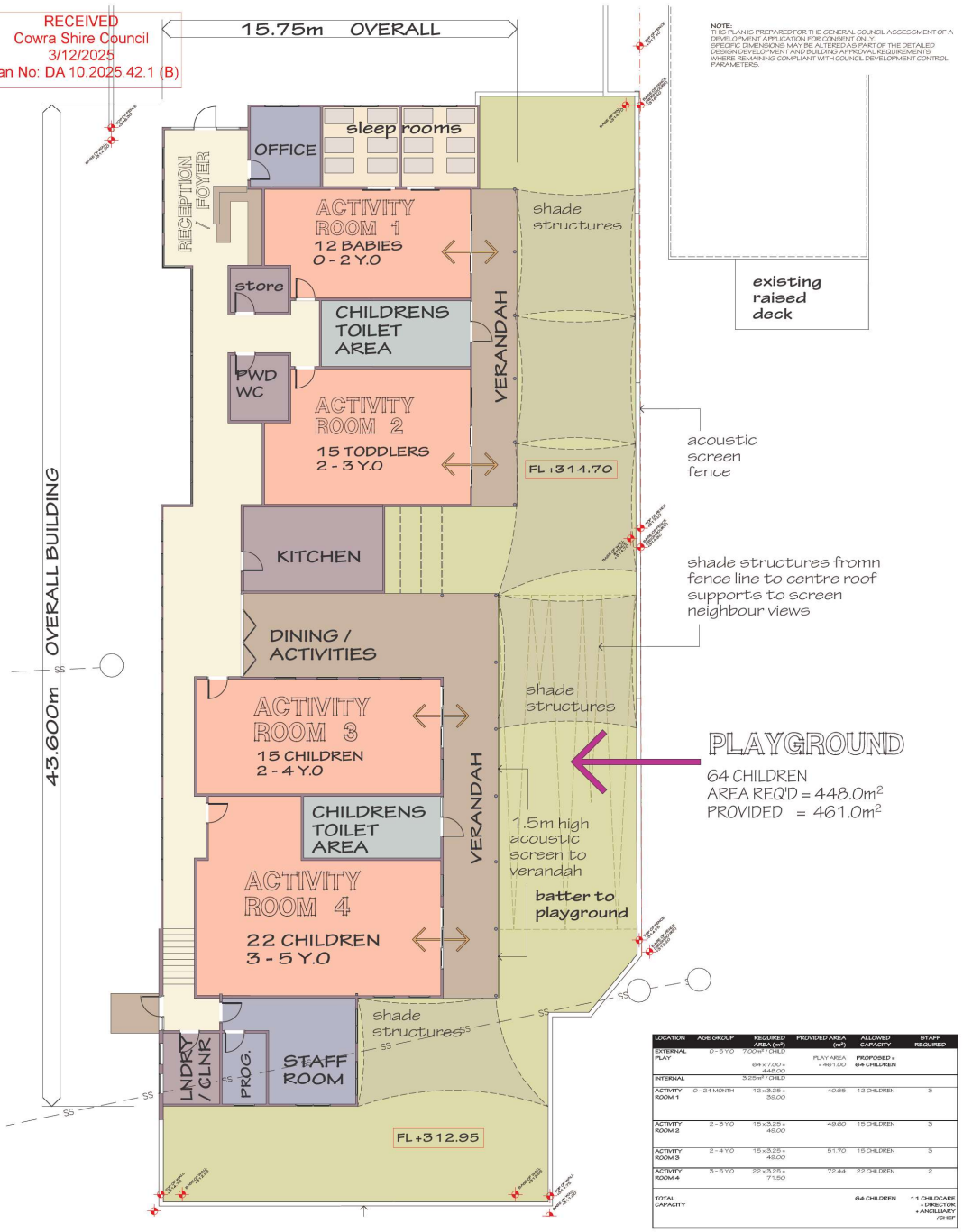

LOCATION	AGE GROUP	REQUIRED AREA (m²)	PROVIDED AREA (m²)	ALLOWED CAPACITY	STAFF REQUIRED
EXTERNAL PLAY	0 - 5 Y.O	7.00m² / CHILD 64 x 7.00 = 448.00	PLAY AREA = 461.00	PROPOSED = 64 CHILDREN	
INTERNAL		3.25m² / CHILD			
ACTIVITY ROOM 1	0 - 24 MONTH	12 x 3.25 = 39.00	40.85	12 CHILDREN	3
ACTIVITY ROOM 2	2 - 3 Y.O	15 x 3.25 = 48.00	49.60	15 CHILDREN	3
ACTIVITY ROOM 3	2 - 4 Y.O	15 x 3.25 = 48.00	51.70	15 CHILDREN	3
ACTIVITY ROOM 4	3 - 5 Y.O	22 x 3.25 = 71.50	72.44	22 CHILDREN	2
TOTAL CAPACITY				64 CHILDREN	11 CHILDCARE + DIRECTOR + ANCILLIARY /CHEF

FLOOR PLAN

SCALE: 1:150 (correct @ A3)

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a: PO BOX 1003, PARADISE POINT, 4216
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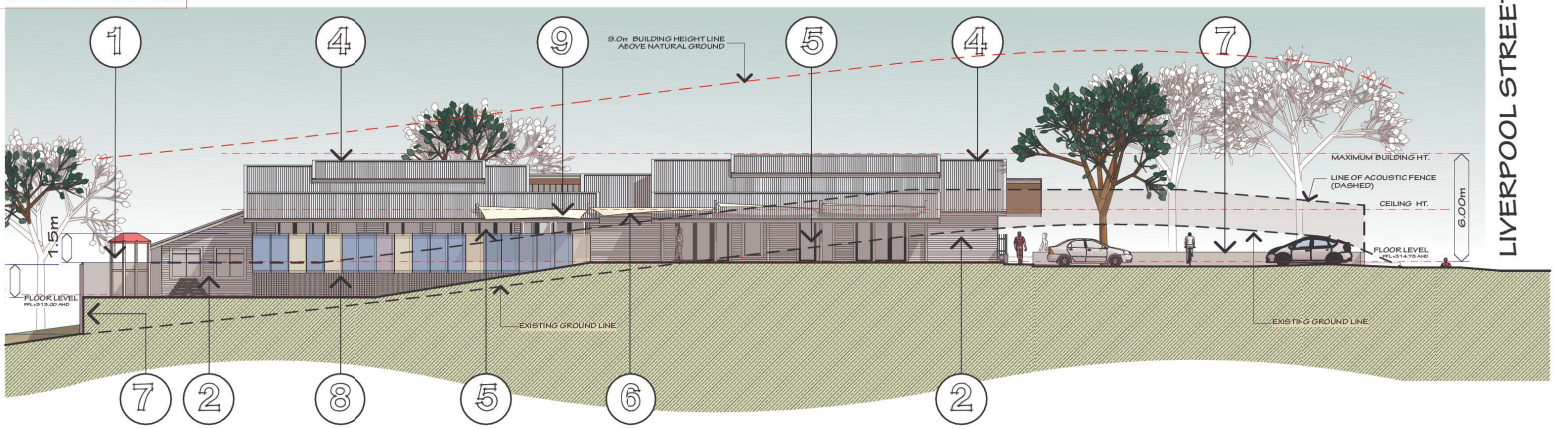
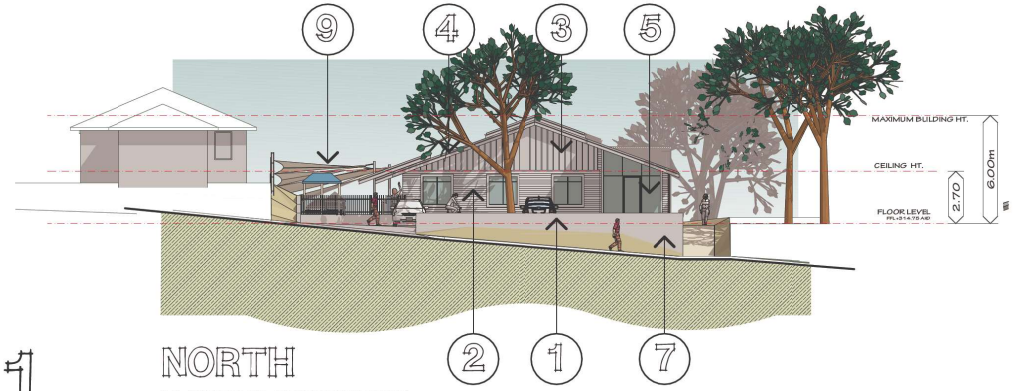


EAST

NOTES

1. RENDERED MASONRY WALLS
2. WEATHERBOARD CLADDING OVER STUD WALLS - PAINT FINISH
3. TIMBER BATTENS OVER SHEETCLADDING - PAINT FINISH
4. METAL ROOF CLADDING - COLORBOND FINISH
5. ALUMINIUM WINDOWS AND DOORS - POWDERCOAT FINISH
6. TIMBER PERGOLA
7. RENDERED MASONRY RETAINING WALLS
8. 1.5m ACRYLIC PANELS AS ACOUSTIC BARRIER OVER TIMBER BATTEN SCREENS
9. SHADE SAILS TO SCREEN NEIGHBOUR VIEWS INTO CENTRE



ELEVATIONS 1

NORTH

LIVERPOOL STREET VIEW

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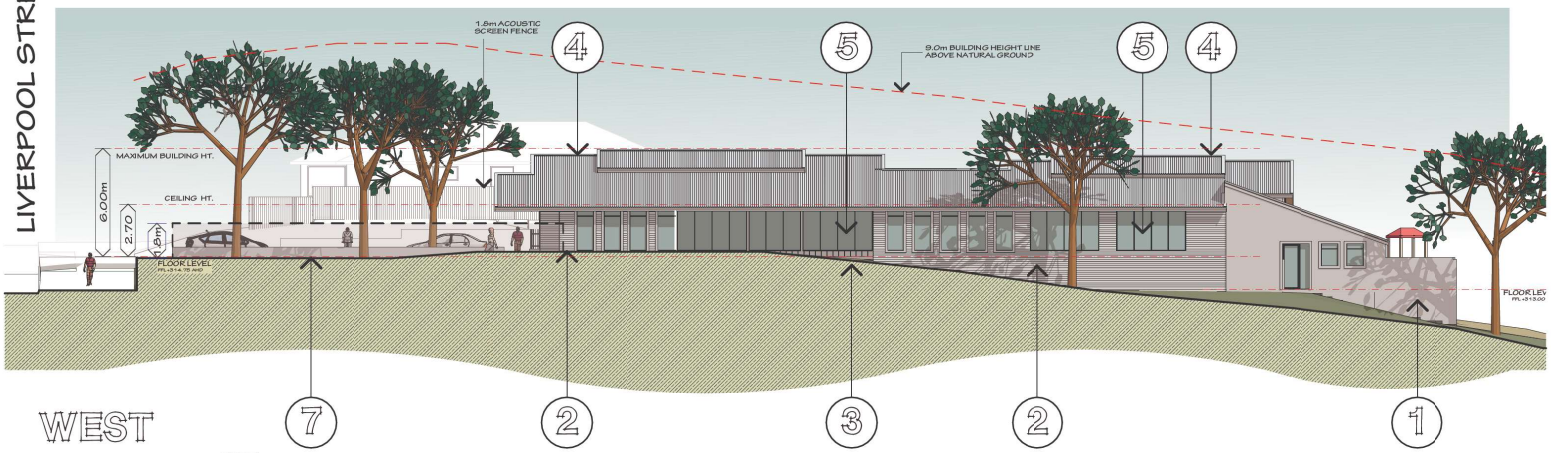

WEST

NOTI

1. RENDERED MASONRY WALLS
2. WEATHERBOARD CLADDING OVER STUD WALLS - PAINT FINISH
3. TIMBER BATTENS OVER SHEETCLADDING - PAINT FINISH
4. METAL ROOF CLADDING - COLORBOND FINISH
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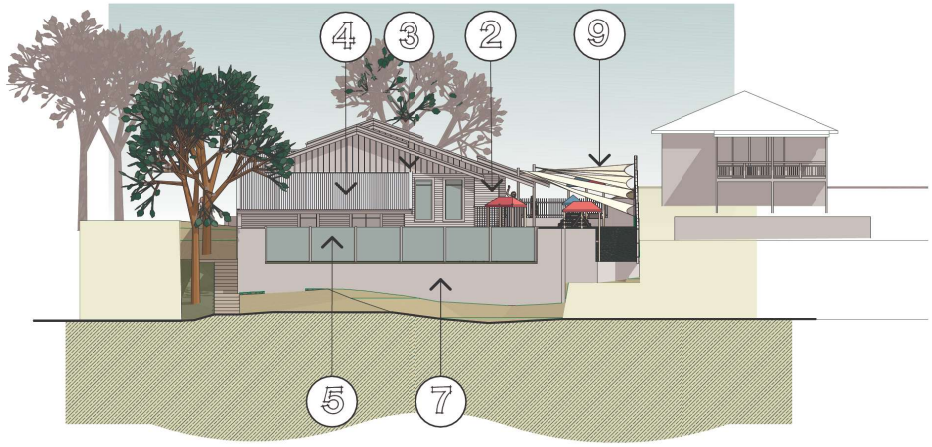
9. SHADE SAILS TO SCREEN NEIGHBOUR VIEWS INTO CENTRE

SOUTH



ELEVATIONS 2

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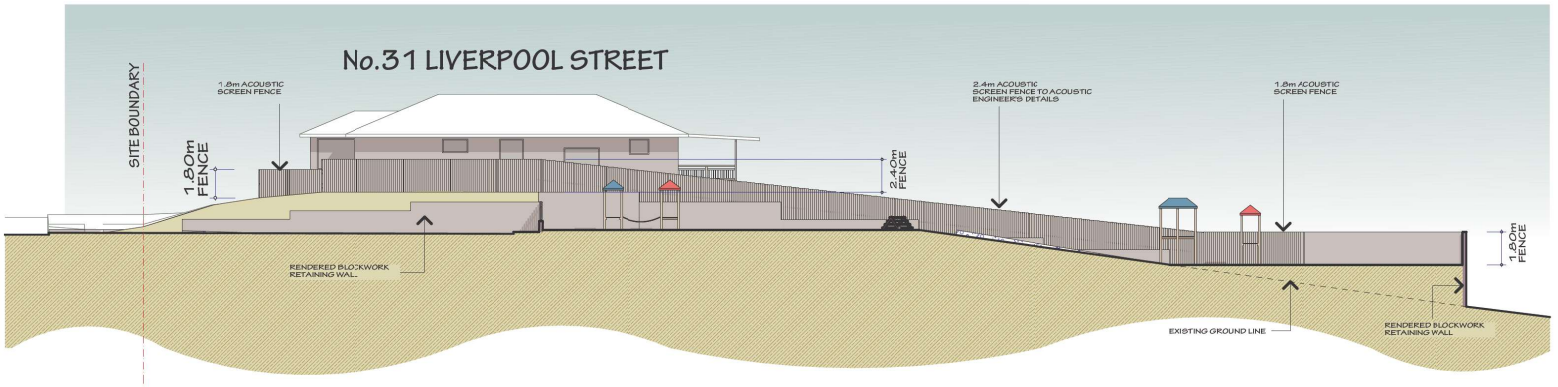

WEST - VIEW OF ADJOINING PROPERTY & BOUNDARY WALL TREATMENT FROM PLAYGROUND

ELEVATIONS 3

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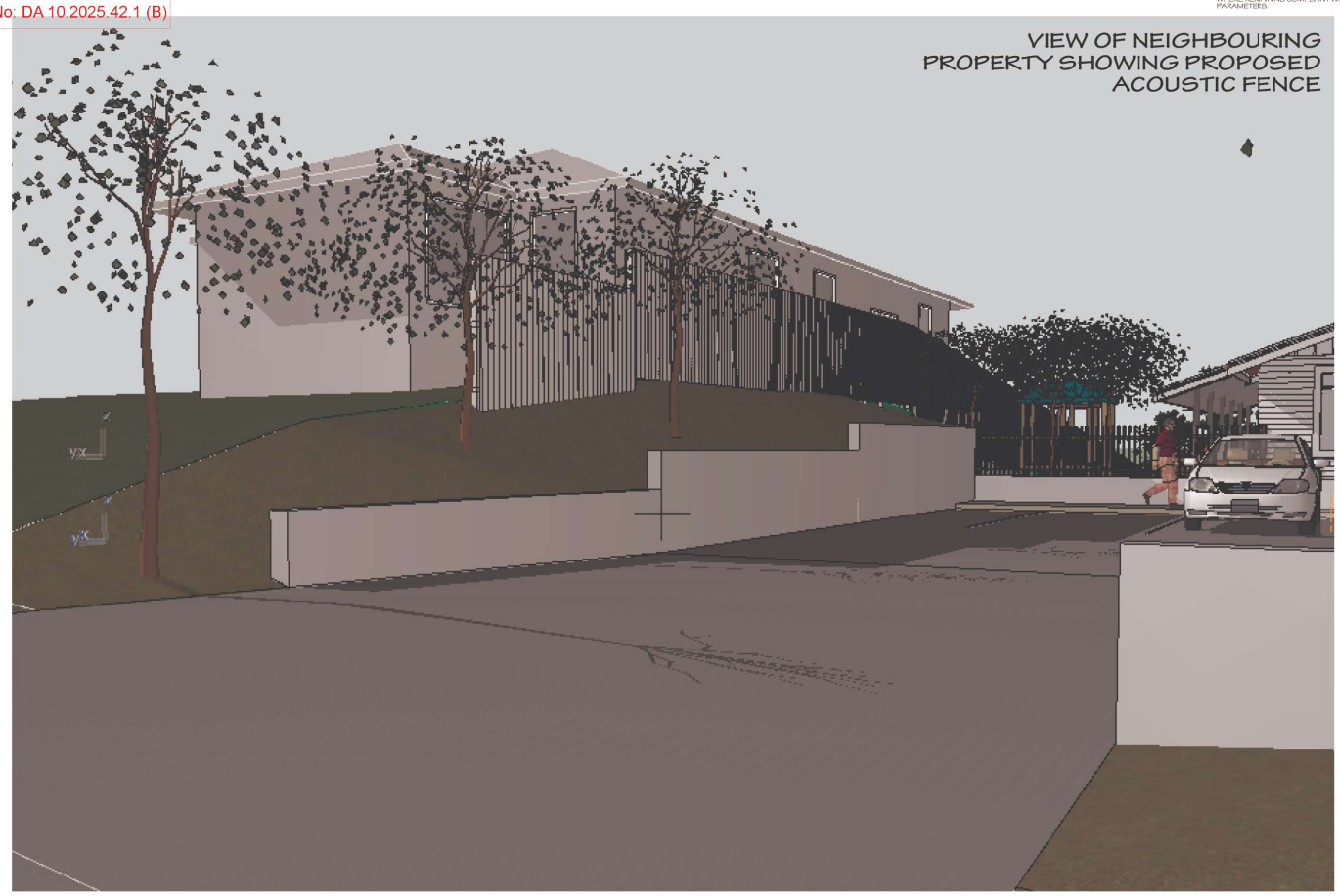
VIEW OF NEIGHBOURING PROPERTY SHOWING PROPOSED ACOUSTIC FENCE



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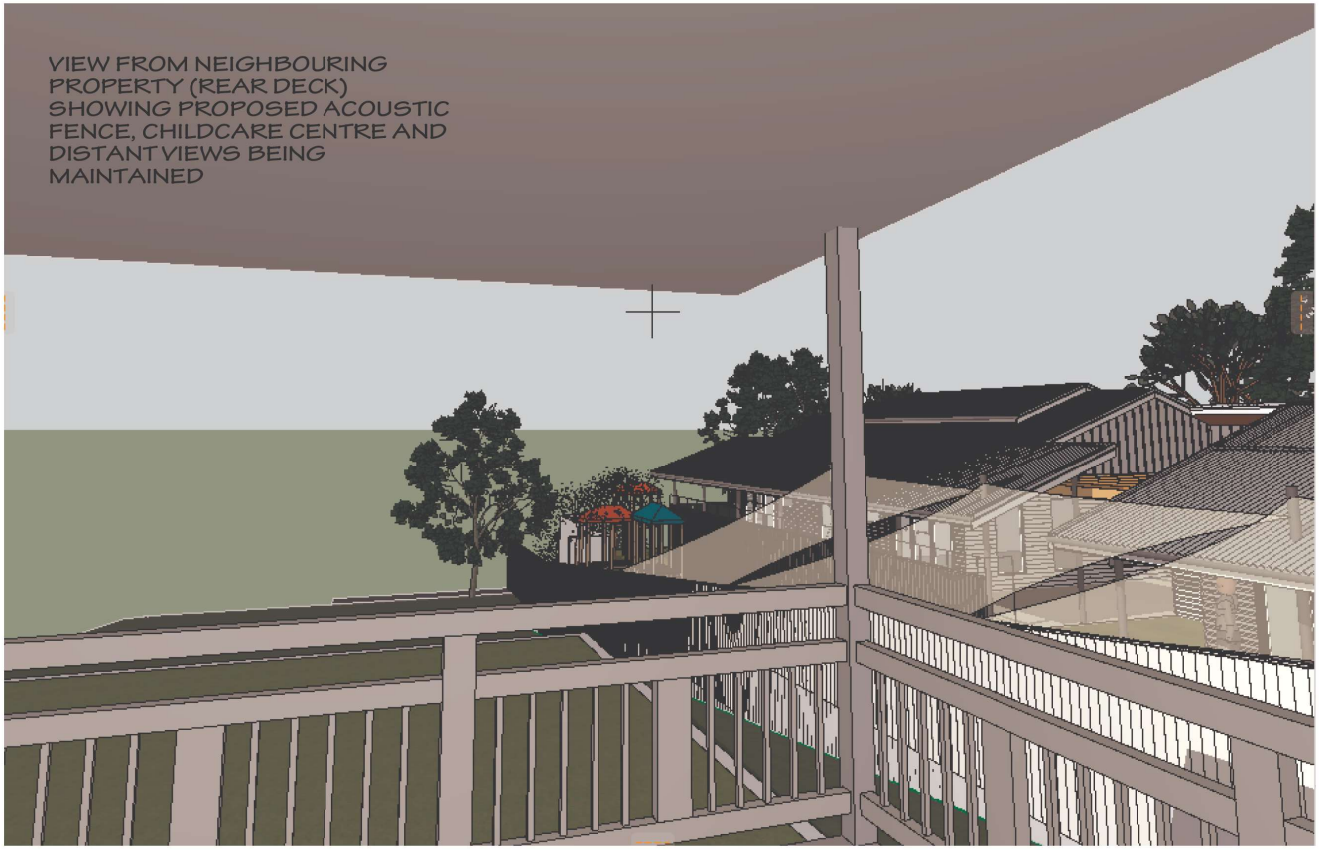

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VIEW FROM NEIGHBOURING PROPERTY (REAR RAISED TERRACE) SHOWING PROPOSED ACOUSTIC FENCE SCREENING CHILDCARE CENTRE

IMPRESSION 4

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VIEW FROM CHILDCARE CENTRE(REAR VERANDAH) SLOOKING BACK TO ADJOINING RESIDENCE

IMPRESSION 5

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STATEMENT OF ENVIRONMENTAL EFFECTS

29 LIVERPOOL STREET COWRA

CIVIC TOWN PLANNING

Project Details

Project: Demolition of existing buildings and construction of a single storey child care centre accommodating 64 children

Property: Lot 1, DP 163191, No. 29 Liverpool Street, Cowra NSW 2794

LGA: Cowra

Client: Sypher Solutions Pty Ltd

Document Control

Date	Purpose	Issue	Author	Reviewed
03.03.25	Draft for Review	1	MS	MS
21.03.25	Amendments	2	MS	MS
18.06.25	Amendments	3	MS	MS
25.07.25	Amendments	4	MS	MS

Signed:

Mark Stephenson
UNSW BTP (Hons)

Date: 25 July 2025

Author

Civic Town Planning
81 Bridie Drive
UPPER COOMERA QLD 4209
mail@civictp.com.au

ABN: 62 494 302 604

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6.1 Conclusion and Recommendation

Appendix A: Compliance with Child Care Planning Guideline 2021
(including Education and Care Services National Regulations)

1.0 INTRODUCTION

1.1 Background

This Statement of Environmental Effects has been prepared to accompany a Development Application submitted to Cowra Council for the demolition of existing buildings and construction of a single storey child care centre accommodating 64 children.

The Cowra Local Environmental Plan 2012 applies to the subject site. The site is zoned R1 General Residential. Pursuant to the LEP, the proposed development would be characterised as a 'Centre-based child care facility', which is permitted in the R1 zone with consent.

The proposed development is documented in the architectural plans prepared by Black Ink Architecture, dated 19 March 2025.

An assessment of the proposal indicates that the development can comply with the relevant provisions contained within the Education and Care Services National Regulations and the Child Care Planning Guideline, as well as the development standards and controls contained within the Cowra LEP and DCP, with the exception of car parking, which has been demonstrated as being satisfactory having regard to the level of off-site parking spaces located in the immediate vicinity.

The proposed child care centre is ideally located in close proximity to a local centre, public hospital, school and church. It is considered that the child care centre can be accommodated on the site without impact to the amenity of adjoining and surrounding properties. Accordingly, it is considered that the proposed centre-based child care centre is worthy of support.

1.2 Report Objectives

This Statement of Environmental Effects provides:

- An analysis of the site and the surrounding locality;
- A comprehensive description of the proposed works and the proposed use of the premises; and
- An assessment against the relevant requirements outlined within the Education and Care Services National Regulations, the Child Care Planning Guideline, September 2021, the Cowra Local Environmental Plan 2012, and the Cowra Development Control Plan 2021.

In accordance with the requirements outlined in the Environmental Planning and Assessment Regulation 2021, the purpose of this report is to document:

- The environmental impacts of the development.
- The steps to be taken to protect the environment or to lessen the expected harm to the environment.

2.0 SITE ANALYSIS

2.1 Subject Site and Surrounds

The subject site is legally described as Lot 1, DP 163191 and is known as No. 29 Liverpool Street, Cowra.

The site is located on the southern side of Liverpool Street, approximately 90 metres to the east of Macquarie Street. The site is irregular in shape block with a frontage to Liverpool Street of 23.774m, a depth of 80.607m, a rear width of 19.507m, and a total site area of 1,834.69m^2.

The site comprises a single storey rendered brick dwelling with a metal roof and detached metal carport to the rear. Whilst the site has an overall fall of approximately 4m from front to the rear, the site rises 2m from Liverpool Street to the centre where the dwelling is situated, then falls 6m to the rear boundary. The site contains 1 x medium sized tree to the rear of the garage. Council's sewer main traverses the rear of the site, and a small part of the building is proposed to be located over this main.

The site is located in an established low density residential area comprising mainly single-storey residential cottages. The subject site and surrounding area is zoned R1 General Residential under the provisions of the Cowra Local Environmental Plan 2012. Immediately to the south however, is the Cowra Town Centre, which is zoned E1 Local Centre. Directly adjoining the site's rear boundary is Council's public car park servicing the Town Centre, which accommodates 42 parking spaces.

Street views of the subject site and surrounds are provided at Figures 1, 2 & 4 below. A locality plan and aerial photograph of the subject site and surrounds are provided further below at Figures 3 & 5.

Figure 1: Street view from Liverpool Street
(Source: Google Maps: 2025)

Figure 2: Street view of Liverpool Street facing west (Source: Google Maps: 2023)

Figure 3: Aerial Map (Source: Six Maps: 2025)

Figure 4: Rear view of site from Council car park (Source: Google Maps: 2025)

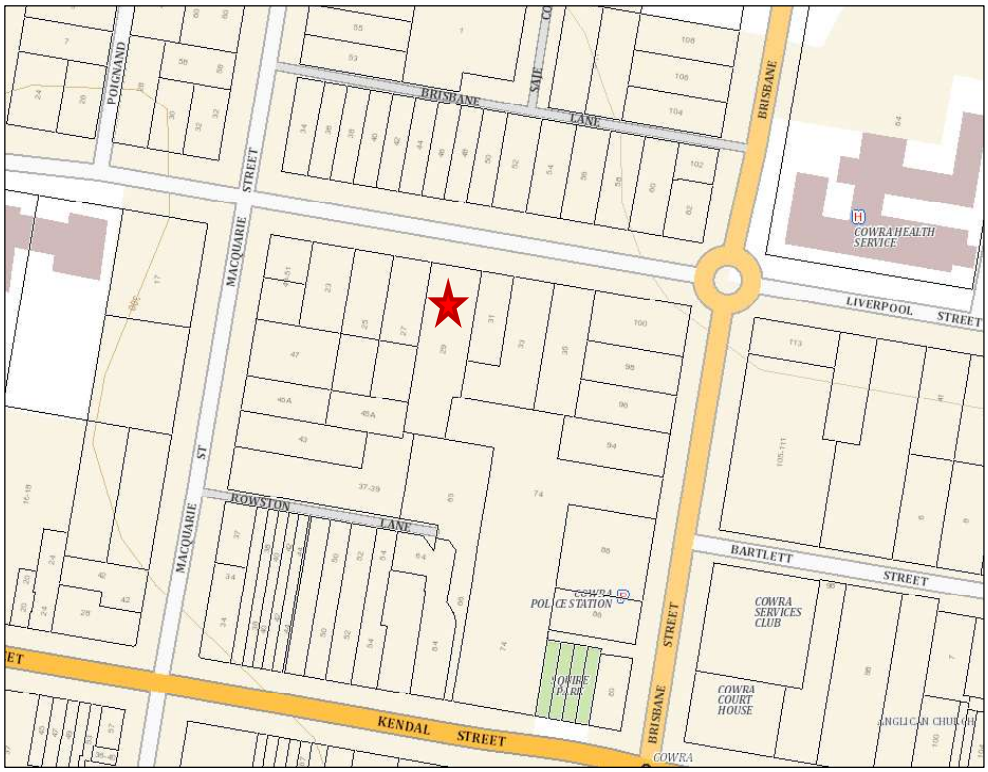


Figure 5: Aerial Map (Source: Six Maps: 2025)

3.0 PROPOSED DEVELOPMENT

3.1 Description of Proposed Development

The application proposes the demolition of existing buildings and construction of a single storey child care centre accommodating 64 children.

The proposed development is illustrated and detailed in the following plans:

- Survey plan prepared by C.P.C. Land Development Consultants P/L, Project No. 30230, Issue B, dated 26 May 2025;
- Architectural plans prepared by Black Ink Architecture, dated 16 June 2025;
- Stormwater drainage concept plans prepared by Calare Civil, Job No. 2025.0145, Issue C, dated 17 June 2025;
- Landscape plans prepared by Faulkner & Chapman Landscape Design, Project Reference No. 29LiverpoolLP, Revision LP2, dated 13 February 2025;
- Noise Impact Assessment prepared by Octave Acoustics, Revision 0, dated 11 March 2025;
- Traffic and Parking Impact Assessment prepared by Motion Traffic Engineers, Report No. N2550271 (Version 1a), dated March 2025; and
- Carpark Certification prepared by Motion Traffic Engineers, Report No. N255027A (Version 1a), dated February 2025.

3.1.1 Proposed Works

General

- Demolition of all structures on site comprising a single storey rendered brick dwelling with a metal roof and a detached metal carport to the rear. The proposal also includes the removal of 1 x medium-sized tree located just to the rear of the carport.
- Construction of a 64 place single storey child care facility with a grade level parking area for 11 vehicles (including one accessible parking space).
- Site works including excavation, fill, construction and landscaping.
- Works within the public road reserve comprising demolition of the existing driveway crossover and construction of a new 6 metre wide, two-way driveway and VC.
- The facility will accommodate 64 children, as follows:
    - 12 children – 0-2 yrs
    - 15 children – 2-3 yrs
    - 15 children – 2-4 yrs
    - 22 children – 3-5 yrs

- The proposed centre will operate from 7.00am to 6.00pm Monday to Friday, and will employ 13 staff (11 educators as per Reg 123 and 2 support staff).

- The proposal does not include the erection or display of any business identification signage at this stage, and thus will be undertaken under separate cover,

Child care centre design

- The design of the child care centre has been undertaken paying close attention to the seven (7) design quality principles and matters of consideration as outlined within Parts 2 & 3 of the Child Care Planning Guideline (September 2021).

- The design of the facility has also taken into consideration the requirements of the Education and Care Services National Regulations. In this regard, the design generally complies with the requirements, and in particular with the provision of all indoor and outdoor unencumbered space requirements.

Stormwater Management

- Stormwater for the building will be conveyed to an above-ground detention tank and discharged to Liverpool Street. The car parking area will be discharged directly to Liverpool Street, whilst the landscaped areas surrounding the building will be drained to an existing pit in the rear public car parking area.

Site Landscaping

- The site is proposed to be extensively landscaped using both soft and hard surface landscaping in accordance with the requirements of the Child Care Planning Guideline and Council's DCP.

Sewer Main

- Council's sewer main traverses the rear of the site running east-west as illustrated on the survey plan. A small part of the rear portion of the building is proposed to be located over the sewer main within the zone of influence.

  Discussions were held with Council's Development and Traffic Engineer and it was determined that Council was supportive of building across the sewer main subject to maintaining appropriate clearance. The amended architectural plans illustrate that appropriate clearance can be achieved.

3.1.2 Operational Details

Parking and Traffic Management

- Part M of the Cowra DCP 2021 requires car parking for child care centres to be provided at a rate of *1 space per 4 children + 1 space per 2 employees*. The proposed child care centre will accommodate 64 children, which requires 11 educators. The centre will also employ 2 support staff. In this regard, 23 car spaces are required to be provided, however the centre will provide only 11 spaces on site.

  It is noted that Liverpool Street provides kerb lane parking along both sides that is wide enough to accommodate 45-degree angled parking. In this regard, the kerb lane can accommodate 4 car parking spaces.

  Council's car park at the rear of the premises will cater for the shortfall, with entry to the premises from the rear (via an easement for access agreed to by Council resolution at their Ordinary Meeting held on 27 February 2023).

- Vehicular access to the facility will be via Liverpool Street. A new 6.0m wide, two-way driveway and vehicular crossing is to be provided along the Liverpool Street frontage.

Acoustic and Visual Privacy

- In order to maintain acoustic and visual privacy, the acoustic consultant recommends the erection of a combination of 1.8m and 2.4 metre high acoustic fencing as illustrated in the accompanying acoustic report.

- The child care centre will only operate during daytime hours, and in this regard, the centre would achieve compliance with the relevant environmental noise guidelines.

Accessibility

- The proposed facility has been designed to comply with the relevant provisions of the Building Code of Australia, the National Disability (Access to Premises – Building) Standards 2010 and Australian Standards.

- An accessible parking space is located in close proximity to the front entrance to the centre. Level and direct access is provided to the facility, and in this regard, a continuous path of travel is provided.

Waste Management

- The child care centre will generate both general and recyclable waste which will be accommodated in 4 x 240 litre waste bins (2 general waste bins and 2 recyclable waste bins). The facility will employ Council's commercial waste collection service for waste removal.

Safer by Design

- The design of the proposed facility takes into consideration the four (4) key CPTED principles of Surveillance, Access Control, Territorial Reinforcement and Space Management. The facility is considered satisfactory with regard to safety and security.

4.0 ENVIRONMENTAL ASSESSMENT

4.1 Statutory Framework

4.1.1 Environmental Planning and Assessment Act 1979

This Statement has been prepared in accordance with the provisions of the Environmental Planning and Assessment Act 1979. The proposed development has been considered having regard to the requirements of Part 4 of the Act.

4.1.2 State Environmental Planning Policy (Planning Systems) 2021

i. Part 2.4 – Regionally significant development

Not applicable as the capital investment value of the development does not exceed $5 million.

4.1.3 State Environmental Planning Policy (Sustainable Buildings) 2022

i. Chapter 3 – Standards for non-residential development

Not applicable as the capital investment value of the development does not exceed $5 million.

4.1.4 State Environmental Planning Policy No. (Resilience and Hazards) 2021

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

Given the historical use of the subject site for residential purposes, land contamination is not considered likely. In this regard, in accordance with Clause 4.6 of the SEPP, Council can be satisfied that the site is suitable for the proposed development.

It is however, recommended that a Hazardous Materials Survey be undertaken prior to the demolition of existing structures.

4.1.5 State Environmental Planning Policy (Transport and Infrastructure) 2021

i. Chapter 2 – Infrastructure

Clause 2.48 – Determination of development applications—other development

Not applicable as there are no building works within 5m of an overhead powerline, other than landscaping and concreting works.

ii. Chapter 3 Educational establishments and child care facilities

Whilst now forming part of the Transport and Infrastructure SEPP, the aim of the Educational establishments and child care facilities SEPP introduced in 2017 was to make it easier for child-care providers, schools, TAFEs and universities to build new facilities and improve existing ones by streamlining the planning process to save time and money and deliver greater consistency across NSW. Compliance with the relevant provisions of Chapter 3 is outlined in Table 1 below.

Educational establishments and child care facilities			
Clause	**Required**	**Provided**	**Complies**
Part 3.3 Early education and care facilities—specific development controls			
3.22 Centre-based child care facility—concurrence of Regulatory Authority required for certain development	(1) This section applies to development for the purpose of a centre-based child care facility if— (a) the floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the *Education and Care Services National Regulations*, or (b) the outdoor space requirements for the building or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those Regulations.	The proposal complies with Regulation 107. The proposal complies with Regulation 108.	N/A N/A
3.23 Centre-based child care facility—matters for consideration by consent authorities	Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the *Child Care Planning Guideline*, in relation to the proposed development.	Compliance with the relevant requirements of the *Child Care Planning Guideline* is provided at Appendix A to this report.	Refer to Appendix A
3.26 Centre-based child care facility—non-discretionary development standards	(1) The object of this section is to identify development standards for particular matters relating to a centre-based child care facility that, if complied with, prevent the consent authority from requiring more onerous standards for those matters. (2) The following are non-discretionary development standards for the purposes	Noted	

	of section 4.15(2) and (3) of the Act in relation to the carrying out of development for the purposes of a centre-based child care facility— (a) **location—**the development may be located at any distance from an existing or proposed early education and care facility, (b) **indoor or outdoor space** (i) for development to which regulation 107 (indoor unencumbered space requirements) or 108 (outdoor unencumbered space requirements) of the *Education and Care Services National Regulations* applies— the unencumbered area of indoor space and the unencumbered area of outdoor space for the development complies with the requirements of those regulations, or (ii) for development to which clause 28 (unencumbered indoor space and useable outdoor play space) of the *Children (Education and Care Services) Supplementary Provisions Regulation 2012* applies—the development complies with the indoor space requirements or the useable outdoor play space requirements in that clause,	Noted As noted above, the proposal complies with Regulation 107 and 108.	Yes Yes

	(c) **site area and site dimensions—**the development may be located on a site of any size and have any length of street frontage or any allotment depth,	Noted	Yes
	(d) **colour of building materials or shade structures—**the development may be of any colour or colour scheme unless it is a State or local heritage item or in a heritage conservation area.	Noted – the site is not identified as a state or local heritage item, nor is the site located within a heritage conservation area.	Yes
	(3) To remove doubt, this section does not prevent a consent authority from— (a) refusing a development application in relation to a matter not specified in subsection (2), or (b) granting development consent even though any standard specified in subsection (2) is not complied with.	Noted	

4.1.6 Cowra Local Environmental Plan 2012

As identified in Figure 1 below, the site is zoned R2 Low Density Residential pursuant to the Cowra Local Environmental Plan 2012.

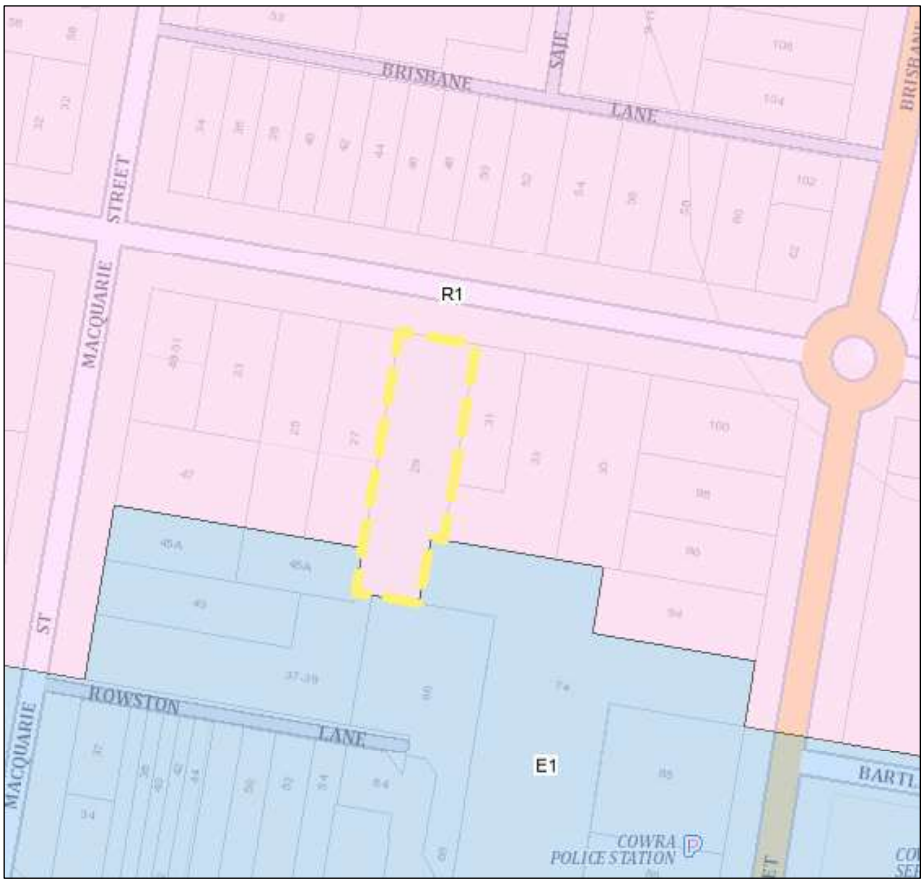


Figure 6: Zoning map
(Source – NSW Planning Portal Spatial Viewer: 2025)

The Land Use Table for the R1 zone is replicated below.

Zone R1 General Residential

1 Objectives of zone

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide attractive, affordable, well located and market-responsive residential land.*
- *To ensure that any non-residential land uses permitted within the zone are compatible with the amenity of the area.*
- *To ensure that housing densities are broadly concentrated in locations accessible to public transport, employment, services and facilities.*
- *To maximise public transport patronage and encourage walking and cycling.*

2 Permitted without consent

Environmental protection works; Home occupations

3 Permitted with consent

Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Food and drink premises; Group homes; Home industries; Hostels; Kiosks; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Car parks; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Jetties; Local distribution premises; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Public administration buildings; Recreation facilities (major); Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies

Comment:

As identified above, the site is zoned R1 General Residential. The proposed centre-based child care facility is permitted within the zone and would meet the objectives of the zone as provides a service that meets the day to day needs of residents.

Compliance with the relevant development standards contained within the Cowra LEP 2012 is demonstrated in Table 2 below.

Table 2 – Compliance with Cowra LEP 2012

COWRA LEP 2012			
Clause	**Required**	**Provided**	**Complies**
Part 1 Preliminary			
1.3 Land to which Plan applies	This Plan applies to the land identified on the Land Application Map.	The site is identified on the Land Application Map.	Yes
Part 2 Permitted or prohibited development			
2.2 Zoning of land to which Plan applies	For the purposes of this Plan, land is within the zone shown on the Land Zoning Map.	The site is zoned R1 General Residential. Development for the purpose of a centre-based child care facility.	Yes
2.6 Subdivision—consent requirements	(1) Land to which this Plan applies may be subdivided, but only with development consent.	Subdivision is not proposed to be carried out.	N/A
2.7 Demolition requires development consent	The demolition of a building or work may be carried out only with development consent.	Demolition of existing structures is proposed, and in this regard, consent is sought.	Yes
Part 4 Principal development standards			
4.1 Minimum subdivision lot size	(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.	N/A	N/A
4.3 Height of buildings	(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.	Not adopted	N/A
4.4 Floor space ratio	(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.	Not adopted	N/A

4.6 Exceptions to development standards	(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating: (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and (b) that there are sufficient environmental planning grounds to justify contravening the development standard.	N/A	N/A
Part 5 Miscellaneous provisions			
5.10 Heritage conservation	(5) **Heritage assessment** The consent authority may, before granting consent to any development: (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage	The subject site is not on land that is within a heritage conservation area, nor is it on land on which a heritage item is situated.	N/A

	conservation area concerned.		
5.21 Flood planning	(2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development— (a) is compatible with the flood function and behaviour on the land, and (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and (d) incorporates appropriate measures to manage risk to life in the event of a flood, and (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.	Council's LEP map indicates that the site is not located within the flood planning area.	
Part 7 Additional local provisions			
7.1 Earthworks	(3) Before granting development consent for earthworks (or for development involving ancillary earthworks), the		

	consent authority must consider the following matters— (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,	Whilst the proposal involves both cut and fill, it is noted that the site is affected by a significant slope. In this regard, the proposed level of cut and fill will still allow the site to drain how it currently drains. Soil stability will be maintained through the use of retaining walls which are illustrated within the civil plans.	Yes
	(b) the effect of the development on the likely future use or redevelopment of the land,	As noted, the existing site has a significant slope from front to rear, The proposed cut and fill is balanced and allows for level areas at the top of the site and through the middle to facilitate level platforms for parking and for internal areas.	Yes
	(c) the quality of the fill or the soil to be excavated, or both,	The material to be excavated is considered VENM fill material, and this material will be reused for the lower part of the site.	Yes
	(d) the effect of the development on the existing and likely amenity of adjoining properties,	Whilst the proposal involves balanced cut and fill, the development includes retaining walls and acoustic fencing in order to maintain both visual and acoustic amenity.	Yes
	(e) the source of any fill material and the destination of any excavated material,	Excavated VENM fill will be reused at the site.	Yes

	(f) the likelihood of disturbing relics,	Whilst Aboriginal relics are unlikely, appropriate protocols will be in place should any relics be unearthed.	
	(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,	The site is not near a waterway, is not within a drinking catchment, and is not within or near an environmentally sensitive area.	N/A
	(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.	As noted, the proposal involves balanced cut and fill and retaining walls to combat the slope, and acoustic fencing to maintain acoustic and visual amenity.	Yes
7.3 Terrestrial Biodiversity	(2) This clause applies to land identified as "Biodiversity" on the *Terrestrial Biodiversity Map*.	N/A	N/A
7.4 Riparian land and watercourses	(2) This clause applies to land identified as "Watercourse" on the *Riparian Lands and Watercourses Map.*	N/A	N/A
7.4 Wetlands	(2) This clause applies to land identified as "Wetland" on the *Wetlands Map.*	N/A	N/A
7.6 Groundwater vulnerability	(2) This clause applies to land identified as "Groundwater vulnerable" on the *Groundwater Vulnerability Map.*	N/A	N/A
7.8 Essential services	(1) Development consent must not be granted to development unless the consent authority is satisfied that the following services that are essential for the development are	The existing property is adequately serviced with water, sewer, overhead electricity and underground telephone and internet facilities.	Yes

	available or that adequate arrangements have been made to make them available when required— (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable vehicular access.		

4.1.7 Cowra Development Control Plan 2021

The Cowra Development Control Plan 2021 supports the Cowra Local Environmental Plan 2012 by setting additional development controls for development located in the Cowra LGA. Compliance with the relevant provisions of the Cowra Development Control Plan 2021 is outlined in Table 3 below:

Table 3 – Compliance with Cowra Development Control Plan 2021

Cowra DCP 2021			
Clause	**Required**	**Provided**	**Complies**
Part M – Parking, Access + Mobility			
M.1 Car Parking Code			
M.1.5.	**Off street parking calculations** Child Care Centres - 1 space per 4 children + 1 space per 2 employees.	64 Children = 16 13 employees = 6.5 (~ 7) Total Required = 23 Total Provided = 11	No Refer to discussion below in M.1.8
M.1.8.	**Variations to parking requirements** Development Applications for proposals which are not able to comply with the on-site parking requirements in Section 1.4 (as discounted by relevant parking credits) should be accompanied by a Traffic & Parking Report. **Comments:** Part M of the Cowra DCP 2021 requires car parking for child care centres to be provided at a rate of *1 space per 4 children + 1 space per 2 employees*. The proposed child care centre will accommodate 64 children, which requires 11 educators. The centre will also employ 2 support staff. In this regard, 23 car spaces are required to be provided, however the centre will provide only 11 spaces. It is noted that Liverpool Street provides kerb lane parking along both sides that is wide enough to accommodate 45-degree angled parking spaces. In this regard, the kerb lane can accommodate at 4 car parking spaces. Council's car park at the rear of the premises, which comprises of 42 parking spaces, will cater for the shortfall, with entry to the premises from the rear (via an easement for access agreed to by Council resolution at their Ordinary Meeting held on 27 February 2023). Refer to the accompanying traffic and parking assessment for further discussion.		

M.3 Parking & Access Design - Non Residential Uses			
M.3.1.	**Parking area locations**		
	The following controls apply to new developments requiring the construction of new off-street car parking areas: a. parking locations should be accessible to principal staff and/or customer entrances.	The proposed car parking area located off Liverpool Street is accessible to visitors to the child care centre. Council's public car parking area is directly to the rear, and so is also very accessible to the facility.	Yes
	b. parking locations should enable adequate connections to existing and proposed road and pedestrian network.	The proposed car parking area is directly accessible to Liverpool Street. A separate pedestrian access from Liverpool Street is also provided.	Yes
	c. parking locations should avoid areas that are constrained by slope and drainage.	Whilst the front of the site slopes toward Liverpool Street, the proposal provides a level car parking area that is compliant with AS 2890.	Yes
	d. parking locations should not result in adverse visual and acoustic amenity impacts for adjoining sites, particularly those which are used for residential purposes.	Given the existing slope, the parking area is subject to cut which, in addition to landscaping, will assist in obscuring the car parking area from the view of adjoining residences and in maintaining acoustic amenity.	Yes
M.3.4.	**Disabled parking**		
	Both Council and developers have a responsibility to provide readily accessible parking for disabled persons in accordance with the Disability Discrimination Act. The following controls apply: a. Parking for disabled persons are to be provided and signposted in accordance with the requirements of Australian / New Zealand Standard 2890.6:2009 Parking Facilities – Off Street Parking for People with Disabilities.	The disabled parking area has been designed to comply with AS 2890.6.	Yes

	b. Disabled parking spaces is to be provided at the rate of 1 space for parking areas comprising up to 20 spaces and thereafter at a rate of 2% of designated spaces.	1 accessible space is provided.	Yes
	c. Car parks comprising 20 spaces or more are to be provided with tactile surfaces to assist vision impaired persons to access the premises in accordance with the requirements of Australian / New Zealand Standard 1428.4:2009 Design for Access and Mobility Part 4: Tactile Indicators.	N/A	N/A
	d. A continuous accessible path of travel must be provided between designated car parking spaces for people with a disability and lift, lobby or access points servicing the development, and this access should not have a gradient that is steeper than 1:14.	A continuous accessible path of travel is provided from the accessible parking space to the front entrance and throughout the centre.	Yes
M.3.6.	**Loading / unloading facilities** Where there are no adequate public loading and unloading facilities in close proximity to a commercial, retail or industrial development, adequate provision is to be made on-site for the loading, unloading and manoeuvring of delivery vehicles.	Whilst it is not considered necessary to provide a dedicated loading area as there will be minimal deliveries to the site, if required, delivery vehicles can use the rear car parking area, the kerbside lane parking at the front of the site, or the front car parking area outside of peak visitor parking periods. Delivery vehicles would be via light commercial van, which enter and exit the front car parking area in a forward manner.	Yes
M.3.7.	**Signage** a. Parking areas should be well sign posted to indicate the availability of off-street parking, with exit and entry points clearly	Achievable	To condition

	visible from both the street and the site. b. Pavement arrows should clearly indicate the direction of traffic circulation. Parking areas shall be clearly delineated as well as spaces for specific uses (eg disabled, staff, visitors). c. Where car parking areas are not visible from the entrance to the development, directional sign posting will be required. d. Parking areas that are subject to frequent night time use by the public should utilise reflective materials for signs and line marking.		
M.3.8.	**Pedestrian travel**		
	a. Pedestrian footpaths should be designed to optimise access to and within the development.	The design includes appropriate pedestrian access along the western boundary.	Yes
	b. Footpath gradients should be minimised taking into account the possible shopping trolley, pram and gopher traffic and the need to maximise ease of use.	All footpaths and accessways are less than 1:14.	Yes
	c. Safety lighting should be provided within the car park to ensure that pedestrian pathways have observable paths of travel.	Safety lighting will be provided for the evening hours, however, the car parking area will not be in use during night-time hours, and in this regard, only low level lighting will be used during this time.	To condition
	d. Provision of parking and access aisles should not compromise the equity and amenity of pedestrian access. Pathways should be wide enough to accommodate disabled access.	Achieved	Yes

M.3.9.	**Safety & security**		
	a. Development proposals involving large car parking areas, or night-time parking areas will be assessed against Part P of this plan - Crime Prevention Through Environmental Design (CPTED).	Refer to Part P.	Yes
	b. The use of lighting should be considered where night use of parking areas is involved and where existing street lighting is inadequate.	Safety lighting will be provided for the evening hours, however, the car parking area will not be in use during night-time hours, and in this regard, only low level lighting will be used during this time.	Yes
	c. Where parking areas utilised at night are located within residential areas, consideration should be given to the positioning of lighting and location of driveways to minimise head light glare and traffic noise. In such cases fencing and/or landscaping may be necessary to avoid loss of amenity to residential areas.	N/A	N/A
M.3.10.	**Landscaping**		
	a. Parking areas should be landscaped to provide shade, improve the visual amenity of large all weather surfaces and to provide a buffer from neighbouring areas. b. Landscaping should be provided to enhance user amenity through sun control and have regard to Council's Landscape Code. c. Existing trees on site should be retained where possible. Care should be taken in the selection of new plant species not to block signs and to allow ingress and egress points to be clearly visible. d. Details of species selection of shade trees, species condition, size of beds, under storey and ground cover planting, irrigation	Refer to accompanying landscape plan.	Yes

	provision should be provided with the landscape plan submitted to Council for approval. e. Landscaping provision for sun control (shading) should be provided at the rate of 1 shade tree for every 6 car parking spaces. Planting of shade trees within parking areas should be protected from damage from vehicles (eg tree guards/wheel stops).		
M.4 Access + mobility code			
M.4.3. Relevant legislation and standards			
M.4.3.1.	**Disability Discrimination Act 1992** The Commonwealth Disability Discrimination Act 1992 (the DDA) aims to eliminate, as far as possible, discrimination against persons on the grounds of disability in areas of: a. Work, accommodation, education, access to premises, clubs and sport. b. The provision of goods, facilities, services and land. c. Existing laws. d. The administration of Commonwealth laws and programs. Under the DDA, any area, legally accessible to the public must also be accessible to people with a disability. The DDA covers both new and existing buildings as well as places under construction. Applicants proposing to undertake a development should be aware of the requirements of the DDA, the EPA Act and BCA.	As noted above, a continuous accessible path of travel is provided from the accessible parking space to the front entrance and throughout the centre, including the veranda areas and upper level of the outdoor play space. In this regard, fair and equitable access is provided for all persons who visit the premises. The design of the centre takes into account the accessible requirements of the BCA and AS 1428.	Yes
Part P – CPTED principles			
P.1.5	**Application of CPTED principles** How CPTED principles are applied will depend on the nature of the development proposal and the prevailing crime risk in the area. This section of the plan provides guidance on how the CPTED	The proposed child care centre is not categorised as a minor development based on the criteria provided in P.1.5.	Yes

	principles will be applied to certain developments.	In this regard, a CPTED assessment of the proposal has been undertaken having regard to the 4 main CPTED principles, as well as the design suggestions provided in Section P.2. of the DCP.	
1.	**Surveillance** *The attractiveness of crime targets can be reduced by providing opportunities for effective surveillance, both natural and technical.* The following measures have been incorporated into the proposed child care centre development to achieve active and passive surveillance: • The front and rear façades are provided with windows to facilitate passive surveillance over the front car parking area, the street and the rear car parking area. • The main entry located at the front of the premises is clearly identifiable and is provided with full height glazing to facilitate surveillance to the street and to the front car parking area. • The proposed landscaping (location, type, heights) allows direct sightlines into and through the front setback area. On-going maintenance of landscaping within the front setback area will ensure that sightlines are maintained. • Sightlines to the side gate access points are maximised and there are no areas of concealment. *Recommendations* • Low level lighting to be provided along the front and rear of the building and front car parking area. The direction of lighting should ensure that no light spill occurs to adjoining residential properties. All external lighting to comply with AS 4282.		
2.	**Access control** *Physical and symbolic barriers can be used to attract, channel or restrict the movement of people. They minimise opportunities for crime and increase the effort required to commit crime.* The following measures have been incorporated into the proposed child care centre development to achieve appropriate access control: • The front parking and landscaped setback area provides a clear demarcation of the change in public to semi-public space. The two pedestrian access points at the front are elevated above street level and are clearly legible, as is the rear entrance from the public car parking area.		

	• The side and rear boundaries are provided with 1.8m and 2.4m high acoustic fencing. • The main pedestrian entrance to the building is highlighted and clearly legible. The glazed doors allow good visibility into and out of the building. The side passageway is elevated and will be gated to highlight security. *Recommendations* • Open-type security fencing and access gate (minimum height of 2.1m) is recommended to be provided at the rear of the premises adjoining the public car parking area.
3.	**Territorial reinforcement** *Community ownership of public space sends positive signals. People often feel comfortable in, and are more likely to visit, places which feel owned and cared for. Well used places also reduce opportunities for crime and increase risk to criminals.* The following measures have been incorporated into the proposed child care centre development to demonstrate territorial reinforcement: • The visual design cues of the front parking area and rear landscaped setback area provide a physical demarcation between the public and semi-public / private space. There is no need for front fencing as the car parking area, landscaping and pedestrian entrances provide a clear and strong indicator of the transition from public to private space. • All three pedestrian entrance points are elevated above street level and are provided with stairs or ramps to provide a clear indication of private space. • The side passageway is elevated and gated to highlight security.
	Space management *Popular public space is often attractive, well maintained and well used space. Linked to the principle of territorial reinforcement, space management ensures that space is appropriately utilised and well cared for.* The following measures have been incorporated into the proposed child care centre development to appropriately manage the semi-public space located at the front of the building and private space at the rear of the building: • Whilst the front setback area is a semi-public space, the formal nature of the hard and soft surface landscaping, comprising plantings, hard surface treatments, ramps and retaining walls, provides a clear and physical symbol of ownership. This sense of ownership is reinforced by the elevated nature of the pedestrian entrances above street level. The overall presentation of the development including the façade and landscaped setback and parking area portrays a strong sense of ownership.

	• The rear setback area will be provided with a security fencing to reinforce the private nature of this area and to maintain security during evening and night-time periods. *Recommendations* • The landscaping within the front setback area should be maintained on a regular basis to continue to provide for a well maintained and formal setting. • Open-type security fencing and access gate (minimum height of 2.1m) is recommended to be provided at the rear of the premises adjoining the public car parking area. • Low level lighting to be provided along the front and rear of the building and front car parking area. The direction of lighting should ensure that no light spill occurs to adjoining residential properties. All external lighting to comply with AS 4282.

5.0 ENVIRONMENTAL PLANNING AND ASSESSMENT (EP&A) ACT 1979

5.1 Section 4.15 Evaluation

The following provides an assessment of the proposal against the relevant provisions of Section 4.15 Evaluation (previous section 79C) of the EP&A Act 1979.

(1) ***Matters for consideration—general***

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument, and

State Environmental Planning Policy (Resilience and Hazards) 2021

Given the historical use of the subject site for residential purposes, land contamination is not considered likely.

Child Care Planning Guideline (September 2021)

The 7 design quality principles are appropriately integrated into the design of the development. Full compliance with the design requirements of the Child Care Planning and the National Regulations has been achieved.

Cowra Local Environmental Plan 2012

The proposed child care centre is permitted with consent in the R1 General Residential zone and is considered to meet the zone objectives.

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

There are no Draft EPIs affecting the subject site.

(iii) any development control plan, and

Cowra Development Control Plan 2021

The proposal complies with the relevant controls relating to the proposed development as provided within Council's DCP. The proposal is worthy of approval based on both performance and merit.

(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

There is no planning agreement is proposed by the Applicant.

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),

There are no matters prescribed by Clause 92 of the Regulation which are applicable to this Development Application.

(v) (Repealed)

that apply to the land to which the development application relates,

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

Natural and Built Environments

Built Form

Whilst commercial in nature, the design of the building is single storey in height and residential in form. In this regard, the proposed building has replicated the architectural character prevailing in the immediate locality. It is considered that the proposed development will not have an adverse impact on the locality or the streetscape, as it is able to blend in with the prevailing residential architecture of the locality.

Overshadowing

The proposed building is single storey in height with the height of the roof a maximum of 4.6m at the western side boundary. In this regard, the shadow cast from the building is minimal. The site is also orientated due north, meaning that both properties adjoining the site will still enjoy unimpeded direct sunlight for at least 3 hours in either the morning or the afternoon periods. The front portion of the development is also cut into the site to combat the slope, meaning that any shadow effect will be less than a typical single storey residential building. Whilst the rear part of the development involves fill, it is noted that there are no residential buildings adjoining the rear portion of the site.

Cut and fill

Whilst the proposal involves both cut and fill, it is noted that the site is affected by a significant slope. The proposal involves a balanced level of cut and fill, wherein excavated VENM material taken from the upper level is placed on the lower portion so that level building platforms are still achieved.

Given that cut is undertaken at the top portion of the site adjacent to the adjoining residential buildings, visual and acoustic impacts are minimised, as the proposed outdoor areas are slightly lower than the adjoining dwelling to the east. Whilst the rear part of the development involves fill, it is noted that there are no residential buildings adjoining at the rear of the site.

The proposed level of cut and fill will still allow the site to drain how it currently drains. Soil stability will be maintained through the use of retaining walls which are illustrated within the civil plans. Appropriate erosion and sedimentation measures will also ensure that receiving waters are not polluted both during construction and on-going operation of the child care centre.

Visual and Acoustic Privacy

The two side boundaries are shared with residential properties, however, the proposed design maintains visual and acoustic privacy to the neighbouring residences through the erection of 1.8m and 2.4 metre high acoustic fencing as illustrated and recommended in the accompanying acoustic report. As noted above, the upper portion of the building, adjacent to the two adjoining residential dwellings, is lower than NGL, and in this regard, impacts to neighbouring dwellings are minimised. Whilst the rear part of the development involves fill, it is noted that there are no residential buildings adjoining at the rear.

Parking and Traffic

As identified in the parking and traffic impact assessment, the local road network can accommodate the small increase in traffic movements. With regard to parking, while the full complement of spaces is not achieved on the site, the report indicates that there is more than adequate parking available immediately to the rear of the site by way of a large public car parking area that services the Cowra Local Centre. As such, the operation of the facility should not result in any adverse impacts to the road network or to the availability of parking in the immediate vicinity.

Social and Economic Impacts

It is considered that the child care centre will create only positive social and economic impacts throughout the regional community of Cowra.

(c) the suitability of the site for the development,

The site is considered suitable for the proposed development. The proposal is permitted within the R1 General Residential zone, is consistent with the objectives of the zone, and has demonstrated compliance with the relevant development controls contained within Council's DCP

The proposed child care centre would be ideally located in close proximity to the Cowra Local Centre, Cowra Public Hospital, St Raphael's Catholic School, and St Raphael's Catholic Church. It is considered that the child care centre can be accommodated on the site without impact to the amenity of adjoining and surrounding properties.

(d) any submissions made in accordance with this Act or the regulations,

Any submissions will be considered by Council in the assessment and determination of the Development Application.

(e) the public interest.

The proposed development is considered to be in the public interest as it allows for the orderly and economic use of land and complies with Council's controls without impact to adjoining and surrounding properties.

6.0 CONCLUSION

6.1 Conclusion and Recommendation

This Statement of Environmental Effects has been prepared to accompany a Development Application for the demolition of existing buildings and construction of a single-storey child care centre accommodating 64 children.

The Cowra Local Environmental Plan 2012 applies to the subject site. The site is zoned R1 General Residential. Pursuant to the LEP, the proposed development would be characterised as a 'Centre-based child care facility', which is permitted in the R1 zone with consent.

The proposed child care centre is permitted within the R1 zone pursuant to the Cowra LEP 2012, and is considered to meet the objectives of the zone as it would provide a service that meets the day to day needs of residents.

The proposed child care centre would be ideally located in close proximity to a local centre, public hospital, school and church. It is considered that the child care centre can be accommodated on the site without impact to the amenity of adjoining and surrounding properties.

Accordingly, it is considered that the proposed child care centre is in the public interest and it is recommended that the development be approved as proposed.

Appendix A – Compliance with Child Care Planning Guideline (September 2021)

The Guideline establishes the assessment framework to deliver consistent planning outcomes and design quality for centre-based child care facilities in NSW. Consent Authorities must consider Parts 2, 3 & 4 of the Guideline.

An assessment against Parts 2, 3 & 4 of the Guideline is provided in the tables below:

Part 2 – Design quality principles
The design quality principles establish the broad design context guide of all new proposals for child care facilities, regardless of whether they are stand alone, part of a mixed-use development, modifications or retrofits of existing buildings or seeking to occupy premises without incurring new building works. Good design is integral to creating sustainable and liveable communities. There is growing appreciation of the significant role that good design can play in education with increasing evidence that learning outcomes are closely related to the quality of learning environments. Factors such as air quality, ventilation, natural lighting, thermal comfort and acoustic performance have been shown to have a profound impact on learning, engagement, social interactions and competencies. They also contribute to wellbeing through creating a sense of belonging, self-esteem and confidence.
Comment: The 7 design quality principles are considered in detail within the Part 3 assessment below, entitled *Matters for consideration.* The proposed development is considered to have been designed having regard to the 7 design quality principles and is considered satisfactory.

Part 3 – Matters for consideration		
The *Matters for consideration* give guidance to applicants on how to design a high-quality proposal that takes account of its surroundings and any potential environmental impacts the development may cause and to be mindful of potential impacts that may arise from existing uses and conditions within a locality. The matters support the design principles and must be considered by the consent authority when assessing a DA for a child care facility. Child care facilities can be developed in a broad range of locations and need to be flexible in how they respond to the requirements and challenges this brings.		
Criteria	**Provided**	**Compliance**
3.1 Site selection and location		
C1 For proposed developments in or adjacent to a residential zone, consider: - the acoustic and privacy impacts of the proposed development on the residential properties	Refer to the accompanying acoustic report, which concludes that the proposed child care centre can comply with the relevant environmental noise criteria, subject to the implementation of	Yes

	recommended acoustic attenuation measures. Visual privacy to adjoining properties is also maintained through appropriate acoustic fencing.	 Yes
- the setbacks and siting of buildings within the residential context	Proposed setbacks: - Front = 21m - Side = Min. 3m to west Min. 5m to east - Rear = 12.75m The siting of the building complies with Council's minimum front, side and rear setback requirements for dwellings. It is noted however, that Council's DCP requires front setbacks to be consistent with the prevailing building line. The proposed front setback is consistent with the existing dwelling on the site and is not forward of the prevailing building line. It is also noted that the proposed use of the building is commercial in nature with parking at the front of the site. In this regard, the proposed front setback is considered satisfactory.	Yes
- traffic and parking impacts of the proposal on residential amenity.	Refer to the accompanying traffic and parking report, which concludes that the subject child care centre has no consequential impacts on the surrounding road network and parking demand. In this regard, the operation of the childcare centre is deemed acceptable in terms of traffic and transport matters.	Yes
For proposed developments in commercial and industrial zones, consider:		
- potential impacts on the health, safety and wellbeing of children, staff and visitors with regard to local environmental or amenity issues such as air or noise pollution and local traffic conditions	N/A	N/A
- the potential impact of the facility on the viability of existing commercial or industrial uses.		

C2 When selecting a site, ensure that:		
- the location and surrounding uses are compatible with the proposed development or use	As noted above, the site is considered suitable for the proposed child care centre and would be compatible with surrounding uses. It is noted that the child care centre would be located in close proximity to a local centre, public hospital, school and church.	Yes
- the site is environmentally safe including risks such as flooding, land slip, bushfires, coastal hazards	The site is not subject to flood, landslip, bushfire or coastal hazards.	Yes
- there are no potential environmental contaminants on the land, in the building or the general proximity, and whether hazardous materials remediation is needed	There are no known potential environmental contaminants on the land or in the general proximity.	Yes
- the characteristics of the site are suitable for the scale and type of development proposed having regard to:		
○ length of street frontage, lot configuration, dimensions and overall size	The site is quite large with a frontage of 23.774m, a depth of 80.607m, and an area of 1,834.69m².	Yes
○ number of shared boundaries with residential properties	The two side boundaries are shared with residential properties, however, the proposed design maintains visual and acoustic privacy to the neighbouring residential properties.	Yes
- the development will not have adverse environmental impacts on the surrounding area, particularly in sensitive environmental or cultural areas	The development is unlikely to result in any adverse environmental impacts.	Yes
- where the proposal is to occupy or retrofit an existing premises, the interior and exterior spaces are suitable for the proposed use. Where the proposal relates to any heritage item, the development should retain its historic character and conserve significant fabric, setting or layout of the item.	N/A	N/A

- there are suitable drop off and pick up areas, and off and on street parking	The proposal includes a front parking area and angle kerbside parking which facilitates convenient drop off and accessibility.	Yes
- the characteristics of the fronting road or roads (for example its operating speed, road classification, traffic volume, heavy vehicle volumes, presence of parking lanes) is appropriate and safe for the proposed use	Refer to accompanying Traffic Report.	Yes
- the site avoids direct access to roads with high traffic volumes, high operating speeds, or with high heavy vehicle volumes, especially where there are limited pedestrian crossing facilities	Refer to accompanying Traffic Report.	Yes
- it is not located closely to incompatible social activities and uses such as restricted premises, injecting rooms, drug clinics and the like, premises licensed for alcohol or gambling such as hotels, clubs, cellar door premises and sex services premises.	There are no premises of this nature in the surrounding area.	Yes
C2 A child care facility should be located:		
- near compatible social uses such as schools and other educational establishments, parks and other public open space, community facilities, places of public worship	As noted above, the site is located in close proximity to a local centre, public hospital, school and church.	Yes
- near or within employment areas, town centres, business centres, shops	The site is located directly adjacent to the Cowra Local Centre.	Yes
- with access to public transport including rail, buses, ferries	Liverpool Street is provided with regular bus services.	Yes
- in areas with pedestrian connectivity to the local community, businesses, shops, services and the like.	The site is located directly adjacent to the Cowra Local Centre.	Yes

C4 A child care facility should be located to avoid environmental conditions arising from: - proximity to: o heavy or hazardous industry, waste transfer depots or landfill sites o Liquefied Petroleum Gas (LPG) tanks or service stations o water cooling and water warming systems o odour (and other air pollutant) generating uses and sources or sites which, due to prevailing land use zoning, may in future accommodate noise or odour generating uses o extractive industries, intensive agriculture, agricultural spraying activities	There are no known land uses of this nature in close proximity of the site.	Yes
- any other identified environmental hazard or risk relevant to the site and/ or existing buildings within the site.	There are no known environmental hazards or risks relevant to the site or to existing buildings located on the site.	Yes
3.2 Local character, streetscape and the public domain interface		
C5 The proposed development should: - contribute to the local area by being designed in such a way to respond to the character of the locality and existing streetscape	The site is located within an established low density residential area. The child care centre is single storey in form and the design is consistent with surrounding residential buildings.	Yes
- build on the valued characteristics of the neighbourhood and draw from the physical surrounds, history and culture of place	The building footprint and landscaped setbacks are consistent with surrounding residential properties notwithstanding the grade level car parking area at the front of the site.	Yes
- reflect the predominant form of surrounding land uses, particularly in low density residential areas	As noted above, the child care centre is single storey in form and the design is consistent with surrounding residential buildings.	Yes

- recognise and respond to predominant streetscape qualities, such as building form, scale, materials and colours	The built form, materials and colours used are residential in nature and scale.	Yes
- include design and architectural treatments that respond to and integrate with the existing streetscape and local character	It is considered that the design is consistent with the prevailing architectural character of the locality. The front façade will appropriately address the street in a similar manner as surrounding development.	Yes
- use landscaping to positively contribute to the streetscape and neighbouring amenity	Landscaping is provided extensively throughout the development, and particularly in the front, side and rear setback areas.	Yes
- integrate car parking into the building and site landscaping design in residential areas.	Whilst a grade level car parking area is proposed at the front of the site, this area will be extensively landscaped to soften hardstand.	Yes
C6 Create a threshold with a clear transition between public and private realms, including:		
- fencing to ensure safety for children entering and leaving the facility	The centre will provide adequate security gates and fencing so that children are unable to leave the premises without adult supervision.	Yes
- windows facing from the facility towards the public domain to provide passive surveillance to the street as a safety measure and a connection between the facility and the community	The proposal includes a clear demarcation between public and private space through the use of landscaping and fencing. The centre provides a satisfactory level of passive surveillance to the street.	Yes
- integrating existing and proposed landscaping with fencing.	Front, side and rear boundary fencing will also provide adequate security.	Yes
C9 Front fences and walls within the front setback should be constructed of visually permeable materials and treatments. Where the site is listed as a heritage item, adjacent to a heritage item or within a conservation area front fencing should be designed in accordance with local heritage provisions.	The proposed landscaping and access treatments within the front setback area are considered satisfactory.	Yes

3.3 Building orientation, envelope and design		
C11 Orient a development on a site and design the building layout to: - ensure visual privacy and minimise potential noise and overlooking impacts on neighbours by o facing doors and windows away from private open space, living rooms and bedrooms in adjoining residential properties	The site is adjoined by residential properties on all sides. The child care centre has been designed to maintain visual and acoustic privacy to these adjoining properties.	Yes
o placing play equipment away from common boundaries with residential properties o locating outdoor play areas away from residential dwellings and other sensitive uses	The play spaces are located at the side and rear of the building at ground floor level and are appropriately screened to maintain visual and acoustic privacy.	Yes
- optimise solar access to internal and external play areas	Adequate direct sunlight and indirect daylighting is provided to both indoor and outdoor play spaces.	Yes
- avoid overshadowing of adjoining residential properties	The proposed development does not restrict adjoining properties from receiving compliant solar access.	Yes
- minimise cut and fill	The existing slope is significant, however, balanced cut and fill is implemented.	Considered satisfactory
- ensure buildings along the street frontage define the street by facing it	The building appropriately addresses the street.	Yes
- ensure where a child care facility is located above ground level, outdoor play areas are protected from wind and other climatic conditions. **C12** The following matters may be considered to minimise the impacts of the proposal on local character:	The outdoor areas are provided with covered transition areas.	Yes

- building height should be consistent with other buildings in the locality - building height should respond to the scale and character of the street	The child care centre adopts a single storey form, which is considered with most if not all of the surrounding residential dwellings.	Yes
- setbacks should allow for adequate privacy for neighbours and children at the proposed child care facility	Generous side setback areas are provided.	Yes
- setbacks should provide adequate access for building maintenance	The proposed setbacks are adequate for this purpose.	Yes
- setbacks to the street should be consistent with the existing character.	The front setback of the existing dwelling is maintained, which allows for the provision of a car parking area at front.	Yes
Where a Local Environmental Plan or Development Control Plan do not specify a floor space ratio for the R2 Low Density Residential zone, a floor space ratio of 0.5:1 is to apply to a child care facility in the R2 zone.	N/A	N/A
C13 Where there are no prevailing setback controls minimum setback to a classified road should be 10 metres. On other road frontages where there are existing buildings within 50 metres, the setback should be the average of the two closest buildings. Where there are no buildings within 50 metres, the same setback is required for the predominant adjoining land use	As noted above, the front setback of the existing dwelling is maintained, which allows for the provision of a car parking area at front. Whilst the building will be set back behind the prevailing building line, it is noted that the child care centre is commercial in nature, and the front car parking area provides a physical element that illustrates this differentiation.	Yes
C15 Entry to the facility should be limited to one secure point which is: - located to allow ease of access, particularly for pedestrians - directly accessible from the street where possible - directly visible from the street frontage	The front entry is clearly identifiable and easily accessible.	Yes
- easily monitored through natural or camera surveillance	Passive surveillance is considered satisfactory.	Yes

- not accessed through an outdoor play area. - in a mixed-use development, clearly defined and separate from entrances to other uses in the building. **C16** Accessible design can be achieved by: - providing accessibility to and within the building in accordance with all relevant legislation - linking all key areas of the site by level or ramped pathways that are accessible to prams and wheelchairs, including between all car parking areas and the main building entry - providing a continuous path of travel to and within the building, including access between the street entry and car parking and main building entrance. Platform lifts should be avoided where possible - minimising ramping by ensuring building entries and ground floors are well located relative to the level of the footpath.	Achieved N/A The front pedestrian entrance includes an accessible ramp, and the accessible parking space is located close to the entrance. In this regard, a continuous path of travel will be provided through-out the facility.	Yes N/A Yes
3.4 Landscaping		
C17 Appropriate planting should be provided along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space. Use the existing landscape where feasible to provide a high quality landscaped area by: - reflecting and reinforcing the local context - incorporating natural features of the site, such as trees, rocky	Achieved The site devoid of landscaping, with the exception of one existing tree located within the proposed footprint. The site is proposed to be extensively landscaped.	Yes Yes

outcrops and vegetation communities into landscaping. **C18** Incorporate car parking into the landscape design of the site by: - planting shade trees in large car parking areas to create a cool outdoor environment and reduce summer heat radiating into buildings - taking into account streetscape, local character and context when siting car parking areas within the front setback - using low level landscaping to soften and screen parking areas.	Whilst a grade level car parking area is proposed at the front of the site, this area will be extensively landscaped to soften hardstand.	Yes
3.5 Visual and acoustic privacy		
C20 Minimise direct overlooking of indoor rooms and outdoor play spaces from public areas through: - appropriate site and building layout - suitably locating pathways, windows and doors - permanent screening and landscape design. **C21** Minimise direct overlooking of main internal living areas and private open spaces in adjoining developments through: - appropriate site and building layout - suitable location of pathways, windows and doors - landscape design and screening. **C22** A new development, or development that includes alterations to more than 50 per cent of the existing floor area, and is located adjacent to residential accommodation should:	Direct overlooking into the indoor and outdoor spaces is unable to occur, having regard to the siting of neighbouring properties. The privacy of adjoining properties is maintained.	Yes Yes

- provide an acoustic fence along any boundary where the adjoining property contains a residential use. An acoustic fence is one that is a solid, gap free fence	The acoustic report recommends the erection of acoustic fencing along the site's side boundaries.	Yes
- ensure that mechanical plant or equipment is screened by solid, gap free material and constructed to reduce noise levels e.g. acoustic fence, building, or enclosure.	Future mechanical plant and equipment to be checked to ensure noise levels are met.	Yes
C23 A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters: - identify an appropriate noise level for a child care facility located in residential and other zones - determine an appropriate background noise level for outdoor play areas during times they are proposed to be in use - determine the appropriate height of any acoustic fence to enable the noise criteria to be met	Refer to accompanying acoustic report.	Yes
3.6 Noise and air pollution		
C24 Adopt design solutions to minimise the impacts of noise, such as: - creating physical separation between buildings and the noise source - orienting the facility perpendicular to the noise source and where possible buffered by other use - using landscaping to reduce the perception of noise - limiting the number and size of openings facing noise sources - using double or acoustic glazing, acoustic - louvres or enclosed balconies (wintergardens)	Liverpool Street is a local road and is thus not considered to cause a noise nuisance to the centre.	Yes

- using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and soffits - locating cot rooms, sleeping areas and play areas away from external noise sources. **C25** An acoustic report should identify appropriate noise levels for sleeping areas and other non-play areas and examine impacts and noise attenuation measures where a child care facility is proposed in any of the following locations: - on industrial zoned land - where the ANEF contour is between 20 and 25 - along a railway or mass transit corridor, as defined by State Environmental Planning Policy (Infrastructure) 2007 - on a major or busy road - other land that is impacted by substantial external noise. **C26** Locate child care facilities on sites which avoid or minimise the potential impact of external sources of air pollution such as major roads and industrial development. **C27** A suitably qualified air quality professional should prepare an air quality assessment report to demonstrate that proposed child care facilities close to major roads or industrial developments can meet air quality standards in accordance with relevant legislation and guidelines. The air quality assessment report should evaluate design considerations to minimise air pollution such as:	Refer to accompanying acoustic report. The site is not located near air or noise polluting sources. Having regard to the above, an air quality assessment is considered unnecessary.	Yes Yes Yes

- creating an appropriate separation distance between the facility and the pollution source. The location of play areas, sleeping areas and outdoor areas should be as far as practicable from the major source of air pollution - using landscaping to act as a filter for air pollution generated by traffic and industry. Landscaping has the added benefit of improving aesthetics and minimising visual intrusion from an adjacent roadway - incorporating ventilation design into the design of the facility.		
3.7 Hours of operation		
C28 Hours of operation within areas where the predominant land use is residential should be confined to the core hours of 7.00am to 7.00pm weekdays. The hours of operation of the proposed child care facility may be extended if it adjoins or is adjacent to non-residential land uses.	The core operating hours proposed for the centre are contained to between 7.00am and 6.00pm, which has been assessed by the acoustic consultant as satisfactory.	Yes
C29 Within mixed use areas or predominantly commercial areas, the hours of operation for each child care facility should be assessed with respect to its compatibility with adjoining and co-located land uses.	The hours of operation for the proposed child care centre are considered to be compatible with adjoining and surrounding residential land uses.	Yes
3.8 Traffic, parking and pedestrian circulation		
C30 Off street car parking should be provided at the rates for child care facilities specified in a Development Control Plan that applies to the land.	As noted elsewhere in this report, the proposal does not comply with the required rate for on-site parking. However, the shortfall is offset through the existence of 45 degree kerbside parking at the front of the site, and a public car parking area at the rear.	Yes

C32 A Traffic and Parking Study should be prepared to support the proposal to quantify potential impacts on the surrounding land uses to optimise the safety and convenience of the parking area(s) and demonstrate how impacts on amenity will be minimised. The study should also address any proposed variations to parking rates and demonstrate that: • the amenity of the surrounding area will not be affected • there will be no impacts on the safe operation of the surrounding road network.	Refer to accompanying traffic report.	Yes
C35 The following design solutions may be incorporated into a development to help provide a safe pedestrian environment:		
- separate pedestrian access from the car park to the facility	Pedestrian access is separated from vehicular access.	Yes
- defined pedestrian crossings and defined/separate paths included within large car parking areas	There is a defined pedestrian access path from the street to the entry.	Yes
- separate pedestrian and vehicle entries from the street for parents, children and visitors	Separate access is provided.	Yes
- pedestrian paths that enable two prams to pass each other	The width of the pedestrian paths is considered appropriate.	Yes
- delivery, loading and vehicle turnaround areas located away from the main pedestrian access to the building and in clearly designated, separate facilities	Whilst it is not considered necessary to provide a dedicated loading area as there will be minimal deliveries to the site, if required, delivery vehicles can use the kerbside lane, or the car parking area outside of peak visitor parking periods.	Considered satisfactory
- minimise the number of locations where pedestrians and vehicles cross each other	The number of conflict points are minimised.	Yes
- in commercial or industrial zones and mixed use developments, the path of travel from the car parking	N/A	N/A

to the centre entrance physically separated from any truck circulation or parking areas		
- vehicles can enter and leave the site in a forward direction	Vehicles can enter and exit the site in a forward manner.	Yes
- clear sightlines are maintained for drivers to child pedestrians, particularly at crossing locations.	Site distance is compliant.	Yes
C37 Car parking design should:		
- include a child safe fence to separate car parking areas from the building entrance and play areas	Provided	Yes
- provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards	Provided	Yes
- include wheelchair and pram accessible parking.	Provided	Yes

Part 4 – Applying the National Regulations to development proposals			
Criteria	**Required**	**Provided**	**Compliance**
4.1 Indoor space requirements			
(Regulation 107) Min. 3.25sqm of unencumbered indoor space per child	64 x 3.25sqm = 208m²	214.39m²	Yes
Storage: - Min. 0.3m³ per child of external storage	64 x 0.3m³ = 19.2m³	Achievable	Yes
- Min. 0.2m³ per child of internal storage	64 x 0.2m³ = 12.8m³	Achievable	Yes
4.2 Laundry and hygiene facilities			
(Regulation 106)	On-site laundry facilities should contain: • a washer or washers capable of dealing with	A laundry is provided.	Yes

	the heavy requirements of the centre • a dryer • laundry sinks • adequate storage for soiled items prior to cleaning.		
4.3 Toilet and hygiene facilities			
(Regulation 109)	Toilet and hygiene facilities should be designed to maintain the amenity and dignity of the occupants. Design considerations could include:		
	• junior toilet pans, low level sinks and hand drying facilities for children	Achievable	Yes
	• a sink and handwashing facilities in all bathrooms for adults	Achievable	Yes
	• direct access from both activity rooms and outdoor play areas	Provided	Yes
	• windows into bathrooms and cubicles without doors to allow supervision by staff	Supervision is achievable.	Yes
	• external windows in locations that prevent observation from neighbouring properties or from side boundaries	Window locations and sizes considered appropriate.	Yes
4.4 Ventilation and natural light			
(Regulation 110)	Services must be well ventilated, have adequate natural light, and be maintained at a temperature that ensures the safety and wellbeing of children.	All rooms achieve satisfactory access to daylight and ventilation.	Yes
	Child care facilities must comply with the light and ventilation and minimum ceiling height requirements of the ***National Construction Code.*** Ceiling height requirements may be affected by the capacity of the facility.	Condition accordingly	To condition

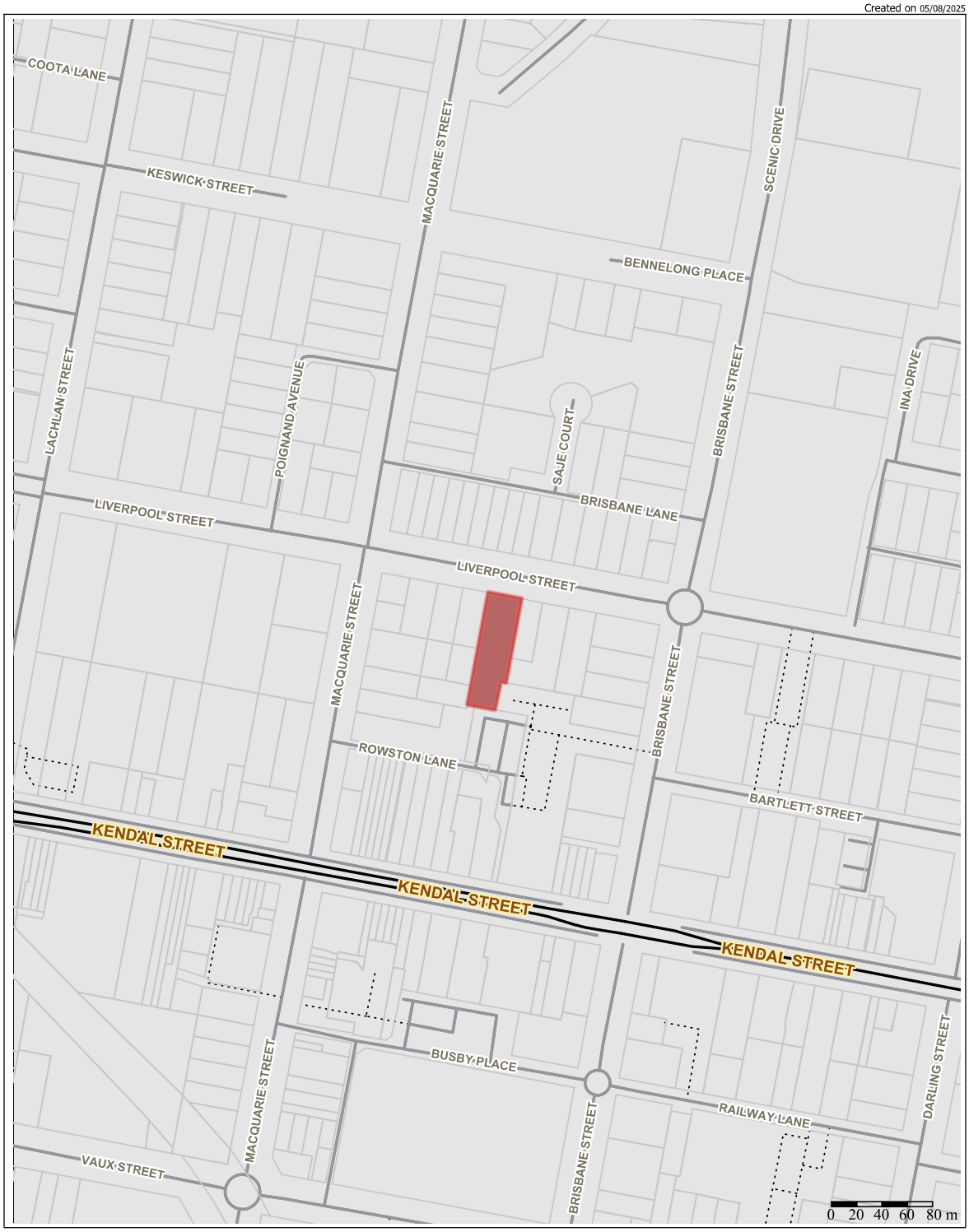
	Designers should aim to minimise the need for artificial lighting during the day, especially in circumstances where room depth exceeds ceiling height by 2.5 times. It is recommended that ceiling heights be proportional to the room size, which can be achieved using raked ceilings and exposed trusses, creating a sense of space and visual interest.	Room depth does not exceed ceiling height by 2.5 times.	N/A
4.5 Administrative space			
(Regulation 111)	A service must provide adequate area or areas for the purposes of conducting the administrative functions of the service, consulting with parents of children and conducting private conversations.	Provided	Yes
4.6 Nappy change facilities			
(Regulation 112)	Child care facilities must provide for children who wear nappies, including appropriate hygienic facilities for nappy changing and bathing. All nappy changing facilities should be designed and located in an area that prevents unsupervised access by children. Child care facilities must also comply with the requirements for nappy changing and bathing facilities that are contained in the ***National Construction Code.***	Achievable Condition accordingly for compliance with the BCA.	Yes To Condition
4.7 Premises designed to facilitate supervision			
(Regulation 115)	A centre-based service must ensure that the rooms and facilities within the premises (including toilets, nappy change facilities, indoor and outdoor activity rooms and play spaces) are	Adequate supervision is achievable.	Yes

	designed to facilitate supervision of children at all times, having regard to the need to maintain their rights and dignity. Child care facilities must also comply with any requirements regarding the ability to facilitate supervision that are contained in the ***National Construction Code.***	Condition accordingly for compliance with the BCA.	To Condition
4.8 Emergency and evacuation procedures			
(Regulation 97 & 168)	Regulation 168 sets out the list of procedures that a care service must have, including procedures for emergency and evacuation. Regulation 97 sets out the detail for what those procedures must cover including: • instructions for what must be done in the event of an emergency • an emergency and evacuation floor plan, a copy of which is displayed in a prominent position near each exit • a risk assessment to identify potential emergencies that are relevant to the service.	Emergency and evacuation plan to be provided at CC stage.	To Condition
4.9 Outdoor space requirements			
(Regulation 108)	Min. 7sqm of unencumbered outdoor space per child. 64 x 7sqm = 448sqm Where a covered space such as a verandah is to be included in outdoor space it should: • be open on at least one third of its perimeter	461m² unencumbered area provided. >1/3rd of the perimeter is open.	Yes Yes

	• have a clear height of 2.1 metres	Min. 2.7m floor-to-ceiling height provided.	Yes
	• have a wall height of less than 1.4 metres where a wall with an opening forms the perimeter	N/A	N/A
	• have adequate flooring and roofing	Achievable	Yes
	• be designed to provide adequate protection from the elements	The proposed covered verandah will provide for all-weather protection.	Yes
4.10 Natural environment			
(Regulation 113)	The approved provider of a centre-based service must ensure that the outdoor spaces allow children to explore and experience the natural environment.	The proposed landscape plan allows children to explore and experience the natural environment.	Yes
4.11 Shade			
(Regulation 114)	Controlled exposure to daylight for limited periods is essential as sunlight provides vitamin D which promotes healthy muscles, bones and overall wellbeing. Outdoor play areas should be provided with controlled solar access throughout the year. Outdoor play areas should: • have a minimum of 2 hours of solar access between 8.00am and 4.00pm during winter months, for at least 30% (or 2.1m²) of the 7.0m2 of outdoor space per child required. • adequate shade for outdoor play areas is to be provided in the form of natural shade such as trees or built shade structures giving	Outdoor play areas achieve at least 2 hours of direct sunlight. Achievable	Yes Yes

	protection from ultraviolet radiation to at least 30 per cent of the outdoor play area • have evenly distributed shade structures over different activity spaces.	Achieved	Yes
4.12 Fencing			
(Regulation 104)	Any outdoor space used by children must be enclosed by a fence or barrier that is of a height and design that children preschool age or under cannot go through, over or under it.	The centre will be provided with adequate security gates and fencing so that children are unable to leave the premises without adult supervision.	Yes
4.13 Soil Assessment			
Regulation 25	To ensure consistency between the development consent and the service approval application, a soil assessment should be undertaken as part of the development application process. Where children will have access to soil the regulatory authority requires a preliminary investigation of the soil.	Given the historical use of the subject site for residential purposes, land contamination is not considered likely.	Considered satisfactory

Created on 05/08/2025



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COWRA NSW 2794
Ph: (02) 6340 2000
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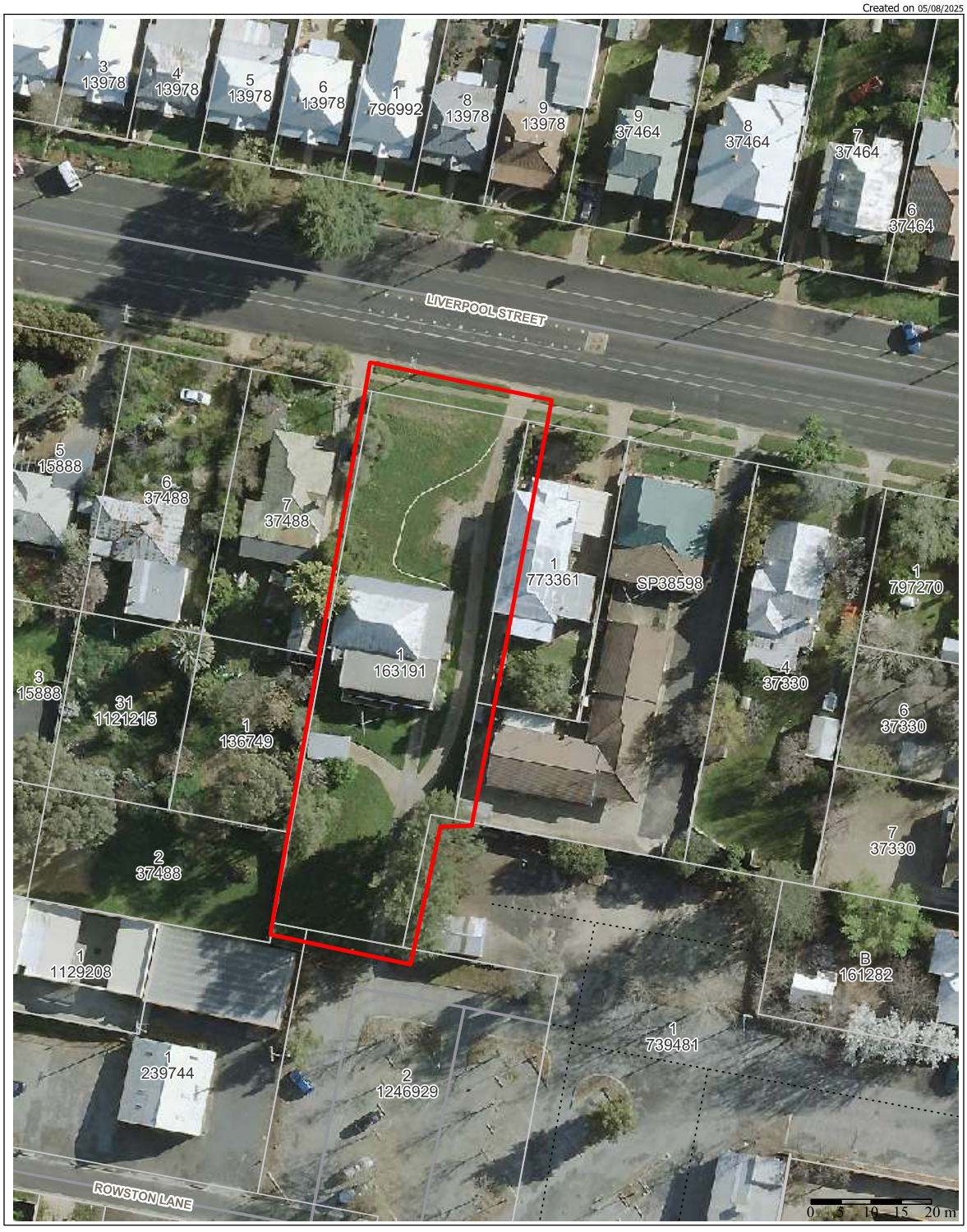

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29 July 2025
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TRAFFIC AND PARKING IMPACT ASSESSMENT

Proposed Childcare Centre

29 Liverpool Street Cowra

Prepared for: Sypher Solutions Pty Ltd

N255027A (Version 1a)

July 2025

Motion Traffic Engineers Pty Ltd
Telephone:
94033588
sydney@motiontraffic.com.au

ACN 600201583

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1.INTRODUCTION

Motion Traffic Engineers was commissioned by Sypher Solutions Pty Ltd to undertake a traffic and parking impact assessment of a proposed childcare centre at 29 Liverpool Cowra.

The site is currently a residential dwelling house and occupied. The proposed childcare centre has vehicular access and egress via Liverpool Street for the on-site parking.

This traffic report presents an assessment of the anticipated transport implications of the proposed childcare centre, with the following considerations:

- Background and existing traffic and parking conditions of the proposed childcare centre site
- Assessment of the public transport network within the vicinity of the site
- Adequacy of car, bicycle and motorcycle parking provision
- The projected traffic generation of the proposed childcare centre and;
- The transport impact of the proposed childcare centre on the surrounding road network.

In the course of preparing this assessment, the childcare centre and its environs have been inspected, plans of the development are examined, all relevant traffic and parking data have been collected and analysed.

2. BACKGROUND AND EXISTING

2.1 Location and Land Use

The proposed childcare centre is located at 29 Liverpool Street, Cowra. The proposed childcare centre development is located in a residential area and within walking distance of St Raphael's Catholic School.

The immediate surroundings of the proposed site are some residential houses with one or two storeys. The St Raphael's Catholic School is located in the western side of the proposed site, Cowra Public School located in the north side of the proposed site. The proposed childcare centre is just outside of Cowra

Figures 1 and 2 show the location of the proposed childcare centre from aerial and street map perspective respectively. Figure 2 also shows the location of the surveyed intersections in relation to the proposed site. Figure 3a and 3b shows a photography of the site frontage.

Figure 1: Location of the Proposed Childcare centre on Aerial

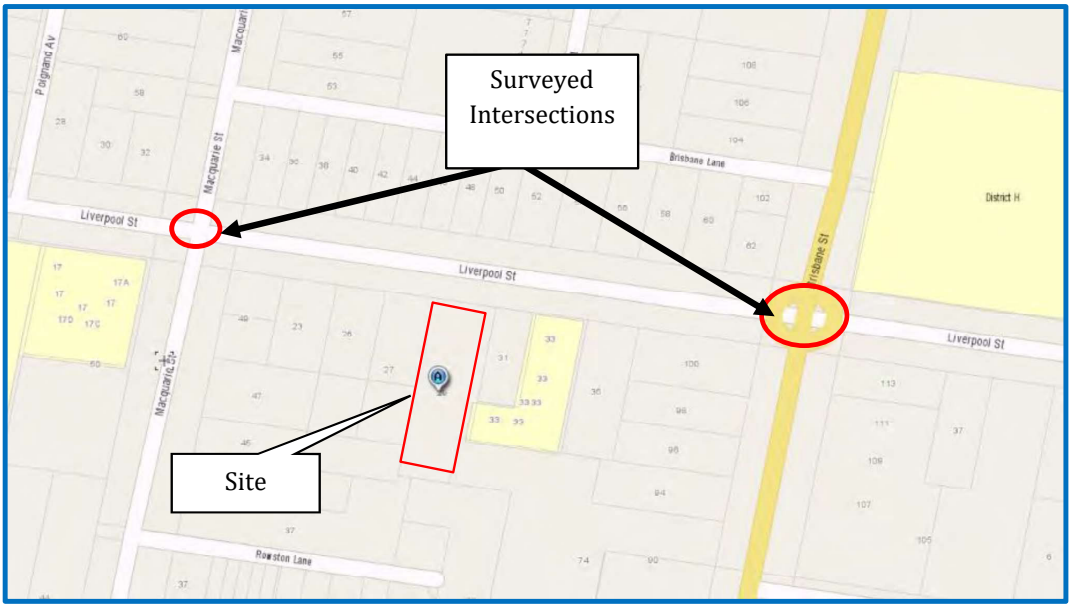

Figure 2: Location of the Proposed Site in relation to the surveyed intersection

Figure 3a: Photograph of Site from Liverpool Street

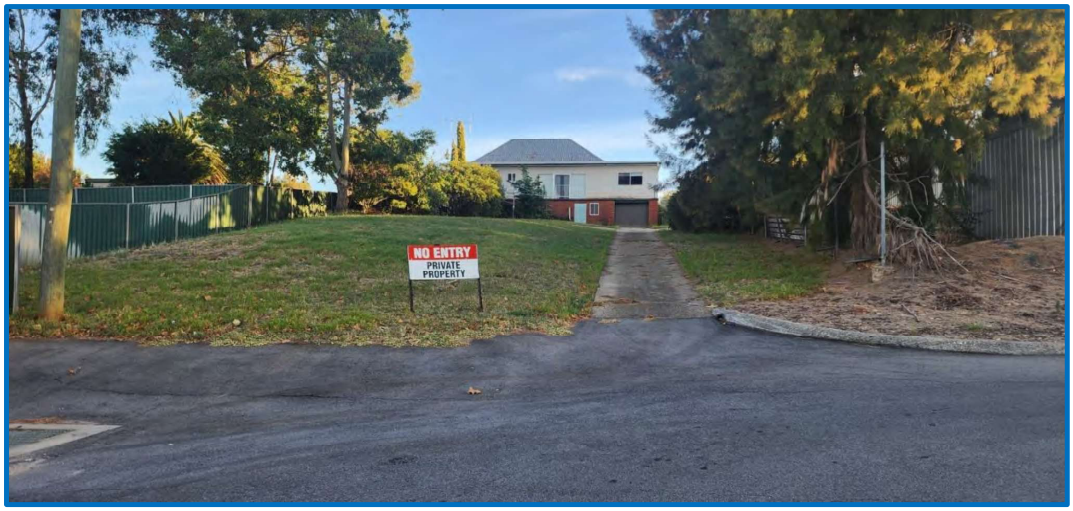

Figure 3b: Photograph of Site from Council Parking Area

2.2 Road Network

This section discusses the road network near to the proposed childcare centre.

Liverpool Street is a local road with one lane each way and runs east-west from Smith Street to the east to College Drive to the west. The 40 km/h school zone speed restriction applies from 8:00 to 9:30 AM and from 2:30 to 4:00 PM on school days. At the end of the school zone, the sign-posted speed limit returns to 50 km/h. On-street parking is un-restricted near the childcare site. Figure 4a shows a photograph of Liverpool Street.

Brisbane Street is a local road with one lane in each direction. It runs north-south from Scenic Drive in the east to Brisbane Avenue in the south. The default speed limit is 50km/hr. On-street parking is provided on both sides of the road and is time un-restricted. Figure 4b shows a photograph of Brisbane Street.

Macquarie Street is a local road with one lane each way and runs north-south from Macassar Street to the north to Taragala Street to the south. The 40 km/h speed restriction applies from 8:00 to 9:30 AM and from 2:30 to 4:00 PM on school days. At the end of the school zone, the sign-posted speed limit returns to 50 km/h. On-street parking is provided on both sides of the road and is time restricted to 2Pm towards Kendal Street or town centre. Figure 4c shows a photograph of Macquarie Street.

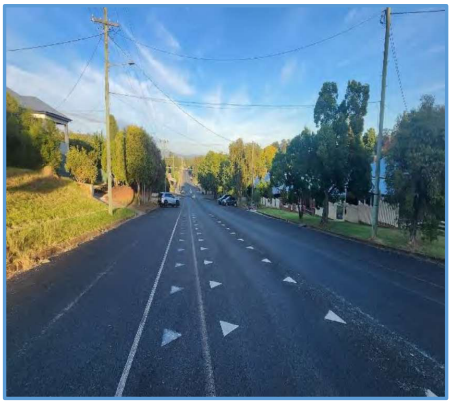

Figure 4a: Liverpool Street: Looking west from the proposed site

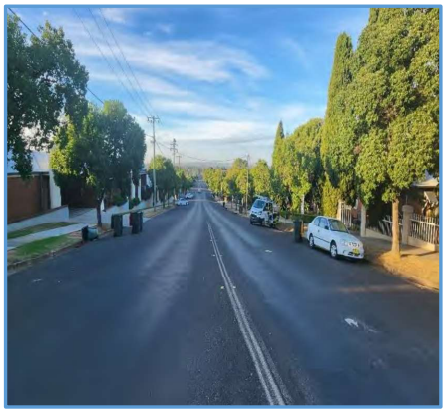

Figure 4b: Brisbane Street : Looking north from the site

Figure 4c: Macquarie Street: Looking north from the intersection of Liverpool Street

2.3 Public Transport

The proposed childcare centre is located within 400 metres which is at a walking distance to the bus station. The station provides bus services 541,544, 545 and 899.
Bus route 541 provides service from West Cowra to Cowra Town Centre ;Bus route 544 provides loop service from Taragala to Cowra Town Centre; Bus route 545 provides loop service from Mulyan &

North Cowra to Cowra Town Centre (Loop Service) and Bus route provide service from Wyangala to Canberra. Overall, the proposed site has good access to the public transport for a regional area.

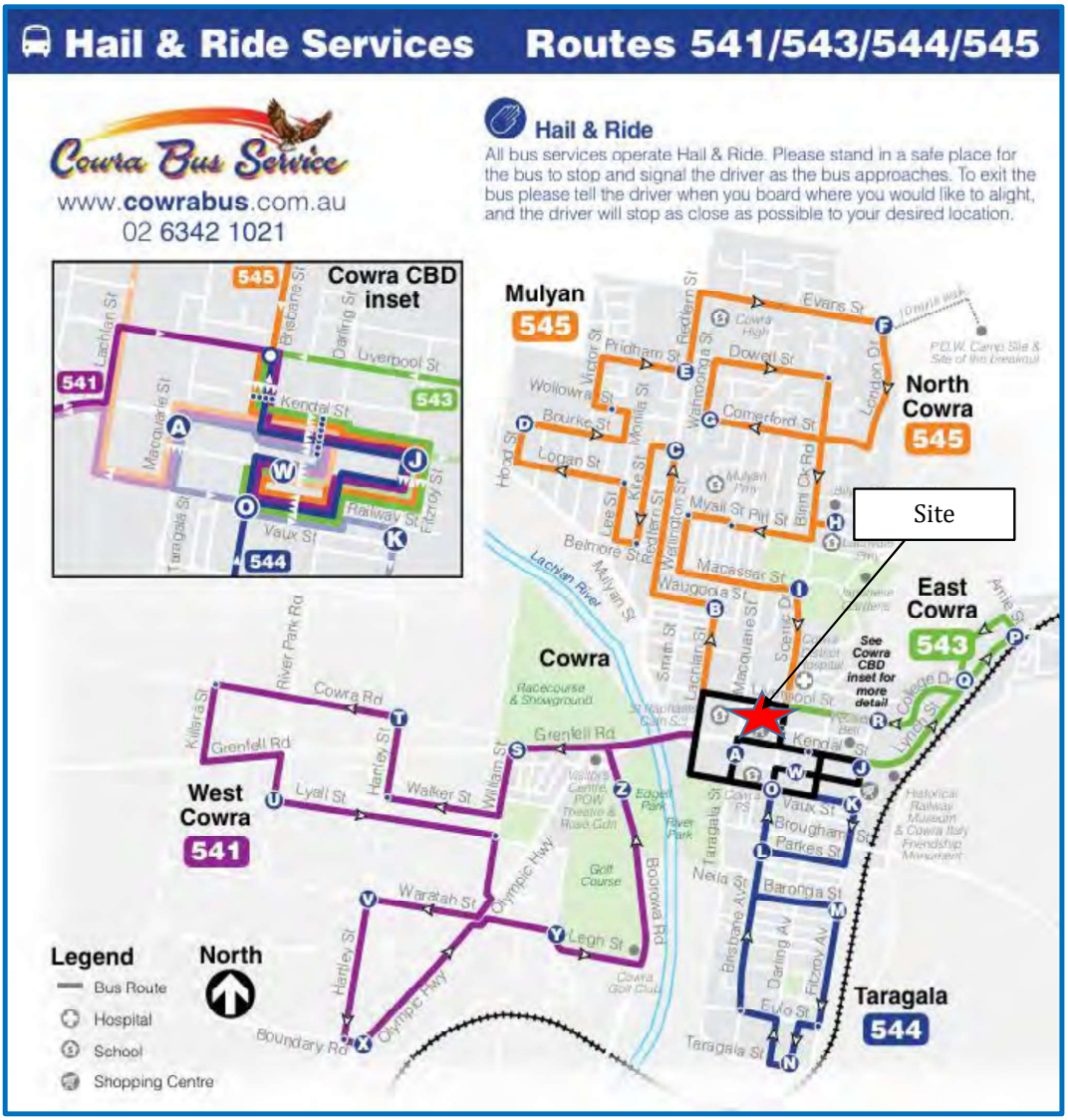

Figure 5: Bus Routes and Proposed Site Location

2.4 Public Parking

The proposed childcare centre is located within a residential area and has frontage on Liverpool Street. On-street parking is available on Macquarie Street and Brisbane Street with unrestricted parking, as well as on Liverpool Street. There are time restrictions for on-street near St Raphael's Catholic School and the road sections approaching Kendal Street.

Additionally, there is a council car parking area just behind the proposed childcare centre development, which is used by visitors to Cowra Town Centre and potentially used by the parents of the children at the proposed childcare centre. There are 42 car spaces available to the public (excludes Health parking). There are no time restrictions. There are vacant car spaces in the weekday AM and PM peak hours.

2.5 Intersection Description

As part of the traffic impact assessment, the performance of the nearby intersection was surveyed and assessed:

- Stop Intersection of Liverpool Street with Macquarie Street
- Roundabout Intersection of Liverpool Street with Brisbane Street

External traffic travelling to and from the on-site parking is likely to travel through the intersection mentioned above.

The stop intersection of Liverpool Street with Macquarie Street is a four-leg intersection with one lane in each direction overall with all turning movements are permitted. Drivers on Macquarie Street must stop and give way to vehicles on Liverpool Street .Figure 6a presents the layout of this intersection using SIDRA 9.1– an industry standard intersection assessment software and Figure 6b represents the ariel view of the intersection.

The roundabout intersection of Liverpool Street with Brisbane Street is a four-leg intersection with one circulating lane . Figure 6c presents the layout of this intersection using SIDRA 9.1 and Figure 6d represents the ariel view of the intersection. The number on the island represents the diameter in metres.

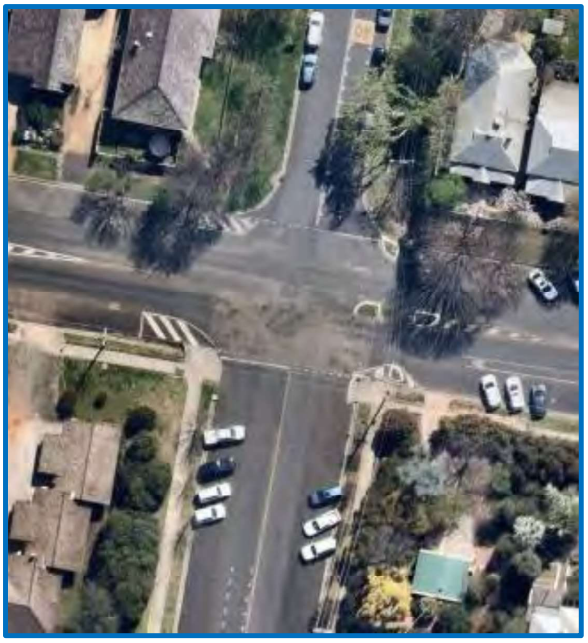

Figure 6a: Stop Intersection of Liverpool Street with Macquarie Street (Aerial View)

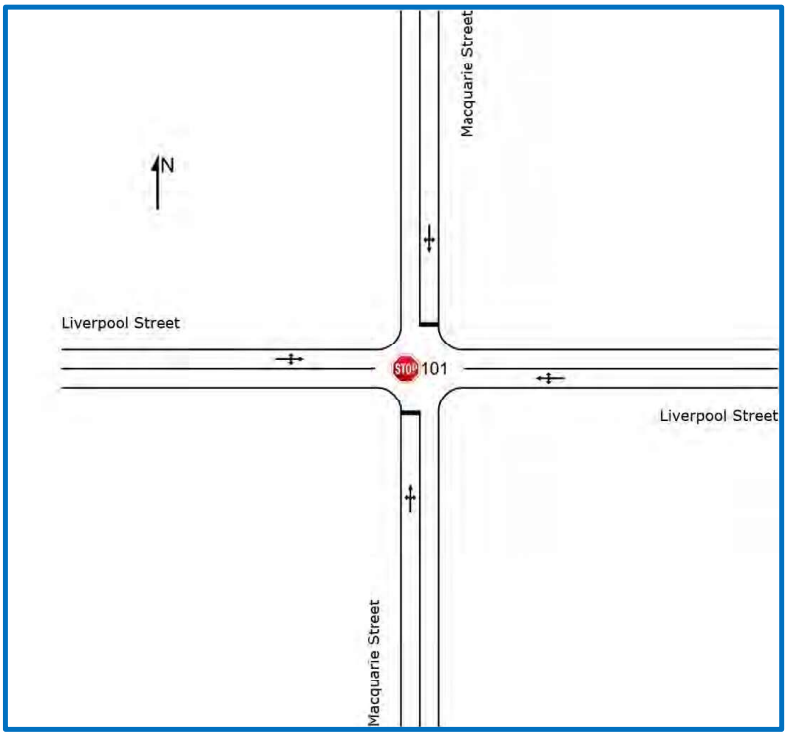

Figure 6b: Stop Intersection of Liverpool Street with Macquarie Street (SIDRA)

Traffic and Parking Impact Assessment for a Childcare centre
29 Liverpool Street, Cowra [N255027A Report 1a]

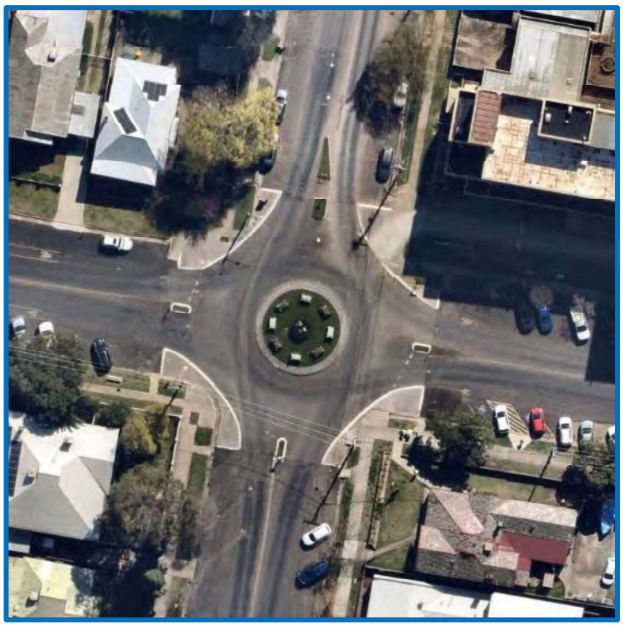

Figure 6c: Roundabout Intersection of Liverpool Street with Brisbane Street

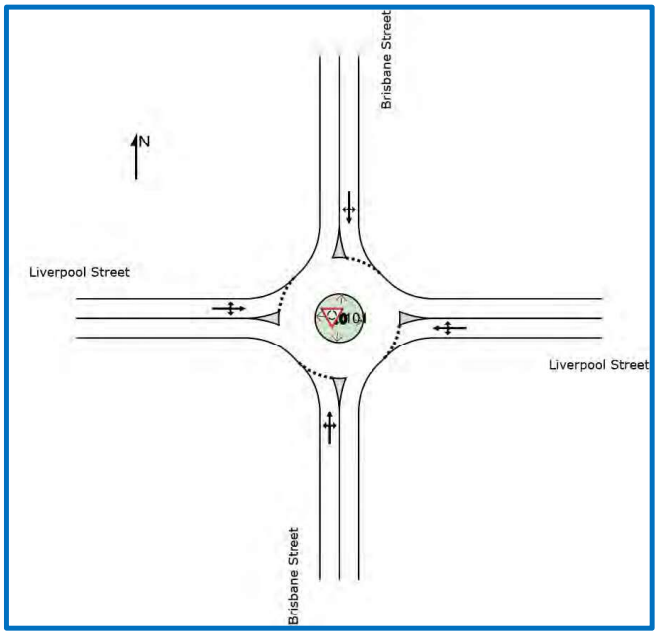

Figure 6d: Roundabout Intersection of Liverpool Street with Brisbane Street (SIDRA)

2.6 Existing Vehicle Traffic Volume

As part of the traffic assessment, traffic counts have been undertaken at the above-mentioned intersections and the AM and PM peak hours are identified accordingly. The AM peak hour is 7:45am to 8:45am and the PM peak hour is 4:45pm to 5:45pm.

The following Figures present the traffic volumes in vehicles for the weekday peak hours. The bracketed numbers are trucks or buses. The un-bracketed are cars.

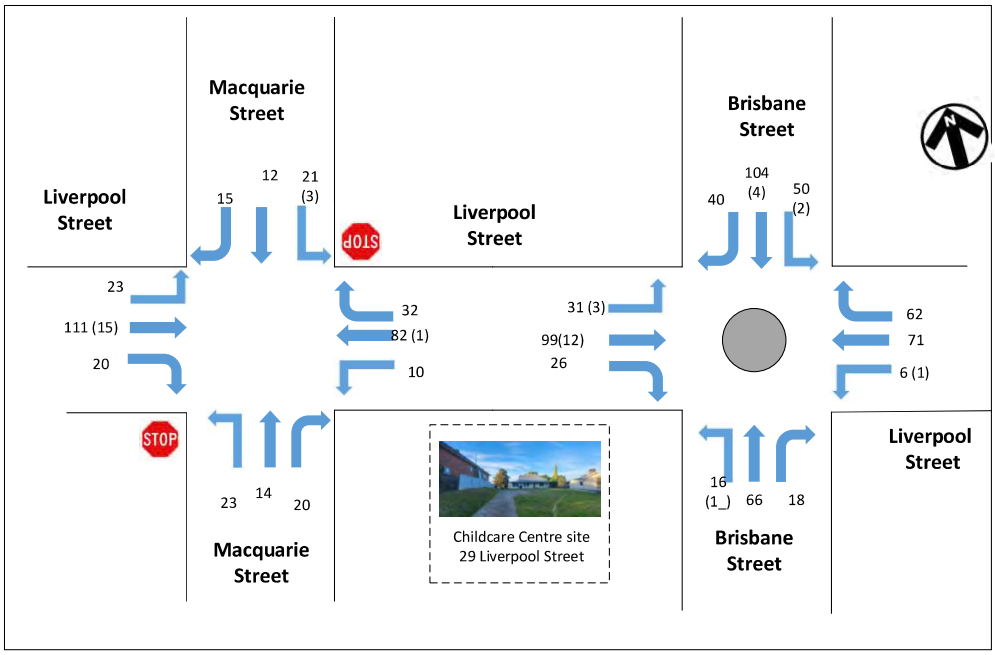

Figure 7a: Existing Weekday Traffic Volumes AM Peak Hour

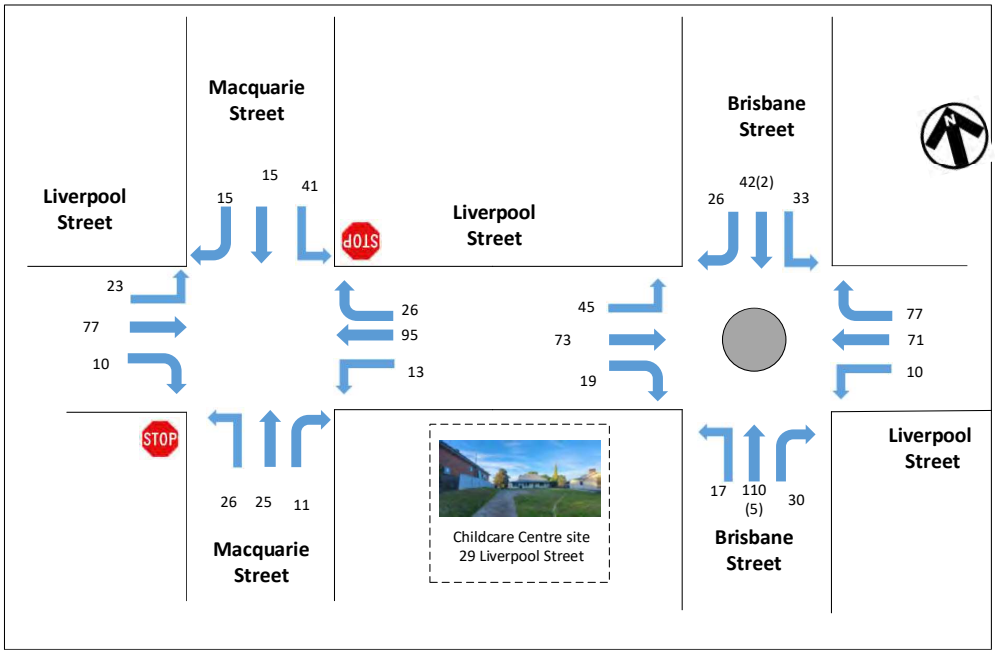

Figure 7b: Existing Weekday Traffic Volumes PM Peak Hour

2.7 Intersection Assessment with Existing Vehicle Traffic

An intersection assessment has been undertaken for the

- Stop Intersection of Liverpool Street with Macquarie Street
- Roundabout Intersection of Liverpool Street with Brisbane Street

The existing intersection operating performance was assessed using the SIDRA software package (version 9.1) to determine the Degree of Saturation (DS), Average Delay (AVD in seconds) and Level of Service (LoS) at each intersection. The SIDRA program provides Level of Service Criteria Tables for various intersection types. The key indicator of intersection performance is Level of Service, where results are placed on a continuum from 'A' to 'F', as shown in Table 1.

LoS	Traffic Signal / Roundabout	Give Way / Stop Sign / T-Junction control
A	Good operation	Good operation
B	Good with acceptable delays and spare capacity	Acceptable delays and spare capacity
C	Satisfactory	Satisfactory, but accident study required
D	Operating near capacity	Near capacity & accident study required
E	At capacity, at signals incidents will cause excessive delays.	At capacity, requires other control mode
F	Unsatisfactory and requires additional capacity, Roundabouts require other control mode	At capacity, requires other control mode

Table 1: Intersection Level of Service

The Average Vehicle Delay (AVD) provides a measure of the operational performance of an intersection as indicated below, which relates AVD to LOS. The AVD's should be taken as a guide only as longer delays could be tolerated in some locations (i.e. inner city conditions) and on some roads (i.e. minor side street intersecting with a major arterial route). For traffic signals, the average delay over all movements should be taken. For roundabouts and priority control intersections (sign control) the critical movement for level of service assessment should be that movement with the highest average delay.

LoS	Average Delay per Vehicles (seconds/vehicle)
A	Less than 14
B	15 to 28
C	29 to 42
D	43 to 56
E	57 to 70
F	>70

Table 2: Intersection Average Delay (AVD)

The degree of saturation (DS) is another measure of the operational performance of individual intersections. For intersections controlled by traffic signals both queue length and delay increase rapidly as DS approaches 1. It is usual to attempt to keep DS to less than 0.9. Degrees of Saturation in the order of 0.7 generally represent satisfactory intersection operation. When DS exceed 0.9 queues can be anticipated.

The results of the intersection analysis are as follows:

Intersection/ Performance criteria	AM Peak Hour Existing	PM Peak Hour Existing
Liverpool Street /Macquarie Street		
LoS	N/A (worst case A)	N/A (worst case A)
AVD	3.5	3.9
DS	0.102	0.078
Liverpool Street /Brisbane Street		
LoS	A	A
AVD	5.4	5.4
DS	0.189	0.157

Table 3: Existing Intersection Performances

As presented in Table 3, both intersections are currently operating in excellent condition. Overall, there is spare capacity to accommodate additional traffic. The full intersection results are presented in Appendix A.

2.8 Conclusion of Existing Conditions

The proposed childcare centre is located in an area where there are a reasonable number of vacant car spaces is available on Macquarie Street and Brisbane Street with unrestricted parking and on Liverpool Street, except during the 8:00–9:10 AM period in the weekday .

On-street is available on Liverpool Street near the proposed childcare centre. There is a Council car park to the rear of the proposed childcare centre and has many vacant car spaces before 9am and after 5pm.

Both the intersections assessed perform well with spare capacity to accommodate additional traffic due to the right turn movement from both roads having acceptable level of services.

3.PROPOSED CHILDCARE CENTRE

A description of the development for which approval is now sought features the following:

- Demolition of existing dwelling house
- Construction of new childcare centre

The Proposed Childcare Centre will accommodate the following number of children and staff:

- Number of children: 64

3.1 Car Parking

Car parking is provided at ground level. Vehicles access and egress to the ground level are via driveways that run off Liverpool Street .

- 11 car spaces including an accessible car space

However, the provision of eleven car spaces does not comply with the *Cowra Shire Council Development Control Plan 2021* requirements, as will be discussed in Section 4.

There is a council-owned public parking area to the rear of the site with a capacity of 42 car spaces for the general public. The council car park has low occupancy before 9am and after 5pm. Vehicles can access and exit this area via Rowston Lane, as shown in Figure 8b, and also via Brisbane Street.

The council carpark services the parking requirements of Cowra Town Centres. There is a large number of vacant car spaces during the childcare drop off period.

Many of the nearby business in Cowra Town Centre open after 9am or after the drop off period. Some business may be open before but would not be at full capacity. Hence parking occupancy is low in the Council car parking

Children from the proposed will be pickup from 3pm with the majority between 5pm to 6pm (slightly earlier). Most business, other than restaurants and pub, close at 5pm with car parking occupancy in the council car park low after 5pm.

Figure 8a: Council Public Parking Area (before 9am)

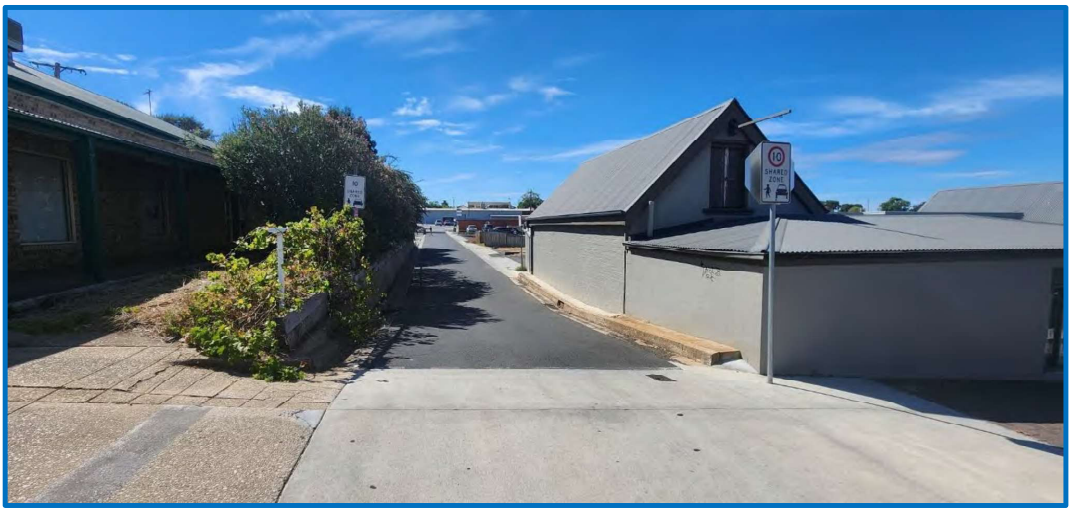

Figure 8b: Rowston Lane

A full scaled plan of the proposed childcare centre is provided as part of the Development Application.

4. PARKING REQUIREMENTS

4.1 Car Parking

The *Cowra Shire Council Development Control Plan 2021* provides minimum car parking rates for *Childcare Planning Guideline* developments as follows.

- 1 space for every 4 children
- 1 space per 2 staff members

Table 4b below presents the minimum car parking requirement for the proposed childcare centre based on the car parking rates listed above.

	Number of people	Car Parking Rate	Car Spaces Required	Car Spaces Provided
Children	64	1 space per 4 children	16	11
Staff	13	1 space per 2 staff members	7	
		Total	23	

Table 4a: Summary *Cowra Shire Council Development Control Plan 2021* of Car Parking Requirements

As presented in Table 4a above, there is an overall shortfall of twelve car spaces.

As discussed previously, the proposed childcare will need to rely on the council car park located to the rear of the childcare site.

As discussed previously there are sufficient vacant car spaces in the weekday drop off and pick peak hour to accommodate the additional car parking requirements of the proposed childcare centre without impacting on the visitors to Cowra Town Centres.

The proposed childcare centre is within walking distance to Saint Raphael's Catholic School. There will be some families that will have a child at the proposed childcare centre and another at the nearby School. This may reduce car parking requirements by two car spaces.

As a result, the proposal aligns with the council's car parking requirements by offering sufficient parking options and maintaining accessibility for all users of the site.

4.2 Traffic Management Plan

A traffic management plan will be implemented to encourage staff to use public bus services, car share, cycle or walk.

4.3 Staff Parking Demand

Staff arrivals and departures are staged/staggered to ensure that the staff-student ratio is maintained with all staff on site in the core 9am to 5pm hour with peak staff car parking demand in the core period and does not coincide with the main drop off and pick up periods. The site also has sufficient car spaces for both parents and staff.

5. TRAFFIC GENERATION AND IMPACT

5.1 Proposed Traffic Generation

The *NSW Guide to Transport Impact Assessment 2024* outlines the trip generation rates for a Childcare Centre as follows.

- 0.9 trips per child for the AM peak hour
- 0.8 trips per child for the PM peak hour

Application of the above-mentioned rates to the proposed childcare centre results at the peak hour trip generation presented in Table 5a below:

Peak Hour	Land Use	Number of Children	Trip Generation Rate	Trip Generated
AM	Childcare Centre	64	0.9	58
PM			0.8	51

Table 5a: Trips generated by the proposed childcare centre in weekday peak hours

The proposed childcare centre is a moderate trip generator.

5.2 Traffic Distribution

The proposed childcare centre is a moderate trip generator in both AM and PM peak hours
The predicted Childcare trips are distributed to the road network assuming 50 percent origin trips 50 percent destination trips for the AM peak hour and 50 percent origin trips 50 percent destination trips for the PM peak hour and the existing trips are subtracted from the childcare trips to obtain the childcare centre trips generation, which results the following tips:

	Origin	Destination	Total
AM Peak Hour	29	29	58
PM Peak Hour	25	26	51

Table 8: Net trip distribution

5.3 Traffic Volume with Childcare Centre Traffic

The additional childcare centre trips are assigned onto the local traffic network. The following figures present the future traffic volume with the childcare centre trips (in red for origin trips and blue for destination trips) for the weekday AM and PM peak hours.

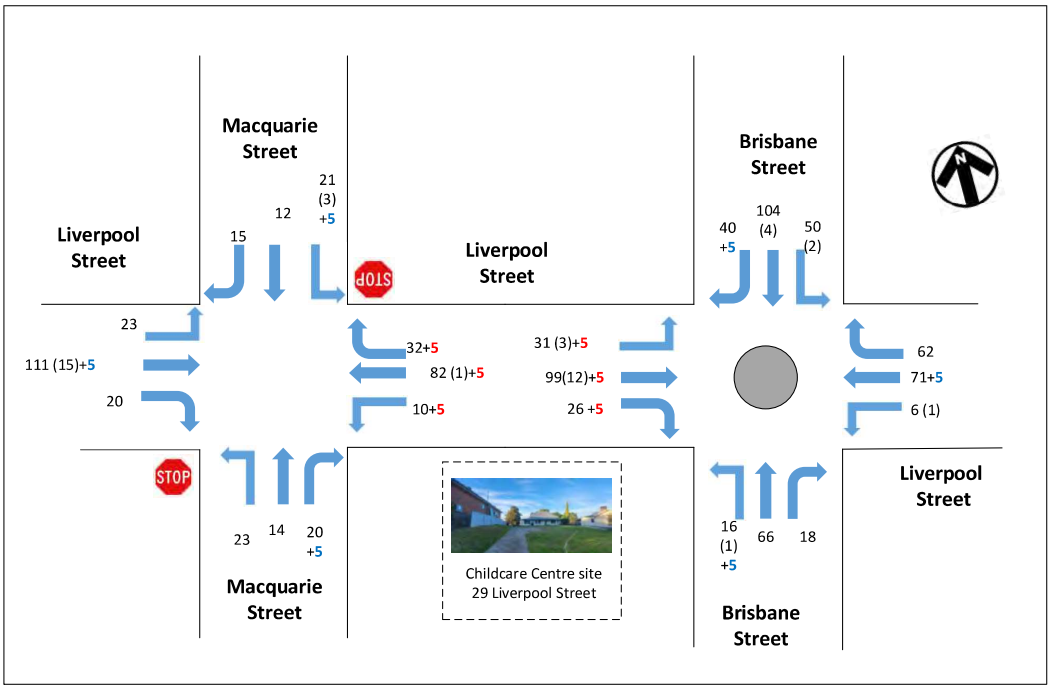

Figure 9a: Existing Weekday Traffic Volumes with childcare centre traffic AM Peak Hour

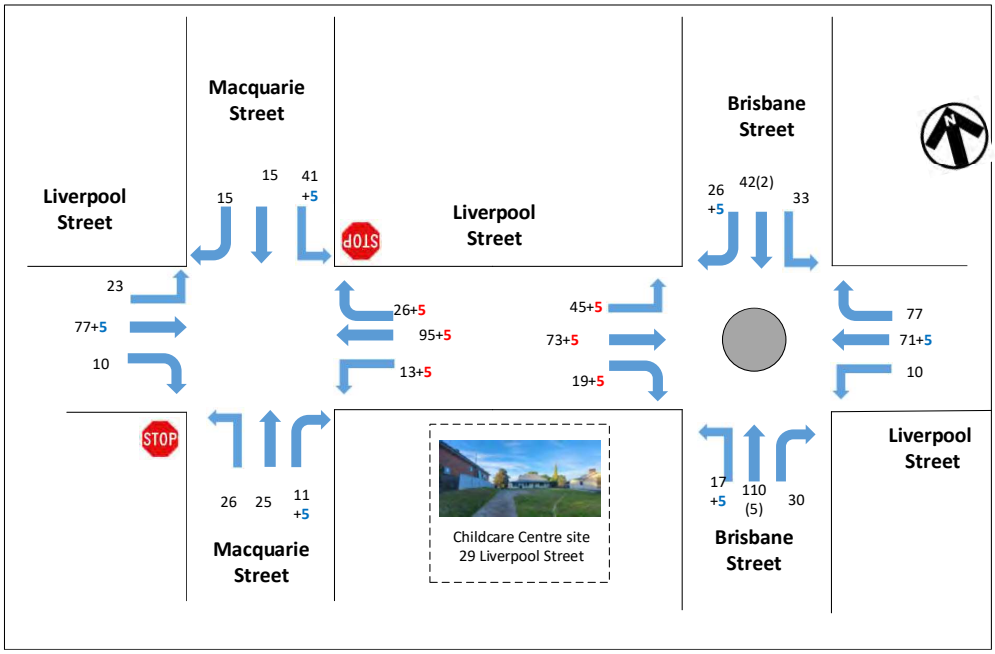

Figure 9b: Existing Weekday Traffic Volumes with childcare centre traffic PM Peak Hour

5.4 Traffic Impact

This section assesses the following intersections for the existing traffic with the childcare traffic. The results of the intersection assessment are as follows:

Intersection/ Performance criteria	Performance with Existing Traffic		Projected Performance with Existing and childcare centre traffic	
	AM Peak Hour Existing	PM Peak Hour Existing	AM Peak Hour Projected	PM Peak Hour Projected
Liverpool Street/Macquarie Street				
LoS	N/A (worst case A)	N/A (worst case A)	N/A (worst case A)	N/A (worst case A)
AVD	3.5	3.9	3.6	4
DS	0.102	0.078	0.104	0.087
Liverpool Street/Brisbane Street				
LoS	A	A	A	A
AVD	5.4	5.4	5.5	5.5
DS	0.189	0.157	0.196	0.163

Table 7: Projected intersection performance with childcare centre traffic

As presented in Table 7 above, the additional trips generated by the proposed childcare centre have minimum impact on the intersection performances in both AM and PM peak hours. The LoS, AVD and DS of each intersection are not significantly affected by the addition of childcare centre traffic.

The traffic impacts of the proposed childcare centre are therefore considered acceptable.
The full SIDRA results are presented in Appendix B for the intersection assessment with the childcare centre traffic.

6. CONCLUSIONS

This traffic impact assessment reports relates to a proposed childcare centre at 29 Liverpool Street in Cowra. Based on the analysis and discussions presented in this report, the following conclusions are made:

- The childcare centre is located in a residential area with good access to local public transport services. Vacant on-street parking spaces are available on Liverpool Street.
- Both the intersections currently perform well with spare capacity to accommodate additional traffic.
- The proposed childcare relies on Council's car space to comply with an adequate number of car spaces
- The proposed childcare centre is within walking distance to Sant Raphael's Catholic School. There will be some families that will have a child at the proposed childcare centre and another at the nearby School. This may reduce car parking requirements by two car spaces.
- The proposed childcare centre is expected to generate moderate number of additional trips in both AM and PM peak hours.
- According to the intersection assessment, the additional trips can be accommodated in the nearby intersections without significantly affecting the performance of any turn movement, approach arm or the overall intersection. The traffic impacts of the proposed childcare centre are therefore considered acceptable.

APPENDIX A

INTERSECTION ASSESSMENT FOR EXISTING TRAFFIC

Vehicle Movement Performance

Mov ID	Turn	Mov Class	Demand Flows [Total veh/h	HV] %	Arrival Flows [Total veh/h	HV] %	Deg. Satn v/c	Aver. Delay sec	Level of Service	95% Back Of Queue [Veh. veh	Dist] m	Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed km/h
South: Macquarie Street															
1	L2	All MCs	26	8.0	26	8.0	0.068	8.1	LOS A	0.2	1.8	0.29	0.89	0.29	44.0
2	T1	All MCs	15	0.0	15	0.0	0.068	8.9	LOS A	0.2	1.8	0.29	0.89	0.29	44.1
3	R2	All MCs	21	0.0	21	0.0	0.068	9.1	LOS A	0.2	1.8	0.29	0.89	0.29	43.9
Approach			62	3.4	62	3.4	0.068	8.6	LOS A	0.2	1.8	0.29	0.89	0.29	44.0
East: Liverpool Street															
4	L2	All MCs	11	0.0	11	0.0	0.073	5.0	LOS A	0.2	1.6	0.17	0.23	0.17	47.4
5	T1	All MCs	87	1.2	87	1.2	0.073	0.2	LOS A	0.2	1.6	0.17	0.23	0.17	48.5
6	R2	All MCs	34	0.0	34	0.0	0.073	5.1	LOS A	0.2	1.6	0.17	0.23	0.17	47.1
Approach			132	0.8	132	0.8	0.073	1.8	NA	0.2	1.6	0.17	0.23	0.17	48.1
North: Macquarie Street															
7	L2	All MCs	25	12.5	25	12.5	0.059	8.5	LOS A	0.2	1.6	0.32	0.89	0.32	44.0
8	T1	All MCs	13	0.0	13	0.0	0.059	8.8	LOS A	0.2	1.6	0.32	0.89	0.32	44.1
9	R2	All MCs	16	0.0	16	0.0	0.059	9.2	LOS A	0.2	1.6	0.32	0.89	0.32	43.9
Approach			54	5.9	54	5.9	0.059	8.8	LOS A	0.2	1.6	0.32	0.89	0.32	44.0
West: Liverpool Street															
10	L2	All MCs	24	0.0	24	0.0	0.102	4.8	LOS A	0.2	1.5	0.08	0.16	0.08	47.7
11	T1	All MCs	133	11.9	133	11.9	0.102	0.1	LOS A	0.2	1.5	0.08	0.16	0.08	48.9
12	R2	All MCs	23	9.1	23	9.1	0.102	5.0	LOS A	0.2	1.5	0.08	0.16	0.08	47.4
Approach			180	9.9	180	9.9	0.102	1.3	NA	0.2	1.5	0.08	0.16	0.08	48.6
All Vehicles			427	5.7	427	5.7	0.102	3.5	NA	0.2	1.8	0.17	0.38	0.17	47.1

Table A1: Weekday Stop Intersection Performance of Liverpool Street with Macquarie Street for the AM Peak Hour

Vehicle Movement Performance															
Mov ID	Turn	Mov Class	Demand Flows [Total veh/h	HV] %	Arrival Flows [Total veh/h	HV] %	Deg. Satn v/c	Aver. Delay sec	Level of Service	95% Back Of Queue [Veh. veh	Dist] m	Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed km/h
South: Brisbane Street															
1	L2	All MCs	18	5.9	18	5.9	0.101	4.7	LOS A	0.5	3.8	0.37	0.51	0.37	45.3
2	T1	All MCs	69	0.0	69	0.0	0.101	4.6	LOS A	0.5	3.8	0.37	0.51	0.37	45.7
3	R2	All MCs	22	14.3	22	14.3	0.101	8.1	LOS A	0.5	3.8	0.37	0.51	0.37	45.0
Approach			109	3.8	109	3.8	0.101	5.3	LOS A	0.5	3.8	0.37	0.51	0.37	45.5
East: Liverpool Street															
4	L2	All MCs	7	14.3	7	14.3	0.134	4.9	LOS A	0.7	5.0	0.38	0.55	0.38	44.8
5	T1	All MCs	75	0.0	75	0.0	0.134	4.6	LOS A	0.7	5.0	0.38	0.55	0.38	45.3
6	R2	All MCs	65	0.0	65	0.0	0.134	7.9	LOS A	0.7	5.0	0.38	0.55	0.38	44.8
Approach			147	0.7	147	0.7	0.134	6.1	LOS A	0.7	5.0	0.38	0.55	0.38	45.0
North: Brisbane Street															
7	L2	All MCs	55	3.8	55	3.8	0.189	4.6	LOS A	1.1	7.6	0.37	0.51	0.37	45.3
8	T1	All MCs	114	3.7	114	3.7	0.189	4.6	LOS A	1.1	7.6	0.37	0.51	0.37	45.6
9	R2	All MCs	42	0.0	42	0.0	0.189	7.8	LOS A	1.1	7.6	0.37	0.51	0.37	45.1
Approach			211	3.0	211	3.0	0.189	5.2	LOS A	1.1	7.6	0.37	0.51	0.37	45.4
West: Liverpool Street															
10	L2	All MCs	36	8.8	36	8.8	0.157	4.7	LOS A	0.8	6.0	0.35	0.50	0.35	45.4
11	T1	All MCs	109	4.8	109	4.8	0.157	4.6	LOS A	0.8	6.0	0.35	0.50	0.35	45.7
12	R2	All MCs	27	0.0	27	0.0	0.157	7.7	LOS A	0.8	6.0	0.35	0.50	0.35	45.2
Approach			173	4.9	173	4.9	0.157	5.1	LOS A	0.8	6.0	0.35	0.50	0.35	45.6
All Vehicles			640	3.1	640	3.1	0.189	5.4	LOS A	1.1	7.6	0.37	0.51	0.37	45.4

Table A2: Weekday Roundabout Intersection Performance of Liverpool Street with Brisbane Street for the AM Peak Hour

Vehicle Movement Performance														
Mov ID	Turn	Mov Class	Demand Flows [Total veh/h	HV] %	Arrival Flows [Total veh/h	HV] %	Deg. Satn v/c	Aver. Delay sec	Level of Service	95% Back Of Queue [Veh. veh	Dist] m	Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed km/h
South: Macquarie Street															
1	L2	All MCs	29	7.1	29	7.1	0.068	8.1	LOS A	0.3	1.8	0.28	0.90	0.28	44.1
2	T1	All MCs	26	0.0	26	0.0	0.068	8.5	LOS A	0.3	1.8	0.28	0.90	0.28	44.2
3	R2	All MCs	12	0.0	12	0.0	0.068	8.8	LOS A	0.3	1.8	0.28	0.90	0.28	44.1
Approach			67	3.1	67	3.1	0.068	8.4	LOS A	0.3	1.8	0.28	0.90	0.28	44.2
East: Liverpool Street															
4	L2	All MCs	14	0.0	14	0.0	0.078	4.8	LOS A	0.2	1.4	0.10	0.18	0.10	47.6
5	T1	All MCs	103	3.1	103	3.1	0.078	0.1	LOS A	0.2	1.4	0.10	0.18	0.10	48.8
6	R2	All MCs	27	0.0	27	0.0	0.078	4.9	LOS A	0.2	1.4	0.10	0.18	0.10	47.4
Approach			144	2.2	144	2.2	0.078	1.4	NA	0.2	1.4	0.10	0.18	0.10	48.4
North: Macquarie Street															
7	L2	All MCs	43	0.0	43	0.0	0.071	7.7	LOS A	0.3	1.9	0.24	0.89	0.24	44.3
8	T1	All MCs	16	0.0	16	0.0	0.071	8.5	LOS A	0.3	1.9	0.24	0.89	0.24	44.2
9	R2	All MCs	16	0.0	16	0.0	0.071	8.8	LOS A	0.3	1.9	0.24	0.89	0.24	44.1
Approach			75	0.0	75	0.0	0.071	8.1	LOS A	0.3	1.9	0.24	0.89	0.24	44.2
West: Liverpool Street															
10	L2	All MCs	24	0.0	24	0.0	0.064	4.7	LOS A	0.1	0.8	0.08	0.19	0.08	47.7
11	T1	All MCs	81	0.0	81	0.0	0.064	0.1	LOS A	0.1	0.8	0.08	0.19	0.08	48.9
12	R2	All MCs	13	16.7	13	16.7	0.064	5.2	LOS A	0.1	0.8	0.08	0.19	0.08	47.2
Approach			118	1.8	118	1.8	0.064	1.6	NA	0.1	0.8	0.08	0.19	0.08	48.4
All Vehicles			404	1.8	404	1.8	0.078	3.9	NA	0.3	1.9	0.15	0.44	0.15	46.9

Table A3: Weekday Stop Intersection Performance of Liverpool Street with Macquarie Street for the PM Peak Hour

Vehicle Movement Performance															
Mov ID	Turn	Mov Class	Demand Flows [Total veh/h	HV] %	Arrival Flows [Total veh/h	HV] %	Deg. Satn v/c	Aver. Delay sec	Level of Service	95% Back Of Queue [Veh. veh	Dist] m	Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed km/h
South: Brisbane Street															
1	L2	All MCs	18	0.0	18	0.0	0.157	4.6	LOS A	0.8	6.0	0.38	0.51	0.38	45.3
2	T1	All MCs	121	4.3	121	4.3	0.157	4.7	LOS A	0.8	6.0	0.38	0.51	0.38	45.6
3	R2	All MCs	32	0.0	32	0.0	0.157	7.9	LOS A	0.8	6.0	0.38	0.51	0.38	45.1
Approach			171	3.1	171	3.1	0.157	5.3	LOS A	0.8	6.0	0.38	0.51	0.38	45.5
East: Liverpool Street															
4	L2	All MCs	11	0.0	11	0.0	0.136	4.1	LOS A	0.7	5.0	0.26	0.52	0.26	45.2
5	T1	All MCs	75	0.0	75	0.0	0.136	4.1	LOS A	0.7	5.0	0.26	0.52	0.26	45.5
6	R2	All MCs	81	0.0	81	0.0	0.136	7.4	LOS A	0.7	5.0	0.26	0.52	0.26	45.0
Approach			166	0.0	166	0.0	0.136	5.7	LOS A	0.7	5.0	0.26	0.52	0.26	45.2
North: Brisbane Street															
7	L2	All MCs	35	0.0	35	0.0	0.095	4.3	LOS A	0.5	3.5	0.31	0.50	0.31	45.5
8	T1	All MCs	46	4.5	46	4.5	0.095	4.3	LOS A	0.5	3.5	0.31	0.50	0.31	45.7
9	R2	All MCs	27	0.0	27	0.0	0.095	7.5	LOS A	0.5	3.5	0.31	0.50	0.31	45.2
Approach			108	1.9	108	1.9	0.095	5.1	LOS A	0.5	3.5	0.31	0.50	0.31	45.5
West: Liverpool Street															
10	L2	All MCs	47	0.0	47	0.0	0.136	4.9	LOS A	0.7	5.0	0.42	0.53	0.42	45.4
11	T1	All MCs	77	0.0	77	0.0	0.136	4.9	LOS A	0.7	5.0	0.42	0.53	0.42	45.6
12	R2	All MCs	20	0.0	20	0.0	0.136	8.2	LOS A	0.7	5.0	0.42	0.53	0.42	45.1
Approach			144	0.0	144	0.0	0.136	5.4	LOS A	0.7	5.0	0.42	0.53	0.42	45.5
All Vehicles			589	1.3	589	1.3	0.157	5.4	LOS A	0.8	6.0	0.34	0.52	0.34	45.4

Table A4: Weekday Roundabout Intersection Performance of Liverpool Street with Brisbane Street for the PM Peak Hour

APPENDIX B

INTERSECTION ASSESSMENT WITH CHILDCARE CENTRE TRAFFIC

Vehicle Movement Performance

Mov ID	Turn	Mov Class	Demand Flows [Total veh/h	HV] %	Arrival Flows [Total veh/h	HV] %	Deg. Satn v/c	Aver. Delay sec	Level of Service	95% Back Of Queue [Veh. veh	Dist] m	Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed km/h
South: Macquarie Street															
1	L2	All MCs	26	8.0	26	8.0	0.077	8.1	LOS A	0.3	2.0	0.31	0.89	0.31	43.9
2	T1	All MCs	15	0.0	15	0.0	0.077	9.0	LOS A	0.3	2.0	0.31	0.89	0.31	44.0
3	R2	All MCs	26	0.0	26	0.0	0.077	9.3	LOS A	0.3	2.0	0.31	0.89	0.31	43.9
Approach			67	3.1	67	3.1	0.077	8.8	LOS A	0.3	2.0	0.31	0.89	0.31	43.9
East: Liverpool Street															
4	L2	All MCs	16	0.0	16	0.0	0.082	5.0	LOS A	0.3	1.9	0.18	0.25	0.18	47.2
5	T1	All MCs	93	1.1	93	1.1	0.082	0.2	LOS A	0.3	1.9	0.18	0.25	0.18	48.4
6	R2	All MCs	39	0.0	39	0.0	0.082	5.1	LOS A	0.3	1.9	0.18	0.25	0.18	47.0
Approach			147	0.7	147	0.7	0.082	2.0	NA	0.3	1.9	0.18	0.25	0.18	47.9
North: Macquarie Street															
7	L2	All MCs	31	10.3	31	10.3	0.064	8.5	LOS A	0.2	1.7	0.33	0.89	0.33	44.0
8	T1	All MCs	13	0.0	13	0.0	0.064	8.9	LOS A	0.2	1.7	0.33	0.89	0.33	44.1
9	R2	All MCs	16	0.0	16	0.0	0.064	9.3	LOS A	0.2	1.7	0.33	0.89	0.33	43.9
Approach			59	5.4	59	5.4	0.064	8.8	LOS A	0.2	1.7	0.33	0.89	0.33	44.0
West: Liverpool Street															
10	L2	All MCs	24	0.0	24	0.0	0.104	4.8	LOS A	0.2	1.5	0.08	0.16	0.08	47.8
11	T1	All MCs	138	11.5	138	11.5	0.104	0.1	LOS A	0.2	1.5	0.08	0.16	0.08	49.0
12	R2	All MCs	23	9.1	23	9.1	0.104	5.0	LOS A	0.2	1.5	0.08	0.16	0.08	47.4
Approach			185	9.7	185	9.7	0.104	1.3	NA	0.2	1.5	0.08	0.16	0.08	48.6
All Vehicles			459	5.3	459	5.3	0.104	3.6	NA	0.3	2.0	0.18	0.39	0.18	47.0

Table B1: Weekday Stop Intersection Performance of Liverpool Street with Macquarie Street for the AM Peak Hour with Childcare Traffic

Vehicle Movement Performance															
Mov ID	Turn	Mov Class	Demand Flows [Total veh/h	HV] %	Arrival Flows [Total veh/h	HV] %	Deg. Satn v/c	Aver. Delay sec	Level of Service	95% Back Of Queue [Veh. veh	Dist] m	Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed km/h
South: Brisbane Street															
1	L2	All MCs	23	4.5	23	4.5	0.107	4.7	LOS A	0.6	4.0	0.38	0.51	0.38	45.3
2	T1	All MCs	69	0.0	69	0.0	0.107	4.6	LOS A	0.6	4.0	0.38	0.51	0.38	45.7
3	R2	All MCs	22	14.3	22	14.3	0.107	8.2	LOS A	0.6	4.0	0.38	0.51	0.38	44.9
Approach			115	3.7	115	3.7	0.107	5.3	LOS A	0.6	4.0	0.38	0.51	0.38	45.5
East: Liverpool Street															
4	L2	All MCs	7	14.3	7	14.3	0.140	5.0	LOS A	0.8	5.3	0.39	0.55	0.39	44.8
5	T1	All MCs	80	0.0	80	0.0	0.140	4.7	LOS A	0.8	5.3	0.39	0.55	0.39	45.2
6	R2	All MCs	65	0.0	65	0.0	0.140	7.9	LOS A	0.8	5.3	0.39	0.55	0.39	44.7
Approach			153	0.7	153	0.7	0.140	6.1	LOS A	0.8	5.3	0.39	0.55	0.39	45.0
North: Brisbane Street															
7	L2	All MCs	55	3.8	55	3.8	0.196	4.7	LOS A	1.1	7.9	0.39	0.52	0.39	45.3
8	T1	All MCs	114	3.7	114	3.7	0.196	4.7	LOS A	1.1	7.9	0.39	0.52	0.39	45.6
9	R2	All MCs	47	0.0	47	0.0	0.196	7.9	LOS A	1.1	7.9	0.39	0.52	0.39	45.1
Approach			216	2.9	216	2.9	0.196	5.4	LOS A	1.1	7.9	0.39	0.52	0.39	45.4
West: Liverpool Street															
10	L2	All MCs	41	7.7	41	7.7	0.170	4.7	LOS A	0.9	6.6	0.36	0.50	0.36	45.3
11	T1	All MCs	115	4.6	115	4.6	0.170	4.6	LOS A	0.9	6.6	0.36	0.50	0.36	45.7
12	R2	All MCs	33	0.0	33	0.0	0.170	7.8	LOS A	0.9	6.6	0.36	0.50	0.36	45.2
Approach			188	4.5	188	4.5	0.170	5.1	LOS A	0.9	6.6	0.36	0.50	0.36	45.5
All Vehicles			672	3.0	672	3.0	0.196	5.5	LOS A	1.1	7.9	0.38	0.52	0.38	45.3

Table B2: Weekday Roundabout Intersection Performance of Liverpool Street with Brisbane Street for the AM Peak Hour with Childcare Traffic

Vehicle Movement Performance															
Mov ID	Turn	Mov Class	Demand Flows [Total veh/h	HV] %	Arrival Flows [Total veh/h	HV] %	Deg. Satn v/c	Aver. Delay sec	Level of Service	95% Back Of Queue [Veh. veh	Dist] m	Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed km/h
South: Macquarie Street															
1	L2	All MCs	29	7.1	29	7.1	0.076	8.2	LOS A	0.3	2.0	0.30	0.90	0.30	44.1
2	T1	All MCs	26	0.0	26	0.0	0.076	8.6	LOS A	0.3	2.0	0.30	0.90	0.30	44.2
3	R2	All MCs	17	0.0	17	0.0	0.076	9.0	LOS A	0.3	2.0	0.30	0.90	0.30	44.0
Approach			73	2.9	73	2.9	0.076	8.5	LOS A	0.3	2.0	0.30	0.90	0.30	44.1
East: Liverpool Street															
4	L2	All MCs	19	0.0	19	0.0	0.087	4.8	LOS A	0.2	1.7	0.12	0.20	0.12	47.5
5	T1	All MCs	108	2.9	108	2.9	0.087	0.1	LOS A	0.2	1.7	0.12	0.20	0.12	48.7
6	R2	All MCs	33	0.0	33	0.0	0.087	4.9	LOS A	0.2	1.7	0.12	0.20	0.12	47.3
Approach			160	2.0	160	2.0	0.087	1.6	NA	0.2	1.7	0.12	0.20	0.12	48.3
North: Macquarie Street															
7	L2	All MCs	48	0.0	48	0.0	0.076	7.8	LOS A	0.3	2.0	0.25	0.89	0.25	44.2
8	T1	All MCs	16	0.0	16	0.0	0.076	8.6	LOS A	0.3	2.0	0.25	0.89	0.25	44.2
9	R2	All MCs	16	0.0	16	0.0	0.076	9.0	LOS A	0.3	2.0	0.25	0.89	0.25	44.1
Approach			80	0.0	80	0.0	0.076	8.2	LOS A	0.3	2.0	0.25	0.89	0.25	44.2
West: Liverpool Street															
10	L2	All MCs	24	0.0	24	0.0	0.067	4.8	LOS A	0.1	0.8	0.08	0.19	0.08	47.7
11	T1	All MCs	86	0.0	86	0.0	0.067	0.1	LOS A	0.1	0.8	0.08	0.19	0.08	48.9
12	R2	All MCs	13	16.7	13	16.7	0.067	5.2	LOS A	0.1	0.8	0.08	0.19	0.08	47.2
Approach			123	1.7	123	1.7	0.067	1.5	NA	0.1	0.8	0.08	0.19	0.08	48.5
All Vehicles			436	1.7	436	1.7	0.087	4.0	NA	0.3	2.0	0.16	0.44	0.16	46.8

Table B3: Weekday Stop Intersection Performance of Liverpool Street with Macquarie Street for the PM Peak Hour with Childcare Traffic

Vehicle Movement Performance																
Mov ID	Turn	Mov Class	Demand Flows [Total veh/h	HV] %	Arrival Flows [Total veh/h	HV] %	Deg. Satn v/c	Aver. Delay sec	Level of Service	95% Back Of Queue [Veh. veh	Dist] m	Prop. Que	Eff. Stop Rate	Aver. No. of Cycles	Aver. Speed km/h
South: Brisbane Street																
1	L2	All MCs	23	0.0	23	0.0	0.163	4.7	LOS A	0.9	6.3	0.39	0.51	0.39	45.3
2	T1	All MCs	121	4.3	121	4.3	0.163	4.8	LOS A	0.9	6.3	0.39	0.51	0.39	45.6
3	R2	All MCs	32	0.0	32	0.0	0.163	8.0	LOS A	0.9	6.3	0.39	0.51	0.39	45.1
Approach			176	3.0	176	3.0	0.163	5.3	LOS A	0.9	6.3	0.39	0.51	0.39	45.4
East: Liverpool Street																
4	L2	All MCs	11	0.0	11	0.0	0.142	4.2	LOS A	0.8	5.3	0.28	0.52	0.28	45.2
5	T1	All MCs	80	0.0	80	0.0	0.142	4.2	LOS A	0.8	5.3	0.28	0.52	0.28	45.4
6	R2	All MCs	81	0.0	81	0.0	0.142	7.4	LOS A	0.8	5.3	0.28	0.52	0.28	44.9
Approach			172	0.0	172	0.0	0.142	5.7	LOS A	0.8	5.3	0.28	0.52	0.28	45.2
North: Brisbane Street																
7	L2	All MCs	35	0.0	35	0.0	0.100	4.3	LOS A	0.5	3.7	0.32	0.51	0.32	45.4
8	T1	All MCs	46	4.5	46	4.5	0.100	4.4	LOS A	0.5	3.7	0.32	0.51	0.32	45.6
9	R2	All MCs	33	0.0	33	0.0	0.100	7.6	LOS A	0.5	3.7	0.32	0.51	0.32	45.1
Approach			114	1.9	114	1.9	0.100	5.3	LOS A	0.5	3.7	0.32	0.51	0.32	45.4
West: Liverpool Street																
10	L2	All MCs	53	0.0	53	0.0	0.151	4.9	LOS A	0.8	5.6	0.43	0.53	0.43	45.3
11	T1	All MCs	82	0.0	82	0.0	0.151	4.9	LOS A	0.8	5.6	0.43	0.53	0.43	45.6
12	R2	All MCs	25	0.0	25	0.0	0.151	8.2	LOS A	0.8	5.6	0.43	0.53	0.43	45.1
Approach			160	0.0	160	0.0	0.151	5.4	LOS A	0.8	5.6	0.43	0.53	0.43	45.4
All Vehicles			621	1.2	621	1.2	0.163	5.5	LOS A	0.9	6.3	0.36	0.52	0.36	45.4

Table B4: Weekday Roundabout Intersection Performance of Liverpool Street with Brisbane Street for the PM Peak Hour with Childcare Traffic

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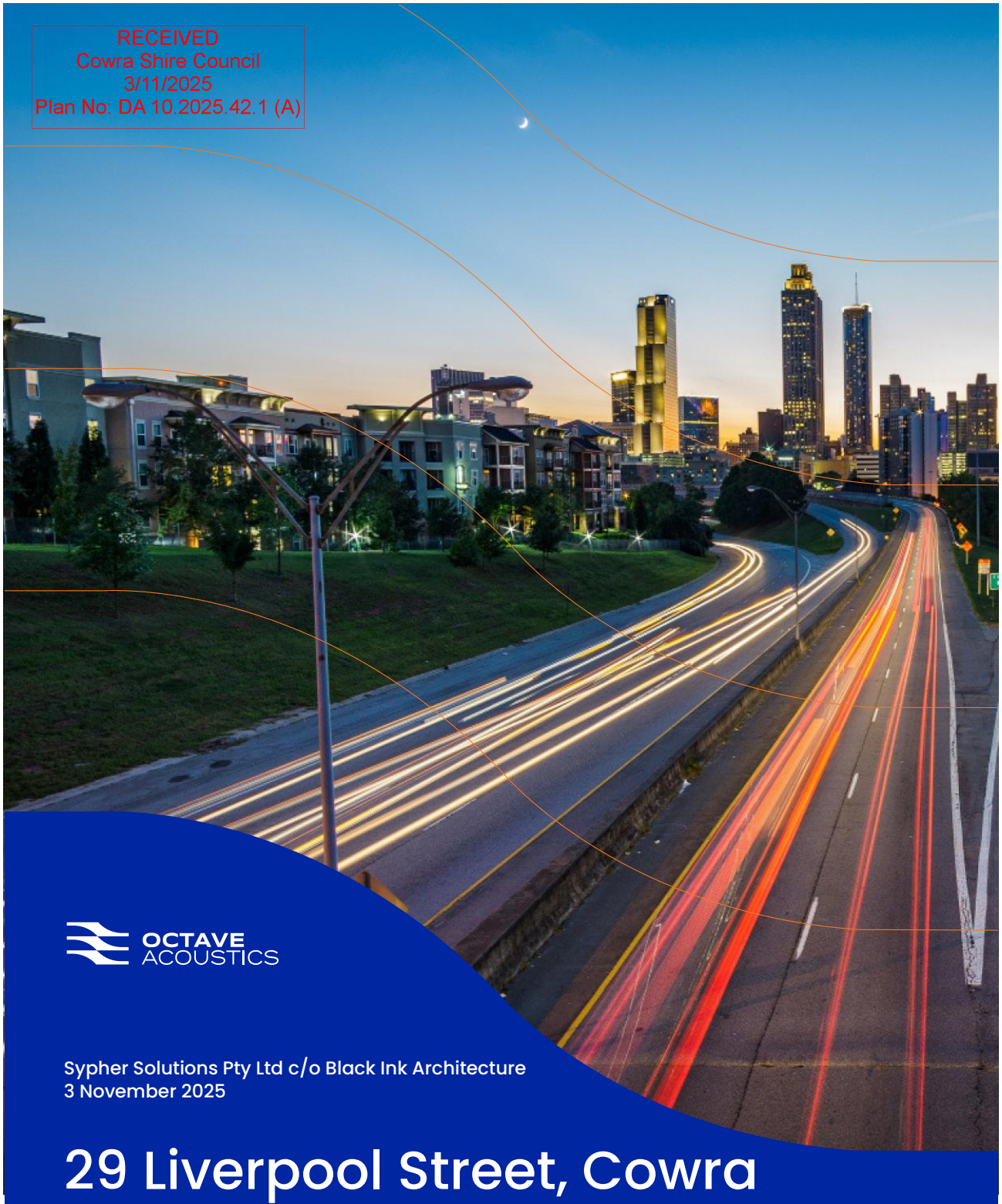

OCTAVE ACOUSTICS

Sypher Solutions Pty Ltd c/o Black Ink Architecture
3 November 2025

29 Liverpool Street, Cowra

Noise Impact Assessment

www.octaveacoustics.com.au

Octave Acoustics
ABN 60 615 372 873
Ph +61 2 8027 0100
Level 11, 1 O'Connell Street
Sydney, NSW 2000

Project	29 Liverpool Street, Cowra
Client	Sypher Solutions Pty Ltd c/o Black Ink Architecture
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Revision	Date	Comment	Author	Reviewer
0	11.03.2025	Issued to Client	LM	LE
1	17.10.2025	Updated assessment based on survey levels	LM	LE
2	03.11.2025	Updated architectural drawings	LE	-

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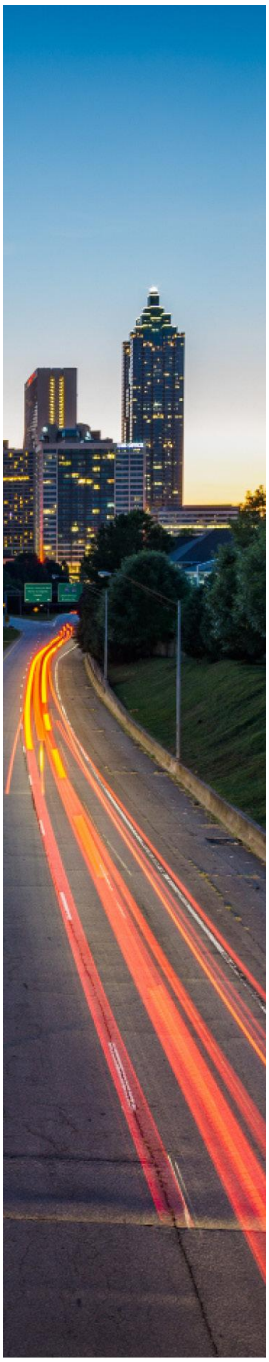

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1. Introduction

Octave Acoustics was engaged to provide a noise impact assessment and report for the proposed Childcare Centre to be located at 29 Liverpool Street, Cowra (Subject Site). Principally, this assessment has been carried out with respect to relevant requirements of the NSW Planning and Environment *Childcare Planning Guideline*, NSW Road Noise Policy, NSW Noise Policy for Industry and the *Guideline for Child Care Centre Acoustic Assessment* set out by the Association of Australasian Acoustical Consultants (AAAC).

The Childcare Centre is to have a capacity of 64 children and will operate from 6:30am to 6:30pm, Monday to Friday. The primary sources of noise associated with the operation of the Childcare Centre will be children using the outdoor play areas, vehicles using the carpark, and mechanical plant and equipment.

Pertinent to the acoustic assessment, it is understood that the development will provide:

- Four activity rooms.
- Two children's toilet areas and one staff WC.
- Staff areas including an office, programming room, staff room, and kitchen.
- An outdoor play area totalling 461 m^2.
- An at grade carpark with 11 car spaces, including 1 disabled parking space.

1.1. Site Context

The Subject Site is zoned R1 (General Residential) and is abutted:

- To the north by Liverpool Street and beyond by single storey dwellings at 46, 48 and 50 Liverpool Street, zoned R1.
- To the east by single storey dwellings at 31 and 33 Liverpool Street, zoned R1.
- To the south by the single storey commercial buildings at 43 and 37-39 Macquarie Street, an existing at grade carpark and beyond by single and double storey commercial buildings, all zoned E1 (Local Centre).
- To the west by single storey dwellings at 25 and 27 Liverpool Street, zoned R1, and a commercial building at 45A Macquarie Street, zoned E1.

Figure 1: Site Context

2. Criteria

2.1. NSW Planning and Environment Childcare Planning Guideline

The relevant components of the NSW Guideline state:

Objective: To minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments.

C22 A new development, or development that includes alterations to more than 50 per cent of the existing floor area, and is located adjacent to residential accommodation should:

- *provide an acoustic fence along any boundary where the adjoining property contains a residential use. An acoustic fence is one that is a solid, gap free fence*
- *ensure that mechanical plant or equipment is screened by solid, gap free material and constructed to reduce noise levels e.g. acoustic fence, building, or enclosure.*

C23 A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters:

- *identify an appropriate noise level for a child care facility located in residential and other zones*
- *determine an appropriate background noise level for outdoor play areas during times they are proposed to be in use*
- *determine the appropriate height of any acoustic fence to enable the noise criteria to be met.*

2.2. AAAC Guideline for Child Care Centre Acoustic Assessment

Assessment of noise emissions from the Childcare Centre has been carried out with respect to the Association of Australasian Acoustical Consultants *Guideline for Child Care Centre Acoustic Assessment* version 3.0, dated September 2020.

The AAAC Guideline sets out a recommended assessment method and criteria for noise impacts associated with outdoor play areas. The AAAC Guideline recommends that noise impacts associated with outdoor play areas to residential receivers do not exceed:

- 5 dB above background noise levels with greater than 4 hours of outdoor play per day.
- 10 dB above background noise levels, where outdoor play is limited to no more than 2 hours in the morning and 2 hours in the afternoon per day.

Criteria for outdoor play noise is summarised in Table 1 below. As background noise level monitoring was not performed, the base criterion is assumed, which is set by the AAAC Guideline at a contributed $L_{eq,15min}$ 45 dB(A) for the assessment of outdoor play. This implies a base background noise level of 40 dB(A).

Table 1 - Outdoor Play Noise Criteria

Base Background Noise Level, dB(A)	AAAC Base Criterion, $L_{eq,15min}$ dB(A)	
	> 4 hours/day outdoor play	≤ 4 hours/day outdoor play
40	45	50

Additionally, the Guideline states that noise levels from other sources, such as indoor play, shall not exceed the background noise level by more than 5 dB.

Trigger levels for other sensitive receivers including commercial buildings are presented in Table 2.

Table 2 – Other Sensitive Receiver Trigger Noise Levels for Outdoor Play Area Noise Assessment

Assessment Location	Trigger Level, L_{Aeq} dB
Most affected point within the property boundary	65

2.3. NSW Road Noise Policy

The NSW Road Noise Policy (RNP) defines noise criteria with the aim to provide protection inside and immediately around noise sensitive receivers. These noise criteria are consistent with current international practice for managing traffic noise impacts. The criteria applied in the RNP have been set approximately at the point where 90% of residents are not highly annoyed by noise. Table 3 sets out the Traffic Noise Assessment criteria for residential land uses affected by additional traffic generated by land use developments. Noise levels are to be assessed at the façade of the affected residence.

Table 3 - Road Traffic Noise Assessment Criteria for Residential Land Uses

Road Category	Assessment Criteria, dB(A)	
	Day (7am – 10pm)	Night (10pm – 7am)
Local Roads	$L_{Aeq,1\ hour}$ 55	$L_{Aeq,1\ hour}$ 50

In assessing feasible and reasonable mitigation measures, an increase of up to 2 dB represents a minor impact that is considered barely perceptible to the average person. As such, the RNP states that for existing residences and other sensitive land uses affected by additional traffic on existing roads generated by land use developments, any increase in the total traffic noise level should be limited to 2 dB above that of the corresponding 'no build option'.

2.4. NSW Noise Policy for Industry

The NSW EPA Noise Policy for Industry 2017 (NPfI) sets out requirements for commercial premises relating to noise generated by mechanical plant equipment. The NPfI defines the project noise trigger level, which is the level that, if exceeded, would indicate a potential noise impact on the community and so 'trigger' a management response. The noise trigger level combines the intrusiveness noise levels of the project and the recommended amenity noise levels for the area.

2.4.1. Intrusiveness Noise Levels

The intrusiveness of an industrial source may generally be considered acceptable if the noise level from the source, assessed as $L_{Aeq,15min}$, does not exceed the rating background noise level (RBL) by more than 5 dB. In lieu of background noise monitoring at the Subject Site, the applicable rating background noise levels were estimated from Appendix A of AS 1055.3 *Acoustics – Description and Measurement of Environmental Noise*, conservatively assuming low background levels applying to "areas of negligible transportation". The resulting project intrusiveness levels are presented in Table 4 below.

Table 4 - Minimum Assumed RBLs and Project Intrusiveness Noise Levels

Period	Minimum Assumed Background Noise Level, dB(A)	Project Intrusiveness Noise Levels, $L_{Aeq,15min}$ dB(A)
Day	40	45
Evening	35	40
Night	30	35

2.4.2. Amenity Noise Levels

To limit continuing increases in noise levels from the application of intrusiveness level alone, the ambient noise level within an area from all industrial noise sources combined should remain below the recommended amenity noise levels where feasible and reasonable. The project amenity level is computed as the recommended amenity noise level minus 5 dB(A). As the site is zoned R1 General Residential, urban residential amenity noise levels apply.

Table 5 - Overall and Project Amenity Noise Levels

Period	Recommended Amenity Noise Level, L_{Aeq} dB(A)	Project Amenity Level, $L_{Aeq,15min}$ dB(A)[1]
Day	60	58
Evening	50	48
Night	45	43

Notes: *1. $L_{Aeq,15min} = L_{Aeq,period}$ + 3dB as per NPfI*

2.4.3. Project Trigger Levels

The project noise trigger levels for each period are computed as the minimum of the intrusiveness noise level and the project amenity level. Overall project trigger levels are provided in Table 6 below.

Table 6 - Project Noise Trigger Levels, $L_{Aeq,15min}$ dB(A)

Period	Intrusiveness	Amenity	Project Noise Trigger Levels
Day[1]	45	58	**45**
Evening[2]	40	48	**40**
Night[3]	35	43	**35**

2. Day is the period from 7am to 6pm Monday to Saturday or 8am to 6pm on Sundays and public holidays.

3. Evening is the period from 6pm to 10pm.

4. Night is the remaining periods.

2.4.4. Sleep Disturbance

The potential for sleep disturbance from maximum noise level events from premises during the night-time period needs to be considered. Sleep disturbance is considered as both awakenings and disturbance to sleep stages.

A detailed maximum noise level assessment should be undertaken where the subject development night-time noise levels at a residential location exceed:

- $L_{Aeq,15min}$ 40 dB(A) or the prevailing RBL plus 5 dB, whichever is the greater, and/or
- L_{AFmax} 52 dB(A) or the prevailing RBL plus 15 dB, whichever is the greater

The detailed assessment should cover the maximum noise level, the extent to which the maximum noise level exceeds the rating background noise level, and the number of times this happens during the night-time period. Other factors that may be important in assessing the extent of impacts on sleep include:

- How often high noise events will occur.
- The distribution of likely events across the night-time period and the existing ambient maximum events in the absence of the subject development.

- Whether there are times of day where there is a clear change in the noise environment (such as during early-morning shoulder periods).
- Current scientific literature available at the time of the assessment regarding the impact of maximum noise level events at night.

The detailed assessment should consider all feasible and reasonable noise mitigation measures with the goal of achieving the above trigger levels.

3. Assessment

Assessment has been carried out with respect to the architectural drawing set dated 20 October 2025, attached in Appendix B. To calculate noise impacts from the childcare centre, a 3D computer noise model of the Subject Site and surrounds was built within CadnaA software. Calculations were run implementing the ISO9613 algorithms to calculate the propagation of noise between source and receivers. This algorithm takes into account propagation effects associated with:

- Source sound power;
- Geometrical spreading;
- Atmospheric conditions;
- Air absorption;
- Ground absorption (G=0.4);
- Reflections from buildings and environment; and
- Barrier effects due to obstructions between noise sources and residential receivers (fences, buildings, and topography);

3.1. Outdoor Play Noise

Sound power levels associated with children playing in the designated outdoor areas were taken from the AAAC Guideline, outlined in Table 7. Per advice from the Client, this assessment has been undertaken based on 12 children aged 0-2, 15 children aged 2-3, and 37 children aged 3+. These levels were used to calculate sound power levels for the total number of children playing outside concurrently.

Table 7 - Sound Power Levels for Groups of 10 Children Playing

Age Group	Sound Power Level, L_W dB(A)	Octave Band Centre Frequency, Hz							
		63	125	250	500	1000	2000	4000	8000
0 – 2 Years	78	54	60	66	72	74	71	67	64
2 – 3 Years	85	61	67	73	79	81	78	74	70
3 – 5 Years	87	64	70	75	81	83	80	76	72

Children engaging in outdoor play were modelled as area sources 1m above the ground in each outdoor play area. This model provides a conservative assessment by assuming all 64 children are in attendance and are playing outside at the same time. In practice, however, this is unlikely to occur due to varying education plans for age groups, separated playrooms and varying drop-off/pick-up times.

3.1.1. Predicted Outdoor Play Noise Levels

Results of the assessment of outdoor play area noise impacts are presented in Table 8 below. Compliance is assessed at the potentially most affected receivers when all 64 children are using the outdoor play areas. In order to reduce noise impacts to adjacent sensitive receivers, it is proposed that:

- 2.4m high acoustically rated fence is installed on the eastern perimeter of the play area, constructed at the ground level of 31 and 33 Liverpool Street; and
- 1.8m high acoustically rated fence is installed to the south of the play area.
- 1.5m high acoustic rated barrier is installed around the perimeter of the southern verandah.
- Outdoor play duration is limited to 4 hours per day.

The extent of proposed acoustic fencing is shown in the attached plans in Appendix B and performance requirements are described in Section 4.1.

Table 8 - Predicted Noise Levels with Acoustic Fencing

Sensitive Receiver	Sound Pressure Level, dB L_{Aeq}	Criteria (≤4 hours outdoor play)	Further Consideration Required?
25 Liverpool St	34	50	No
27 Liverpool St	36	50	No
31 Liverpool St	53	50	Yes
33 Liverpool St	50	50	No
46 Liverpool St	38	50	No
48 Liverpool St	40	50	No
50 Liverpool St	42	50	No
43 Macquarie St	39	65	No
37-39 Macquarie St	32	65	No

It should be noted that:

- Due to the conservative methodology, typical noise levels are likely to be lower than predicted levels.
- The provision of acoustic boundary fencing and a Noise Management Plan materially assist in minimising noise impacts from outdoor play areas to residential receivers.
- A difference in noise level of 3 dB(A) is considered barely perceptible.

It is therefore reasonable to conclude that resulting noise impacts have been minimised as far as practicable and will not adversely affect the amenity of the local area.

3.2. Noise Transmission from Internal Play Areas

Noise transmission from play within internal spaces is expected to be significantly lower than noise from external play due to the noise reduction of the building envelope, the separation of children into smaller groups and the increased distance from adjacent noise sensitive receivers. Additionally, the building layout locates activity rooms away from residential boundaries. As such, it is expected that acoustic upgrades to the glazing and façade will not be required.

3.3. Traffic Generation

In accordance with the RNP, a relative increase assessment is conducted to consider noise impacts associated with additional road traffic volumes resulting from the operation of the Childcare Centre. Assessment was carried out with respect to traffic volume data provided by Motion Traffic Engineers. A peak additional traffic volume of 58 vehicles per hour in the morning peak and 51 vehicles per hour in the evening peak was assessed.

Table 9 - Additional Traffic Noise Assessment

Location	Existing Volumes (vehicles/hour)	Post Development Increase	Total	Percentage Increase	Relative Increase in Noise Level
Liverpool St AM Peak	276	+58	334	+21%	0.8 dB
Liverpool St PM Peak	284	+51	335	+18%	0.7 dB

These results indicate that the increase in traffic noise resulting from the Childcare Centre will be less than 2 dB(A) and as such, will fall below the relative increase criterion and therefore comply with the applicable requirements of the NSW Road Noise Policy.

3.4. Sleep Disturbance

Maximum noise level events with the potential to cause sleep disturbance may be generated by use of the Childcare Centre carpark prior to 7am. Based on data collected by Octave Acoustics shown in Table 10, car door closes were found to have the highest sound power level associated with standard carpark use, with an L_{Amax} of 94 dB(A).

Table 10 – Vehicle Sound Power Levels, dB re 10^{-12} W

Source	SWL, dB(A)	Octave Band Centre Frequency, Hz							
		63	125	250	500	1000	2000	4000	8000
Car engine start L_{Amax}	92	104	90	84	85	84	84	85	86
Car door close L_{Amax}	94	109	102	92	93	85	82	77	70

Car door closes at the worst-case location for each receiver have been incorporated into the 3D noise model with the acoustic fencing per the plans attached in Appendix B and meeting the requirements outlined in Section 4.1, and it is calculated that transient carpark noise will remain below the sleep disturbance range for all nearby sensitive receivers, as shown in Table 11.

Table 11 – Carpark Maximum Noise Levels at Sensitive Receivers with Acoustic Fencing

Receiver	Maximum Predicted Carpark Noise Level Outdoors[1], L_{Amax} dB	Outdoor Sleep Disturbance Trigger, L_{Amax} dB	Detailed Assessment Required?
27 Liverpool St	58	52	Yes
31 Liverpool St	60	52	Yes
46 Liverpool St	53	52	Yes
48 Liverpool St	53	52	Yes
50 Liverpool St	53	52	Yes

Note: 1. Maximum noise assessed at the nearest habitable window of the residential dwelling.

It is expected that the car door close in the carpark will only occur 1-2 times per night at the opening time of the centre as a staff member arrives and parks. Where windows are open for ventilation there is typically a 10dB reduction from external to internal noise levels. The expected maximum noise levels within the most affected dwelling is therefore 50 dB(A).

The NSW Road Noise Policy concluded that "one or two noise events per night, with maximum internal noise levels of 65-70 dB(A) are not likely to affect health and wellbeing significantly." The predicted 50 dB(A) internal noise level falls below this range. It is therefore unlikely that the health and wellbeing of the nearby residents will be affected by the infrequent car door close during the night in the carpark.

3.5. Mechanical Plant Noise

Mechanical services are required to comply with the NPfI noise limits. However, at this early stage of the project, detailed mechanical designs and equipment selections are not available.

The assessment of plant noise is therefore conducted using the sound power levels for a typical plant at a childcare centre, given by the AAAC Guideline in Table 12.

Table 12 – AAAC Guideline Sound Power Levels for Mechanical Plant

Type	Sound Power, L_W
Small (single fan) condenser (outdoor unit)	65
Medium (double fan) condenser (outdoor unit)	70
Large (double fan) condenser (outdoor unit)	80
Small exhaust fan (toilet, garbage room)	60
Small kitchen exhaust fan	70
Carpark exhaust fan	85

For purposes of assessment, it is assumed that the Childcare Centre will have the following:

- 1 large condenser
- 1 medium condenser
- 1 kitchen exhaust fan
- 4 small exhaust fans

Recommendations to ensure compliance with the NPfI are outlined in Section 4.2. These recommendations include mounting condensers centrally on the roof and limiting condenser noise before 7am.

The 3D noise model in CadnaA was run to calculate noise emissions from mechanical services at the nearest affected noise sensitive receivers. Mechanical plant noise modelling results were calculated with condensers operating in quiet mode during the night period. Results are presented in Table 13, and indicate that compliance can be achieved during all periods.

Table 13 – Calculated Noise Levels from Mechanical Plant

Location[1]	Sound Pressure Day/Evening, dB(A)	NPfI Day/Evening Noise Trigger Level, dB(A)	Sound Pressure Night, dB(A)	NPfI Night Noise Trigger Level, dB(A)	Compliance
25 Liverpool Street	35	45/40	27	35	Yes
27 Liverpool Street	36	45/40	29	35	Yes
31 Liverpool Street	38	45/40	32	35	Yes
33 Liverpool Street	37	45/40	32	35	Yes
46 Liverpool Street	30	45/40	23	35	Yes
48 Liverpool Street	28	45/40	22	35	Yes
50 Liverpool Street	28	45/40	22	35	Yes
52 Liverpool Street	32	45/40	25	35	Yes

1. Assessed at the most affected point within the property boundary, per NPfI.

4. Recommendations

4.1. Acoustic Fencing

The acoustic fencing described in Section 3.1 and Section 3.3 shall be consistent with the recommendations of this report, detailed as follows:

- Acoustic fencing may be constructed using lapped timber paling, fibre cement sheeting, lightweight aerated concrete, transparent acrylic panels, glass or profiled sheet cladding, as long as the selected material/s have a surface density of at least 12 kg/m^2.
- Fencing shall have no gaps or holes, or the likelihood of such occurring through natural causes or deformations, thus allowing noise to pass through. If existing fencing is to be retained, all gaps must be well sealed.
- It is preferable that the selected cladding is prefabricated to be jointed with an overlap or rebated joint (e.g., ship lapped).
- Where the above requirement cannot be met, any butt joints shall be sealed with a fire-rated weatherproof mastic or an overlapping piece of material meeting the mass requirement of 12 kg/m^2 (minimum 35mm each side of the butt joint).
- Where acoustic timber palings are installed, all palings shall overlap by a minimum of 35mm.
- Where multiple cladding layers are used (e.g., FC sheeting over timber paling screen), joints in the cladding materials shall not coincide.

4.2. Mechanical Equipment

Although a detailed mechanical plan is not yet available, preliminary recommendations to ensure compliance with the Noise Policy for Industry are as follows.

Condensers

- Condensers are to be roof mounted and located centrally, towards the south of the building on the rooftop where practicable in order to minimise noise transmission to adjacent residences; and
- Condenser units are switched off before 7:00am and after 6:00pm; or condenser units with quiet operation modes (capable of reducing sound power level by at least 10dB) are to be selected and are to operate under quiet mode before 7:00am.

4.3. Noise Management Plan

The following noise control strategies should be included in the noise management plan:

Control of operational noise levels

- The use of outdoor play areas should be limited to between 7:00am and 6:00pm.
- Outdoor play duration should be limited to 2 hours in the morning and 2 hours in the afternoon.
- The behaviour of children should be monitored and modified as required by adequately trained childcare staff. Staff shall ensure that children are educated to discourage screaming and shouting and that such behaviour is modified where necessary.
- Crying children in outdoor play areas should be taken inside the centre and settled before returning to outdoor activities.
- Carers should be educated to control the level of their voice while outside.
- No music shall be played in the outdoor areas.
- Musical instruments shall not be used in outdoor areas.
- Parents and guardians shall be informed of the importance of noise minimisation when entering the site, dropping off or picking up children.
- Gates are not to be slammed shut. Gates shall have a soft close mechanism installed to prevent excessive noise when the gate is closed.

- Windows and doors shall be kept closed during periods in which high noise activities occur, such as indoor music or singing.

Management & Training

- A contact phone number for the centre's director shall be made available to neighbours to facilitate communication and to resolve any neighbourhood issues that may arise due to operation of the centre.
- All staff (both permanent and casual) will be required to read the Noise Management Plan.
- A laminated copy of the Noise Management Plan shall be displayed in the entry foyer.

Complaints/incidents

- Centre management staff shall maintain a log of noise complaints received. This shall record the contact details of the complainant, the time of the complaint and the nature of the complaint. This log shall be made available to a council noise control officer upon request.
- Centre management shall review the details of the complaint and respond to the complaint as quickly as possible to advise them what, if any, actions have been undertaken as a result.

5. Conclusion

Octave Acoustics was engaged by Black Ink Architecture to provide a noise impact assessment for the proposed Childcare Centre at 29 Liverpool Street, Cowra. The Childcare Centre is located within a neighbourhood zoned General Residential, and will consist of a single storey building accommodating a maximum of 64 children, an outdoor play area, and an at grade carpark. Primary noise sources associated with the Childcare Centre are children in outdoor play areas, plant and equipment, traffic on site, and additional road traffic generated.

Noise triggers for the project were set conservatively using base levels, and NPfI criteria set using estimated background levels, in lieu of background noise monitoring at the Subject Site. A 3D noise model of the Subject Site and its surroundings was constructed in CadnaA acoustic modelling software to calculate the noise impacts of the Childcare Centre.

Assessment of noise from outdoor play areas indicated that acoustic fencing to the extent shown in Appendix B is required on the boundaries of outdoor play areas to reduce noise impacts as far as practicable. To further minimise noise impacts, it is recommended that a noise management plan is implemented, which includes limiting use of outdoor play areas to a maximum of 2 hours in the morning and 2 hours in the afternoon.

Results of carpark noise modelling indicated that resulting noise levels will not likely to affect the health and wellbeing of neighbouring residences. Assessment of the relative increase in traffic noise found the increase to be below the threshold of perceptibility and therefore compliant with the RNP.

Assessment of plant noise indicated that noise from mechanical equipment associated with the Childcare Centre complies with NPfI criteria, provided that appropriate steps are taken to minimise noise transmission to nearby residences, as detailed in Section 4.2.

This noise impact assessment fulfills the requirements of the NSW Planning and Environment *Childcare Planning Guideline*. With the proposed recommendations in place, assessment indicates that resulting noise impacts will be appropriately managed and will not adversely impact the amenity of the local area.

Appendix A: Glossary of Terms

'A' Frequency Weighting

The 'A' frequency weighting roughly approximates to the Fletcher-Munson 40 phon equal loudness contour. The human loudness perception at various frequencies and sound pressure levels is equated to the level of 40 dB at 1 kHz. The human ear is less sensitive to low frequency sound and very high frequency sound than midrange frequency sound (i.e. 500 Hz to 6 kHz). Humans are most sensitive to midrange frequency sounds, such as a child's scream. Sound level meters have inbuilt frequency weighting networks that very roughly approximates the human loudness response at low sound levels. It should be noted that the human loudness response is not the same as the human annoyance response to sound. Here low frequency sounds can be more annoying than midrange frequency sounds even at very low loudness levels. The 'A' weighting is the most commonly used frequency weighting for occupational and environmental noise assessments. However, for environmental noise assessments, adjustments for the character of the sound will often be required.

AMBIENT NOISE

The ambient noise level at a particular location is the overall environmental noise level caused by all noise sources in the area, both near and far, including all forms of traffic, industry, lawnmowers, wind in foliage, insects, animals, etc. Usually assessed as an energy average over a set time period 'T' (LAeq,T).

AUDIBLE

Audible refers to a sound that can be heard. There are a range of audibility grades, varying from "barely audible", "just audible" to "clearly audible" and "prominent".

BACKGROUND NOISE LEVEL

Total silence does not exist in the natural or built-environments, only varying degrees of noise. The Background Noise Level is the minimum repeatable level of noise measured in the absence of the noise under investigation and any other short-term noises such as those caused by all forms of traffic, industry, lawnmowers, wind in foliage, insects, animals, etc. It is quantified by the noise level that is exceeded for 90 % of the measurement period 'T' (LA90,T). Background Noise Levels are often determined for the day, evening and night time periods where relevant. This is done by statistically analysing the range of time period (typically 15 minute) measurements over multiple days (often 7 days). For a 15-minute measurement period the Background Noise Level is set at the quietest level that occurs at 1.5 minutes.

'C' FREQUENCY WEIGHTING

The 'C' frequency weighting approximates the 100 phon equal loudness contour. The human ear frequency response is more linear at high sound levels and the 100 phon equal loudness contour attempts to represent this at various frequencies at sound levels of approximately 100 dB.

DECIBEL

The decibel (dB) is a logarithmic scale that allows a wide range of values to be compressed into a more comprehensible range, typically 0 dB to 120 dB. The decibel is ten times the logarithm of the ratio of any two quantities that relate to the flow of energy (i.e. power). When used in acoustics it is the ratio of the square of the sound pressure level to a reference sound pressure level, the ratio of the sound power level to a reference sound power level, or the ratio of the sound intensity level to a reference sound intensity level. See also Sound Pressure Level and Sound Power Level. Noise levels in decibels cannot be added arithmetically since they are logarithmic numbers. If one machine is generating a noise level of 50 dB, and another similar machine is placed beside it, the level will increase to 53 dB (from 10 $\log_{10}(10^{(50/10)} + 10^{(50/10)})$ and not 100 dB. In theory, ten similar machines placed side by side will increase the sound level by 10 dB, and one hundred machines increase the sound level by 20 dB. The human ear has a vast sound-sensitivity range of over a thousand billion to one, so the logarithmic decibel scale is useful for acoustical assessments.

dBA – See 'A' frequency weighting

dBC – See 'C' frequency weighting

EQUIVALENT CONTINUOUS SOUND LEVEL, LAeq

Many sounds, such as road traffic noise or construction noise, vary repeatedly in level over a period of time. More sophisticated sound level meters have an integrating/averaging electronic device inbuilt, which will display the energy time-average (equivalent continuous sound level - LAeq) of the 'A' frequency weighted sound pressure level. Because the decibel scale is a logarithmic ratio, the higher noise levels have far more sound energy, and therefore the LAeq level tends to indicate an average which is strongly influenced by short-term, high level noise events. Many studies show that

human reaction to level-varying sounds tends to relate closer to the LAeq noise level than any other descriptor.

'F'(FAST) TIME WEIGHTING

Sound level meter design-goal time constant which is 0.125 seconds.

FREE FIELD

In acoustics a free field is a measurement area not subject to significant reflection of acoustical energy. A free field measurement is typically not closer than 3.5 metres to any large flat object (other than the ground) such as a fence or wall or inside an anechoic chamber.

FREQUENCY

The number of oscillations or cycles of a wave motion per unit time, the SI unit is the hertz (Hz). 1 Hz is equivalent to one cycle per second. 1000 Hz is 1 kHz.

LOUDNESS

The volume to which a sound is audible to a listener is a subjective term referred to as loudness. Humans generally perceive an approximate doubling of loudness when the sound level increases by about 10 dB and an approximate halving of loudness when the sound level decreases by about 10 dB.

MAXIMUM NOISE LEVEL, LAFmax

The root-mean-square (rms) maximum sound pressure level measured with sound level meter using the 'A' frequency weighting and the 'F' (Fast) time weighting. Often used for noise assessments other than aircraft.

MAXIMUM NOISE LEVEL, LASmax

The root-mean-square (rms) maximum sound pressure level measured with sound level meter using the 'A' frequency weighting and the 'S' (Slow) time weighting. Often used for aircraft noise assessments.

NOISE

Noise is unwanted, harmful or inharmonious (discordant) sound. Sound is wave motion within matter, be it gaseous, liquid or solid. Noise usually includes vibration as well as sound.

OFFENSIVE NOISE

Reference: Dictionary of the NSW Protection of the Environment Operations Act 1997).

"Offensive Noise means noise:

(a) that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:

(i) is harmful to (or likely to be harmful to) a person who is outside the premise from which it is emitted, or

(ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or

(b) that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances prescribed by the regulations."

'S' (SLOW) TIME WEIGHTING

Sound level meter design-goal time constant which is 1 second.

SOUND ATTENUATION

A reduction of sound due to distance, enclosure or some other devise. If an enclosure is placed around a machine, or an attenuator (muffler or silencer) is fitted to a duct, the noise emission is reduced or attenuated. An enclosure that attenuates the noise level by 20 dB reduces the sound energy by one hundred times.

SOUND EXPOSURE LEVEL (LAE)

Integration (summation) rather than an average of the sound energy over a set time period. Use to assess single noise events such as truck or train pass by or aircraft flyovers. The sound exposure level is related to the energy average (LAeq,T) by the formula $LAeq,T = LAE - 10 \log_{10} T$. The abbreviation (SEL) is sometimes inconsistently used in place of the symbol (LAE).

SOUND PRESSURE

The rms sound pressure measured in pascals (Pa). A pascal is a unit equivalent to a newton per square metre (N/m^2).

SOUND PRESSURE LEVEL, Lp

The level of sound measured on a sound level meter and expressed in decibels (dB). Where $LP = 10 \log_{10}(Pa/Po)^2$ dB (or $20 \log_{10}$ (Pa/ Po) dB) where Pa is the rms sound pressure in Pascal and Po is a reference sound pressure conventionally chosen is 20 µPa (20×10^{-6} Pa) for airborne sound. Lp varies with distance from a noise source.

SOUND POWER

The rms sound power measured in watts (W). The watt is a unit defined as one joule per second. A

measures the rate of energy flow, conversion or transfer.

SOUND POWER LEVEL, Lw

The sound power level of a noise source is the inherent noise of the device. Therefore, sound power level does not vary with distance from the noise source or with a different acoustic environment. Lw = Lp + 10 $\log_{10}$ 'a' dB,

re: 1pW, (10^{-12} watts) where 'a' is the measurement noise-emission area (m2) in a free field.

SOUND TRANSMISSION LOSS

The amount in decibels by which a random sound is reduced as it passes through a sound barrier. A method for the measurement of airborne Sound Transmission Loss of a building partition is given in Australian Standard AS1191 - 2002.

STATISTICAL NOISE LEVELS, Ln

Noise which varies in level over a specific period of time 'T' (standard measurement times are often 15-minute periods) may be quantified in terms of various statistical descriptors with some common examples:

The noise level, in decibels, exceeded for 1% of the measurement time period, when 'A' frequency weighted and 'F' time weighted is reference to as LAF1,T. This may be used for describing short-term noise levels such as could cause sleep arousal during the night.

The noise level, in decibels, exceeded for 10% of the measurement time period, when 'A' frequency weighted and 'F' time weighted is reference to as LAF10,T. In most countries the LAF10,T is measured over periods of 15 minutes, and is used to describe the average maximum noise level.

The noise level, in decibels, exceeded for 90% of the measurement time period, when 'A' frequency weighted and 'F' time weighted is reference to as LAF90,T. In most countries the LAF90,T is measured over periods of 15 minutes, and is used to describe the average minimum or background noise level.

WEIGHTED SOUND REDUCTION INDEX, Rw

This is a single number rating of the airborne sound insulation of a wall, partition or ceiling. The sound reduction is normally measured over a frequency range of 100 Hz to 3.150 kHz and averaged in accordance with ISO standard weighting curves (Refer AS/NZS 1276.1:1999). Internal partition wall Rw+C ratings are frequency weighted to simulate insulation from human voice noise. The Rw+C is similar in value to the STC rating value. External walls, doors and windows may be Rw+Ctr rated to simulate insulation from road traffic noise. The spectrum adaptation term Ctr adjustment factor takes account of low frequency noise. The weighted sound reduction index is normally similar or slightly lower number than the STC rating value.

'Z' FREQUENCY WEIGHTING

The 'Z' (Zero) frequency weighting is 0 dB within the nominal 1/3 octave band frequency range centred on 10 Hz to 20 kHz. This is within the tolerance limits given in AS IEC 61672.1-2004: 'Electroacoustics - Sound level meters – Specifications'.

Appendix B: Architectural Plans

PROPOSED CHILDCARE DEVELOPMENT

29 LIVERPOOL STREET COWRA NEW SOUTH WALES

FOR RSF CORP PTY LTD

PROJECT INFORMATION

PROPOSED CHILDCARE DEVELOPMENT
29 LIVERPOOL STREET, COWRA, NSW

RPD:	LOT 1 on DP 163191	
SITE AREA:	1,834.69 m²	
AUTHORITY:	COWRA SHIRE COUNCIL	
PROPOSAL:	64 PLACE CHILDCARE CENTRE	
BUILDING AREAS:	BUILDING	450.77 m²
	VERANDAHS	99.40 m²
	TOTAL	550.17 m²
NON-PERMIABLE AREAS:	BUILDING	450.77 m²
	VERANDAHS	99.40 m²
	DRIVEWAYS	333.50 m²
	PATHWAYS	135.10 m²
	TOTAL	1,018.77 m²
LANDSCAPE AREAS:	379.52 m²	
OUTDOOR PLAYSPACE:	REQ'D - 7.0m² / CHILD	
	64 CHILDREN x 7 = 434.00 m²	
	PROVIDED -	
	PLAYGROUND 461.0 m²	
CARPARKING:	REQUIRED -	
	CHILDCARE	
	1 SPACE / 4 CHILDREN + 1 SPACE / 2 STAFF MEMBERS	
	64 / 4 (15.5 SPACES) + 13 / 2 (6.5 STAFF SPACES) = 22 CARSPACES	
	PROVIDED	= 11 CARSPACES + 4 SHORT TERM ON STREET
	SHORTFALL	= 7 SPACES SHARED WITH COUNCIL AT REAR
BUILDING HEIGHT:	SINGLE LEVEL	

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BLACK INK architecture
MARK, DEBBIE & JOHN PERRY
a: PO BOX 1008, PARADISE POINT, 4216
e: admin@blackinkarchitecture.com
p: 075519 4221 m: 0405164989

NOTE:
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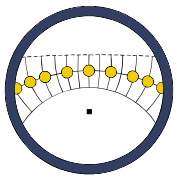
LEGEND



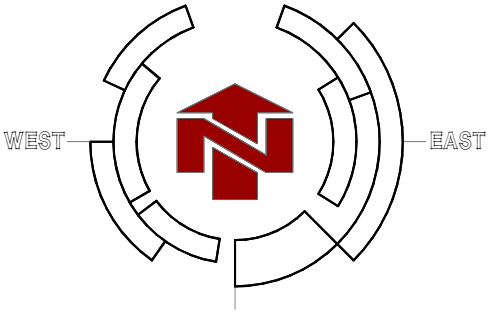
PRIMARY NOISE SOURCE

SECONDARY NOISE SOURCE

WINTER WINDS

SUMMER BREEZES

VIEWS



SITE ANALYSIS

SK02J

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BLACK INK architecture
MARK, DEBBIE & JOHN PERRY
a: PO BOX 1008, PARADISE POINT, 4216
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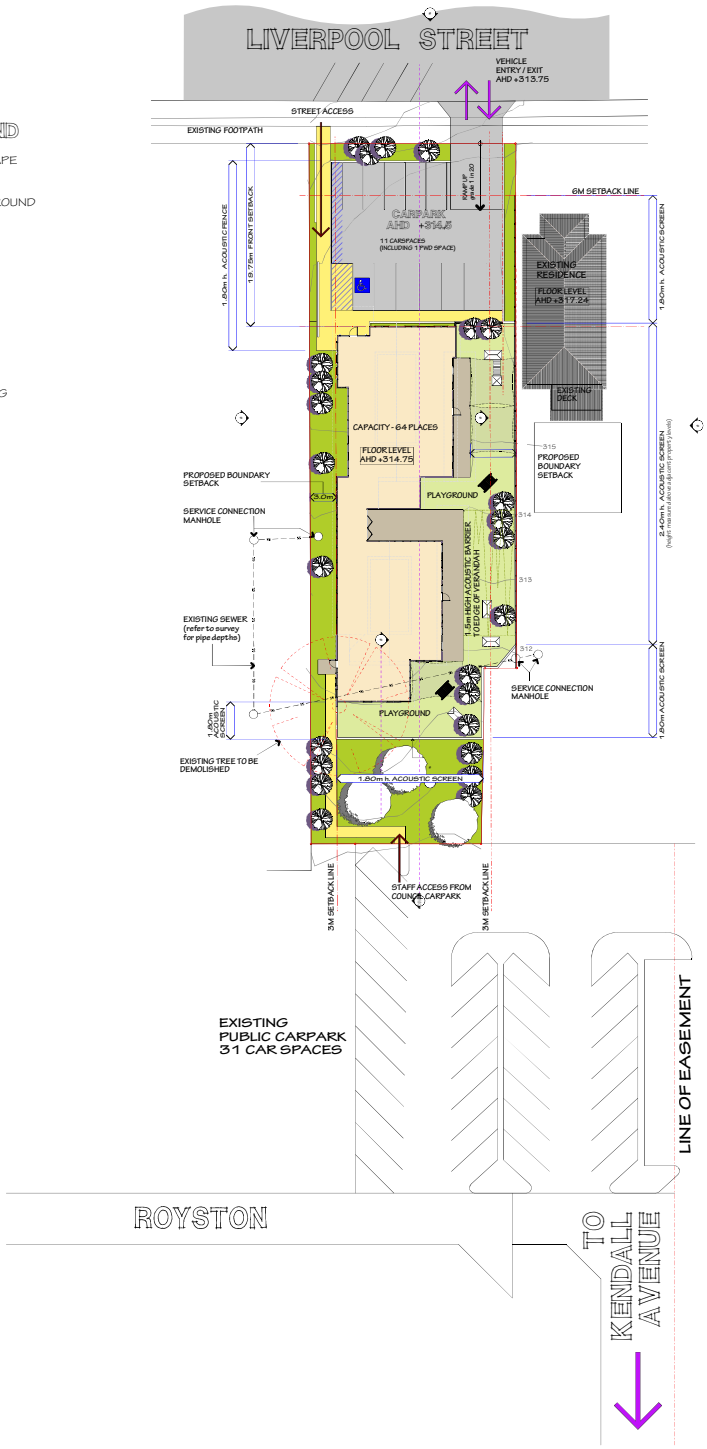
SITE CONCEPT LEGEND

1. GENERAL LANDSCAPE
2. CHILDCARE PLAYGROUND
3. PATHWAYS
4. DRIVEWAYS
5. FENCES
6. PROPOSED BUILDING
7. VERANDAHS



SITE PLAN

SK03L

SCALE: 1:500 (correct @ A3)

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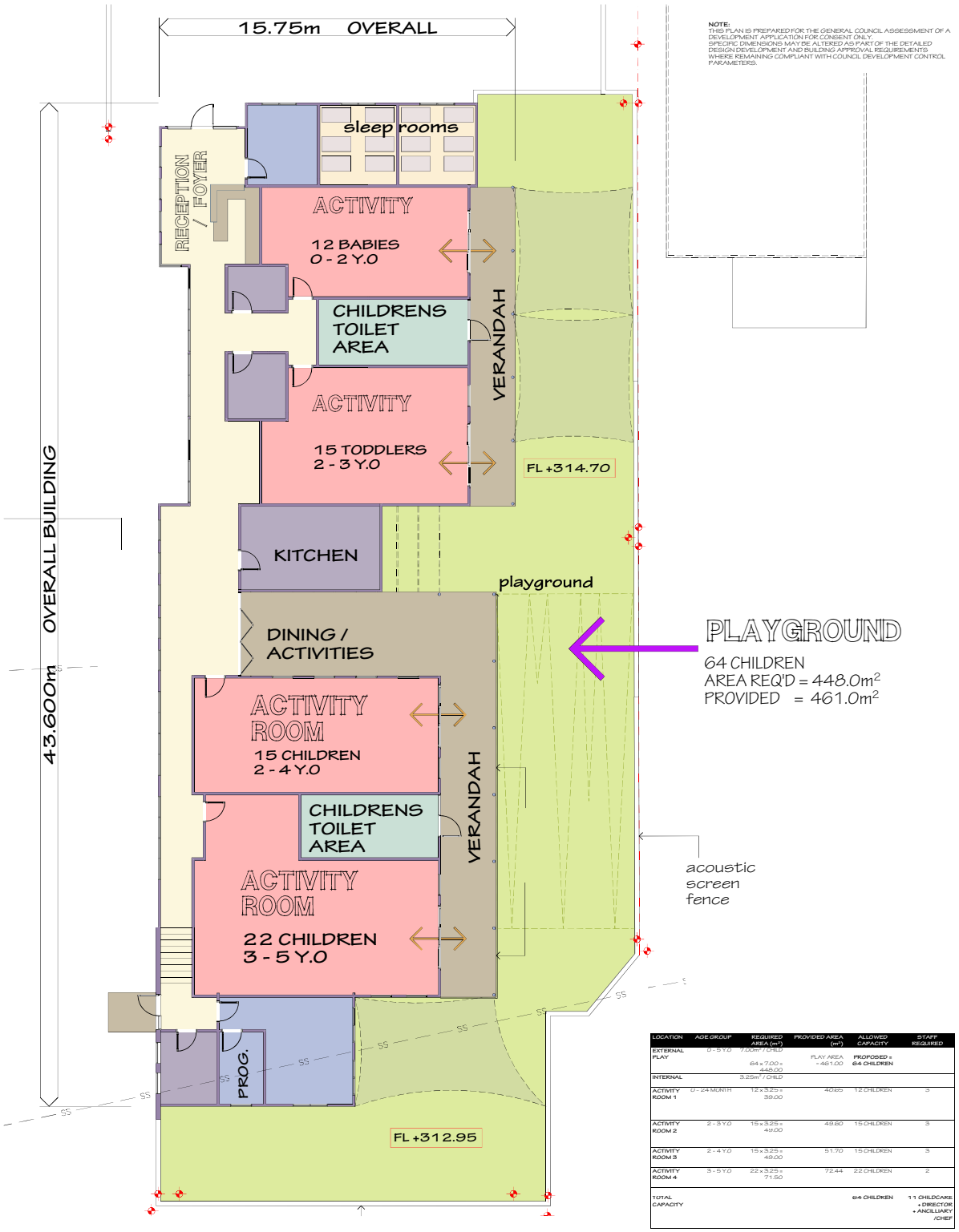
BLACK INK architecture
MARK, DEBBIE & JOHN PERRY
a: PO BOX 1008, PARADISE POINT, 4216
e: admin@blackinkarchitecture.com
p: 0755194221 m: 0405164989



LOCATION	AGE GROUP	REQUIRED AREA (m²)	PROVIDED AREA (m²)	ALLOWED CAPACITY	STAFF REQUIRED
EXTERNAL PLAY	0 - 5 Y.O	7.00m² / CHILD 64 x 7.00 = 448.00	PLAY AREA = 461.00	PROPOSED = 64 CHILDREN	
INTERNAL		3.25m² / CHILD			
ACTIVITY ROOM 1	0 - 24 MONTH	12 x 3.25 = 39.00	40.69	12 CHILDREN	3
ACTIVITY ROOM 2	2 - 3 Y.O	15 x 3.25 = 49.00	49.60	15 CHILDREN	3
ACTIVITY ROOM 3	2 - 4 Y.O	15 x 3.25 = 49.00	51.70	15 CHILDREN	3
ACTIVITY ROOM 4	3 - 5 Y.O	22 x 3.25 = 71.50	72.44	22 CHILDREN	2
TOTAL CAPACITY				64 CHILDREN	11 CHILDCARE + DIRECTOR + ANCILLIARY /CHEF

FLOOR PLAN

SCALE: 1:150 (correct @ A3)

PRINT DATE: 20/10/2025

SK04L

PROPOSED CHILDCARE DEVELOPMENT

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MARK, DEBBIE & JOHN PERRY
a: PO BOX 1008, PARADISE POINT, 4216
e: admin@blackinkarchitecture.com
p: 075519221 m: 0405164989

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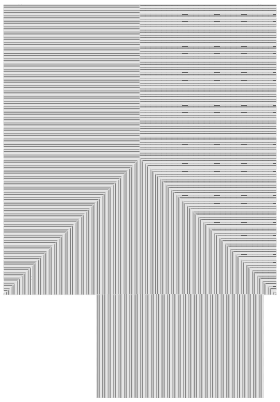

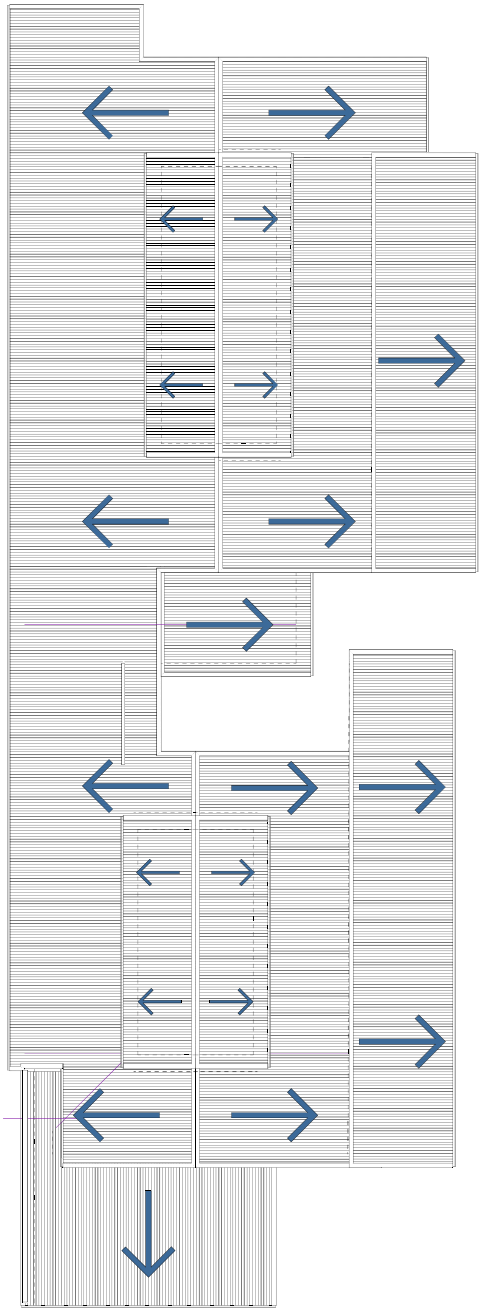

NOTE:
ALL ROOFS TO BE CONSTRUCTED WITH A 20° ROOF PITCH

ROOF PLAN

SK05L

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MARK, DEBBIE & JOHN PERRY
a: PO BOX 1009, PARADISE POINT, 4216
e: admin@blackinkarchitecture.com
p: 075519 4221 m: 0405 164 989

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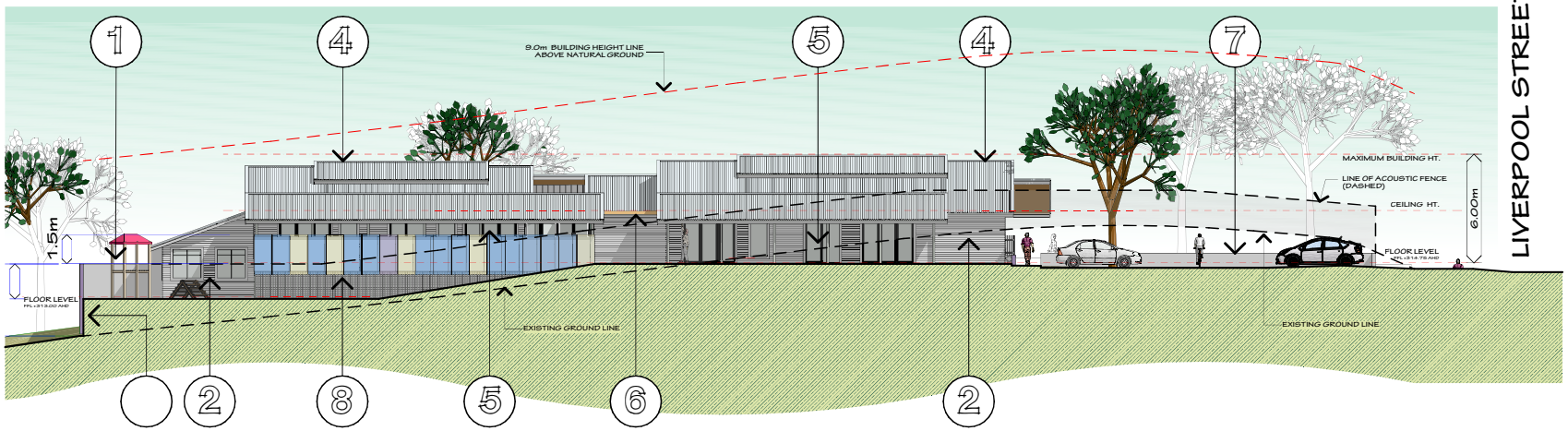
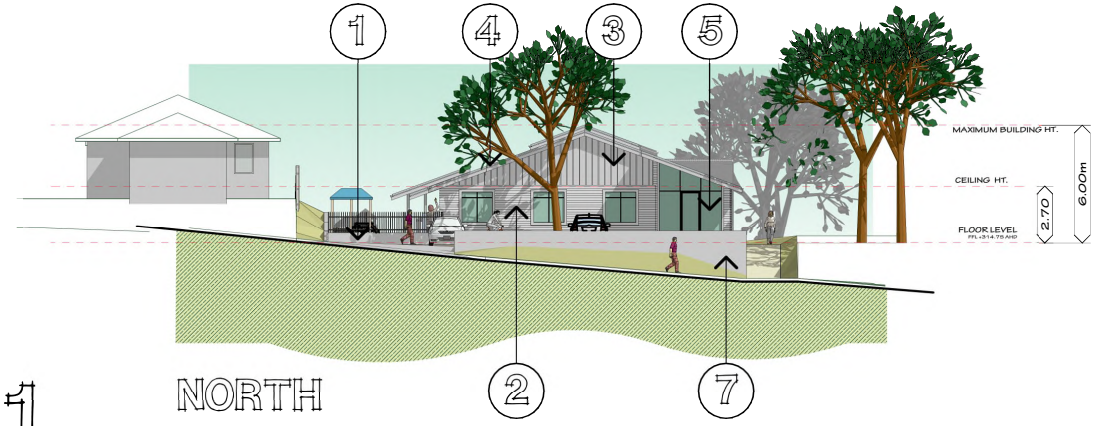


EAST

NOTES

1. RENDERED MASONRY WALLS
2. WEATHERBOARD CLADDING OVER STUD WALLS - PAINT FINISH
3. TIMBER BATTENS OVER SHEETCLADDING - PAINT FINISH
4. METAL ROOF CLADDING - COLORBOND FINISH
5. ALUMINIUM WINDOWS AND DOORS - POWDERCOAT FINISH
6. TIMBER PERGOLA
7. RENDERED MASONRY RETAINING WALLS
8. 1.5m ACRYLIC PANELS AS ACOUSTIC BARRIER OVER TIMBER BATTEN SCREENS



ELEVATIONS 1

NORTH

LIVERPOOL STREET VIEW

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MARK, DEBBIE & JOHN PERRY
a: PO BOX 1009, PARADISE POINT, 4216
e: admin@blackinkarchitecture.com
p: (07)55194221 m 0405164969

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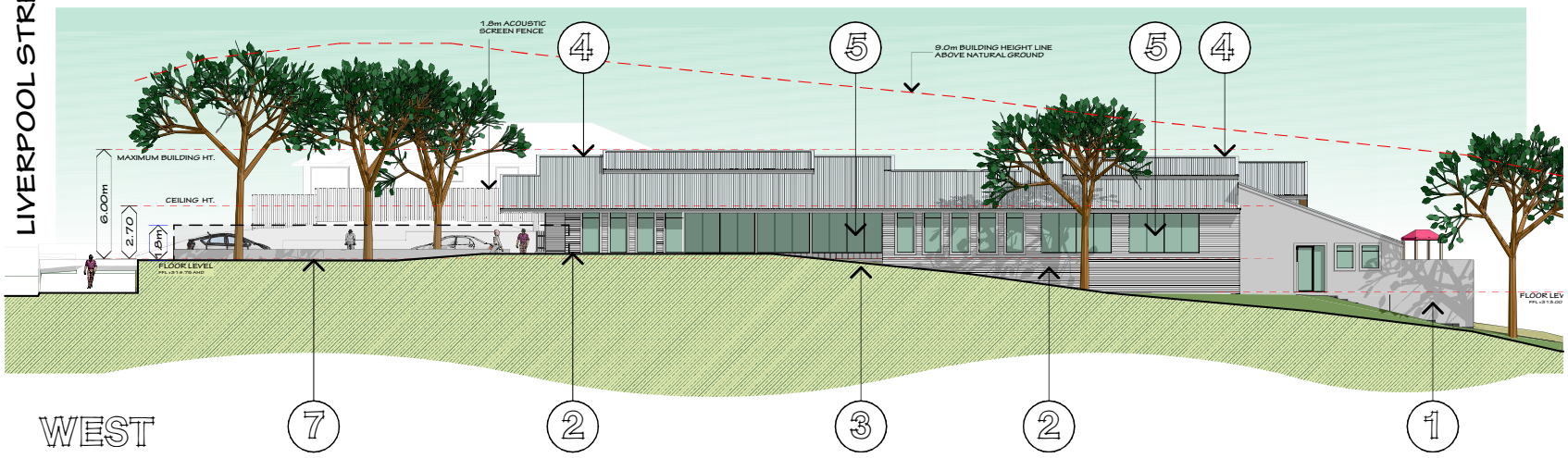
LIVERPOOL STREET



WEST

NOTES

1. RENDERED MASONRY WALLS
2. WEATHERBOARD CLADDING OVER STUD WALLS - PAINT FINISH
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4. METAL ROOF CLADDING - COLORBOND FINISH
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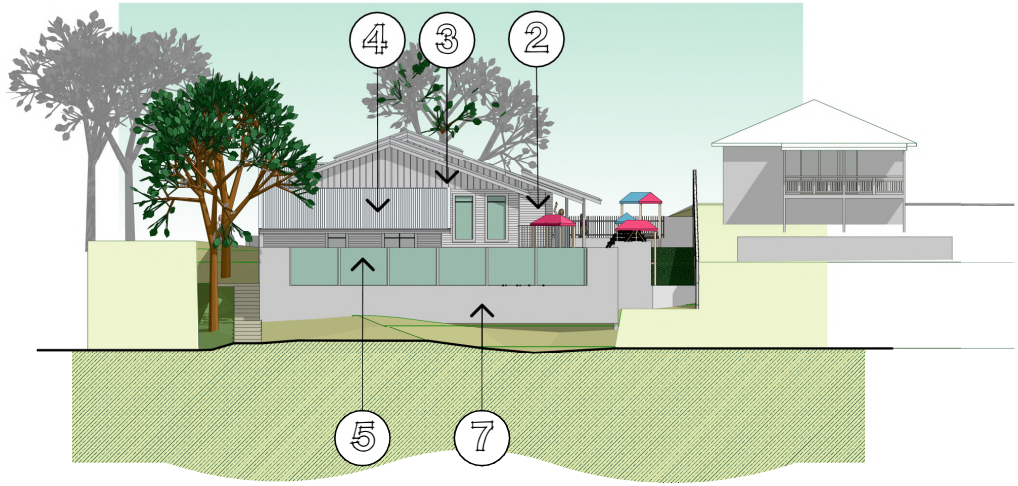
6. TIMBER PERGOLA
7. RENDERED MASONRY RETAINING WALLS
8. 1.5m ACRYLIC PANELS AS ACOUSTIC BARRIER OVER TIMBER BATTEN SCREENS

SOUTH



ELEVATIONS 2

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MARK, DEBBIE & JOHN PERRY
a: PO BOX 1009, PARADISE POINT, 4216
e: admin@blackinkarchitecture.com
p: (07)55194221 m 0405164969

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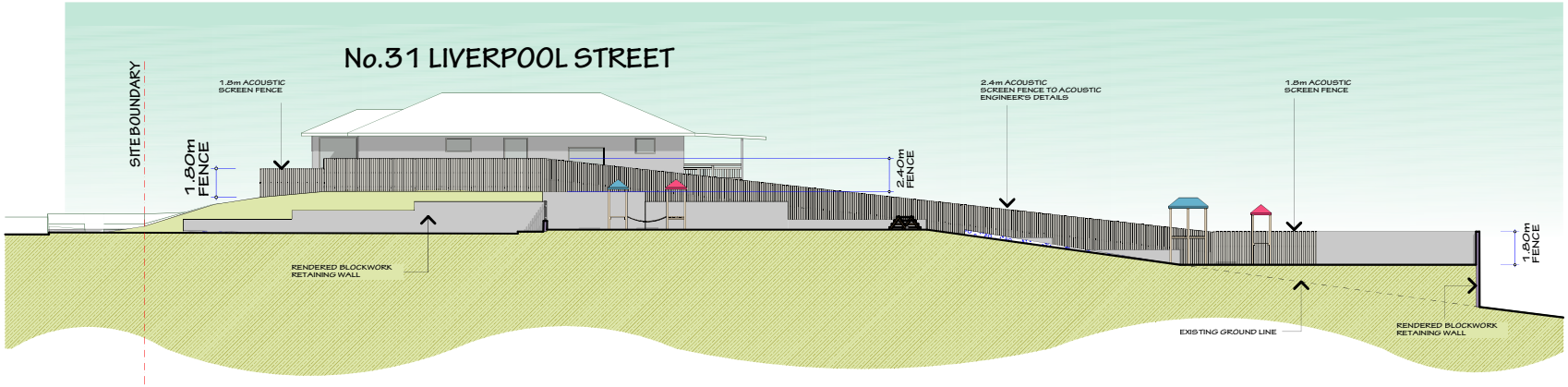

WEST - VIEW OF ADJOINING PROPERTY & BOUNDARY WALL TREATMENT FROM PLAYGROUND

ELEVATIONS 3

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MARK, DEBBIE & JOHN PERRY
a: PO BOX 1009, PARADISE POINT, 4216
e: admin@blackinkarchitecture.com
p: (07)55194221 m 0405164969

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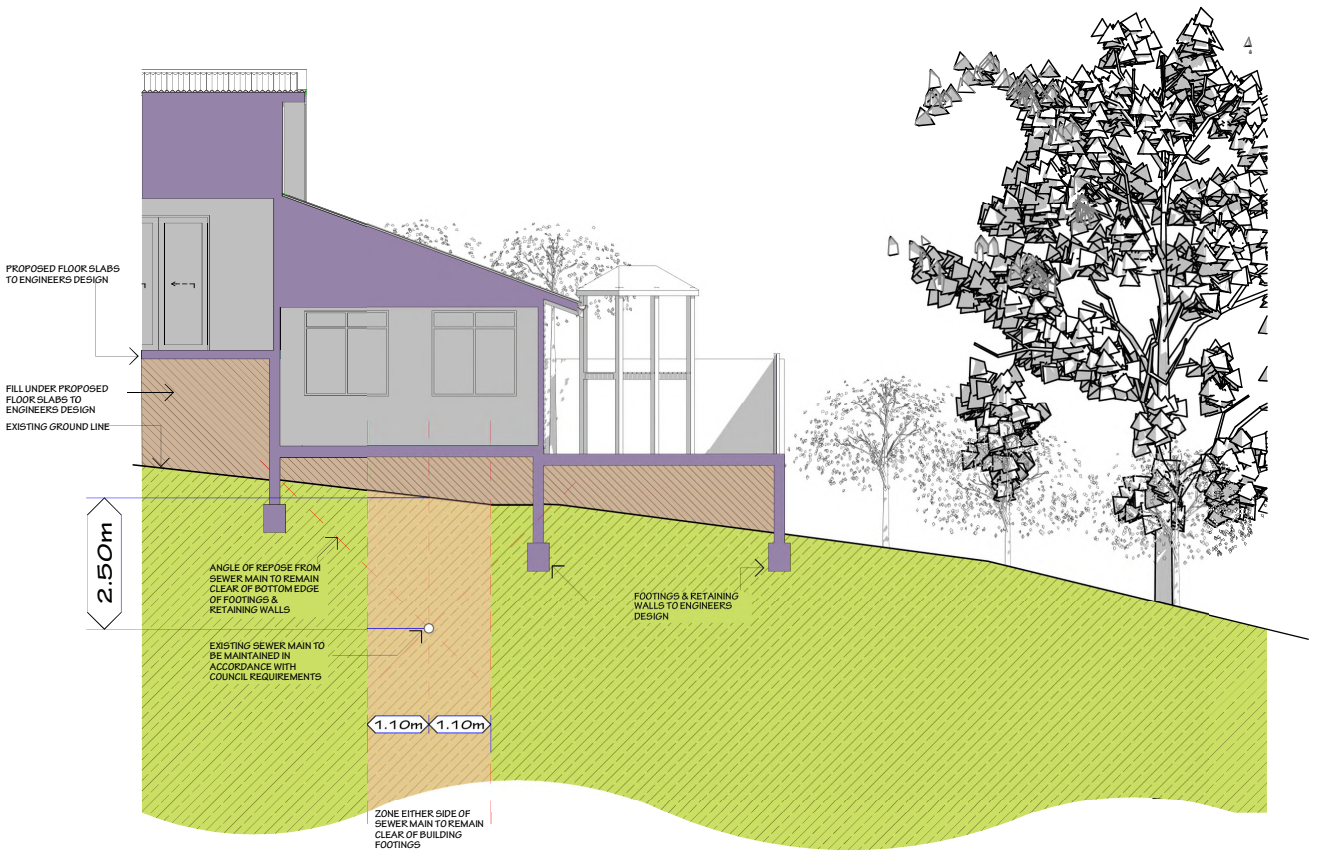

DETAIL SECTION

SCALE 1:75

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a: PO BOX 1009, PARADISE POINT, 4216
e: admin@blackinkarchitecture.com
p: (07)55194221 m 0405164969

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a: PO BOX 1009, PARADISE POINT, 4216
e: admin@blackinkarchitecture.com
p: (07)55194221 m 0405164969

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MARK, DEBBIE & JOHN PERRY
a: PO BOX 1009, PARADISE POINT, 4216
e: admin@blackinkarchitecture.com
p: (07)55194221 m 0405164969

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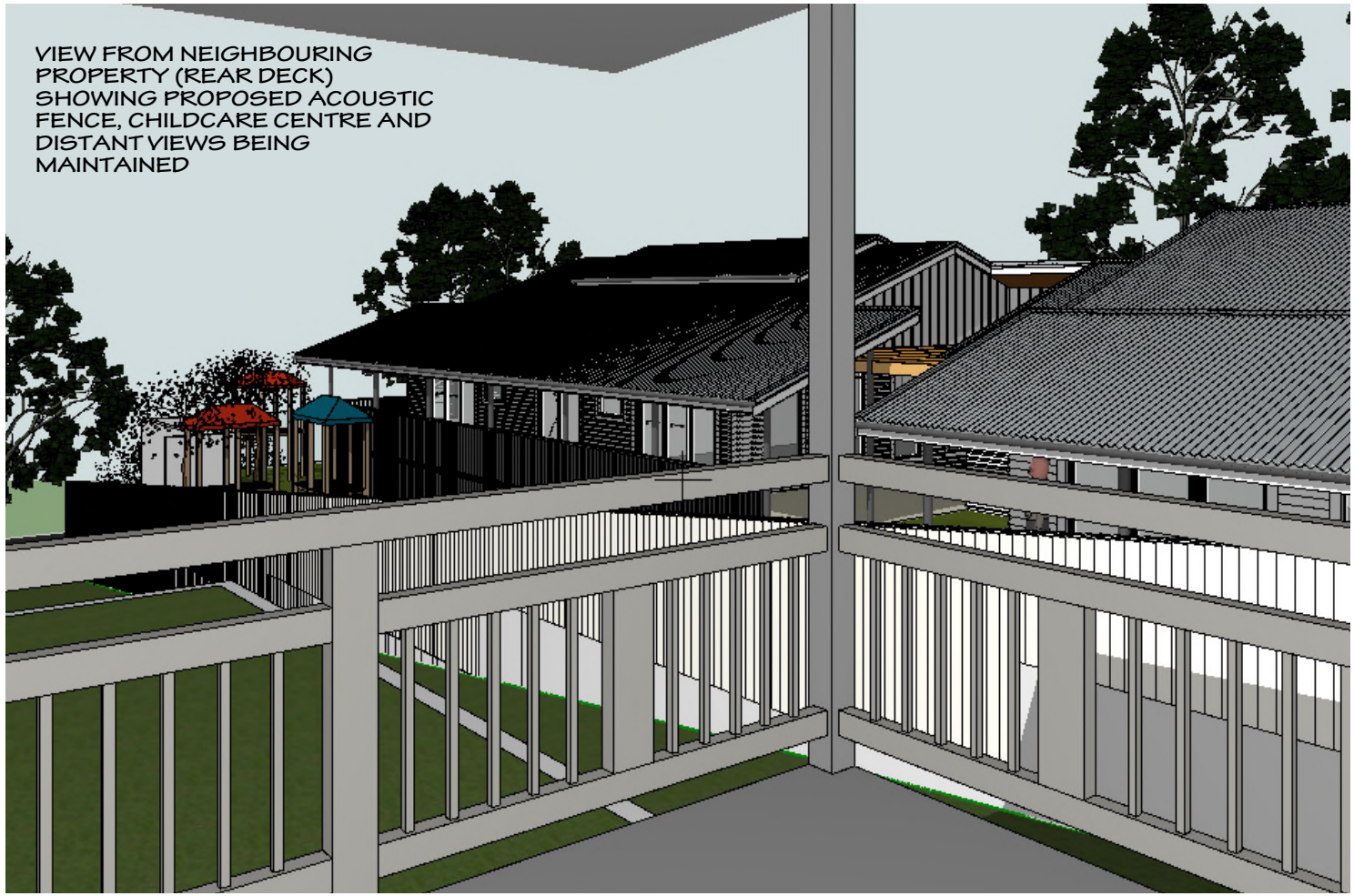

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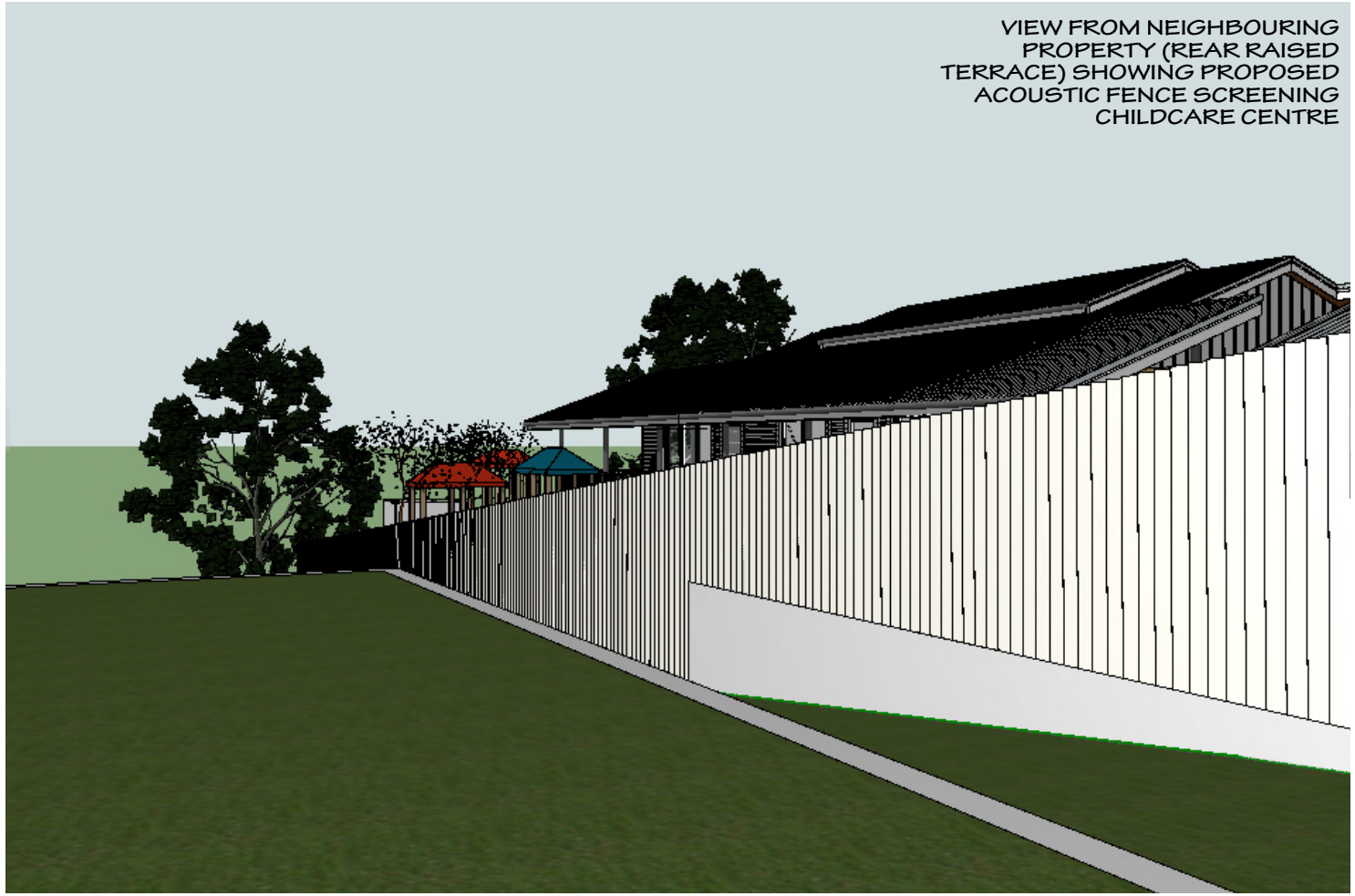
MARK, DEBBIE & JOHN PERRY
a: PO BOX 1009, PARADISE POINT, 4216
e: admin@blackinkarchitecture.com
p: (07)55194221 m 0405164969

NOTE:
THIS PLAN IS PREPARED FOR THE GENERAL COUNCIL ASSESSMENT OF A DEVELOPMENT APPLICATION FOR CONSENT ONLY. SPECIFIC DIMENSIONS MAY BE ALTERED AS PART OF THE DETAILED DESIGN DEVELOPMENT AND BUILDING APPROVAL REQUIREMENTS WHERE REMAINING COMPLIANT WITH COUNCIL DEVELOPMENT CONTROL PARAMETERS.

VIEW FROM NEIGHBOURING PROPERTY (REAR RAISED TERRACE) SHOWING PROPOSED ACOUSTIC FENCE SCREENING CHILDCARE CENTRE



IMPRESSION 4

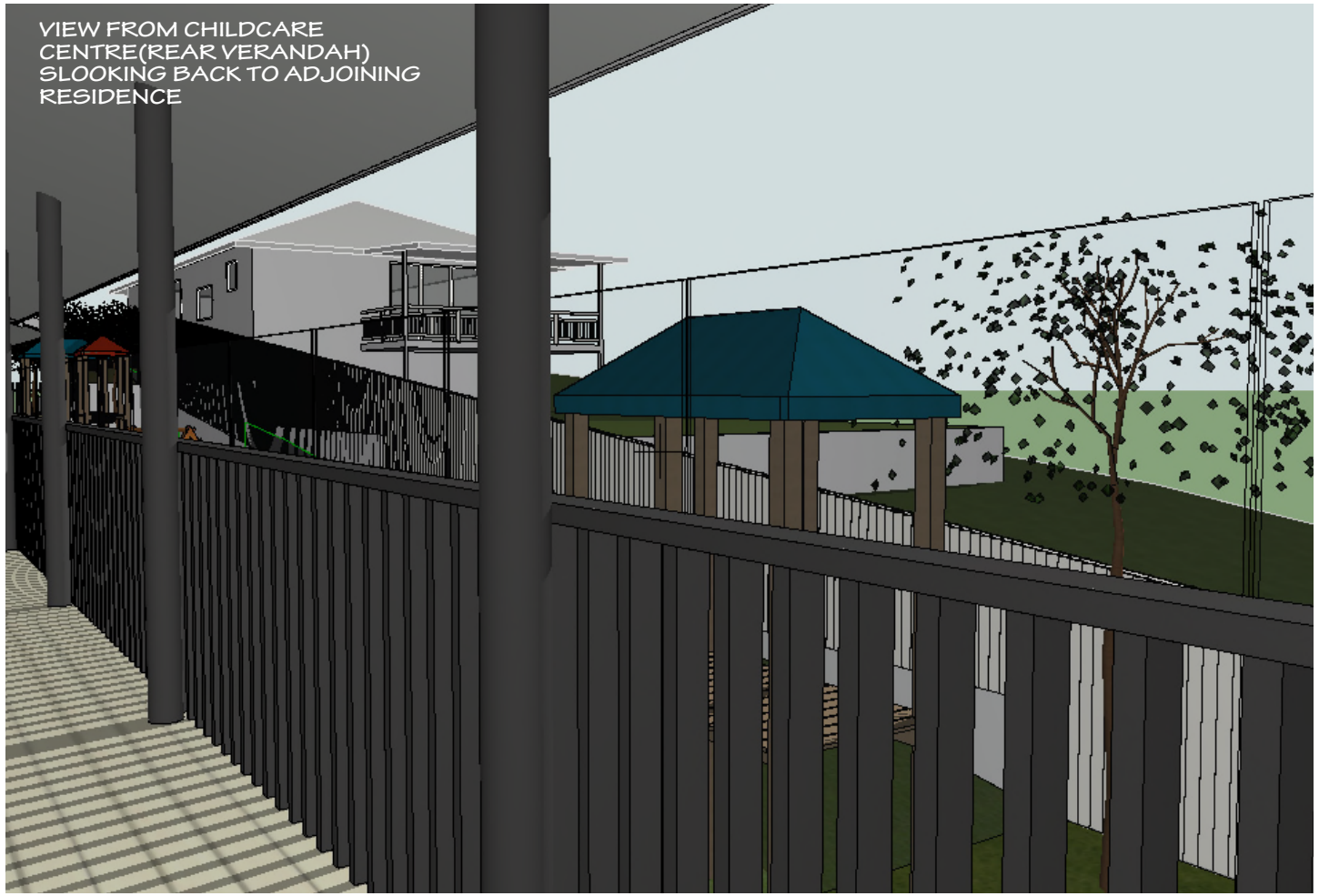
Member Australian Institute of Architects

PROPOSED CHILDCARE DEVELOPMENT
29 LIVERPOOL STREET, COWRA, NSW
RSF CORP PTY. LTD.

SK13
PRINT DATE: 22/10/2025

BLACK INK architecture
MARK, DEBBIE & JOHN PERRY
a: PO BOX 1009, PARADISE POINT, 4216
e: admin@blackinkarchitecture.com
p: (07)55194221 m 0405164969

NOTE:
THIS PLAN IS PREPARED FOR THE GENERAL COUNCIL ASSESSMENT OF A DEVELOPMENT APPLICATION FOR CONSENT ONLY. SPECIFIC DIMENSIONS MAY BE ALTERED AS PART OF THE DETAILED DESIGN DEVELOPMENT AND BUILDING APPROVAL REQUIREMENTS WHERE REMAINING COMPLIANT WITH COUNCIL DEVELOPMENT CONTROL PARAMETERS.



IMPRESSION 5

Member Australian Institute of Architects

PROPOSED CHILDCARE DEVELOPMENT
29 LIVERPOOL STREET, COWRA, NSW
RSF CORP PTY. LTD.

SK14
PRINT DATE: 27/10/2025

BLACK INK architecture
MARK, DEBBIE & JOHN PERRY
a: PO BOX 1009, PARADISE POINT, 4216
e: admin@blackinkarchitecture.com
p: (07)55194221 m 0405164969

[redacted]
COWRA NSW 2794

7 August, 2025

RE: DEVELOPMENT PROPOSAL – DA 10.2025.42.1

As discussed with Josh Neuer yesterday, I need to consult with a Planning Consultant regarding the above development proposal, needing documentation that wasn't readily available with the information I was supplied.

I will be submitting further information for the objection as soon as possible.

I am the owner of [redacted], directly adjacent to the proposed development. I am writing to object to the proposed development at 29 Liverpool Street and object on the following grounds:

- Non compliance with the Early Education and care facilities – specific development controls.
- Acoustic and visual privacy.
- Parking and traffic management.
- Concerns over amount of cut and effect on my property.
- No notification to all relevant properties.
- Need for another childcare centre

Non Compliance with the Child Care Planning Guideline

- Acoustic and visual privacy are affected. A Noise Management Plan is in place which would indicate they anticipate needing to manage noise levels.
- There are 3 bedrooms, kitchen, front office and our rear outdoor deck will all be affected.
- Parking impacts. There are not enough parking spaces available on site, relying on street parking and rear council carpark. On street parking in this position, on a hill, is very difficult to negotiate getting children in and out of cars safely and the rear council carpark is very inconvenient given it's staff access at the rear of the centre meaning parents would need to walk around the block to access the centre.
  There is a lot of resident parking in the street as well as staff/parents parking for access to St Raphael's school. Also, afternoon buses stop in front of these premises waiting to access the bus stop at St Raphael's. There are also a lot of travellers with caravans that park along the street as it's easy access for them to walk to the main street.

- This guideline states that a childcare centre should not be "located closely to … premises licensed for alcohol or gambling such as hotels, clubs". The Lachlan Hotel is located behind the proposed centre and Club Cowra is close as well. The Lachlan Hotel, including deliveries, staff and it's patrons, and well as patrons from Club Cowra all use the Council Carpark which is proposed for use by the child care centre as well.
- Bus Services – this section of Liverpool Street does not have regular bus services, only school buses.
- As this section of Liverpool Street also houses the **"Lachlan Street Character Area"** directly opposite the proposed site it does not "contribute to the local area" or "build on valued characteristics of the neighbourhood" which are predominantly older style homes.
- Placing play equipment away from common boundaries with residential properties – the play area is located next to my property.

Acoustic and Visual Privacy

- 64 children are obviously going to be noisy. Our property sits higher so will the acoustic screening be sufficient?
- The playground borders my property.
- Two bedrooms are near the car park – obvious noise concerns. The centre will be open from 7am but staff will be there earlier.
- Visual privacy – bedrooms, kitchen and rear deck all overlook the property. I have attached photos from all rooms, back door and deck.

Parking and Traffic Management

As stated previously, parking is a concern. Lack of parking on site means the centre is relying on street parking. A lot of residents park on the street, as well as staff and parents attending St Raphael's school.

The slope of the street when kerb parking is also problematic trying to get children/babies in and out of cars while holding the car door is difficult and also means cars need to park further apart to enable this to be done safely. Also, there is not much space in front of the building with a two way driveway, limiting kerbside parking spaces.

Concerns Over Cut and Fill

As my property is immediately adjacent to the proposed development I am concerned about the amount of cut and fill required and it's effects on my property.

Notification to Affected Properties

I am concerned that not all property owners affected by this proposal, in particular acoustic privacy, were notified of the proposed Development Application. Properties that were identified in the Acoustic Report were not notified as required by Cowra Council's Community Participation Plan 2024 Section 4.7.

Need for Another Childcare Centre

Cowra currently has 5 centre based chid care facilities, 4 of which are located in North Cowra, in close proximity to the proposed development. These 4 centres have approval for 267 children and most have currently got vacancies. The 5th centre is located in West Cowra but has not got figures available.

Considering Cowra's growing industrial area in the West Cowra area it would be more practical to provide extra childcare facilities in an area of town where there is only one, not where there is already 4 available.

As stated above, I will submit further information to be included with this objection as soon as possible.

I have attached photos from the windows and rear deck of my property showing the views to next door.

Regards,

[redacted]

RECEIVED
Cowra Shire Council
18/8/2025
Plan No: DA 10.2025.42.1

VISION
PROPERTY DEVELOPMENT HUB

REVIEW OF PLANNING CONTROLS

VISION
PROPERTY DEVELOPMENT HUB

53 Redfern Street Cowra NSW 2794
56 Sharp Street Cooma NSW 2630
PO Box 852 Cowra NSW 2794
1300 240 827
office@visiontpc.com.au
ABN: 95 614 159 698
https://visionpdhub.au

Review of Planning Controls

Proposed Development: Demolition of existing buildings and construction of a single storey child care centre accommodating 64 children (DA 10.2025.42.1)

Subject Land: Lot 1 DP 163191 – 29 Liverpool Street, Cowra

Client: [redacted]

Version	Date	Changes
Version 1	13/08/2025	Issued for Submission to Council

This review of planning controls was prepared based on the following plan and document versions:

Author	Plan	Page	Date	Job
Black Ink Architecture	Architectural Plans	1-8	16/06/25	-
Civic Town Planning	Statement of Environmental Effects	1-56	25/07/25	-
Faulkner & Chapman	Landscape Plan	1	17/03/25	29LiverpoolLP
Motion Traffic Engineers	Traffic & Parking Impact Assessment	1-31	07/2025	N255027A
Octave Acoustics	Noise Impact Assessment	1-29	11/03/25	AC876SE-01E02

Prepared by:

[redacted]

Patrick Fitzsimmons
Town Planner, Managing Director
VISION Property Development Hub Pty Ltd

Review of Planning Controls

Abbreviations

The Act – Environmental Planning and Assessment Act 1979
BCA – Building Code of Australia
Council – Cowra Shire Council
DCP – Cowra Shire Council Development Control Plan 2021
EPI – Environmental Planning Instrument
LEP – Cowra Local Environmental Plan 2012
SEE -- Statement of Environmental Effects
Vision – Vision Property Development Hub

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1. Summary

Vision Property Development Hub (Vision) have been commissioned by the landowners of 31 Liverpool Street, Cowra, to review Development Application 10.2025.42.1 against applicable planning controls.

This submission is prepared with reference to the documents submitted with the Development Application and provided to the client, either by neighbour notification or in response to subsequent email requests for electronic versions of the documents.

The client has received a letter of notification dated the 17th of July, 2025, confirming that Development Application 10.2025.42.1 was submitted to Council and received for assessment proposing demolition of an existing residence, detached carport, existing tree vegetation, and construction of a centre-based childcare centre incorporating a car parking area, childcare centre building, and outdoor playground areas.

Through the review of the development documentation against the planning controls, the following conclusions have been reached:

- The development documentation that is provided with the Development Application cannot be effectively used to identify the full extent of the impacts that will be incurred on the residence at 31 Liverpool Street in the form of noise and views into the back of the home and private open space and views from the home at 31 Liverpool Street into the rear area of the facility including through proposed glass doors, windows, and two large areas for outdoor recreation.
- The extent of the cut and fill is not accurately determined and the elevation plans include tree vegetation positioned on the property at 31 Liverpool Street that does not exist.
- The development plans need to be updated to depict the residence and its location positioned very close to the dividing property boundary at 31 Liverpool Street and the subject site in accordance with the approved form guide as required by Environmental Planning and Assessment Regulation 2021 (NSW).
- Additional time will be required once the updated development documentation is received and renotified to allow for consideration of the development by residents and the impact on the streetscape and the neighbouring property at 31 Liverpool Street.
- The position of the proposed acoustic barrier which will double as a visual screen relative to the home at 31 Liverpool Street is unable to be determined based on the development plans provided. Through inspection of 31 Liverpool Street, it is expected that the proposed screening devices will completely block all light to windows to a laundry located at the rear of the site, partially block a window into the kitchen area and a window to a bedroom and office and almost completely block light to the office at the front of the residence. Updated plans need to be provided in order for the residents at 31 Liverpool Street to be able to give appropriate

consideration to the development and its likely impacts.

- The landscaping proposed cannot be achieved and the trees proposed immediately adjacent to the residential dwelling at 31 Liverpool Street will likely impact on the dwelling from a structural point of view as well as not be able to be practically grown in the location shown without impacting or damaging the home and/or the proposed acoustic barrier.

2. Proposed Development

The development plans depict a proposed new centre-based childcare centre, the construction of which requires:

- Demolition of an existing home, carport, and tree vegetation on the site,
- Construction of a carparking area at the northern end of the site accessed via Liverpool Street,
- Construction of a centre-based childcare building,
- Installation/construction of playground areas,
- Use of adjacent car park adjoining the southern end of the site for car parking,
- Installation of landscaping, and
- Operation of a childcare facility with a capacity for 64 children and 13 staff bringing the total number of people on site at any one time to 77.

3. Site Description and Surrounding Land Use

The subject land addressed 29 Liverpool, Cowra, is positioned on the southern side of Liverpool Street in a precinct that is located between intersecting roads Brisbane Street and Macquarie Street. The land presently contains an existing residential dwelling, carport and landscaping. The existing residential dwelling incorporates a setback that is significantly greater than the neighbouring residences at 31 and 27 Liverpool Street that both contain residential dwellings. The land adjoins a carparking area at its southern end and the southern end of 33 Liverpool Street which contains an existing residence and attached residential flat buildings. An extract from freely available aerial imagery is included below identifying the subject site and the neighbouring residences.

Image 1 – Aerial view of 29 and 31 Liverpool Street

Source: NSW Planning Portal Spatial Explorer (Accessed 13/08/25)

The subject land and neighbouring residences at 27 and 31 Liverpool Street are shown in Image 2 below as viewed from Liverpool Street.

Image 2

Source: Vision Property Development Hub (Taken 13/08/25)

Located opposite the development site on Liverpool Street is a series of single storey residential dwellings. The entirety of the precinct between the intersections of Brisbane Street and Macquarie Street is all single storey residential dwellings on the northern side of the road. Unrestricted 45 degree angle car parking is in place on both sides of the street within the precinct. The western end of the northern side of the street, opposite and diagonally opposite the site includes a series of small residential dwellings with very familiar facades that provide a theme for building character in an immediate vicinity.

The houses opposite and diagonally opposite the site are uniform and appear in images 3-5 below.

Images 3-5

Source: Vision Property Development Hub (Taken 13/08/25)

4. Review of DA Documentation

The following comments are made following review of the documentation provided with the Development Application as well as inspection of the land from public areas of Liverpool Street, the adjacent car park at the rear of the land, and 31 Liverpool Street.

4.1 Site Plans

Site plan SK03L dated the 16th of June, 2025, includes symbols that are presumed to represent existing trees both within the site and neighbouring sites. The setbacks displayed in this plan from Liverpool Street confirm that a portion of the car parking area is aligned with approximately 50% of the side wall of the residence at 31 Liverpool Street. This plan incorrectly displays trees in the location where the residence is already constructed at 31 Liverpool Street, giving an impression of a landscaped area adjacent to the proposed car park rather than an existing dwelling positioned close to the dividing boundary between the two allotments. This plan should be corrected and the neighbouring residence at 31 Liverpool Street depicted in the location where the symbols for existing trees are presently displayed. Altering this plan demonstrates that approximately 50% of the existing residence at 31 Liverpool Street will be positioned immediately adjacent to the proposed car parking area at the northern end of the site and not an open area of existing landscaping.

Image 6 below taken from the Liverpool Street road reserve depicts a number of windows already installed in the western wall of the residence at 31 Liverpool Street.

Image 6

Source: Vision Property Development Hub (Taken 13/08/25)

The plan indicates that an acoustic screen will be constructed up to a 6 metre setback from Liverpool Street and to the rear of the retaining wall proposed at the southern end of the car park on the dividing property boundary. It is not confirmed what the starting level of the acoustic screen for this particular acoustic barrier will be. Presuming this barrier will be at a level 1.8 metres from the existing ground level of the land at 31 Liverpool Street, this will mean that the barrier extends at least halfway up the existing windows in the western wall of the residence at 31 Liverpool Street that provide light to an office room located at the front of the site and an office.

It cannot be determined from the development plans at what point the acoustic barrier increases in height to 2.4 metres high constructed on the dividing boundary but, presuming this height covers at least part of the western wall, it would completely cover an office room, almost entirely block out the laundry, and partly cover the window from the kitchen and two bedrooms. This will block out the western light to those rooms as the windows along that wall are the only windows providing natural light to those rooms.

4.2 Elevations

Plan SK06K dated the 16th of June, 2025, labeled Elevations 1, includes the north elevation plan as viewed from Liverpool Street. This plan sheet along with SK07K which depicts the southern and western views of the proposed development are the only elevation plans provided with the application. The northern elevation depicted on SK06K again displays very large, established trees growing to a height far greater than the proposed development positioned on the neighbouring site at 31 Liverpool Street where there is, in fact, an existing residential dwelling instead of established trees. The inclusion of established trees in this location is incorrect and the northern elevation must be updated to depict the location of the residence at 31 Liverpool Street in order to provide an accurate depiction of the development and immediately an adjoining streetscape.

The eastern elevation also depicted on sheet SK06K depicts the existing ground level of the site and displays a substantial amount of cut to remove the crown of the topography of the site in the location where the car parking area is proposed to be constructed and the northern portion of the proposed childcare centre. The eastern elevation displays vehicles and people, presumably to scale, confirming that the amount of cut is greater than one and a half times the height of a standard vehicle at its highest point, making it in excess of 2 metres of cut to achieve the finished floor level within the site.

Image 7 below taken from the Liverpool Street road reserve displays the existing residence at 31 Liverpool Street and displays that it has an existing finished floor area that is already marginally higher than the existing ground level of the land subject to the proposed development.

Image 7

Source: Vision Property Development Hub (Taken 13/08/25)

The northern elevation does not depict the height of what is presumed to be a retaining wall adjacent to the boundary positioned between 31 and 29 Liverpool Street. Assuming the vehicles and people displayed in the north elevation are to scale, it does not appear that the retaining wall is accurate to depict the height of the wall and the finished height of the ground level at 31 Liverpool Street which the northern elevation does depict, given the location of the retaining wall being positioned immediately adjacent to 31 Liverpool Street. This plan should be adjusted to include the overall height of this retaining wall and depict the location of the dividing fence/acoustic barrier at heights of 1.8 and 2.4 metres between the site and the residence at 31 Liverpool Street. This is necessary to ensure the northern elevation does depict the change in level within the site relative to the neighbouring residence at 31 Liverpool Street and how it impacts the view of the site from Liverpool Street using the proposed design, and the very likely structural and certain visual impact on the view of the residence at 31 Liverpool Street from Liverpool Street.

Additionally, the site plan referred to above identifies acoustic screens and the east elevation on sheet SK06K also identifies an “acoustic fence”. The northern elevation on plan SK06K should also be updated to depict the “acoustic fence” in the curved shape depicted on the east elevation plan along with the position of the neighboring residence at 31 Liverpool Street.

The changes to SK06K removing the trees that are not positioned in that location and depicting the existing residence as well as the proposed acoustic fencing is necessary as the development as designed will have a significant impact on the overall appearance of the streetscape from Liverpool Street. It is appropriate for a development of this scale in a residential precinct that the neighbouring residences are depicted on elevations such as the north elevation included to accurately reflect the potential impact and resulting outcome the development will have on the streetscape. Given the amount of cut required to achieve the design, the effect of the cut into the land and the construction of the acoustic barriers immediately adjacent to 31 Liverpool Street means the impact of the development to the site will be negative and very significant.

The north elevation also depicts a large tree centrally positioned in front of the proposed childcare centre with an image of a person walking between Liverpool Street and the tree, however this tree is not included on the landscape plan prepared by Faulkner & Chapman, nor is it displayed as a tree to be retained on the site this tree is not proposed and should be removed.

4.3 3D Renders

The architectural plan set is accompanied by 3D renders of the proposed development.The first of a series of images that includes a view that appears to be from an area floating above Liverpool Street looking back at the site in a southeastern direction. The view is designed to be from a floating position as Liverpool Street slopes downhill in a western direction away from the site and for the site's full frontage, yet this image shows a depiction above the western end retaining wall of the proposed access footpath to the site from the existing footpath in Liverpool Street. The view depicted should be from a standing height in the same location on Liverpool Street. This realistic view would include less of the building and more of retaining wall required to be constructed in order to position the proposed car parking area at the front of the site.

The render also displays four very large established trees in the location immediately adjacent to the residence at 31 Liverpool Street. This image should be amended to include a view from a typical height at ground level and include a depiction of the location of the residence at 31 Liverpool Street, the proposed acoustic barrier walls, as well as the existing windows positioned in the western wall of 31 Liverpool Street as can be viewed from Liverpool Street and the subject site. Including these items in this image would then accurately depict the view of the development from Liverpool Street and the relative position of the existing residence at 31 Liverpool Street. This will also depict the impacts the development will have on the appearance of the residential dwelling at 31 Liverpool Street by utilising the current proposed design.

The impact will be substantial because, at present, the residence sits in a fairly natural hill formation that extends along the northern side of Liverpool Street between the existing residences. This will be dramatically changed at the boundary and very close to the western wall of the existing residence through the cut of the site in order to construct the car park in the location proposed.

The development plans need to demonstrate that post development flows from the site match pre development flows through a stormwater management plan including stormwater calculations. This has not been provided with the application so it is unable to be determined if there will be impacts from stormwater on 31 Liverpool Street.

Preliminary civil engineering plans should be provided to demonstrate how utility connections will be made and how this substantial amount of retaining wall work would be constructed throughout the site, most particularly at the front of the site and the finished heights that will result from the construction of those items, so it can be demonstrated and considered how this will affect the residence at 31 Liverpool Street.

4.4 Noise Impact Assessment

The Noise Impact Assessment includes plans in Appendix C which have a preliminary watermark across them and an issue date that differs from the date on the architectural plans that were neighbour notified. It is, therefore, unclear if the Noise Impact Assessment was prepared based on the final development design.

The conclusion of the Noise Impact Assessment is that noise abatement mitigation measures in the form of noise mitigation fencing is required in order for the development to be below the allowable noise levels. The result of this is 1.8 metre high and 2.4 metre high noise abatement fencing/barriers along the eastern boundary of the land containing 31 Liverpool Street.

Measured from 31 Liverpool Street, the current fencing on the dividing boundary is 1.5 metres high. This would mean that, in places, the noise abatement fencing/barrier would be 2.4 metres high which would effectively be 3 quarters of the way and half way up the height of the existing windows to the kitchen, bedroom, and windows to an office area in the residence at 31 Liverpool Street. This will reduce the amount of solar access through those windows and into those rooms as well as impacting the views from those windows in a western direction which presently overlooks a rolling hill with residential development in front of St Raphael's Catholic School in a northwestern direction. The laundry, which is in a subfloor area, would be virtually completely blocked from any light by these abatement measures.

The noise abatement measures are required by the Noise Impact Assessment because of the outdoor recreation and play equipment areas having been positioned alongside dividing boundary fence for the majority of the site. If the design was not to position the outdoor areas in this location, the noise abatement fencing may not be required and the impacts on solar access and views avoided.

Below in Image 8 is an image taken from the existing outdoor deck adjoining the dining/living room area of the residence at 31 Liverpool Street of the back area of the existing house. In the Statement of Environmental Effects (SEE) it is confirmed that the existing front setback of the residential dwelling is maintained though the development, meaning the building is in a similar location. Based on the plans provided, it is unable to be determined how and if the private open space on this covered deck area will be viewed from the many windows and glass doors that are positioned in the back portion of the dwelling as well as the outdoor playing areas that are along the common boundary and at the southern end of the site.

Image 8

Source: Vision Property Development Hub (Taken 13/08/25)

The residents of 31 Liverpool Street are very concerned that they will be able to view into and be viewed from these areas of the development having a daily and significant impact. It is unable to be determined where the acoustic fencing will be positioned and to what height and what impact that will have on their views in a southwestern direction towards the Conimbla National Park outside of Cowra.

The development plans do not allow for a complete and thorough consideration of this potential impact, however, based on the design provided, it would seem that the design will result in a negative impact being incurred from both noise and invasion of privacy as a result of the development design.

Image 9 below depicts a view from a bedroom where the front of the childcare centre is proposed to be constructed. It is unclear how this view will be impacted from the acoustic fencing proposed and whether or not any view from this window or light will still be provided.

Image 9

Source: Vision Property Development Hub (Taken 13/08/25)

Updated development plans are required, however, based on the development plans provided with some assumptions it seems likely that light into this room will be greatly impacted by the acoustic walls that are required as a result of the development design.

Image 10 below depicts the view from the western window over what is assumed to be the car park area of the kitchen of the residence at 31 Liverpool Street and the fencing that can be seen at the bottom of the image, as in image 9 above, is a 1.5 metre high colorbond fence. It is assumed that, if the acoustic barrier is constructed at the highest proposed, both the view and the light will be cut off by this design, having a very significant impact on the enjoyment, use, and health of that room.

Image 10

Source: Vision Property Development Hub (Taken 13/08/25)

Image 11 below depicts a view from a bedroom in a western direction. It is unable to be determined from the plans provided how this will be impacted, however, it is assumed that the construction of the acoustic barrier will have a significant impact on light into this room as well as the view. The existing fencing seen at the bottom of the image is a 1.5 metre high colorbond fence positioned closely to the proposed development.

Image 11

Source: Vision Property Development Hub (Taken 13/08/25)

Image 12 below depicts a view in a western direction over what will presumably be the car park. The construction of the acoustic wall to allow for the development design will negatively affect light into the room and view from the room in a western direction.

Image 12

Source: Vision Property Development Hub (Taken 13/08/25)

4.5 Traffic and Parking Impact Assessment

The Traffic and Parking Impact Assessment is addressed later in this document.

5. Legislation

5.1 Environmental Planning and Assessment Regulation 2021

Clause 24 Content of Development Applications subclause (1)(a) states that a Development Application must be in the approved form.

Subclause (1)(b) goes on to state that applications must "*contain all the information and documents required by–*

(i) the approved form, and

(ii) the Act or this Regulation"

On the 28th of February, 2022, the former NSW Department of Planning and Environment issued a document entitled Application Requirements March 2022. Section 1.1 lists the information requirements for Development Applications. Subsection j. lists a site plan as one of those requirements and details of its requirements are included in subsequent Section 1.3.

Section 1.3 Requirements for a Site Plan subsection e. states that a site plan must indicate "*the location and uses of buildings on sites adjoining the land.*"

The development plans submitted do not meet the requirements for the approved form of a site plan and must be updated to depict the location and uses of buildings on sites adjoining the land.

Section 1.1 subsection k. states that a DA must contain *"drawings of the development. See section 1.4 below for drawing requirements."*

Section 1.4 Requirements for Drawings subsection f. states that drawings must include *"proposed parking arrangements, entry and exit points for vehicles, and provision for movement of vehicles within the site (including dimensions where appropriate)."*

The development plans do not make any reference to compliance with the Australian Standard for off street parking and, likewise, the Traffic and Parking Impact Assessment does not demonstrate compliance of the proposed carparking area with the Australian Standard or include any swept paths. Therefore, a swept path analysis should be included for the use of the car parking area, the dimensions of the car park and movements throughout the car parking area.

The site plan and documentation submitted does not meet the requirements of the approved form in this regard.

Likewise, a proposed centre-based childcare facility of this size will require regular delivery of items for the operation of the facility that would require delivery vehicles such as small trucks to be able to attend the site. The Traffic Impact Assessment refers to delivery by vans only, however, this is not practical given the size of the proposed facility and, given the kitchen facilities included, it would seem likely that cold goods and other items would need

to be delivered to the site very regularly. This typically takes place in a small cold storage delivery truck so deliveries would not be limited to a van only. The manoeuvring of a cold storage delivery truck has not been catered for or demonstrated in the development plans.

Additionally, the Statement of Environmental Effects refers to the use of an estimated 4 onsite car parking spaces in front of the centre-based childcare on Liverpool Street in order to cater for the shortfall of car parking required under Council's Development Control Plan (DCP) as addressed later in this submission.

Accordingly, delivery vehicles should be able to enter and exit the site to provide for the regular/daily delivery of goods likely to be needed so a swept path analysis for a small delivery truck should be included. The only ramped access to the site is from Liverpool Street and the access to the rear of the site from the adjacent car parking area incorporates steps and is labelled as staff access, making it impractical for regular delivery of items to the facility, meaning it is more likely that deliveries will occur from Liverpool Street and delivery vehicles forced to occupy car parking spaces in the street, reducing the amount of on street car parking spaces that would be available. It is noted that car parking in this vicinity is already utilised by daily parking associated with St Raphael's Catholic School located in the next precinct west of Macquarie Street.

5.2 NSW Planning Circulars

Review of the New South Wales Government planning website confirms a current planning circular in place is PS 21-037: Guidance for Centre-based Childcare Facilities. This planning circular confirms under the heading *Relationship of DCPs to the Guideline* that *"Council DCP controls relating to building height, side and rear setbacks, and car parking rates will continue to apply to proposed developments."*

Part H - Commercial Development of the Cowra Shire Council Development Control Plan 2021 (DCP) applies to commercial development. The Statement of Environmental Effects (SEE) submitted with the Development Application confirms the development is considered commercial in nature.

Section H.1.1 confirms that *"Part H.1 applies to any commercial development that is permissible within the B2 Local Centre zone under the Cowra Local Environmental Plan 2012."* Centre-based childcare is listed as a permissible land use in the equivalent zone E1 Local Centre under the Cowra Local Environmental Plan 2012, meaning the controls in relation to building height, side and rear setback are applicable. The SEE submitted with the Development Application does not address the controls in Part H.1.

Section H.1.3 *Setback Controls* subsection b. states:

> *"For buildings outside of Kendal Street, setbacks should:*
>
> *i. Reinforce the existing street pattern, character and function.*
>
> *ii. Be compatible with adjacent building setbacks.*
>
> *iii. Be appropriate for the level of pedestrian activity and proposed land-use."*

The large front setback including a large car parking area does not reinforce the existing street pattern, character and function which is characterised by residential development throughout the remainder of the precinct in which the development is proposed being residential development with a similar pattern of front setbacks. Likewise, the residential dwellings that form part of a character area positioned directly opposite the development site all incorporate a very similar front setback, all of which are readily visible from the development site.

The large building setback and proposed car parking area is not compatible with the adjacent building setbacks in that it varies significantly and incorporates a very substantial amount of cut in order to position the proposed car parking area at the front of the site.

Therefore, the childcare facility as proposed does not meet the planning controls of subsection b.

The SEE submitted with the application addresses Part M - Parking, Access and Mobility of the DCP on page 24. The SEE calculates the required onsite car parking spaces to be 23 spaces and also identifies the total number of spaces provided to be 11.

The SEE makes reference to Section M.1.8 Variation to Parking Requirements, identifies a shortfall of 12 onsite car parking spaces, and makes reference to a car parking area located at the rear of the premises and the Traffic and Parking Impact Assessment submitted with the application.

The Traffic and Parking Impact Assessment makes reference to traffic counts within Liverpool Street and peak traffic counts but does not male reference to any analysis of the available car parking within Liverpool Street or the adjacent Macquarie Street and Brisbane Street as is referred to as suitable for catering for parking associated with persons attending the proposed childcare centre. It is noted that traffic counts do not denote parking availability.

Section 3.1 Car Parking of the Traffic and Parking Impact Assessment states, *"There is a council-owned public parking area to the rear of the site with a capacity of 42 car spaces for the general public."* Inspection of all entries to the car parking area referred to confirms there is no signage displayed confirming the area is a Council managed public car parking area and a view of the current registered allotment layouts displays that greater than 50% of the car parking area is on an allotment addressed 74 Kendal Street that contains a building currently operating for retail purposes (Silly Solly's) as well as other commercial buildings. It is understood that Council does not own this allotment and the documentation provided does not demonstrate that the 42 spaces mentioned in the Traffic and Parking Impact Assessment can be replied upon for the shortfall of car parking required.

Image 13 – Aerial view of 74 Kendal Street (building containing Silly Solly's)

Source: NSW Planning Portal Spatial Explorer (Accessed 13/08/25)

The car parking layout provides a single accessible vehicle space with the required shared zone. However, Council's DCP requires 1 space for every 20 car parking spaces and at a rate of 2% of designated spaces thereafter, meaning, as 0.46% of a space is required in addition to the initial space, a second space is also required. In this instance, the number of car parking spaces required is 23, meaning an additional accessible car parking space is needed to be provided in the car parking area to meet the demand for accessible spaces. The site is not accessible from the rear as it includes stairs rather than a ramp that will comply with accessibility standards to enter the building. This does further reduce the number of car parking spaces that are provided on site for persons who do not require disabled parking.

Section 3.1 Car Parking of the Traffic and Parking Impact Assessment also states, *"Children from the proposed will be pickup from 3pm with the majority between 5pm to 6pm (slightly earlier). Most business, other than restaurants and pub, close at 5pm with car parking occupancy in the council car park low after 5pm."*

It is unclear how this conclusion was reached. We request justification for this statement.

The DCP Section M.3.8 Pedestrian Travel has requirements for the provision of safety lighting and subsection c. states, *"Safety lighting should be provided within the car park to ensure that pedestrian pathways have observable paths of travel."* In this regard, no lighting plan has been provided as part of the development along with the specifications of any lighting on the building. Therefore, it is not able to be determined if lighting will impact the residence and private open space at 31 Liverpool Street.

The centre will operate after day time hours in the winter time so lighting will be required both for car parking and the surrounding pathways that provide access. Without details of the lighting and its position, it is unable to be determined by Council or in this submission any impacts that would be incurred on the residence at 31 Liverpool Street.

5.3 Department of Planning, Industry and Environment Childcare Planning Guidelines

The New South Wales Government Department of Planning, Industry and Environment Childcare Planning Guidelines include seven principles which are considered in the matters for consideration contained in Section 3.

The SEE submitted with the Development Application addresses the guidelines in Appendix A of that document. Section 3.1 includes matters for consideration under subsection C. The SEE has not addressed the third bullet point under subsection C1 which states:

"For proposed developments in or adjacent to a residential zone, particularly if that zone is for low density residential uses consider:" and bullet point 3 states *"Visual amenity impacts (e.g. additional building bulk and overshadowing, local character)"*.

No considerations have been included to address the impact of the development on the visual amenity and the bulk and scale and the significant amount of cut needed to achieve the proposed design and its significant impact of the streetscape overalls and particularly 31 Liverpool Street..

As detailed earlier in this submission, the development plans require alteration to depict the position of the residential dwelling located at 31 Liverpool Street adjoining and positioned immediately adjacent to the development site, including the proposed car parking area and part of the childcare centre building and outdoor playground areas. The position of the building and the design of the car parking area adjacent to an existing residential dwelling will have a significant impact on the appearance of that site and the surrounding character of small residential dwellings on both sides of Liverpool Street within the same precinct between Macquarie Street and Brisbane Street as the development.

The design of the development on the site differs from the character of any of the adjacent and adjoining residential development, the majority of which include single dwellings on residential allotments including a variety of front setbacks and landscaped front yards. It is acknowledged that there are residences to the west of the site which incorporate front setbacks that are greater than the residential dwellings either side of the proposed development which have a very similar front setback that is not consistent with the front setback of the proposed development.

Below is an image that depicts the front setbacks of the immediately adjacent lots and the very uniform front setback of the residences directly opposite and adjacent to the site on Liverpool Street.

Image 14 – Aerial view of residences fronting Liverpool Street

Source: NSW Planning Portal Spatial Explorer (Accessed 13/08/25).

The development as designed will, therefore, have a significant impact on the local character within that vicinity.

Section C5 of the guideline states in bullet point 3 that the proposed development should *"reflect the predominant form of surrounding land uses, particularly in low density residential areas"*.

The SEE acknowledges that the area incorporates an area typical of Low Density Residential whilst not being in an R2 Low Density Residential zone.

The SEE goes on to state that the building footprint and landscaped areas are consistent with the surrounding residential properties, notwithstanding the greater car parking area at the front of the site. This statement in the SEE acknowledges that the car parking area as designed, which is not consistent in the streetscape.

Section C11 states, *"Orient a development on a site and design the building layout to:*

- *ensure visual privacy and minimise potential noise and overlooking impacts on neighbours by*
    - *facing doors and windows away from private open space, living rooms and bedrooms in adjoining residential properties"*

The elevation plan SK06K depicts the height of the proposed acoustic barrier fence relative to the facility. The acoustic barrier fence would also act as a visual screening device. However, as the site plan does not depict the location of the residence at 31 Liverpool Street, it cannot be determined if the acoustic barrier fence would act in mitigating impacts from living rooms, bedrooms or the only private open space available to the residence of 31 Liverpool Street at the rear of the site.

Likewise, it is unclear if the rear portion of the development, which is built up to have a level floor level throughout the entire facility, would result in views into the backyard and back of the house at 31 Liverpool Street from the substantial number of glass panel doors and windows positioned along the eastern side of the rear half of the proposed childcare centre.

It is necessary that these plans be updated to confirm if the proposed mitigation measure is adequate and/or effective given the design of the childcare facility. Additional time would be required to consider any amended design and confirm if additional submission would be required. Based on the current information, there is a definite chance that the design does not meet this requirement facing the windows and doorways towards or with full view of the back portion and only area of private open space of the residence at 31 Liverpool Street. There is definite potential for impact and it cannot be determined if the design has adequately catered for or mitigated this impact from the information provided.

Section C12 of the guidelines states, *"The following matters may be considered to minimise the impacts of the proposal on local character:"* and includes bullet point 3 which states *"setbacks should allow for adequate privacy for neighbours and children at the proposed child care facility"*

The setback of the proposed development to provide the car parking area at the front of the site and the overall development design results in the development being elevated at the rear of the proposed building to maintain a level floor. As stated above, it is unclear from the development plans if the elevated area will view immediately into the back of and the only area of private open space for the existing dwelling at 31 Liverpool Street. It is unable to be determined if this control is achieved through the design but, with the building elevated at the rear, it would seem unlikely that this control is met and that the design does not allow for adequate privacy for neighbours and, correspondingly, the children at the proposed childcare facility. If updated plans are prepared to address the residential dwelling at 31 Liverpool Street, additional time will be required to consider if there are any impacts from the modified design.

Section C12 also includes bullet point 5 which states, *"setbacks to the street should be consistent with the existing character"*

The existing setbacks either side of the development vary greatly from the setback of the proposed childcare facility and is completely different from the uniform setbacks of residential dwellings on the opposite side of Liverpool Street.

As previously addressed in this submission, the front setback of the two nearest residential dwellings is substantially forward of the proposed building. C13 states, "*On other road frontages where there are existing buildings within 50 metres, the setback should be the average of the two closest buildings.*" The SEE states that the front setback of the existing dwelling is maintained, referring to the existing dwelling to be demolished. The design of the development incorporating a car parking area at the front of the site and a substantial amount of cut to achieve this does not meet the control contained in C13.

The objective of C13 states: *"To ensure that setbacks from the boundary of a child care facility are consistent with the predominant development within the immediate context."* The proposed setback does not meet the objective of C13 as the setbacks from the front boundary of the childcare facility are not consistent with the predominant development (residential dwellings) in the immediate context. This includes the dwellings on either side of the development and the residential dwellings on the opposite side of Liverpool Street which have a uniform front setback. The design does not meet the objective of C13.

C21 includes objectives that aim to *"minimise overlooking of main internal living areas and private open spaces in adjoining developments through:*

- *appropriate site and building layout*
- *suitable location of pathways, windows and doors*
- *landscape design and screening."*

As stated above, it cannot be determined from the plans what level of impact may be incurred through the design on the residential dwelling and private open space at 31 Liverpool Street.

C22 aims *"to minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments."* As above, it cannot be determined using the documents provided if the acoustic barriers will effectively mitigate noise impact to the residence and private open space area at 31 Liverpool Street. Additional time will be required to consider any updated plans.

It is clear from consideration of the guidelines that additional documentation is required in order to effectively determine if the proposed development and mitigation measures would effectively reduce or avoid noise or visual impacts on the residential dwelling and private open space at 31 Liverpool Street. Redesign of the development will be required to reduce the impact of the acoustic treatments recommended.

6. Conclusion

It is concluded through review of the documentation submitted with the Development Application, inspection of the site from Liverpool Street and the adjacent car parking area at the rear, and from the residence at 31 Liverpool Street, that the development as proposed should not be approved to be constructed as it is not consistent with the character of development in the area and, despite attempted mitigation measures, does not effectively demonstrate that the impacts from noise, visual privacy, and possibly night lighting from the residents, will be mitigated from negatively affecting the residents at 31 Liverpool Street.

It is thought that the development is designed as proposed to maximise the building footprint by providing some car parking at the front of the site, notwithstanding that it is less than the onsite car parking volume required, and including areas of private open space to meet the guidelines for centre based childcare to increase the number of children that may attend the site at any one time but has been positioned in disregard of the guidelines that state that outdoor areas and associated equipment should not be positioned adjacent to existing residences to avoid impacts from noise.

The documentation prepared does not meet the approved form for Development Applications as included in the guidelines prepared by the New South Wales Government Department of Planning and referred to in the associated Environmental Planning and Assessment Regulation 2021, meaning additional information must be submitted with the Development Application. If additional information is submitted. This information must be provided through a neighbour notification process and additional time to consider any amended design must be provided to surround residents.

Given the above, overall, the development has been designed to maximise the amount of children that can attend a facility rather than designed to meet the objectives and controls of the relevant planning policies and guidelines. The design should be substantially reconsidered and altered to meet the required planning guidelines, reducing or avoiding impacts on the residence at 31 Liverpool Street and the correct and required documentation provided.

11th August 2025

To Whom It May Concern,

I am writing to formally express my objection to the Development Application submitted for a proposed 64-place Early Childhood Education and Care (ECEC) centre at 29 Liverpool Street, Cowra.

As the nominated supervisor at Goodstart Cowra and an active contributor to the local early childhood education community, I wish to outline three key concerns regarding this proposal:

1. Oversaturation of Services in Cowra

Cowra currently supports:

- Five established ECEC services
- Family day care operators
- A mobile service that extends into surrounding villages
- A planned preschool-based operation already in development

The introduction of another centre would significantly oversaturate the market, leading to unnecessary competition and fragmentation of services. This oversupply does not reflect a demonstrated community need and risks destabilising the balance of care provision already in place. Rather than enhancing access, it may dilute the quality and consistency of care across all services.

2. Negative Impact on Existing Providers and Workforce Stability

The early childhood sector in Cowra is already facing a critical shortage of qualified educators and teachers. Adding another centre would intensify this issue, placing immense pressure on staffing across all services. Consequences may include:

- Reduction in room availability or temporary closures due to insufficient staffing
- Disruption to families who rely on stable, consistent care
- Increased turnover and burnout among educators

This disruption carries serious social, emotional, and mental consequences for both families and staff. Children may be required to change care settings, lose trusted educators, or face reduced access to early learning opportunities.

Our community has taken proactive steps to address workforce challenges. Goodstart Cowra is participating in a workforce initiative led by the Coaxial Foundation, which identified our centre as one of three nationally (out of 600 Goodstart centres) with critical staffing needs. On 6 August 2025, we met with Goodstart's leadership team, Coaxial Foundation representatives, Cowra Council's Katheryn Ryan, and other community stakeholders to discuss these concerns and develop collaborative solutions.

Introducing another provider at this time undermines these efforts and risks compromising the quality of care. It also opens the door to potential safety concerns if less experienced or inadequately qualified educators are employed to meet demand.

At Goodstart Cowra, we are committed to safeguarding children, advocating for their wellbeing, and providing a nurturing, high-quality educational environment. We believe that adding another centre jeopardises these standards and places children at risk.

3. Community Impact

The proposed location at 29 Liverpool Street raises additional concerns:

- Increased traffic congestion during peak drop-off and pick-up times
- Proximity to St Raphael's School, which already experiences high traffic volumes and limited parking
- Safety risks for children, pedestrians, and residents due to inadequate infrastructure

These logistical challenges compound the broader workforce and service saturation issues. Furthermore, to my knowledge, no consultation has taken place with existing providers regarding this proposal. Without demonstrated community demand or collaborative planning, the rationale for a new centre remains unclear.

Conclusion

In light of the above concerns—oversaturation of services, workforce instability, and community impact—I respectfully urge the relevant authorities to reconsider the approval of this Development Application.

Thank you for your attention to this matter and for your commitment to supporting high-quality early childhood education in Cowra.

Warmest Regards

[redacted]

Centre Director
Goodstart Cowra

goodstart early learning

ERAMBIE

YALBILLINGA BOORI DAY CARE CENTRE
ABORIGINAL CORPORATION
LEGH STREET ERAMBIE WEST COWRA NSW 2794
POSTAL ADDRESS:
PO BOX 497 COWRA NSW 2794
TELEPHONE: 02 6342 1300 FAX 02 6341 4168
ABN:49 974 983 227
Email: ybdcc@bigpond.net.au ICN: 1036

Cowra Shire Council

Attention Paul Devery

Re: Objection to DA 10.2025.42.1 – Proposed Childcare Centre at 29 Liverpool Street, Cowra

Dear Council Officers,

On behalf of Yalbillinga Boori Day Care Centre we wish to formally object to the proposed development application for a new childcare centre at 29 Liverpool Street. We are a community-based Multifunctional Aboriginal Children's (MACS) service operated by volunteer committee and deeply embedded in the Cowra community

Our objection is grounded in the planning considerations outlined in Section 4.15 of the Environmental Planning and Assessment Act 1979 (NSW), and reflects our commitment to the safety, wellbeing, and cultural needs of families Aboriginal & Torres strait Islander children and families in the Cowra community.

Section 4.15(1)(a): Environmental Planning Instruments

While the proposal may comply with the Education SEPP and Child Care Planning Guideline, these instruments do not require demonstration of community need, nor do they allow councils to regulate oversaturation. However, we urge Council to consider the broader implications of this policy gap, especially in a rural context where community-based services are vital.

Section 4.15(1)(b): Likely Impacts of the Development

Social and Economic Impacts

- Cowra already hosts several early learning services, including Yalbillinga and CECS, which are not-for-profit, community-run, and deeply connected to local families.
- The introduction of a new private provider risks oversaturating the market, undermining existing services, and destabilising local employment for educators.
- Sector research consistently shows that commercial operators often struggle to maintain high standards of safety and care, especially in regional areas.

Cultural Impacts

- Yalbillinga provides culturally safe care for local children on Wiradjuri country in our community, incorporating language, kinship, and connection to Country.
- The proposed development does not demonstrate any commitment to Aboriginal cultural inclusion, nor does it address the unique needs of First Nations families.

- The erosion of community-based services like Yalbillinga would represent a loss of culturally responsive care, which is foundational—not optional—for Aboriginal children.

Section 4.15(1)(c): Suitability of the Site

- No evidence has been provided to demonstrate community demand, such as waitlists or demographic data.
- The site's proximity to existing services raises concerns about redundancy and inefficiency, particularly when public infrastructure (e.g. car parks) is being relied upon to offset planning shortfalls.

Section 4.15(1)(d): Submissions

This letter constitutes a formal submission in objection to the proposal. We request that Council consider the community voice, especially from Aboriginal community controlled organisations like Yalbillinga, whose work is grounded in cultural safety and local knowledge.

Section 4.15(1)(e): The Public Interest

It is in the public interest for Council to support the expansion and sustainability of community-based, not-for-profit early childhood services that:

- Invest in their educators
- Maintain strong local ties
- Uphold the highest standards of care and safety
- Provide culturally safe environments for Aboriginal children

We respectfully ask Council to consider the long-term implications of this proposal and to prioritise the wellbeing of Cowra's children, families, and community-based services.

Yours sincerely

[redacted]

Caroline Bamblett

Co-ordinator

On behalf of Yalbillinga Boori Day Care Centre

15.August 2025

Cowra Shire Council

Attn: Paul Devery
Private Bag 342
Cowra NSW 2794
Email: council@cowra.nsw.gov.au

Objection to Development Application DA2025/42.1 – Proposed 64-Place Childcare Centre at 29 Liverpool Street, Cowra

Dear Paul and Team,

On behalf of Cowra Early Childhood Services, I am writing to share our formal objection to Development Application DA2025/42.1 for the construction of a 64-place centre-based childcare facility at 29 Liverpool Street, Cowra.

This proposal raises significant concerns regarding the sustainability of existing childcare services in Cowra, the broader impact on workforce availability and community planning.

We appreciate the opportunity to share our concerns which we have detailed in this letter.

1. Oversupply of Services

Cowra currently has 5 Approved Early Childhood Providers, including long day care, family day care, mobile preschool, aboriginal multi-functional children's service and out-of-school hours care. Cowra Early Childhood Services alone supports over 500 children across the Shire and as you know, is constructing a 60-place preschool in Short St commencing in September 2025.

The addition of another large-scale facility risks creating an oversupply, which in turn risks destabilising existing services that are deeply embedded in the community.

While oversaturation alone is not a valid planning ground under the Education SEPP, introducing another service means:

- An excessive concentration of similar facilities which undermines the diversity of land uses.
- Direct impact to the social and economic balance of the area, especially when it leads to instability among existing providers.

(see Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979 (NSW).

2. Workforce Shortages

The early childhood education sector is facing a well-documented shortage of qualified staff across regional NSW.

Introducing a new service of this scale will intensify competition for a limited pool of educators, making it harder for existing providers to retain and recruit staff. This will inevitably lead to service disruptions and poses a risk to reduced quality of care across the region.

Whilst CECS services have waitlists for certain age groups, in support of all services in the community, Council needs to understand and appreciate that services cannot operate at full

capacity due to staff shortages. This means spaces cannot be filled by children/families and is due to services being unable to meet ratios of educators to children.

Adding additional barriers is stressful for all concerned, most importantly for the many families in Cowra that would be impacted.

3. Planning Precedents

In similar cases across NSW, councils have taken action to reject childcare centre proposals based on:

- Oversaturation of services within a defined catchment
- Inability to demonstrate community need through waitlist or demographic data
- Negative impact on existing providers and local employment stability

These precedents highlight the importance of strategic planning that support long-term sustainability rather than short-term development and pushes community consultation to the forefront of a proposal such as this.

The proposed location at 29 Liverpool Street is within a residential area and means increased traffic, noise, and parking congestion could affect the amenity of nearby residents.

We note the following points:

1. Non-Compliance with Parking Requirements - *Cowra DCP 2021 Part M.1.4*

- **Required**: 23 spaces (1 per 4 children + 1 per 2 staff)
- **Provided**: 11 on-site spaces
- **Shortfall**: 12 spaces
- **Issue**: Reliance on public car parks and kerbside parking may not be sustainable or secure long-term. It could:
    - Increase congestion and competition for public parking
        - The additional parking demand will increase congestion and competition for parking in the surrounding streets and public car parks.
        - This will adversely impact nearby businesses, service providers, and residents who rely on the same limited public parking spaces.
    - Create safety concerns during peak drop-off/pick-up times
        - Drop-off and pick-up periods for childcare centres are concentrated in short timeframes, increasing the likelihood of unsafe vehicle movements, double-parking, and congestion in adjacent streets.
        - The absence of a designated turning bay on-site creates safety and traffic flow concerns, particularly if parents arrive to find the car park full.
    - Cause confusion over parking allocation and management

- The proposal does not identify whether the on-site spaces are to be allocated to staff or parents.
- No Car Park Management Plan has been provided to ensure orderly use of spaces and minimise conflicts.

- Create impacts of staff parking in the council car park
  - The site plan indicates staff access from the rear via the public car park, implying staff will park there.
  - Staff vehicles will occupy these public spaces for the entirety of the childcare centre's operating hours, significantly reducing turnover and availability for public use.
  - This represents a loss of public amenity and undermines the intended function of Council's public parking assets.
- Create accessibility concerns – DDA compliance
  - The proposed access from the Council car park relies on a flight of stairs, raising concerns about compliance with the Disability Discrimination Act 1992 (Cth) and universal access requirements under the DCP and Building Code of Australia.

Objection Basis: Non-compliance with DCP parking standards; reliance on public infrastructure not guaranteed long-term. Non-compliance with DDA

The proposal's failure to provide the required number of on-site parking spaces is a clear non-compliance with Cowra DCP 2021 Part M.1.4. Reliance on public car parks and kerbside spaces is unsustainable, compromises safety, and results in a direct loss of public amenity. The lack of a Car Park Management Plan, absence of a turning bay, and accessibility shortcomings further compound the non-compliance.

In accordance with s4.15(1)(b) of the Environmental Planning and Assessment Act 1979, the likely social and economic impacts arising from inadequate on-site parking and increased demand on public infrastructure must be given significant weight in determining the DA.

Car parks at the immediate rear of the proposed location are currently designated to medical staff servicing the hospital and local medical services. It is an obvious priority to maintain spaces for the medical staff the town needs and will continue to need.

2. Building Over Sewer Main - *Cowra LEP 2012 – Clause 7.8 (Essential Services)*

- A portion of the building is proposed to be constructed within the zone of influence of Council's sewer main.
- While Council has indicated conditional support, this raises concerns about:
  - Long-term structural integrity
  - Maintenance access
  - Risk of service disruption

Objection Basis: Risk to essential infrastructure; potential future maintenance/access issues.

3. Visual and Acoustic Impact on Adjoining Residences - *Cowra DCP 2021 – Part M.3.1(d) and Part P (CPTED principles)*

- The site is surrounded by low-density residential dwellings.
- Despite proposed acoustic fencing (1.8m–2.4m), concerns may remain about:
    - Noise from outdoor play areas
    - Loss of visual amenity
    - Overlooking from elevated portions of the site due to fill

Objection Basis: Potential inadequacy of proposed acoustic measures; impact on residential privacy and amenity.

4. Inadequate Drop-Off/Pick-Up Design - *Cowra DCP 2021 – Part M.3.8 & M.3.10*

- The front car park and kerbside lane are proposed for drop-off/pick-up.
- Potential issues:
    - Traffic safety on Liverpool Street
    - Conflict between vehicles and pedestrians
    - Limited turning space for delivery or emergency vehicles

Objection Basis: Safety concerns due to shared access zones and limited turning space.

5. Reliance on Public Infrastructure - *Cowra DCP 2021 – Part M.1.7, EP&A Act Section 4.15(b)*

- The proposal depends on:
    - Public car park for overflow parking
    - Council easement for rear access

Objection Basis: Over-reliance on public car park and easement; not guaranteed or enforceable long-term.

6. Waste Management

- We would also like to call out that 4 bins will be insufficient for waste generated by 64 children and 13 staff and that there is no waste storage area identified on plans.
- No Waste Management Plan has been provided to justify the waste generation rates or demonstrate that the proposed bin capacity will be sufficient.

We base this on the experience of our own 59 place service which utilises 9 bins.

4. Social and Economic Impacts

4.1 Social and economic imbalance

The risk to social and economic imbalance is very real *(see Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979 (NSW)*.

Whilst a developer could consider that their application for this new build creates positive social and economic impacts for our town, there appears to be an obvious lack of demonstrated community consultation with this DA which raises concerns about transparency and responsiveness to local needs.

To state that the development is in the public's interest as it allows for orderly and economic use of land and complies with Council's controls without impact to adjoining and surround properties, is insufficient.

The site may be mostly physically suitable, but the operational suitability in terms of the provider's capacity to deliver safe, high-quality care has not been demonstrated. *(see Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979 (NSW)*.

The developer has failed to consider saturation of supply of service, and the compelling connection to dire workforce shortage challenges in a regional centre such as ours.

We are acutely aware of the impacts to existing services. A key example is when the newest service commenced in our town, this resulted in a large cohort of staff being recruited from an existing service to the new service, leading to the closure of rooms at the existing service. Those rooms have not still returned to capacity.

We note that the builder responsible for the newest (aforementioned) service in town, is also the builder noted on the plans for this proposed centre. This raises further concerns.

Local employment and service stability will be destabilised further should this development be approved *(see Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979 (NSW)*.

While early childhood services are essential, this proposal appears to prioritise commercial gain over community need. If the facility is being developed for sale, or rent, by private interests, rather than in response to a demonstrated local demand or as part of a community-led initiative, this raises concerns about long-term accountability, affordability, and the quality of care provided.

4.3 Child Safety

Given the current national spotlight on child safety in early childhood education, which has been widely discussed in the media, we must also raise considerations regarding the proposed development, with this in mind.

Sector research and reports consistently highlight the challenges many private providers face in maintaining the high standards essential for children's safety and wellbeing.

When commercial priorities take precedence, there are often consequences such as reduced focus on robust safety practices, difficulties in attracting and retaining qualified educators, and a weakening of local knowledge and community ties.

In a rural community like Cowra, these elements are foundational to delivering quality care. Research and our own experiences, shows privatisation in early childhood education shifts the focus away from the individual needs of children, and toward more transactional outcomes.

It is in the public interest for Council to support community-based, not-fot-profit early learning models that prioritise children's wellbeing, educator stability, and community connection. *(See Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979 (NSW)*. This aligns with:

- National and state policy goals for child safety
- Local values around community investment and trust
- Long-term sustainability of the early childhood sector in Cowra

Community voice in this case is vital to Council's consideration of the long-term impacts to families in Cowra.

It is for these reasons that Cowra Early Childhood Services respectfully request that Council reject DA2025/42.1.

In addition, you will find a formal objection from Goodstart Cowra and from Yalbillinga Boori Day Care Centre who are deeply concerned about how this will impact their delivery of quality care.

They have provided clear communications, which shares in depth, their challenges and how an additional service would erode the effort they are giving to quality care, cultural considerations, recruitment and innovative thinking that will bring professionals to early childhood in Cowra.

We would welcome the chance to meet face to face for further discussion, and we thank you for considering this submission.

Yours sincerely,

[redacted]

Libby Ewing-Jarvie

General Manager

Cowra Early Childhood Services

RECEIVED
Cowra Shire Council
31/10/2025
Plan No: DA 10.2025.42.1 (A)

CIVIC TOWN PLANNING

Civic Town Planning
81 Bridie Drive
Upper Coomera QLD 4209
M: 0499 319 459
E: mail@civictp.com.au

29 October 2025

Joshua Neuer
Development Planner
Cowra Shire Council
Private Bag 342
COWRA NSW 2794

RE: LOT 1, DP 163191, 29 LIVERPOOL STREET, COWRA
DEVELOPMENT APPLICATION NO. 10.2025.42.10
CHILD CARE CENTRE

Dear Mr Neuer,

I refer to the abovementioned Development Application proposing the demolition of existing buildings and construction of a centre-based child care facility and Council's letters dated 13 and 19 August 2025 in relation to an objection received from the adjoining neighbour and from their planning consultant.

In response to concerns raised both by the neighbour and the planning consultant, the following additional information has been prepared:

- The survey plan has been updated to include additional details of the adjoining properties.
- The architectural plans have been updated to correctly reflect the vegetation on the adjoining properties; to provide an accurate depiction of the proposed development and adjoining neighbour in elevation; to provide a more visual representation of the proposed cut and fill as well as boundary treatments; to provide 3D views to and from the proposed development; and to include a 1.5m high acoustic screen along the eastern edge of the rear verandah.
- The acoustic report has been updated to reflect the latest architectural plans, and to update the acoustic assessment having regard to the new 1.5m high acoustic screen.

The following discussion is provided in response to the concerns raised by the neighbour.

i. Non-compliance with Child Care Planning Guideline

The neighbour correctly advises that the Child Care Planning Guideline states, that when selecting a site, ensure that it is not located closely to incompatible social activities such as hotels, and the like.

There are two such premises located within the Cowra Town Centre, however, both are a sufficient distance away from the subject site to be considered unlikely to have any negative impacts on the centre or on children attending the centre (refer Figure 1 below).

It is also suggested that all children attending the proposed child care centre would be under the care of their parents or guardians and would be dropped off and picked up as close to the centre as possible.

Figure 1

ii. Parking and Traffic Management

The proposed development is deficient with respect to the number of parking spaces required to be provided on site. Having regard to the number of children and staff attending the centre on a daily basis, 23 car spaces are required, while only 11 are provided on site.

Section M.1.8 of Council's DCP states that where proposals are not able to comply with on-site car parking requirements, applications should be accompanied by a Traffic and Parking Report. The accompanying traffic report indicates that there is unrestricted on-street parking along Liverpool, Brisbane and Macquarie Streets.

It is important to note that these 3 streets have 18.5m carriageways with 45 degree angled parking on each side. As can be seen in Figure 2 below, there is a significant amount of on-street parking available within close proximity of the site.

Figure 2

There are also 4 local bus services that service the outer suburbs of Cowra (Bus routes 541, 543, 544 and 545). All four services provide a regular bus service to the Cowra Town Centre, with stops in close proximity to the subject site (refer to bus route map provided within the submitted Traffic Report).

The 45 degree angled parking provided along Liverpool Street allows 4 cars to be parked immediately in front of the site. Added to the 11 spaces within the on-site parking area, and the total parking demand required for the purposes of drop-off and pick-up of children as per Council's DCP (1 space per 4 children), being 16 spaces, is almost achieved. This means that most if not all parents will be able to utilise parking directly at the front of the site. Parents however, have the choice of also using the rear public parking area, which is available for all users of the adjoining commercial centre.

Even with all 4 angled spaces occupied in the peak am and pm periods, there would still be plenty of room for any buses to park along Liverpool Street prior to them being required for service at St Raphael's Catholic School located on the next block to the west.

The site is located just outside of the Cowra Town Centre. Based on the traffic numbers detailed in the accompanying traffic report, even in peak periods, traffic movements are relatively low, with both nearby intersections operating at Level of Service A with spare capacity. This means that the traffic environment immediately adjacent to the proposed centre is low and conducive to a child care centre operation.

With regard to the question of safety, it is noted that, even though Liverpool Street is sloping, there is still sufficient sight distance in both directions.

iii. Concern over the amount of cut and effect on adjoining property

In response to concerns raised, the architectural plans have been amended to provide a more visual representation of the proposed cut and fill as well as boundary treatments.

It is important to note that the site has a cross fall of approximately 3m from east to west at the front of the site. However, this slope is more pronounced adjacent to the eastern boundary and along the front boundary. The adjoining dwelling to the east is situated directly on top of this high point, which provides the eastern-adjoining dwelling with unimpeded views into the subject site.

While the extent of cut appears significant on the elevation plans, this is predominantly adjacent to the car parking area on the eastern side. The proposed retaining wall, and therefore cut, at this point is located 1.5m away from the common boundary with the eastern-adjoining property.

Beyond the car park, the development proposes a stepped retaining wall along the eastern boundary. The northern-most portion will retain cut up to a maximum height of 2.2m, and the southern-most portion will retain fill up to a maximum height of 2.2m. It is noted that there is already a 2m high retaining wall along the western boundary of SP 38598, otherwise known as 33 Liverpool Street.

With regard to the potential effects of cut (or excavation), it is noted that the extent of excavation along the eastern boundary is contained to a length of 21m with a depth of cut ranging from 0m to 2.2m. This amount of cut is not considered excessive, and the supporting walls will be designed by a structural engineer. Accordingly, it is recommended that Council's standard condition for the preparation of a dilapidation survey for all adjoining buildings be included within any draft conditions of consent.

iv. Visual and Acoustic Privacy

Visual Privacy

As noted above, the architectural plans have been amended to provide 3D views to and from the proposed development, and to include a 1.5m high acoustic screen along the eastern edge of the rear verandah.

From a visual perspective, the 3D views show that the outlook of the eastern-adjoining property is somewhat elevated relative to the subject premises. Furthermore, to obtain level platforms for the car parking area, and to ensure compliance with accessibility requirements, the application proposes cut up to 2.2m located mainly in the north-eastern portion of the site, where the slope is most significant.

This means that the finished levels for the car parking area and the front portion of the proposed building will sit even lower relative to the eastern-adjoining dwelling, and the adjoining property will look over the top of the car parking area and over the roof area of the front portion of the proposed development.

The rear portion of the proposed development will be able to be viewed from the elevated rear deck of the eastern-adjoining property. To this end, we have proposed the erection of 1.5m high perspex screen along the eastern edge of rear verandah, so

that the verandah and indoor spaces cannot be seen. This perspex screen could also be erected along the eastern edge of the front verandah if deemed necessary.

It is noted that the outdoor play areas will not be visible. Additionally, the views to the south and south-west from the rear deck of the adjoining dwelling will remain mostly intact noting that there is vegetation to the south-west, which already blocks this view.

Acoustic Privacy

The proposed design and operation of the child care centre has been assessed by an acoustic consultant, which concluded the following:

> *Assessment of noise from outdoor play areas indicated that acoustic fencing to the extent shown in Appendix C is required on the boundaries of outdoor play areas to reduce noise impacts as far as practicable. To further minimise noise impacts, it is recommended that a noise management plan is implemented, which includes limiting use of outdoor play areas to a maximum of 2 hours in the morning and 2 hours in the afternoon.*
>
> *Results of carpark noise modelling indicated that resulting noise levels will not likely to affect the health and wellbeing of neighbouring residences. Assessment of the relative increase in traffic noise found the increase to be below the threshold of perceptibility and therefore compliant with the RNP.*
>
> *Assessment of plant noise indicated that noise from mechanical equipment associated with the Childcare Centre complies with NPfI criteria, provided that appropriate steps are taken to minimise noise transmission to nearby residences, as detailed in Section 4.2.*
>
> *This noise impact assessment fulfills the requirements of the NSW Planning and Environment Childcare Planning Guideline. With the proposed recommendations in place, assessment indicates that resulting noise impacts will be appropriately managed and will not adversely impact the amenity of the local area.*

Based on the opinion of the acoustic consultant, it is considered that the operation of the proposed child care centre would be able to meet the required environmental noise guidelines, subject to the erection of acoustic fencing and the implementation of operational measures as identified within the report.

v. Notification

The application has been notified in accordance with Council's policy for the advertising of development applications. However, Council's notification process may not accord with the extent of properties assessed as part of the acoustic assessment.

vi. Need for another Child Care Centre

All 5 child care centres currently operating in Cowra are at a considerable distance to the north and south of the town centre. Having a centrally located child care centre in close proximity to schools, public transport and commercial facilities is a key objective of the Child Care planning Guideline, as provided below.

Objective: To ensure that sites for child care facilities are appropriately located.
C3
A child care facility should be located:

- *near compatible social uses such as schools and other educational establishments, parks and other public open space, community facilities, places of public worship*
- *near or within employment areas, town centres, business centres, shops*
- *with access to public transport including rail, buses, ferries in areas with pedestrian connectivity to the*
- *local community, businesses, shops, services and the like.*

vii. Liverpool St Character Area

The residential block located directly opposite the subject site which fronts Liverpool Street is identified in Council's DCP as the 'Liverpool St Character Area'. This stretch of Liverpool Street contains a number of single storey Federation cottages, which have a strong presence in the street due to their similar architectural characteristics synonymous with Federation architecture in the early 1900s.

It is noted that the individual dwellings are not heritage listed items, nor do they form part of a Heritage Conservation Area. Part E.3.3 of Council's DCP requires that *"new development is to be well designed and compatible with the original and traditional characteristics of the streetscape".*

It is important to note that the objectives within this section of the DCP relate only to development within the precinct itself and do not extend to new development outside of the precinct.

Notwithstanding this, it is noted that the proposed child care centre building presents as a single storey dwelling with a gable roof, which is set back on the site in a similar position as the existing single storey cottage currently on the subject site. It is considered that the design and presentation of the child care centre will not result in any adverse visual impact to the Federation cottages located opposite.

viii. Bus Services

As noted in Point ii above, there are 4 local bus services that service the outer suburbs of Cowra (Bus routes 541, 543, 544 and 545). All four services provide a regular bus service to the Cowra Town Centre, with stops in close proximity to the subject site.

The following discussion is provided in response to additional concerns raised by the neighbour's planning consultant.

ix. Incorrect and sufficient information to assess potential impacts

We appreciate the author's concerns and accordingly we have amended the relevant plans to assist in assessing the application, as identified on page 1 of this correspondence.

Provided below are some clarifications with respect to the questions raised within the submission:

- The updated survey includes a greater level of information in relation to the adjoining dwellings in which to assist the architect in properly illustrating the proposed development.
- The architectural plans have been amended to correctly illustrate the eastern adjoining dwelling and associated vegetation, as well as the level difference between the two properties.
- The plans also provide a view analysis of the proposed development from the windows of the eastern-adjoining development. Based on this analysis, we have included the erection of 1.5m high screening along the eastern edge of rear (or southern) verandah that faces the neighbouring dwelling in order to reduce any noise and / or visual impact.
- The full extent of the boundary treatment along the eastern boundary has now been illustrated in elevation.
- The acoustic report has been updated to include the latest architectural set. The amended architectural plans now show the full extent of the proposed boundary treatments in elevation, as well as a view analysis from the elevated rear deck on the eastern-adjoining property.

x. Civil plans should be provided

Civil engineering plans were submitted with the development application.

xi. View Loss

The submission indicates that the height of the acoustic fencing is unknown and therefore the impact to views, particularly in a south-westerly direction towards Conimbla National Park.

A 3D view analysis has been undertaken which indicates views to the south-west from the rear deck of the adjoining dwelling will remain mostly intact, noting that there is vegetation to the south-west, which already blocks this view.

Having regard to the NSW LEC Planning Principle relating to 'Views' as discussed within *Tenacity v Warringah Council ([2004] NSWLEC 277)*, Roseth SC states at par 27:

27 *The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.*

As noted above, the view to the south-west across the subject site will remain mostly intact, noting the existence of vegetation on the site that already obscures this view to a certain extent.

xii. Proposed landscaping

The submission identifies that the trees proposed to be planted within the 1.5m landscape strip will likely impact the dwelling at 31 Liverpool Street and the adjacent retaining wall from a structural perspective.

Given the minor change, we have amended the landscape plan in red, deleting the offending trees. It is noted that the landscape plan can and would be updated prior to the issue of a Construction Certificate in the event that development consent is granted.

xiii. Information to be submitted with DA to satisfy EP&A Regulation 2021

- As noted above, the survey was updated to illustrate the adjoining dwellings and provide additional information with regard to levels, window locations, sill heights and dimensions.
- With regard to the car parking area, the initial application was supported by a traffic report and a swept path analysis showing a B85 vehicle entering and exiting the car parking area in a forward direction.
- With regard to deliveries to the site, as stated on page 26 of the SEE, whilst it is not considered necessary to provide a dedicated loading area as there will be minimal deliveries to the site, if required, delivery vehicles can use the rear car parking area, the kerbside lane parking at the front of the site, or the front car parking area outside of peak visitor parking periods. Delivery vehicles would typically be via light commercial van, which can enter and exit the front car parking area in a forward manner.

xiv. NSW Planning Circulars

The intent behind the circular is understood. Please note, however, that Part H relates to any commercial development within the B2 Local Centre zone. The subject site is zoned R1 General Residential and is not located within the Cowra CBD. Therefore, Part H is not applicable to this development. In this regard, the setback provisions outlined within Part H, as noted in the submission, are not relevant to this application.

xv. Car Parking Shortfall

- As per Council's requests, the number of car parking spaces within the Council-owned car parking area was clarified.
- The assertion that the traffic report does not include an assessment of the availability of on-street parking is incorrect. Please refer to page 9 of the Traffic Report, as well as point ii above, which illustrates that there is ample on-street parking available within the immediate and surrounding area.
- With regard to the level of accessible parking spaces required, the rate of *"1 space for parking areas comprising up to 20 spaces"*, as identified in Part M, is achieved, noting that the front car parking area provides for 13 spaces. The application is transparent in the intention to rely on Council's public car parking area located at the rear, as well as on-street parking immediately at the front of the site, and the significant availability of on-street parking in the immediate and surrounding area for the shortfall.
- The conclusion reached by the traffic consultant in the last paragraph of Section 3.1 of their report is based on their experience as a traffic engineer. The traffic consultant has indicated that most businesses close at 5pm and due to this closure, car parking occupancy within the Council car park will be low after 5pm. The typical weekly trading hours for most businesses, other than supermarkets, restaurants and hotels, is 9am to 5pm. This is typical of most commercial centres, which tend to empty after 5pm weekdays, possibly with the exception of late night trading on Thursday evenings depending on the locality.
- A lighting plan would normally be undertaken at CC stage, and in compliance with AS 4282:2019 – Control of the obtrusive effects of outdoor lighting.

xvi. Child Care Planning Guideline 2021

- The submission indicates that the Statement of Environmental Effects (SEE) fails to address the 3rd bullet point under Consideration 'C1' of the Guideline. This was an oversight and not our intention to miss this consideration within the Guideline.

  The SEE however, does state (on page 35) the following:

  Built Form

  Whilst commercial in nature, the design of the building is single storey in height and residential in form. In this regard, the proposed building has replicated the architectural character prevailing in the immediate locality. It is considered that the proposed development will not have an adverse impact on the locality or the streetscape, as it is able to blend in with the prevailing residential architecture of the locality.

In relation to cut, the SEE states (on page 34):

> *Given that cut is undertaken at the top portion of the site adjacent to the adjoining residential buildings, visual and acoustic impacts are minimised, as the proposed outdoor areas are slightly lower than the adjoining dwelling to the east.*

As recommended within the planning submission, the architectural plans have been amended to provide a visual analysis of the potential impacts to the adjoining dwelling at No. 31 Liverpool Street. This analysis is addressed in detail in point iv. above.

- On page 28, the planning submission states that, *"The position of the building and the design of the car parking area adjacent to an existing residential dwelling will have a significant impact on the appearance of that site and the surrounding character".*

  As also noted in the planning submission, there are a number of dwellings to the west that are all set well back from street, including the existing dwelling on the subject site. It is contended that there is no prevailing street setback on the southern side of Liverpool Street in this block. It is further noted, that the residential block to the east, which is also zoned R1 General Residential, contains a car parking area at the street frontage, which is also adjacent to residential development.

- On page 30, the planning submission indicates that Consideration C11 and C12 cannot be adequately assessed given the lack of detail provided. As noted above, the architectural plans have been amended to provide a visual analysis of the potential impacts to the adjoining dwelling at No. 31 Liverpool Street. This analysis is addressed in detail in point iv. above.

- On page 31, the planning submission cites that Objective C13 is not achieved.

  Consideration C13 is located within Section 3.3 entitled 'Building orientation, envelope, building design and accessibility'. One of the objectives of this section states the following:

  > ***"Objective: To ensure that setbacks from the boundary of a child care facility are consistent with the predominant development within the immediate context."***

  Consideration C13 is reproduced below:

  > ***"C13***
  > *Where there are no prevailing setback controls minimum setback to a classified road should be 10 metres. On other road frontages where there are existing buildings within 50 metres, the setback should be the average of the two closest buildings. Where there are no buildings within 50 metres the same setback is required for the predominant adjoining land use."*

  It is important to note that the Child Care Planning Guideline provides matters for consideration for the consent authority to consider as part of their assessment, in a similar manner as a DCP. The Guideline of course, is unable

to cover each and every individual context, also similar to a DCP, and in this regard, the context needs to be considered.

Car parking for a child care centre is typically located at the front of a site, although not always, and this depends on the characteristics of the site. It is rarely feasible however to locate parking at the rear, given built form and other constraints.

Whilst locating the building closer to the street would be ideal, it is noted that this section of Liverpool Street does not have a prevailing building alignment, and in this regard, a new building located in a similar setting as that which currently occurs at the site, would not be out of place. Council has in the past considered and approved a child care centre in a similar manner at 51 Comerford Street, Cowra, where the building is located to the rear and the car parking area at the front of the site, as shown below.

Figure 3 – Nurture One child care centre at 51 Comerfield Street, Cowra

Council has also been flexible in requiring full compliance with car parking requirements for other child care centres located in the LGA. It is contended that the reasons for this are to facilitate and encourage services that may be lacking in the LGA.

It is contended that the provision of schools and child care centres in good locations would be a significant factor for potential residents, particularly young families and couples, when considering moving house or when buying a first house.

- On page 31, the planning submission indicates that Consideration C21 and C22 also cannot be adequately assessed given the lack of detail provided. Again, as noted previously, the recommendations were noted and the architectural plans have been amended to provide a visual analysis of the potential impacts to the adjoining dwelling at No. 31 Liverpool Street. This analysis is addressed in detail in point iv. above.

We appreciate the opportunity to address Council's concerns. We trust the above satisfies Council's requirements, however, please do not hesitate to contact this office should anything further be required.

Yours sincerely,

[redacted]

Mark Stephenson
BTP UNSW (Hons)