

DEVELOPMENT NO.:	21031474
APPLICANT:	14 JOHNSTON PTY LTD
ADDRESS:	14 JOHNSTON ST STIRLING SA 5152
NATURE OF DEVELOPMENT:	Construction of a three-level childcare centre (pre-school) with ancillary car parking, outdoor play areas and landscaping
ZONING INFORMATION:	Zones: <ul style="list-style-type: none"> • Suburban Main Street Overlays: <ul style="list-style-type: none"> • Hazards (Bushfire - Medium Risk) • Mount Lofty Ranges Water Supply Catchment (Area 2) • Native Vegetation • Prescribed Water Resources Area • Regulated and Significant Tree • Traffic Generating Development Technical Numeric Variations (TNVs): <ul style="list-style-type: none"> • Maximum Building Height (Metres) - 10 Metres • Maximum Building Height (Levels) - 2 Levels
LODGEMENT DATE:	12 Oct 2021
RELEVANT AUTHORITY:	Assessment Panel at Adelaide Hills Council
PLANNING & DESIGN CODE VERSION:	Operative Version 2021.14 - (23 September to 13 October 2021)
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Melanie Scott/Aaron Wilksch
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Council Engineering Council Arboriculture

CONTENTS:

ATTACHMENT 1: Amended Proposal Plans	ATTACHMENT 7: Amended Shadow Diagrams
ATTACHMENT 2: Planning Statement – URPS	ATTACHMENT 8: Council Engineering Advice
ATTACHMENT 3: Environmental Noise Assessment – Echo Acoustic Consulting	ATTACHMENT 9: Council Independent Traffic Advice – MFY Pty Ltd
ATTACHMENT 4: Traffic Report – Phil Weaver & Associates	ATTACHMENT 10: Deemed Consent Notice
ATTACHMENT 5: Traffic Report – Frank Siow & Associated	ATTACHMENT 11: Previous CAP Meeting Report & Attachments – 9 March 2022
ATTACHMENT 6: Waste Report – Colby Phillips Advisory	

DETAILED DESCRIPTION OF PROPOSAL:

The proposal is for the re-development of 14 Johnston Street, Stirling, including the demolition of the existing dwelling, a circa 1960's-70's single storey, brick dwelling, which has been previously approved for demolition in 2018 (473/760/18) as part of a previous redevelopment proposal.

- The proposed re-development is to comprise a three-storey pre-school facility comprising children's pre-school services, within the building and undercroft car parking arrangements for up to 23 car spaces. The proposed undercroft level has been amended and no longer includes bicycle parking.
- The proposed building's overall dimensions are to be 18.0 metres wide at its frontage to Johnston Street x 45.5 metres depth (inclusive of first storey platform deck).
- The proposed building establishes a front building line setback of 8.0 metres from Johnston Street (excluding dedicated play area fencing and stairway access, and exhibits zero setback, building-to boundary line on both the north-eastern and south-western side property boundaries, with a minimum setback of 5.6 metres to the north-west (rear) property boundary.
- Rear 'yard' areas are to be set out as dedicated children's activity / play spaces and the site frontage is proposed to include new landscaping either side of the vehicle access ramp to the undercroft parking area, with the northwest corner of the frontage accommodating the necessary firefighting booster box infrastructure.
- The proposed building is to incorporate a composite of materials including natural limestone face masonry (rough finish in natural material / and render finishes), ADBRI 'oatmeal' retaining block walling, vertically expressed profile (Lysaght longline or similar) metal and fibre cement wall cladding in Colourbond 'windspray' (light grey), with limited roofing material for the first and second storey roof and lift-plant housing. First storey roofing is predominantly formed as green roof areas and children's activity / play spaces.

As a result of the further information provided, the proposal has been amended to include a building height of 10.4 metres as detailed below and no includes a small boundary setback on level 1 adjacent the south western boundary with a reduced footprint for the office and the universal access bathroom.

The proposed building height has been amended to accommodate the taller undercroft car-stackers, with increased undercroft ceiling height to approximately 4.1 metres (whilst continuing to protect the trees, by avoidance of further excavation) – consequently, the basement FFL is the same, the undercroft floor is 0.5 metres higher and the upper level is 0.6 metres higher than that previously proposed. The amended proposal increases the overall building height from 9.6 metres to approximately 10.4 metres above natural ground level (for the upper roofline), and approximately 11.2 metres maximum height at the rear second storey roofline including the lift-housing. The façade of the building is a maximum of 6.2 metres to the top of the first storey green roof at the Johnston Street frontage.

All response documentation is provided for the Assessment Panel's information, in attachments 1-10 to this report.

BACKGROUND

This application was previously presented to the 9 March 2022 meeting of the Adelaide Hills Council Assessment Panel, with a detailed assessment report setting out the assessment matters for the Panel's determination and provided the Panel with all relevant plans and details as well as specialist advice tendered as part of the application.

At its meeting, after considerable deliberation, the Panel resolved to defer determination of the application for the following further information:

- 1) *An acoustic report prepared by a suitably qualified professional.*
- 2) *A review of the car parking design and its relationship with the intensity of the land use, in consideration of staff, parents and children, and visitors to the site.*
- 3) *Preparation and provision of a Waste Management Plan which considers storage capacity, location and collection times.*
- 4) *Consideration of built form in terms of overshadowing.*

Council formally requested this information in correspondence dated 11 March 2022 and the applicant responded on 17 June 2022. In response to the matters raised and items requested by the Panel, the applicant has provided the following documentation via the PlanSA portal for the further consideration of the Panel:

- URPS Planning Consultants – Response to Deferral, covering statement for requested information
- URPS Site Plans / Shadow Diagrams-3115216.pdf
- Revised Application Plans Package (Plans Dated 11/05/2022), by Gardiner Architects
- Traffic and Parking Assessment Report, by Phil Weaver & Associates, Consultant Traffic Engineers
- Peer Reviewed Traffic and Parking Assessment, by Frank Siow & Associates, Traffic & Parking Consultants
- Environmental Noise Assessment Report, by Echo Acoustic Consulting
- Waste Management Plan, by Colby Phillips Advisory

The previous CAP Report and Attachments for this proposal from the Council Assessment Panel meeting held on 9 March 2022 are provided for reference (Attachment 11).

On 21 June 2022 Council was notified by the PlanSA portal that the applicant has sought a 'Deemed Consent' for the application. **(Attachment 10)** This has resulted in a limited window of opportunity to report to the relevant planning authority (Council's Assessment Panel), and engage with the applicant on the identified issues.

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 14 JOHNSTON ST STIRLING SA 5152

Title ref.: CT 5350/901 **Plan Parcel:** F158259 AL13 **Council:** ADELAIDE HILLS COUNCIL

The site is a relatively rectangular shaped allotment of approximately 1054m² with frontage of 19.6 metres and depth of 60.1 metres on the low side of Johnston Street. The site has moderate slope away from Johnston Street with a variation of approximately 4.0 to 4.5 metres maximum fall diagonally across the site from front (south-west) to rear (north-east) of the site or a grade of approximately 1:10.

The land contains the previously mentioned dwelling and two domestic outbuildings, all of which are to be demolished to make way for the proposed development

LOCALITY

The locality exhibits a similarly sloping landscape, and typically large (600 to 1000m²) allotments. The streetscape and locality exhibits a high degree of existing vegetation and landscaping amongst residential and commercial land uses (including retail, service and office land uses) within the subject Suburban Main Street Zone and the adjacent Suburban Neighbourhood Zone.

The locality is serviced with reticulated mains water and sewer services and well-established roads, footpaths and stormwater drainage infrastructure. Johnston Street is a minor scale local road which connects to the State maintained, Mount Barker Road which is the main thoroughfare through Stirling.

The locality is considered to have a strong mixed-use / urban character, influenced by the diversity of land uses such as small-scale retail shops, supermarket and service / office orientated businesses amongst residential land uses.

CONSENT TYPE REQUIRED:

Planning Consent sought with subsequent Building Rules Consent required.

DEFERRED ASSESSMENT - ITEMS TO BE DETERMINED

The matters to be resolved and determined at the Assessment Panel's deferral of this assessment at its March meeting are identified under the following headings:

Environmental Noise Assessment

The Panel requested the applicant provide the following information:

- 1) *An acoustic report prepared by a suitably qualified professional.*

The applicant has obtained an Environmental Noise Assessment Report prepared by Echo Acoustic Consulting, which has considered the proposed facility and adjacent dwellings, the proposed treatments for Play Areas 1, 2, 3 and 4, the building's insulation treatments, plant and equipment and basement car stacker. The Acoustic Report assesses the collective predicted noise levels against the relevant Planning and Design Code policies and World Health Organisation guidelines.

The Echo Environmental Noise Assessment identifies, against the Code's noise & interface related policies that the *Designated Performance Feature DPF Criteria 4.1* references the Environment Protection Act 1993, *Environment Protection (Noise) Policy 2007 (EPA Noise EPP)*, which incorporates a requirement to ensure the acoustic amenity of a locality is not unreasonably interfered with, and provides a quantitative approach to satisfy this requirement underpinned by the *World Health Organization's Community Noise Guidelines* as it relates to community annoyance and sleep disturbance.

Compliance with the EPA Noise EPP is the criteria of *DPF 4.1* and is considered to also satisfy the subjective requirements of the *Desired and Performance Outcome* values in the Code (being the *Interface between land uses DO 1, PO 1.2, PO 2.1 and PO 4.1*), however the Report identifies that Schedule 1 (clause 6) of the EPA Noise EPP excludes noise from a *school, kindergarten, childcare centre or place of worship* from its objective assessment method, and notes the following:

Child-care centres, schools, kindergartens, places of worships and playgrounds are often located immediately adjacent to residences and their impacts are rarely of concern, even though the sound levels can often easily exceed environmental noise criteria such as those contained in the general provisions of the Noise Policy. Complaints to the Authority regarding school and church noise do occur from time to time and there have been proceedings brought in the South Australian Environment Resources and Development Court to deal with noise nuisance impacts from a child-care centre in one case. Typically, such complaints are handled under the general environmental duty provisions of the Environment Protection Act 1993 rather than through comparison with objective criteria such as those in the Noise Policy, which have not been established for the specific circumstances presented by schools, kindergartens, child-care centres or places of worship.

And provides that:

In the absence of the Policy as an objective measure, the Environment, Resources and Development Court has considered noise levels from children playing against the recommendations of the WHO guidelines. The WHO guidelines include that to protect the majority of people from being moderately annoyed during the daytime, the outdoor sound level should not exceed 50 dB(A) LAeq16hr...

This WHO noise criterion is utilised by the assessment of the proposal to satisfy the Code requirements from the sound of children playing.

The criterion does not mean all people will be “moderately annoyed” at levels greater than 50 dB(A) but rather provides a criterion above which some people can become moderately annoyed.

Echo Acoustic Consultants have identified in this regard that to achieve the WHO criterion and to ensure best practice operation with respect to childcare noise reduction to surrounding land uses, the following recommendations are provided:

- Ensure the extent of the fences depicted in Figure 2 as blue is a minimum of 2.4m in height and red is a minimum of 1.8m in height when measured above the Outdoor Play Area 1 ground level
- Construct the fences from sheet steel with a base material thickness (BMT) of 0.42mm, or an alternative material with the same or greater surface density. The fences should be sealed airtight at all junctions, including with the building, the ground/flood wall and at the overlap of sheets
- Ensure the extent of the balustrade depicted as yellow in Figure 3 is a minimum of 2.1m in height when measured above the deck
- Ensure the extent of the balustrade depicted as orange in Figure 3 and Figure 4 is a minimum of 1.8m in height when measured above the deck
- The balustrade material can be any material with a surface density equal to or greater than sheet steel with a 0.42mm BMT, including glass or Perspex. The balustrade should be sealed airtight at all junctions, including with the deck and at the overlap of sheets
- Incorporate a 1.8m high solid external gate for access to Play Area 2 and Play Area 4 with the same material specification as the balustrade. The gate shall incorporate a frame and rubber contact at all sides and a drop-down seal at the base to provide an airtight seal when closed
- Ensure any shade sail used in the play areas is constructed from an acoustically transparent material such as “open weave” shade cloth or similar rather than waterproof PVC (that is, any material which can be breathed through)
- Provide acoustic absorption to the soffit of the slab above the Play Area 1 for the extent shown as purple in Figure 3 and in accordance with Figure 5 below or by directly fixing material such as 25mm thick *Pyrotek “Reapor”* panels
- Maintain a Noise Management Plan for the facility which includes measures such as:
 - Closing doors and windows in rooms where music is being played
 - Ensuring outdoor play spaces are not used before 7am
 - Not introducing surfaces or equipment which would regularly elevate children above the fence height
 - Not having equipment or surfaces intended for impact outside
 - Not having musical instruments outside
 - Maintaining play equipment such that noise which could be reduced by maintenance is not generated
 - Utilising gates and doors with soft close mechanisms
 - Maintaining a method for neighbours to contact the facility
 - Ensuring crying or distressed children are taken inside the centre and comforted
 - Monitoring the behaviour of children by trained childcare staff

- Ensuring carers and staff control the level of their voice while outside.

****Figures / diagrams referenced in the above performance recommendations are contained amended proposal plans.**

The Environmental Noise Assessment determines that subject to the above mitigation factors, the facility can reasonably and practicably achieve the relevant standard. The above measures have been incorporated into the project documentation, Identified in the Revised Plans package – on Drawings TP.03, TP.04, TP.05, TP.06 (site & floor plans) and TP.08 & TP.09 (elevations) prepared by Gardiner Architects and dated 11/05/2022.

Confirmation of Adequacy of Car Parking

- 2) *A review of the car parking design and its relationship with the intensity of the land use, in consideration of staff, parents and children, and visitors to the site.*

The applicant has accordingly engaged the services of Phil Weaver & Associates, Consultant Traffic Engineers who produced the initial Traffic Assessment to prepare the further Traffic and Parking Assessment in response to the CAP's request.

The applicant has also subsequently obtained a *Peer Reviewed* Traffic and Parking Assessment, by Frank Siow & Associates, Traffic & Parking Consultants as a secondary, independent verification of the adequacy of the traffic and parking proposed for the development.

The Phil Weaver and Associates, supplementary assessment identifies that:

Amendments to the plans since the Development Application was originally lodged with the planning authority ensure that clear space widths of 2.6m will be provided for all spaces which would be available to parents/carers of children attending the centre. Furthermore the accessible (disability) car parking space and associated shared area fully meeting the requirements of the relevant off-street car parking standard (AS/NZS 2890.6:2009).

One wider space (Space 13) located adjacent to the landscaped area in the south-western corner of the car parking area will be designated for use by staff given the need to maintain a 300 mm clearance from the adjacent bifold gates.

A significant amendment made to the design of the building subsequent to the CAP meeting includes an increase in the vertical clearance between the car parking area and this slab of level 1 above. Consequently the car stackers would provide a clearance of at least 1800 mm on each level of these facilities.

The design will address the pedestrian-vehicular sight distance requirements of the relevant off-street car parking standard given that only low-level landscaping and paving will be provided adjacent to the corner of the driveway and the footpath.

And accordingly, provides that:

...the design of the on-site car parking areas would fully conform to the dimensional requirements of the relevant off-street car parking standards (AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009).

The above measures have been incorporated into the project documentation, Identified in Revised Plans package – on Drawings TP.03, TP.04, (site & floor plans) prepared by Gardiner Architects and dated 11/05/2022.

ITEM 9.1

The Phil Weaver and Associates assessment also provides a detailed account of the operation and adequacy of the car parking facilities for the modelled peak traffic movements to and from the site, the modelled delays for vehicles turning-into and turning-out of the car parking area to Johnston Street and, the additional traffic interface with the existing traffic movements on Johnston Street and the surrounding road network. The assessment report has also responded to matters raised concerning the adequacy of the car stacker system, proposed to support staff parking requirements.

The remaining issue of the shortfall of 0.75 of a car parking space, or the equivalent of 3 children occupancy of the centre represented in Table 1 – General Off-Street Car Parking Requirements remains a minor departure, not considered to be of material impact to the operation or adequacy of the car parking provisions.

The above is also generally corroborated by the peer review of parking and traffic undertaken by Frank Siow & Associates. In the opinion of staff it has been adequately demonstrated that the layout, grades and access / egress matters regarding the car parking are satisfactory.

The Phil Weaver & Associates assessment provides a substantial level of detail regarding the previously un-addressed waste management for the site. The proposal now suggests waste will be collected on Johnston Street with a rear-lift rubbish truck of up to 10 metres in length. The applicant has proposed to create an indent in the footpath on Johnston Street and proposes the rubbish truck will straddle the entrance point to the undercroft car parking and the carriageway of Johnston Street.

The Frank Siow & Associates assessment corroborates the Phil Weaver & Associates assessment in regard to waste collection. The application has identified that it is not possible for waste management to occur within the bounds of the site. The applicant's traffic assessment acknowledges the waste pick-up and exchange of receptacles, albeit expressed as being fairly brief in duration, will temporarily block Johnston Street.

Council staff have determined the waste collection associated with the proposal is at odds with the Planning and Design Code. A number of representations received during public notification identified the existing traffic situation on Johnston Street as highly pressurised and make note it is a narrow street and increasing traffic demand is a matter of substantial concern. Council engineering staff do not support the proposed waste pick up on Johnston Street nor the proposed footpath indent.

The proposal to have waste managed on the Johnston Street road reserve, as detailed in the Phil Weaver & Associates assessment and the Colby Phillips Advisory Waste Management Plan is considered to present new elements which are at variance with the following Assessment Provisions:

Design

All Development – External Appearance	
PO 1.2	<u>Where zero or minor setbacks are desirable, development provides shelter over footpaths (in the form of verandahs, awnings, canopies and the like, with adequate lighting) to positively contribute to the walkability, comfort and safety of the public realm.</u>

This element of the proposal does not positively contribute to maintaining the walkability and safety of the public realm on Johnston Street.

Transport, Access and Parking

Desired Outcomes	
DO1	A comprehensive, integrated and connected <u>transport system that is safe, sustainable, efficient, convenient</u> and accessible to all users.
Movement Systems	
PO 1.2	Development is designed to <u>discourage commercial and industrial vehicle movements through residential streets</u> and adjacent other sensitive receivers.
PO 1.4	Development is sited and designed <u>so that loading, unloading and turning of all traffic avoids interrupting the operation of and queuing on public roads and pedestrian paths.</u>
Sightlines	
PO 2.1	Sightlines at intersections, <u>pedestrian and cycle crossings, and crossovers to allotments for motorists, cyclists and pedestrians are maintained or enhanced to ensure safety for all road users and pedestrians.</u>
Vehicle Parking Areas	
PO 6.6	<u>Loading areas and designated parking spaces for service vehicles are provided within the boundary of the site.</u>

With regard to the above assessment provisions and performance outcomes, the proposed waste management is considered to prejudice amenity and safety of the road reserve for vehicle access (to the undercroft car parking), for road users on Johnston Street by creating traffic movements around stationary, queued vehicles and the waste collection vehicle itself, and also for pedestrians utilising the footpath area, which will be encroached upon considerably by the indent.

The formation of the indent for the waste collection vehicle may also inadvertently lead to informal or unauthorised car parking.

The Transport, Access and Parking provisions provide direction that commercial traffic such as waste collection vehicles should be accommodated for loading and unloading within the site in order to avoid the kinds of traffic / road and pedestrian interfaces discussed above.

The Phil Weaver & Associates report and Colby Phillips Advisory Waste Management Plan identifies waste to be collected outside peak traffic hours, i.e. pick up between 9am - 3pm. It is suggested that this is of least impact for adjacent residential occupiers.

Also references have been made to the application to previous Planning Consent for the site in Development Application 18/760 which contemplated kerbside collection of consolidated domestic, household waste for the proposed 8 residential units. In fact waste pick up for that proposal did not progress to conditions and investigation with Council's waste staff detailed that the applicant was going to indulge in a privately owned forklift to wheel the bins to the kerbside once a week for the Council pick up. The proposal now being considered is trade waste, with rear-lift pick up of larger bins, multiple times a week and the applicant's argument is considered to be irrelevant to the current proposal. Further the former application lapsed, without progressing to Development Approval – and therefore such precedent is neither in effect, nor established.

Council sought independent traffic advice immediately following the March meeting and a review of the amended plans from MFY Traffic Engineers (*see attachment 9*). The April advice was provided to the applicant and there have been numerous communications in the ensuing months regarding waste pick up in particular. MFY has responded to the additional information. Their additional response can also be found in attachment 9. In summary MFY considers the parking shortfall minor however remain concerned with gradients within the parking area and considers the proposed waste pick up to be against road rules.

Further Council Engineering Referral Response

Council have reviewed the amended proposal with the following comment:

“I recommend that Council does not support this development, as the proposed waste collection strategy will have too big an impact on traffic on Johnston Street.

Johnston Street is a very busy road within Stirling's main commercial precinct, with over 4,000 vehicles per day. It features a solid white dividing line, which controls parking and overtaking along its length, which is required for road safety. The applicant proposes to collect 3 to 5 skip bins per week utilising private contractor who will have to stop on Johnston Street, blocking traffic for an estimated 3 minutes (applicant's estimate) at a time. During this time, no traffic heading eastbound will be able to pass, and will queue behind the private waste contractor's vehicle.

Whilst Council's own waste collection vehicle also blocks traffic, it is for a much lesser duration, much less frequent, and is well understood by the community.

The proposal of providing an indented area for the private waste contractor on Council road verge is also not supported. The indent will not be large enough to allow free flowing traffic on Johnston Street, but it will be large enough to negatively impact the existing footpath on Johnston Street. Further, there is a real risk that parents attending the childcare centre will try and use the indent as an informal drop zone, adding to congestion on Johnston Street.

All other commercial developments in Stirling that utilise private waste contractors accommodate waste collection within their own site/ private property, and there are no known precedents within Adelaide Hills Council of a development requiring the temporary closure/ obstruction of a full lane of traffic for waste collection by private contractor. On this basis the development should be refused.”

The restricted hours of waste collection are not considered to be a mitigating factor as the proposed development has already identified that a proportion of traffic movement occurs ‘spread across the day’, and includes staff changeover and breaks in the middle of the day, unlike schools and kindergartens *for instance*, which have tightly defined peak traffic times which coincide with the commencement and the completion of normal school hours and the associated traffic demand for drop-off and pick-ups respectively.

The proposed short, 3 minute duration for collection of the waste bins from the undercroft bin enclosure, manual conveyance to the kerbside area, pick-up, set-down and return of the bins to the enclosure is considered to be ambitious, and it is noted that within this duration, Johnston Street traffic is substantially restricted, particularly traffic moving to the east. Additionally, the entrance to the proposed child care centre is completely obstructed during this collection time.

The assessment of the traffic impacts of the proposed kerbside waste collection does not appear to have been modelled with the existing traffic movements on Johnston Street and the new traffic movements from the proposed centre in the SIDRA analysis of traffic impacts.

The proposed traffic impacts in respect of the waste management plan, is not considered to be appropriate and is considered to be at variance with the Code in this instance in relation to the roads, traffic and locality elements of the assessment.

Waste Management

3) Preparation and provision of a Waste Management Plan which considers storage capacity, location and collection times.

The applicant has provided a Waste Management Plan, prepared by Colby Phillips Advisory, consultants in waste management. The proposal as pre-empted above presents a plan for collection of waste at the Johnston Street frontage, using a rear-lift collection vehicle, and 1100 litre rolling bins, brought to the kerbside for collection. The applicant first proposed street pick up in late April and numerous advices have been conveyed to them that Council would not support street pick up.

The proposal also included the requirement for an indent to be formed in the Johnston Street road reserve (incursion into the existing footpath area) for the waste collection vehicle to operate without completely blocking the passage of traffic on Johnston Street. Council engineering advice is that the flow of traffic on Johnston Street would be considerably impacted by the waste collection vehicle in this manner and may promote unsafe passing around the stationary waste collection vehicle.

Comparisons are also drawn between the proposed development's waste management requirements and another of Paisley Park Early Learning Centre's facility at Hallett Cove, which is considered comparable with a maximum occupancy of 95 children.

A basic visual assessment of the Hallett Cove facilities identifies that the site comprises:

- A large land holding with a total area of over 2300m² which is almost three times the land area of the Stirling site
- Single storey facilities on a relatively flat site with three road frontages and broad street verges, and
- Almost 500m² of outdoor open space / yard areas

Waste management requirements are considered to be reasonably equitable between the proposed development and the example given at Hallett Cove. However notably, the Hallett Cove site manages food waste recycling on-site, which appears to be a reasonable probability with the extent of outdoor open space and yard area, which is not equivalent to the Stirling site – and accordingly, the waste management plan identifies that *small amounts of food waste is to be composted on site as part of the learning experience for children, with any residual food waste can be disposed via Council's kerbside collection service.*

The Waste Management Plan also identifies a difference in the collection of mixed recyclables where the proposed development will also be reliant on Council kerbside collection services, with cardboard recycling being managed separately.

Tables 2.1 and 2.2 (Page 2) within the Waste Management Plan identifies the schedules for waste collection, and notwithstanding the comparison between the facility at Hallett Cove, the tables make it clear that the combined reliance on private waste removal contractors and Council's municipal waste collection services, results in twice the frequency of 'General waste' removal from the site (one 1100 litre bin, twice weekly) with an additional occasion (one 1100 litre bin, once weekly) for removal of cardboard waste, and stated one fortnightly collection of one 240 L bin for Mixed Recycling and one 240 litre bin for food waste by Council, noting Council collection is weekly.

A discrepancy may exist in the latter two (mixed recycling and food waste) figures as these are not comparable to the established waste management indicated for the Hallett Cove facility – i.e. collection once weekly for mixed recycling would more closely reflect the division of cardboard (80%) and other mixed recyclables (20%) being managed, and the collection schedule for food waste, once fortnightly, is considered insufficient, in respect of maintaining stored food waste for that duration. – Given the procedural submission for Deemed Consent by the

applicant, there has not been a further opportunity to revisit these matters or request further information and seek clarification.

The March 2022 CAP Staff Report identified also that:

A notable omission of the proposal is the capacity for bin storage either at the first storey (appurtenant to the kitchen area and rampway to the street frontage) or proximate to the lift shaft to facilitate exchange of full and empty bins and containment to avoid odours or other amenity impacts) and whilst a small, temperature controlled room would be desirable for waste management, unless the applicant were obliging with a varied plan, it is considered appropriate that conditions should be applied in respect of waste management particularly in consideration of the nature and volume of potentially offensive waste which could be generated from the land use.

The storage of food waste in an uncontrolled environment is not considered satisfactory and this aspect of the development is considered to be at odds with the following Assessment Provisions and Performance objectives of the Code:

Interface Between Land Uses

Desired Outcome	
DO 1	Development is located and <u>designed to mitigate adverse effects on or from neighbouring and proximate land uses.</u>

Design in Urban Areas

Site Facilities / Waste Storage (excluding low rise residential development)	
PO 11.1	<u>Development provides a dedicated area for on-site collection and sorting of recyclable materials and refuse, green organic waste and wash bay facilities for the ongoing maintenance of bins that is adequate in size considering the number and nature of the activities they will serve and the frequency of collection.</u>

Overshadowing

4) Consideration of built form in terms of overshadowing.

The applicant has provided Shadow Diagrams prepared by URPS Planning Consultants, which identify the winter solstice access / overshadowing impacts from the proposed development in plain view at 9:00, 12:00 noon & 15:00, and in oblique view of the affected land adjacent to the east, at 16 Johnston Street.

The site shadow diagrams are considered to adequately demonstrate the extent of shadowing, and confirms the proposal satisfactorily accords with:

- *General Development Policies, Design, Environmental Performance, PO 4.1 in respect of solar access and ventilation to main activity areas, habitable rooms, common areas and open spaces, and*
- *Interface Between Land Uses, Overshadowing PO 3.1(b) /DPF 3.1 – affording greater than 3 hours of direct solar access between 9:00 and 15:00 on 21 June (winter solstice), and*
- *Interface Between Land Uses, Overshadowing PO 3.2(b) – affording greater than 2 hours of direct solar access between 9:00 and 15:00 on 21 June (winter solstice) to the outdoor open space areas of the adjoining*

land (*notwithstanding the DPF 3.2 values do not apply as the adjacent land is not within a neighbourhood-type zone*).

The adjacent dwelling does not exhibit any roof mounted photovoltaic solar energy systems (in respect of *Interface Between Land Uses, Overshadowing PO 3.3*), and in any case the upper level roofline of the dwelling at 16 Johnston Street is not shadowed from 9:00 onwards, under winter solar conditions (and the lower roofline is not affected beyond 12noon) as demonstrated by the shadow diagrams. Accordingly, any potential future solar installations would not be impacted.

The solar access and overshadowing detail is considered to appropriately satisfy the relevant assessment provisions and performance provisions of the Code.

CONCLUSION

The assessment of the proposal by 14 Johnston Pty. Ltd. at 14 Johnston Street, Stirling to develop the subject land within the Suburban Main Street Zone for a new preschool and childcare facility, comprising a three-storey building and undercroft car parking and associated landscaping, is a form of commercial development which is encouraged in the Zone.

The applicant has provided extensive additional and new information and documentation in support of the proposal in response to the matters raised by the Assessment Panel at its March meeting.

Additional information in respect of environmental noise impacts, general operational traffic and parking and the solar access / overshadowing detail generally supports the proposal and verifies adequacy of the proposal's various relevant elements, including revised plans addressing some key issues – i.e. undercroft parking and new acoustic barriers to attenuate noise outfall.

The on-site car-parking remains closely in accord with the Code provisions at maximum occupancy with the departure of 0.75 car parks considered to a minor departure which would not compromise the proposal.

The proposal has however presented new information in respect of waste management and traffic impacts resulting from the intended waste management plan involving on-street collection by private contractors. This aspect of the proposal is considered to present serious concerns in respect of the efficient operation and safety of traffic on Johnston Street for road users, including pedestrians and cyclists. Council engineering has advised the proposal will exacerbate the existing traffic flow and safety matters, which are also identified as concerns in the submissions made during public notification.

The proposal has also further varied its overall height and bulk in response particularly to the parking requirements and the car-stackers. The resultant building height further departs from the building height provisions for this locality in the Suburban Main Street Zone. Where previously a minor 400mm height departure was proposed, this has now increased the building to more than 1.2 metres over the prescribed building height limit. It is acknowledged that the site contour had already been considered in respect of concealing the three-storey design within a locality that supports buildings to a maximum of two-levels but the building height departure is now substantial at 1.2 metres.

The representors' concerns have been given considerable regard in this and in the previous assessment and are considered to be relevant in consideration of the new information in respect of traffic impacts and the corresponding impacts from the waste collection at the street frontage.

The compounding and accentuated departures that have materialised through the further documentation and information provided are considered to be matters of road safety and building height variance as identified within

this report. In this regard the proposal is at variance with the Assessment Provisions and performance values of the Code for transport movement and waste service vehicle loading/unloading and building height.

The applicant has sought a ‘Deemed Consent’ for the application. This has resulted in a limited window of opportunity to report to the relevant planning authority (Council’s Assessment Panel), to engage with the applicant on the identified issues. The revised proposal is considered to be at variance with the Planning and Design Code and maintains serious and unresolved issues. As such it is recommended by planning staff that Planning Consent be REFUSED pursuant to Section 125 (6)(b), and that the Council Assessment Panel apply to the Environment Resource and Development Court to have the deemed planning consent quashed and Development Application 21031474 refused.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1) Having:

- i) received a deemed consent notice dated 21 June 2022 in relation to Development Application 21031474, by 14 JOHNSTON PTY LTD, for construction of a three-level childcare centre (pre-school) with ancillary car parking, outdoor play areas and landscaping at 14 Johnston Street, Stirling; and
- ii) undertaken an assessment of Development Application 21031474 (including its subsequent amendments and additional information/documentation) against the Planning and Design code

an application be made to the Environment, Resources and Development Court for an order quashing the Deemed Planning Consent.

2) The reasons the Council Assessment Panel considers that Development Application 21031474 should have been refused Planning Consent include the following:

The proposed development is at variance with the following Planning & Development Code Assessment Provisions (AP) , Desired Outcomes (DO) and Performance Outcome (PO/Designated Performance Feature (DPF) Values:

Design

All Development – External Appearance	
PO 1.2	<u>Where zero or minor setbacks are desirable, development provides shelter over footpaths (in the form of verandahs, awnings, canopies and the like, with adequate lighting) to positively contribute to the walkability, comfort and safety of the public realm.</u>

- The proposed footpath indent for waste pick up will not create a safe and walkable public realm space.

Transport, Access and Parking

Desired Outcomes	
DO1	<u>A comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users.</u>
Movement Systems	
PO 1.2	<u>Development is designed to discourage commercial and industrial vehicle movements through residential streets and adjacent other sensitive receivers.</u>

PO 1.4	Development is sited and designed so that <u>loading, unloading and turning of all traffic avoids interrupting the operation of and queuing on public roads and pedestrian paths.</u>
Sightlines	
PO 2.1	<u>Sightlines at intersections, pedestrian and cycle crossings, and crossovers to allotments for motorists, cyclists and pedestrians are maintained or enhanced to ensure safety for all road users and pedestrians.</u>
Vehicle Parking Areas	
PO 6.6	<u>Loading areas and designated parking spaces for service vehicles are provided within the boundary of the site.</u>

- The proposed waste pick up on Johnston Street is not considered safe, efficient or convenient in terms of general road users.
- The proposed waste pick up will increase the number of large vehicle movements on a largely residential street.
- The proposed waste pick up will interrupt the operation of and queuing on Johnston Street and will impact on pedestrian paths.
- The proposed waste pick up will interfere with sight lines on Johnston Street and will not maintain or enhance safety for all road users and pedestrians on Johnston Street.
- The proposal does not provide loading areas and parking spaces for service (waste) vehicles within the boundary of the site.

Interface Between Land Uses

Desired Outcome	
DO 1	Development is located and <u>designed to mitigate adverse effects on or from neighbouring and proximate land uses.</u>

- The proposal will impact on adjacent residential properties adversely with the proposed private kerbside waste pickup.

Design in Urban Areas

Site Facilities / Waste Storage (excluding low rise residential development)	
PO 11.1	<u>Development provides a dedicated area for on-site collection and sorting of recyclable materials and refuse, green organic waste and wash bay facilities for the ongoing maintenance of bins that is adequate in size considering the number and nature of the activities they will serve and the frequency of collection.</u>

- The proposal does not have a dedicated area for onsite collection of waste.

Zone

Suburban Main Street Zone					
PO 3.11	<p>Building height consistent with the form expressed in any relevant Maximum Building Height (Levels) Technical and Numeric Variation and Maximum Building Height (Metres) Technical and Numeric Variation, and otherwise low-to-medium rise, where the height is commensurate with the development site's frontage and depth as well as the main street width, to complement the main street character.</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: center;">Maximum Building Height (Metres)</td> </tr> <tr> <td style="text-align: center;">Maximum building height is 10m</td> </tr> <tr> <td style="text-align: center;">Maximum Building Height (Levels)</td> </tr> <tr> <td style="text-align: center;">Maximum building height is 2 levels</td> </tr> </table>	Maximum Building Height (Metres)	Maximum building height is 10m	Maximum Building Height (Levels)	Maximum building height is 2 levels
Maximum Building Height (Metres)					
Maximum building height is 10m					
Maximum Building Height (Levels)					
Maximum building height is 2 levels					

- The proposed building exceeds the maximum building height by one level and is greater than 10metres in height.

AND:

- 3) The Assessment Manager is directed to engage Council’s lawyers to make an application under Section 125(6) of the *Planning, Development and Infrastructure Act 2016* to the Environment, Resources & Development Court.

OFFICER MAKING RECOMMENDATION

Name: Melanie Scott & Aaron Wilksch
Title: Senior Statutory Planner/ Consultant Planner

STIRLING CHILDCARE CENTRE

14 JOHNSTON STREET, STIRLING

PROJECT DETAILS:

TOTAL SITE AREA 1069 SQ.M

CHILDCARE CENTRE OPERATION

CHILDREN 95
STAFF 15
HOURS MONDAY TO FRIDAY 6:30AM TO 6:30PM

CHILDCARE CENTRE YIELD

INDOOR ACTIVITY SPACE

ACTIVITY 1	12 PLACES	39 SQ.M
ACTIVITY 2	16 PLACES	52 SQ.M
ACTIVITY 3	22 PLACES	71.5 SQ.M
ACTIVITY 4	30 PLACES	97.5 SQ.M
ACTIVITY 5	5 PLACES	19.5 SQ.M
MULTIPURPOSE	10 PLACES	32.5 SQ.M

TOTAL 95 PLACES 312 SQ.M

OUTDOOR PLAY SPACE

REQUIRED (95 PLACES X 7) = 665 SQ.M CLEAR

ACTUAL GROUND = 190 SQ.M CLEAR
ACTUAL FIRST = 396 SQ.M CLEAR
ACTUAL SECOND = 79 SQ.M CLEAR

ACTUAL TOTAL = 665 SQ.M CLEAR
(95 CHILDREN)

BUILDING AREAS

CARPARK = 549 SQ.M
LV GR = 197 SQ.M
LV 1 = 374 SQ.M
LV 2 = 108 SQ.M

TOTAL = 679 SQ.M (EXC. CARPARK)

CARPARKING

REQUIRED SPACE (95 PLACES X 0.25) = 24

ACTUAL SPACES PROVIDED = 21

3 X BICYCLE PARKING SPACES PROVIDED

SITE COVERAGE

BUILDING AREA = 547 SQ M
SITE AREA = 1069 SQ M
SITE COVERAGE = 51.2%



NEIGHBOURING PROPERTY (CARPARK)
12 JOHNSTON ST, STIRLING

SUBJECT SITE
14 JOHNSTON ST, STIRLING

ADJACENT PROPERTY (COMMERCIAL)
5 JOHNSTON ST, STIRLING

NEIGHBOURING PROPERTY (RESIDENTIAL)
16 JOHNSTON ST, STIRLING

ADJACENT PROPERTY (RESIDENTIAL)
13 JOHNSTON ST, STIRLING

Drawing List

Sheet	Sheet Name	Scale	Rev
TP.00	COVER SHEET + SITE CONTEXT	NTS	C
TP.01	SITE SURVEY + AERIAL CONTEXT	1:500	A
TP.02	EXISTING CONDITIONS	1:200	0
TP.03	PROPOSED - SITE PLAN	1:200	B
TP.04	PROPOSED - LOWER G / UNDERCROFT	1:200	B
TP.05	PROPOSED - LEVEL 1 PLAN	1:200	B
TP.06	PROPOSED - LEVEL 2 PLAN	1:200	B
TP.07	PROPOSED - ROOF PLAN	1:200	B
TP.08	PROPOSED - ELEVATIONS	1:200	B
TP.09	PROPOSED - ELEVATIONS	1:200	B
TP.10	PROPOSED - SECTIONS	1:200	B
TP.11	PROPOSED - SECTIONS	1:200	B
TP.12	PROPOSED - LANDSCAPE LOWER G	1:200	0
TP.13	PROPOSED - LANDSCAPE LEVEL 1	1:200	0
TP.14	PROPOSED - LANDSCAPE LEVEL 2	1:200	0
TP.15	PROPOSED - TREE 5 ASSESSMENT	1:200	0
TP.16	PROPOSED - OVERSHADOW DIAGRAM	1:500	A
TP.17	PROPOSED - OVERSHADOW DIAGRAM	1:500	A
TP.20	PROPOSED - 3D REPRESENTATIONS	1:500	A



1 3D PERSPECTIVE
NTS

TOWN PLANNING AMENDMENT - 11/05/22

ISSUE	DATE	REVISION
C	11/05/2022	REVISED HEIGHT
B	25/1/2022	REVISED CARPARK
A	21/9/21	UPDATED DRAWING LIST

Gardiner Architects

7/252 St Georges Rd
Fitzroy North, VIC, 3068
Ph: (03) 94864092
E: info@gardinerarchitects.com.au

PROJECT: STIRLING CHILDCARE CENTRE

ADDRESS: 14 JOHNSTON STREET, STIRLING

JOB NO: 202015

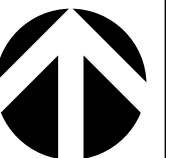
TITLE: COVER SHEET + SITE CONTEXT

CLIENT: PAISLEY PARK ELC

DRAWN BY: GA SCALE: 1:100

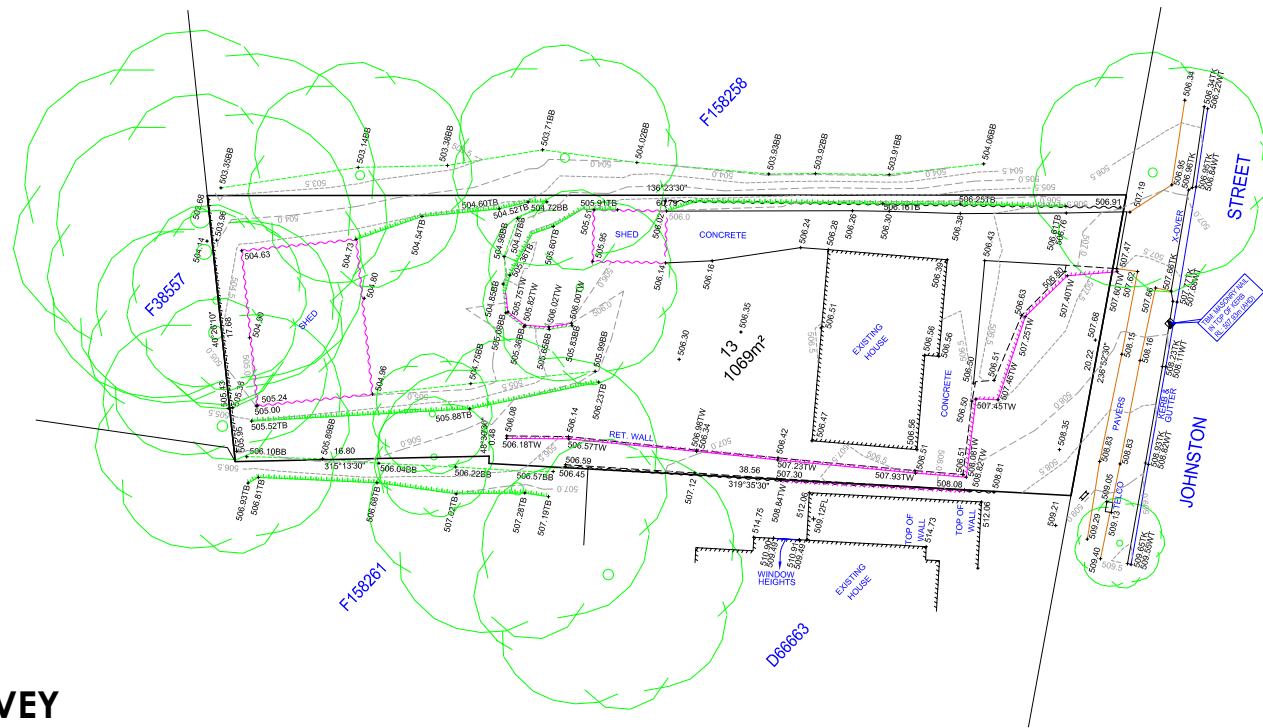
DRAWING NO:

TP.00

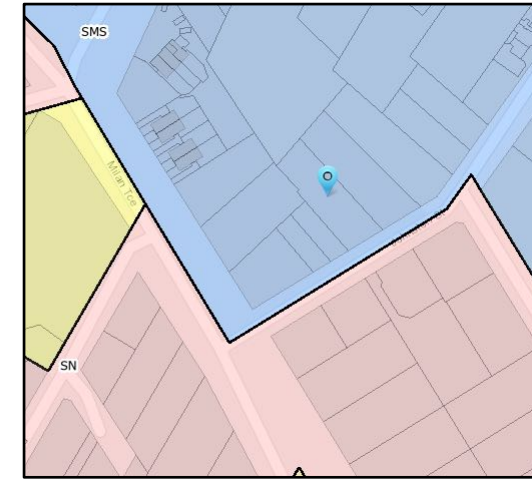


REV:

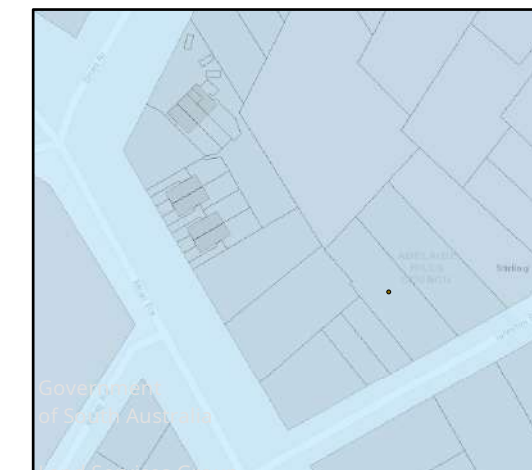
C



SITE SURVEY
SCALE 1:500



ZONE: DISTRICT CENTRE ZONE
POLICY: STIRLING CORE POLICY AREA



ZONE: MEDIUM BUSHFIRE

SITE INFO:
ALLOTMENT 13 IN FP 158259
HUNDRED OF NOARLUNGA
CT 5350/901



AERIAL CONTEXT IMAGE
1:500

TOWN PLANNING AMENDMENT - 11/05/22

ISSUE	DATE	REVISION
A	21/9/21	UPDATED ZONING

Gardiner Architects

7/252 St Georges Rd
Fitzroy North, VIC, 3068
Ph: (03) 94864092
E: info@gardinerarchitects.com.au

PROJECT: STIRLING CHILDCARE CENTRE

ADDRESS: 14 JOHNSTON STREET, STIRLING

JOB NO: 202015

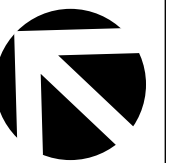
TITLE: SITE SURVEY + AERIAL CONTEXT

CLIENT: PAISLEY PARK ELC

DRAWN BY: GA SCALE: 1:100

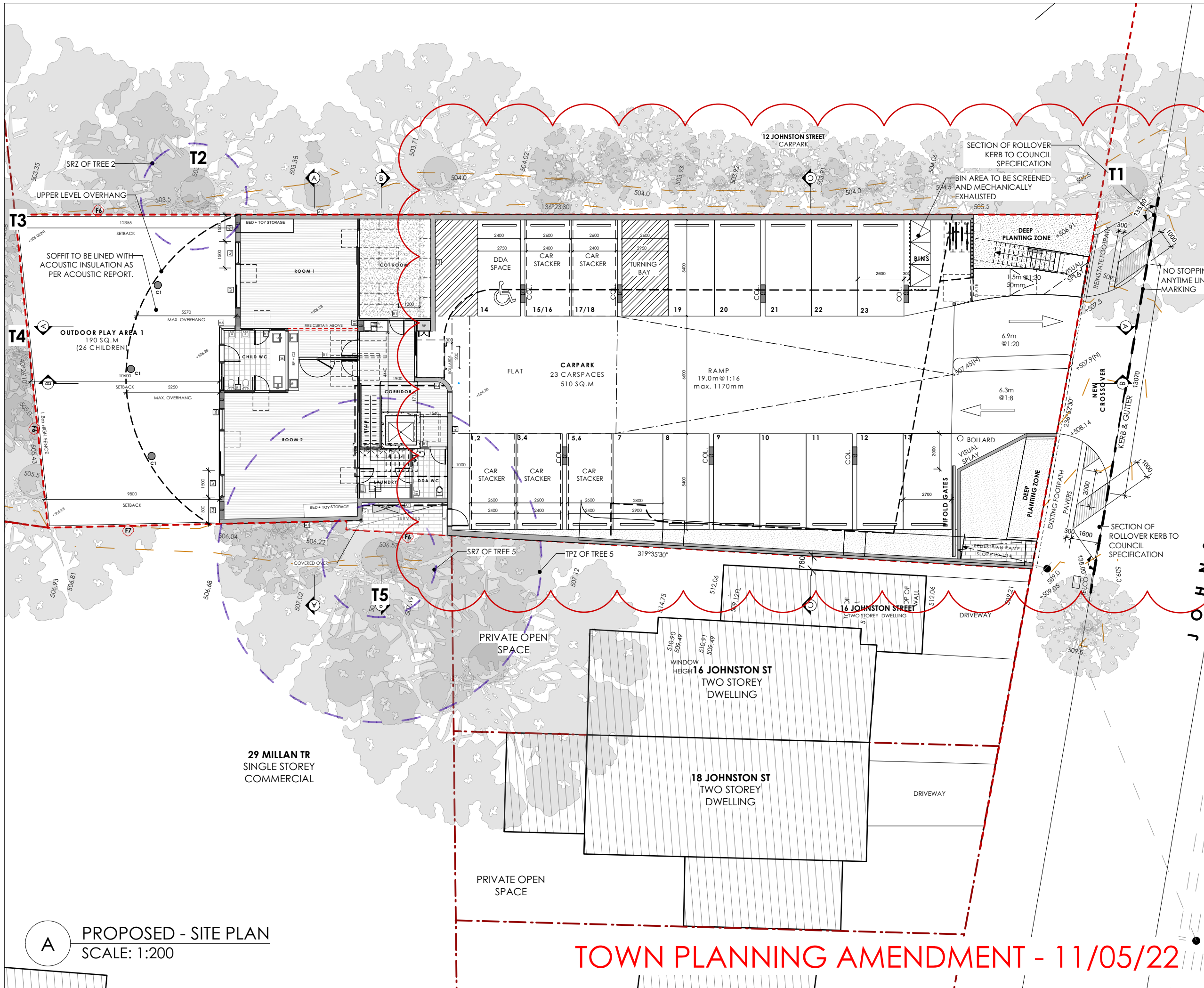
DRAWING NO:

TP.01



REV:

A



- GENERAL LEGEND:**
- WALL (EXISTING RETAINED)
 - WALL (EXISTING DEMOLISHED)
 - WALL (NEW PROPOSED)
 - SUN/VIEW
 - ACCESS
 - PLANTING (EXISTING REMOVED)
 - PLANTING (EXISTING RETAINED)
 - PLANTING (PROPOSED)
 - DOOR
 - WINDOW/SLIDING DOOR
 - (E) EXISTING
 - (N) NEW
 - P.O.S. PRIVATE OPEN SPACE

ISSUE	DATE	REVISION
B	11/05/2022	ADJUSTED HEIGHT
A	25/1/2022	REVISED CARPARK

Gardiner Architects
 7, 252 St Georges Rd
 Fitzroy North, VIC, 3068
 Ph: (03) 94864092
 E: info@gardinerarchitects.com.au

PROJECT: STIRLING CHILDCARE CENTRE

ADDRESS: 14 JOHNSTON STREET, STIRLING


JOB NO: 202015

TITLE: PROPOSED - SITE PLAN

CLIENT: PAISLEY PARK ELC

DRAWN BY: GA SCALE: 1:100

DRAWING NO:
TP.03

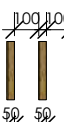









REV:
B

A PROPOSED - SITE PLAN
 SCALE: 1:200














TOWN PLANNING AMENDMENT - 11/05/22

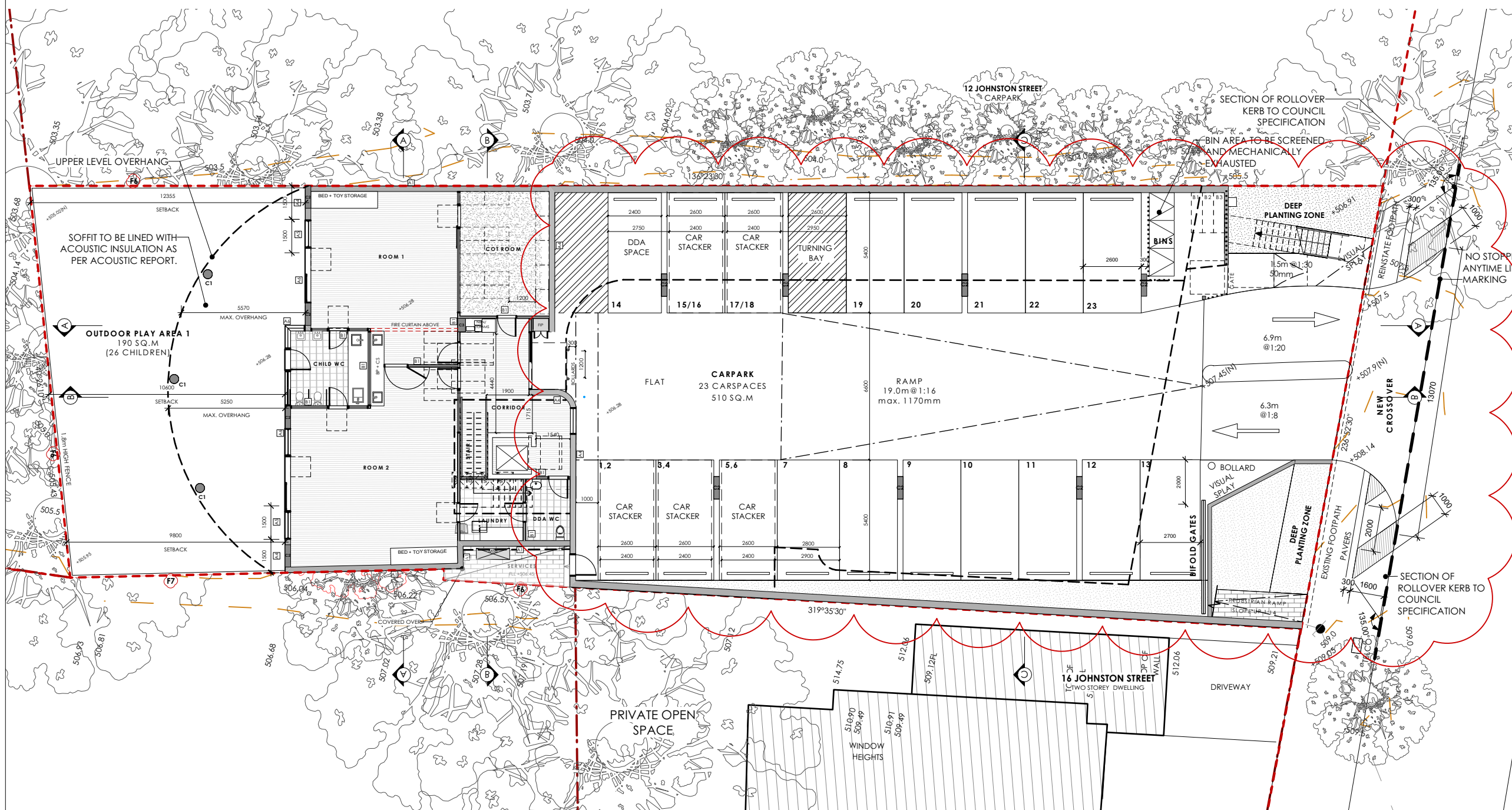
FENCING LEGEND

- F1**  **FENCE TYPE 1**
1800MM HIGH BOUNDARY FENCE
VERTICAL TIMBER BATTEN (OPEN)
NOM. 50 x 50MM BATTEN AT 100MM SPACING
- F2**  **FENCE TYPE 2 (ACOUSTIC)**
2100MM HIGH BALUSTRADE
ALUMINIUM POST WITH GLASS INFILL
- F3**  **FENCE TYPE 3 (ACOUSTIC + OVERLOOKING)**
2100MM HIGH BALUSTRADE
ALUMINIUM POST, GLASS INFILL +
FILM WITH 25% OPEN AREA
- F4**  **FENCE TYPE 4 (ACOUSTIC)**
1800MM HIGH BALUSTRADE
ALUMINIUM POST WITH GLASS INFILL

- F5**  **FENCE TYPE 5 (ACOUSTIC + PRIVACY)**
1800MM HIGH BALUSTRADE
TIMBER POST, GLASS INFILL +
FILM WITH 25% OPEN AREA
- F6**  **FENCE TYPE 6 (ACOUSTIC)**
1800MM HIGH SOLID BOUNDARY FENCE
VERTICAL TIMBER PALING
- F7**  **FENCE TYPE 7 (ACOUSTIC)**
2400MM HIGH SOLID BOUNDARY FENCE
VERTICAL TIMBER PALING
- F8**  **FENCE TYPE 8 (ACOUSTIC)**
2100MM HIGH SOLID FENCE TO SERVICES AREA
STRATCO HILAND TRAY SNAPLOCK TO MATCH
CLADDING

GENERAL LEGEND:

-  WALLS
-  DOOR
-  WINDOW/SLIDING DOOR
-  EXISTING TREE (RETAINED)
-  NEW PLANTING (SHOWN NOM. REFER LANDSCAPE PLAN)
-  ACCESS
-  FBC FIRE BOOSTER CBRDS
-  FH FIRE HYDRANT
-  FHR FIRE HOSE REEL
-  FIP FIRE INDICATOR PANEL
-  DR DATA RACK
-  SWB SWITCHBOARD
-  SL SKYLIGHT



ISSUE	DATE	REVISION
B	11/05/2022	ADJUSTED HEIGHT
A	25/1/2022	REVISED CARPARK

Gardiner Architects
 7/252 St Georges Rd
 Fitzroy North, VIC, 3068
 Ph: (03) 94864092
 E: info@gardinerarchitects.com.au

PROJECT: STIRLING CHILDCARE CENTRE

ADDRESS: 14 JOHNSTON STREET, STIRLING

JOB NO: 202015

TITLE: PROPOSED - LOWER G / UNDERCROFT

CLIENT: PAISLEY PARK ELC

DRAWN BY: GA SCALE: 1:100

DRAWING NO:
TP.04





REV:
B


A PROPOSED - LOWER G / UNDERCROFT
 SCALE: 1:200


TOWN PLANNING AMENDMENT - 11/05/22


FENCING LEGEND


F1  **FENCE TYPE 1**
1800MM HIGH BOUNDARY FENCE
VERTICAL TIMBER BATTEN (OPEN)
NOM. 50 x 50MM BATTEN AT 100MM SPACING


F2  **FENCE TYPE 2 (ACOUSTIC)**
2100MM HIGH BALUSTRADE
ALUMINIUM POST WITH GLASS INFILL


F3  **FENCE TYPE 3 (ACOUSTIC + OVERLOOKING)**
2100MM HIGH BALUSTRADE
ALUMINIUM POST, GLASS INFILL +
FILM WITH 25% OPEN AREA

F4  **FENCE TYPE 4 (ACOUSTIC)**
1800MM HIGH BALUSTRADE
ALUMINIUM POST WITH GLASS INFILL











F5  **FENCE TYPE 5 (ACOUSTIC + PRIVACY)**
1800MM HIGH BALUSTRADE
TIMBER POST, GLASS INFILL +
FILM WITH 25% OPEN AREA

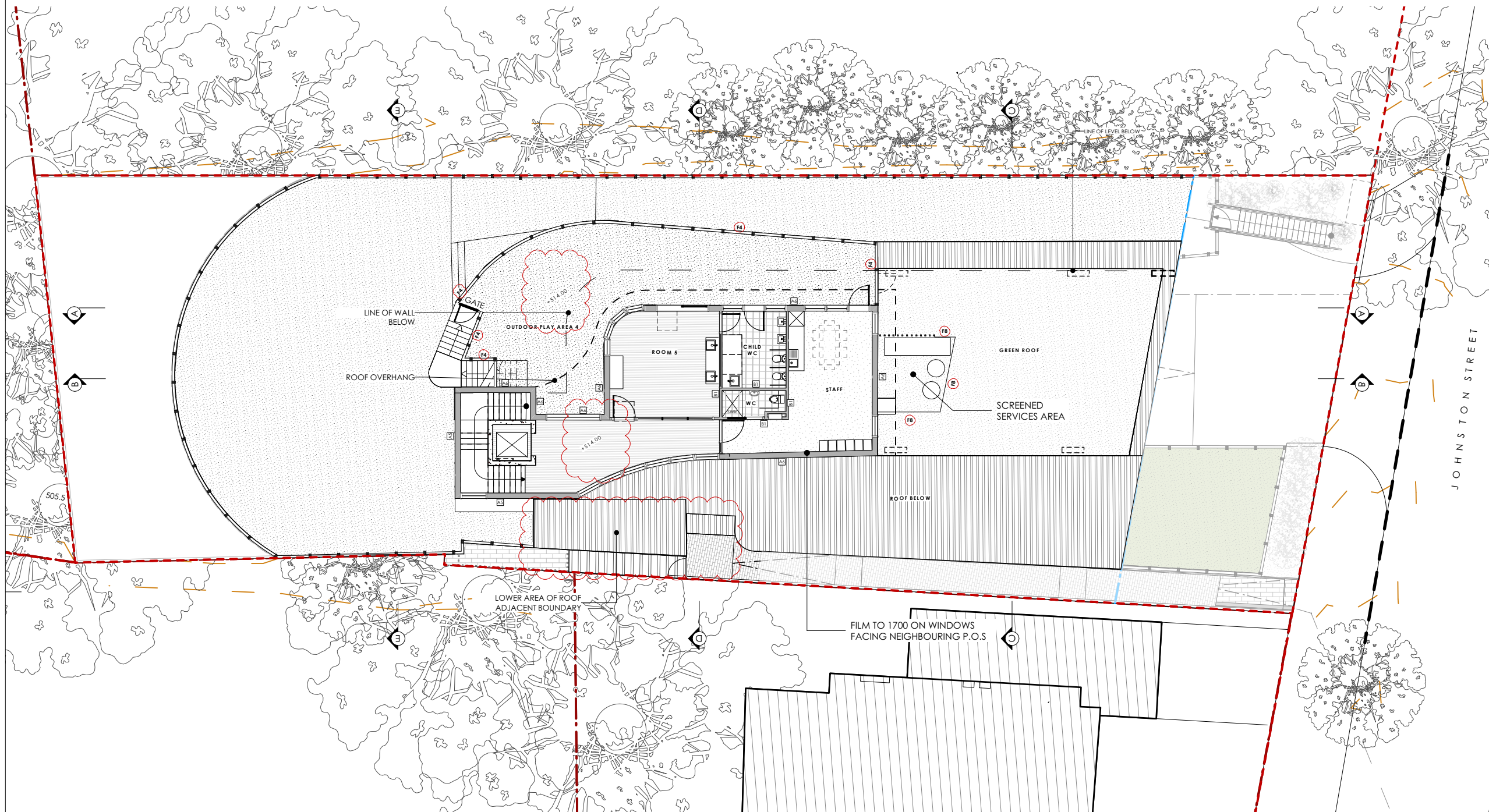
F6  **FENCE TYPE 6 (ACOUSTIC)**
1800MM HIGH SOLID BOUNDARY FENCE
VERTICAL TIMBER PALING

F7  **FENCE TYPE 7 (ACOUSTIC)**
2400MM HIGH SOLID BOUNDARY FENCE
VERTICAL TIMBER PALING

F8  **FENCE TYPE 8 (ACOUSTIC)**
2100MM HIGH SOLID FENCE TO SERVICES AREA
STRATCO HILAND TRAY SNAPLOCK TO MATCH
CLADDING

GENERAL LEGEND:

-  WALL (EXISTING RETAINED)
-  WALL (EXISTING DEMOLISHED)
-  WALL (NEW PROPOSED)
-  SUN/VIEW
-  ACCESS
-  PLANTING (EXISTING REMOVED)
-  PLANTING (EXISTING RETAINED)
-  PLANTING (PROPOSED)
-  DOOR
-  WINDOW/SLIDING DOOR
- (E) EXISTING
- (N) NEW
- P.O.S. PRIVATE OPEN SPACE



ISSUE	DATE	REVISION
B	11/05/2022	ENTRY&HEIGHT ADJUSTED
A	25/1/2022	REVISED CARPARK

Gardiner Architects
7/252 St Georges Rd
Fitzroy North, VIC, 3068
Ph: (03) 94864092
E: info@gardinerarchitects.com.au

PROJECT: STIRLING CHILDCARE CENTRE

ADDRESS: 14 JOHNSTON STREET, STIRLING

JOB NO: 202015

TITLE: PROPOSED - LEVEL 2 PLAN

CLIENT: PAISLEY PARK ELC

DRAWN BY: GA SCALE: 1:100

DRAWING NO:

TP.06

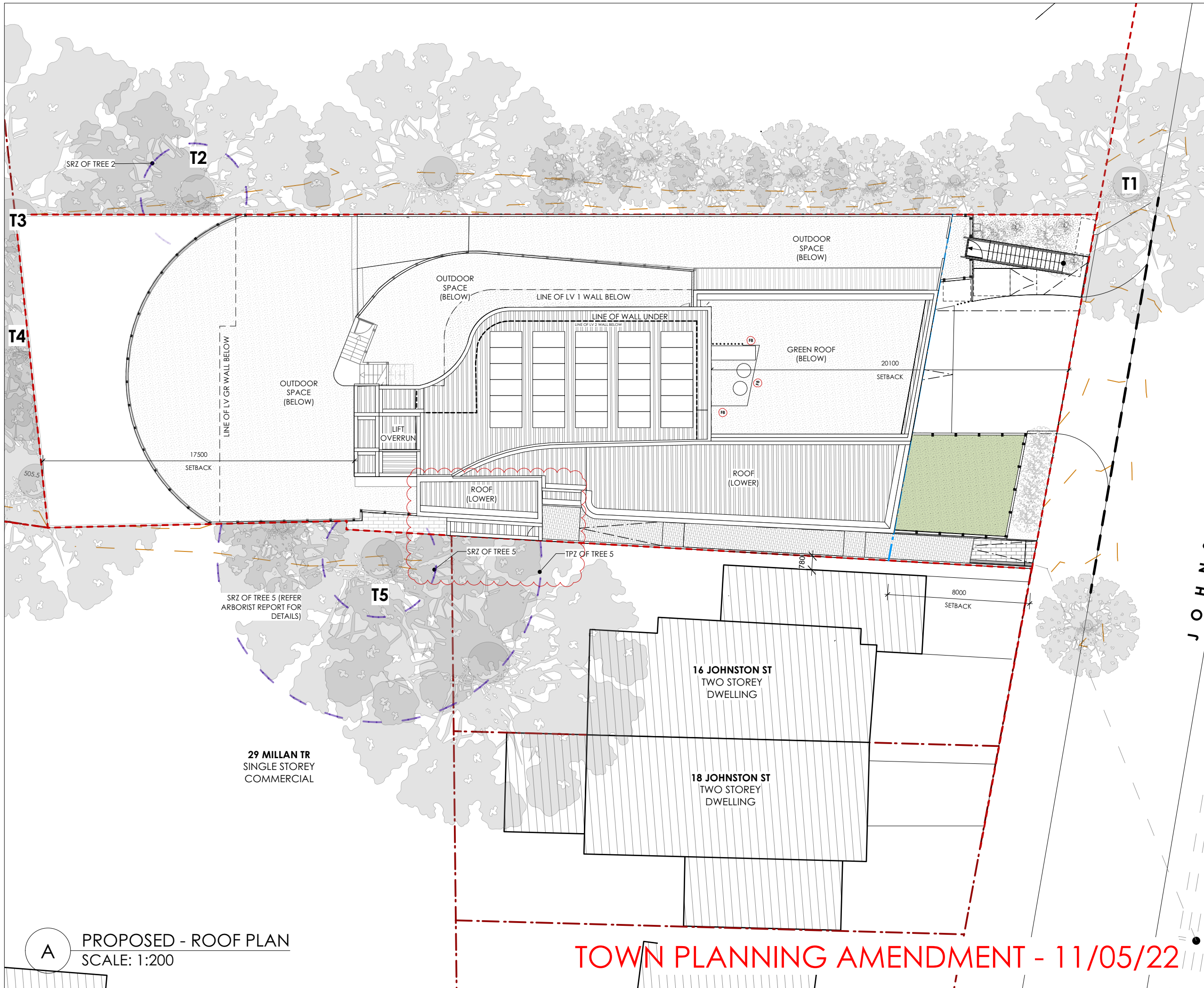


REV:

B

A PROPOSED - LEVEL 2 FLOOR PLAN
SCALE: 1:200

TOWN PLANNING AMENDMENT - 11/05/22



- GENERAL LEGEND:**
- WALL (EXISTING RETAINED)
 - WALL (EXISTING DEMOLISHED)
 - WALL (NEW PROPOSED)
 - SUN/VIEW
 - ACCESS
 - PLANTING (EXISTING REMOVED)
 - PLANTING (EXISTING RETAINED)
 - PLANTING (PROPOSED)
 - DOOR
 - WINDOW/SLIDING DOOR
 - (E) EXISTING
 - (N) NEW
 - P.O.S. PRIVATE OPEN SPACE

ISSUE	DATE	REVISION
B	11/05/2022	ENTRY ADJUSTED
A	27/1/2022	CARPARK ADJUSTMENTS

Gardiner Architects
 7/252 St Georges Rd
 Fitzroy North, VIC. 3068
 Ph: (03) 94864092
 E: info@gardinerarchitects.com.au

PROJECT: STIRLING CHILDCARE CENTRE

ADDRESS: 14 JOHNSTON STREET, STIRLING

JOB NO: 202015

TITLE: PROPOSED - ROOF PLAN

CLIENT: PAISLEY PARK ELC

DRAWN BY: GA SCALE: 1:100

DRAWING NO: TP.07



REV: B

A PROPOSED - ROOF PLAN
SCALE: 1:200

TOWN PLANNING AMENDMENT - 11/05/22

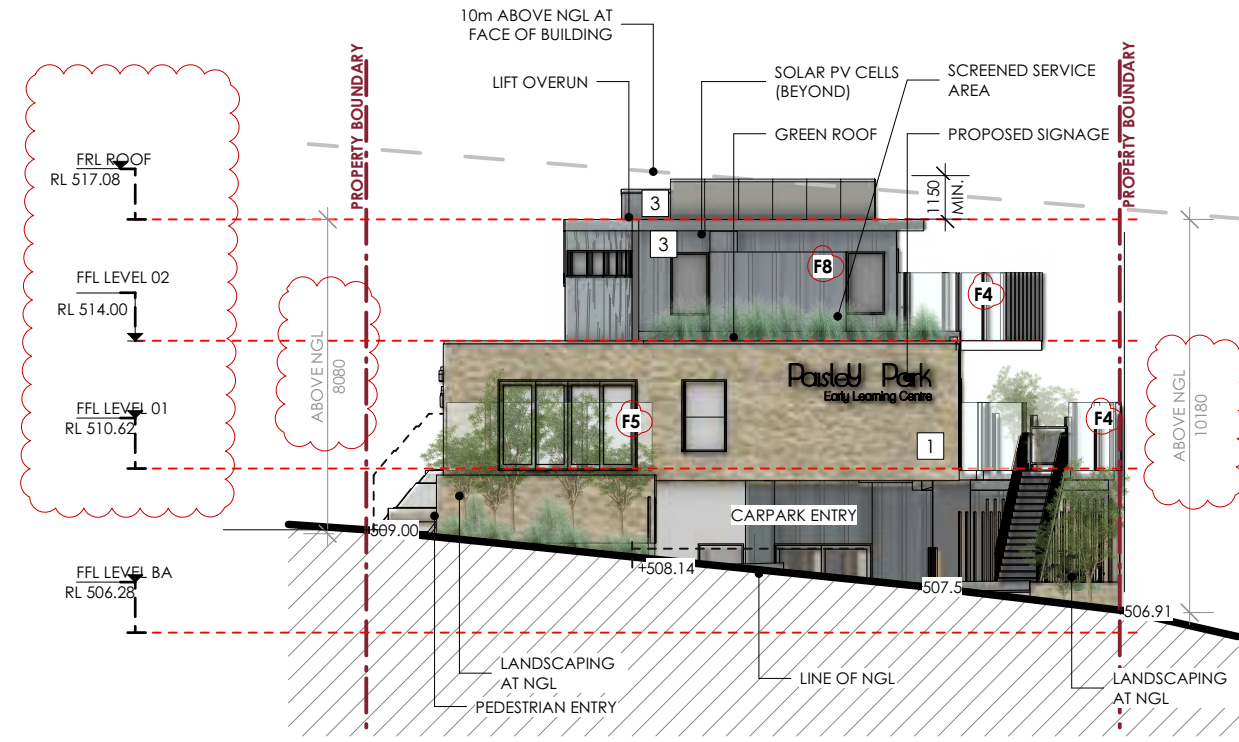
JOHNSTON ST

MATERIALS LEGEND

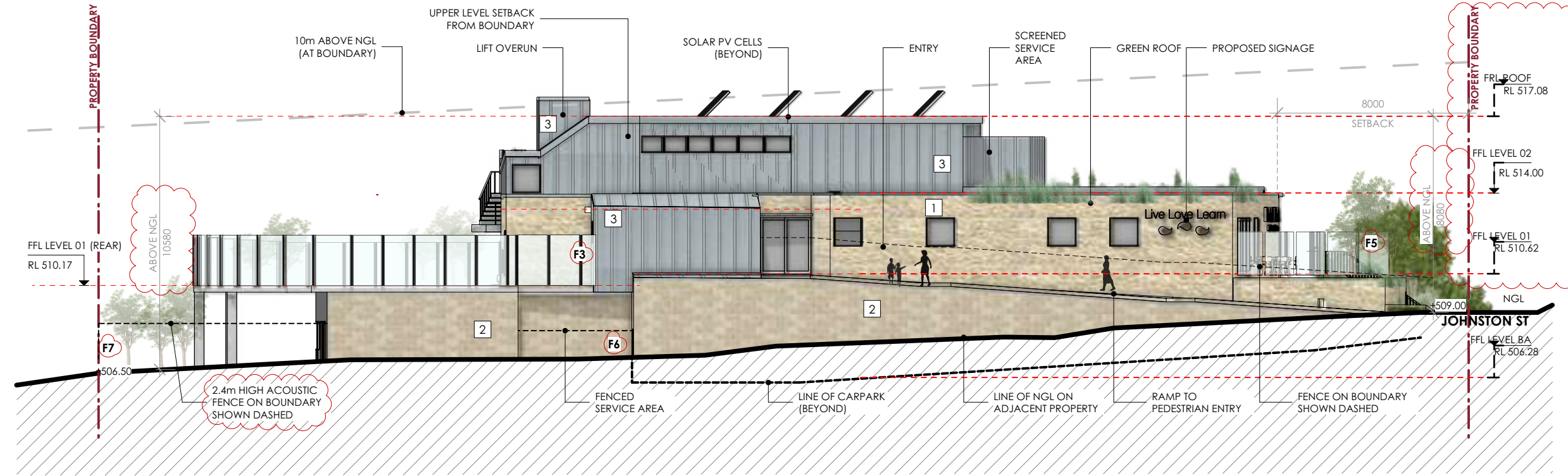
- 1 MATERIAL: NATURAL FEATURE STONE WALL CLAD
PRODUCT: SOUTH COAST LIMESTONE
COLOUR: SANDSTONE
FINISH: ROUGH
- 2 MATERIAL: RETAINING BLOCKWORK WALL
PRODUCT: ABBRI MASONRY VERSATON OR SIMILAR
COLOUR: OATMEAL
FINISH: SMOOTH
- 3 MATERIAL: PROFILE METAL SHEET CLADDING
PRODUCT: STRATCO HILAND TRAY SNAPLOCK
COLOUR: WINDSPRAY

FENCING LEGEND

- F1 FENCE TYPE 1
1800MM HIGH BOUNDARY FENCE
VERTICAL TIMBER BATTEN (OPEN)
NOM. 50 x 50MM BATTEN AT 100MM SPACING
- F2 FENCE TYPE 2 (ACOUSTIC)
2100MM HIGH BALUSTRADE
ALUMINIUM POST WITH GLASS INFILL
- F3 FENCE TYPE 3 (ACOUSTIC + OVERLOOKING)
2100MM HIGH BALUSTRADE
ALUMINIUM POST, GLASS INFILL +
FILM WITH 25% OPEN AREA
- F4 FENCE TYPE 4 (ACOUSTIC)
1800MM HIGH BALUSTRADE
ALUMINIUM POST WITH GLASS INFILL
- F5 FENCE TYPE 5 (ACOUSTIC + PRIVACY)
1800MM HIGH BALUSTRADE
TIMBER POST, GLASS INFILL +
FILM WITH 25% OPEN AREA
- F6 FENCE TYPE 6 (ACOUSTIC)
1800MM HIGH SOLID BOUNDARY FENCE
VERTICAL TIMBER PALING
- F7 FENCE TYPE 7 (ACOUSTIC)
2400MM HIGH SOLID BOUNDARY FENCE
VERTICAL TIMBER PALING
- F8 FENCE TYPE 8 (ACOUSTIC)
2100MM HIGH SOLID FENCE TO SERVICES AREA
STRATCO HILAND TRAY SNAPLOCK TO MATCH
CLADDING



A PROPOSED - SOUTH-EAST ELEVATION
SCALE: 1:200



B PROPOSED - SOUTH-WEST ELEVATION
SCALE: 1:200

TOWN PLANNING AMENDMENT - 11/05/22

B	11/05/2022	ENTRY&HEIGHT ADJUSTED
A	25/1/2022	REVISED CARPARK
ISSUE	DATE	REVISION

Gardiner Architects

7/252 St Georges Rd
Fitzroy North, VIC. 3068
Ph: (03) 94864092
E: info@gardinerarchitects.com.au

PROJECT: STIRLING CHILDCARE CENTRE

ADDRESS: 14 JOHNSTON STREET, STIRLING

JOB NO: 202015

TITLE: PROPOSED - ELEVATIONS

CLIENT: PAISLEY PARK ELC

DRAWN BY: GA SCALE: 1:100

DRAWING NO:

TP.08











REV:

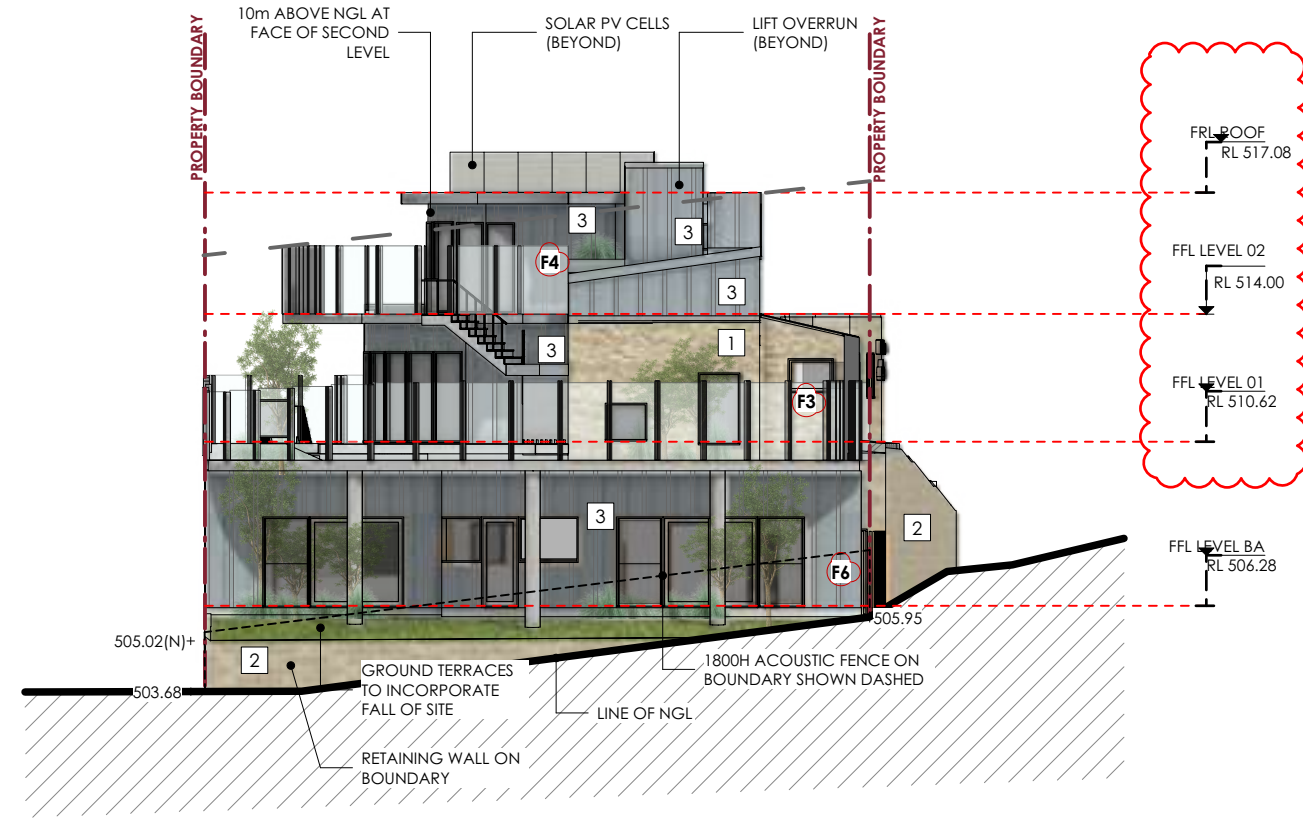
B

MATERIALS LEGEND

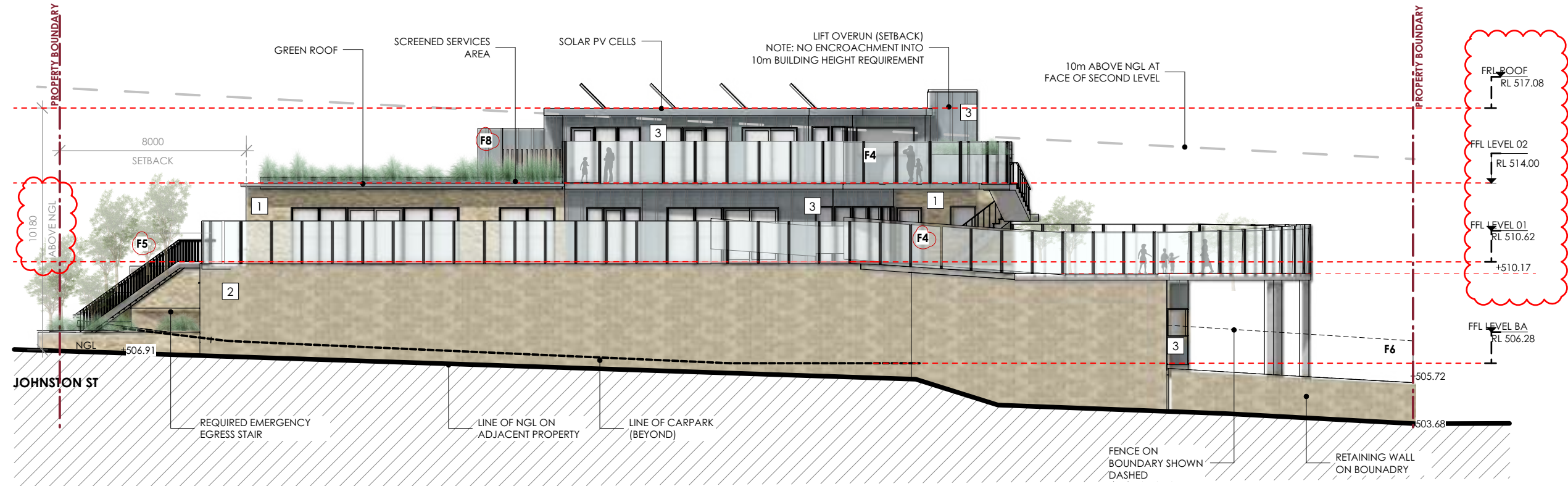
- 1 MATERIAL: NATURAL FEATURE STONE WALL CLAD
PRODUCT: SOUTH COAST LIMESTONE
COLOUR: SANDSTONE
FINISH: ROUGH
- 2 MATERIAL: RETAINING BLOCKWORK WALL
PRODUCT: ABBRI MASONRY VERSATON OR SIMILAR
COLOUR: OATMEAL
FINISH: SMOOTH
- 3 MATERIAL: PROFILE METAL SHEET CLADDING
PRODUCT: STRATCO HILAND TRAY SNAPLOCK
COLOUR: WINDSPRAY

FENCING LEGEND

- F1  **FENCE TYPE 1**
1800MM HIGH BOUNDARY FENCE
VERTICAL TIMBER BATTEN (OPEN)
NOM. 50 x 50MM BATTEN AT 100MM SPACING
- F2  **FENCE TYPE 2 (ACOUSTIC)**
2100MM HIGH BALUSTRADE
ALUMINIUM POST WITH GLASS INFILL
- F3  **FENCE TYPE 3 (ACOUSTIC + OVERLOOKING)**
2100MM HIGH BALUSTRADE
ALUMINIUM POST, GLASS INFILL +
FILM WITH 25% OPEN AREA
- F4  **FENCE TYPE 4 (ACOUSTIC)**
1800MM HIGH BALUSTRADE
ALUMINIUM POST WITH GLASS INFILL
- F5  **FENCE TYPE 5 (ACOUSTIC + PRIVACY)**
1800MM HIGH BALUSTRADE
TIMBER POST, GLASS INFILL +
FILM WITH 25% OPEN AREA
- F6  **FENCE TYPE 6 (ACOUSTIC)**
1800MM HIGH SOLID BOUNDARY FENCE
VERTICAL TIMBER PALING
- F7  **FENCE TYPE 7 (ACOUSTIC)**
2400MM HIGH SOLID BOUNDARY FENCE
VERTICAL TIMBER PALING
- F8  **FENCE TYPE 8 (ACOUSTIC)**
2100MM HIGH SOLID FENCE TO SERVICES AREA
STRATCO HILAND TRAY SNAPLOCK TO MATCH
CLADDING



A PROPOSED - NORTH-WEST ELEVATION
SCALE: 1:200



B PROPOSED - NORTH-EAST ELEVATION
SCALE: 1:200

TOWN PLANNING AMENDMENT - 11/05/22

B	11/05/2022	ENTRY&HEIGHT ADJUSTED
A	25/1/2022	REVISED CARPARK
ISSUE	DATE	REVISION

Gardiner Architects
7/252 St Georges Rd
Fitzroy North, VIC. 3068
Ph: (03) 94864092
E: info@gardinerarchitects.com.au

PROJECT: STIRLING CHILDCARE CENTRE
ADDRESS: 14 JOHNSTON STREET, STIRLING
JOB NO: 202015
TITLE: PROPOSED - ELEVATIONS

CLIENT: PAISLEY PARK ELC
DRAWN BY: GA SCALE: 1:100

DRAWING NO: TP.09

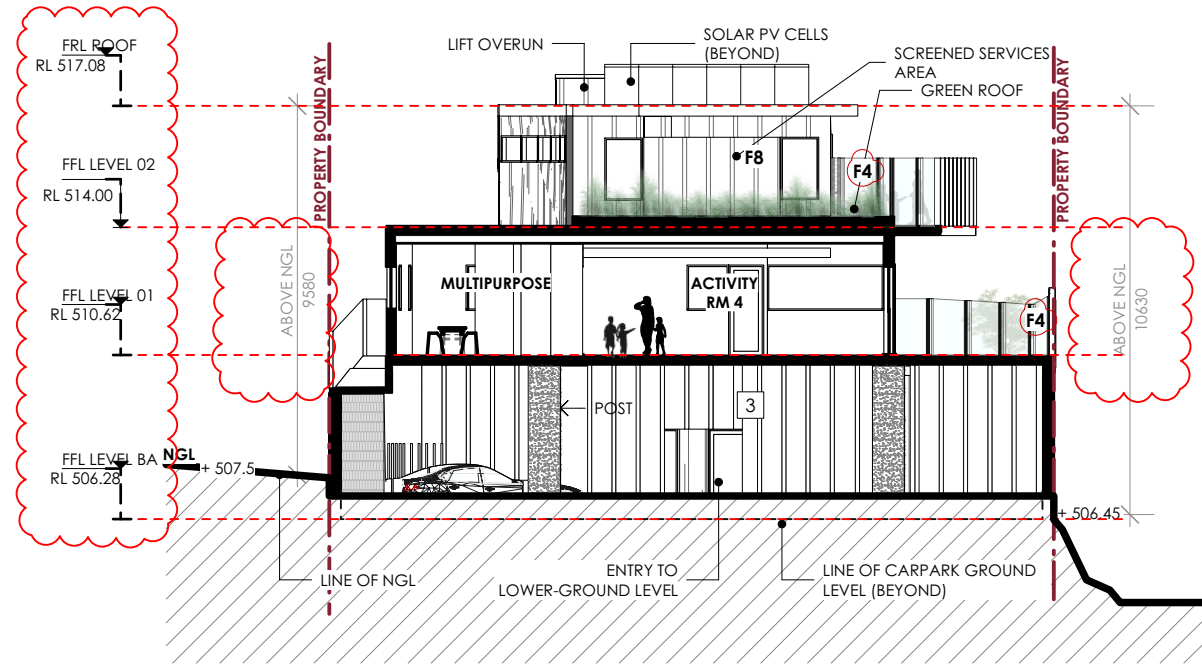
REV: B

MATERIALS LEGEND

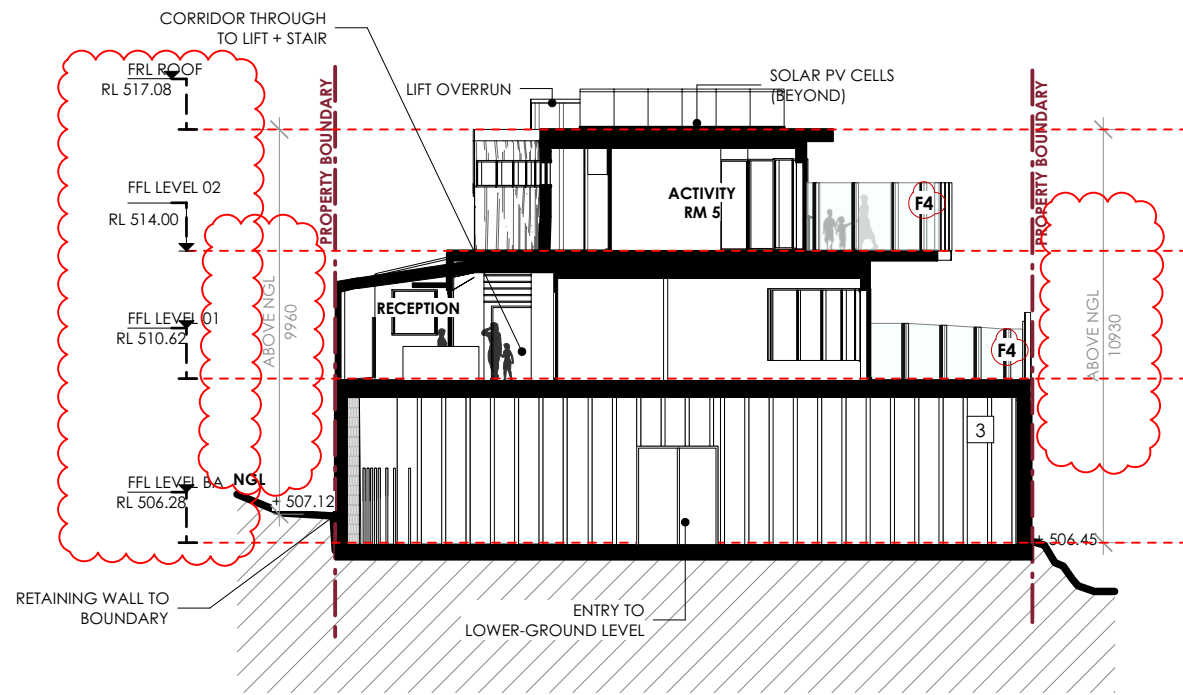
- 1 MATERIAL: NATURAL FEATURE STONE WALL CLADDING
PRODUCT: SOUTH COAST LIMESTONE
COLOUR: SANDSTONE
FINISH: ROUGH
- 2 MATERIAL: RETAINING BLOCKWORK WALL
PRODUCT: ADBRI MASONRY VERSATON OR SIMILAR
COLOUR: OATMEAL
FINISH: SMOOTH
- 3 MATERIAL: PROFILE METAL SHEET CLADDING
PRODUCT: STRATCO HILAND TRAY SNAPLOCK
COLOUR: WINDSPRAY

FENCING LEGEND

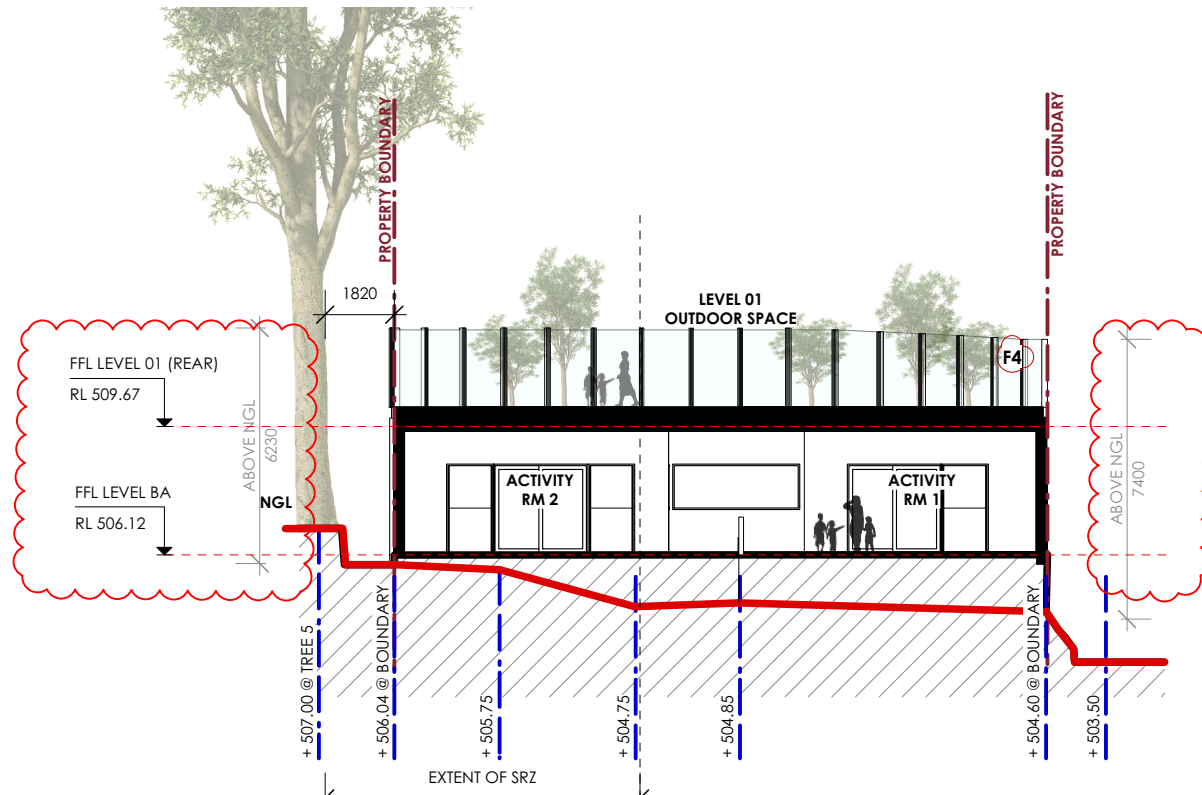
- F1 FENCE TYPE 1
1800MM HIGH BOUNDARY FENCE
VERTICAL TIMBER BATTEN (OPEN)
NOM. 50 x 50MM BATTEN AT 100MM SPACING
- F2 FENCE TYPE 2 (ACOUSTIC)
2100MM HIGH BALUSTRADE
ALUMINIUM POST WITH GLASS INFILL
- F3 FENCE TYPE 3 (ACOUSTIC + OVERLOOKING)
2100MM HIGH BALUSTRADE
ALUMINIUM POST, GLASS INFILL +
FILM WITH 25% OPEN AREA
- F4 FENCE TYPE 4 (ACOUSTIC)
1800MM HIGH BALUSTRADE
ALUMINIUM POST WITH GLASS INFILL
- F5 FENCE TYPE 5 (ACOUSTIC + PRIVACY)
1800MM HIGH BALUSTRADE
TIMBER POST, GLASS INFILL +
FILM WITH 25% OPEN AREA
- F6 FENCE TYPE 6 (ACOUSTIC)
1800MM HIGH SOLID BOUNDARY FENCE
VERTICAL TIMBER PALING
- F7 FENCE TYPE 7 (ACOUSTIC)
2400MM HIGH SOLID BOUNDARY FENCE
VERTICAL TIMBER PALING
- F8 FENCE TYPE 8 (ACOUSTIC)
2100MM HIGH SOLID FENCE TO SERVICES AREA
STRATCO HILAND TRAY SNAPLOCK TO MATCH
CLADDING



C PROPOSED - SECTION
SCALE: 1:200



D PROPOSED - SECTION
SCALE: 1:200



E PROPOSED - SECTION
SCALE: 1:200

B	11/05/2022	ENTRY&HEIGHT ADJUSTED
A	25/1/2022	REVISED CARPARK
ISSUE	DATE	REVISION

Gardiner Architects

7/252 St Georges Rd
Fitzroy North, VIC. 3068
Ph: (03) 94864092
E: info@gardinerarchitects.com.au

PROJECT: STIRLING CHILDCARE CENTRE

ADDRESS: 14 JOHNSTON STREET, STIRLING

JOB NO: 202015

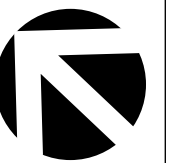
TITLE: PROPOSED - SECTIONS

CLIENT: PAISLEY PARK ELC

DRAWN BY: GA SCALE: 1:100

DRAWING NO:

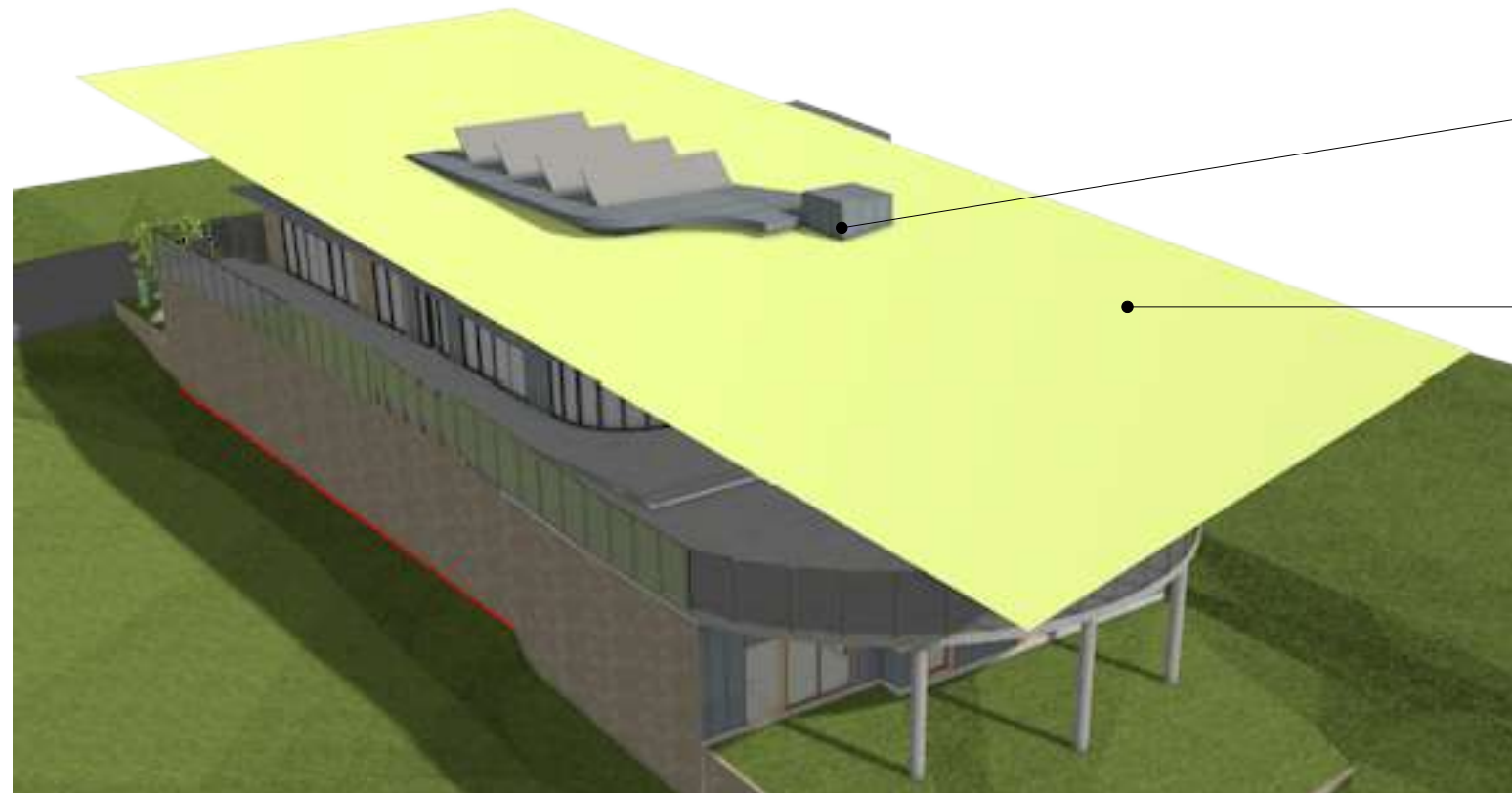
TP.11



REV:

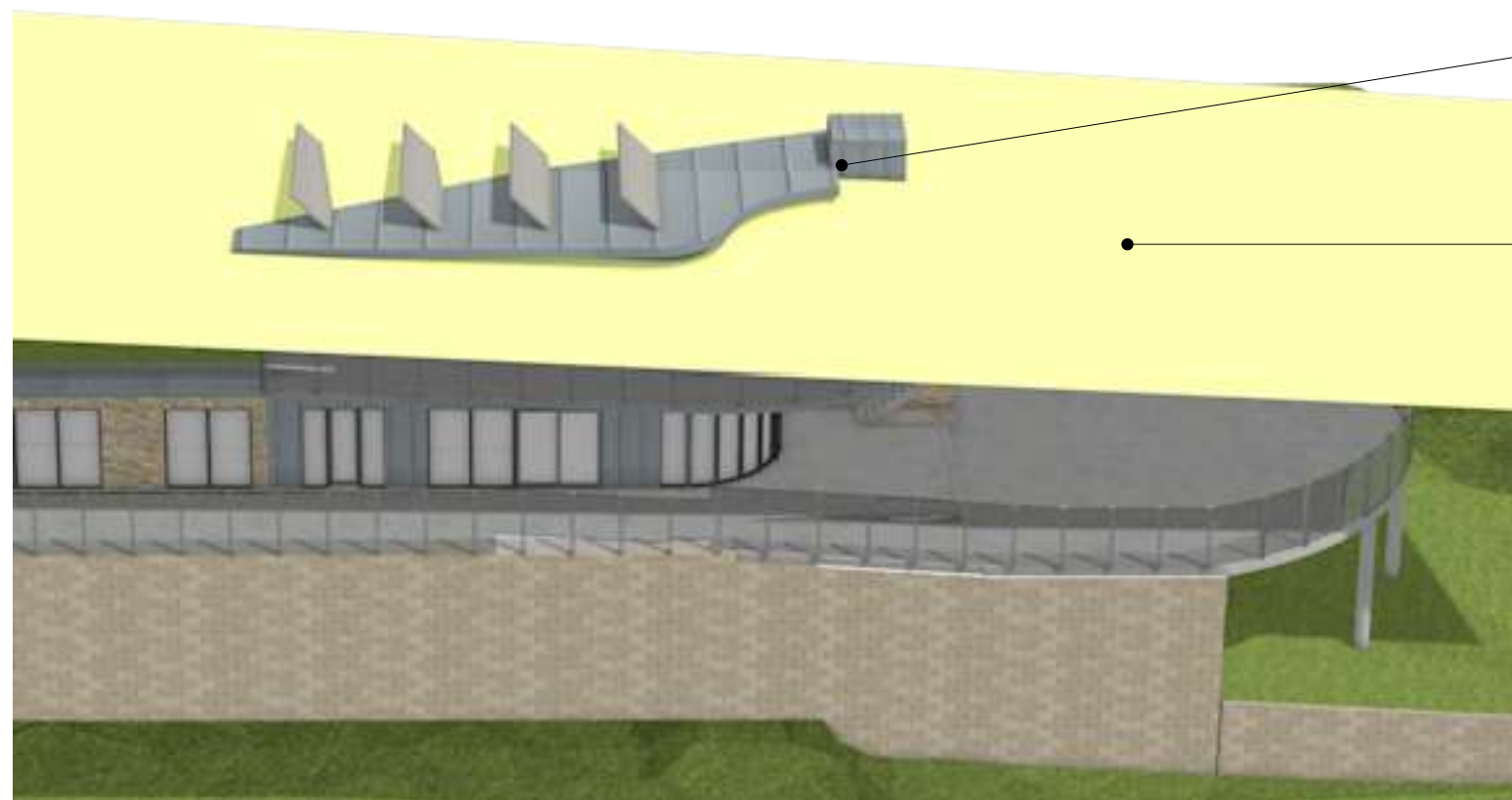
B

TOWN PLANNING AMENDMENT - 11/05/22



SMALL ENCROACHMENT ABOVE 10m BUILDING HEIGHT BY LIFT OVERRUN, PV PANELS AND CORNER OF UPPER LEVEL ROOF (NOM. 800mm)

10m BUILDING HEIGHT PLANE SHOWN IN YELLOW



SMALL ENCROACHMENT ABOVE 10m BUILDING HEIGHT BY LIFT OVERRUN, PV PANELS AND CORNER OF UPPER LEVEL ROOF (NOM. 800mm)

10m BUILDING HEIGHT PLANE SHOWN IN YELLOW

3D PERSPECTIVES

TOWN PLANNING AMENDMENT - 11/05/22

ISSUE	DATE	REVISION
A	11/05/2022	ENTRY&HEIGHT ADJUSTED

Gardiner Architects
 7/252 St Georges Rd
 Fitzroy North, VIC, 3068
 Ph: (03) 94864092
 E: info@gardinerarchitects.com.au

PROJECT: STIRLING CHILDCARE CENTRE
 ADDRESS: 14 JOHNSTON STREET, STIRLING

JOB NO: 202015

TITLE: PROPOSED - 3D REPRESENTATIONS

CLIENT: PAISLEY PARK ELC

DRAWN BY: GA SCALE: 1:100

DRAWING NO:
TP.20



REV:
A



16 June 2022

Melanie Scott
Senior Statutory Planner
Adelaide Hills Council
PO Box 44
Woodside SA 5244

Adelaide
12/154 Fullarton Rd
Rose Park, SA 5067
08 8333 7999

Melbourne
29-31 Rathdowne St
Carlton, VIC 3053
03 8593 9650
urps.com.au

mscott@ahc.sa.gov.au

Dear Melanie

Response to Deferral - Application ID: 21031474 – 14 Johnston Street, Stirling

Introduction

This letter provides a response to the Council Assessment Panel's decision to defer the matter at its meeting in April. Specifically, the minutes from that meeting state:

7.2.3 Development Application 21031474 by 14 Johnston Pty Ltd for construction of a three-level childcare centre (pre-school) with ancillary car parking, outdoor play areas and landscaping at 14 Johnston Street, Stirling Deferred from meeting 9 March 2022

"That a decision on the matter be deferred to enable the applicant to provide the following:

- 1) An acoustic report prepared by a suitably qualified professional.*
- 2) A review of the car parking design and its relationship with the intensity of the land use, in consideration of staff, parents and children, and visitors to the site.*
- 3) Preparation and provision of a Waste Management Plan which considers storage capacity, location and collection times.*
- 4) Consideration of built form in terms of overshadowing".*

In response, the applicant has engaged further with its consultant team and additional experts to provide a detailed response to the deferral reasons.

The following documentation is enclosed with this correspondence:

- Environmental Noise Assessment from Echo
- Further traffic and parking advice prepared by Phil Weaver and Associates
- Peer review of the traffic advice prepared by Frank Siow and Associates
- Revised Proposal Plans addressing the revised building height prepared by Gardiner Architects
- Waste Management Plan prepared by Colby Phillips Advisory.

Response

Deferral Reason 1 - Acoustic Report

Jason Turner from Echo (acoustic engineers) was engaged to review the proposal and consider its performance against the relevant policies in the Planning and Design Code.

Their assessment concludes that the above policies in the Planning and Design Code are satisfied provided the following measures are implemented:

- solid fencing and balustrading of varying minimum heights and constructions between the various play areas and the nearest dwellings
- acoustic insulation to a nominated area of slab soffit above play area 1
- ensuring any shade system is acoustically transparent (by using a material such as shade cloth)
- screening the external condensing unit and applying acoustic ductwork to the fan systems
- operating the fire pump for maintenance during daylight hours and not on weekends or public holidays
- maintaining a Noise Management Plan for the facility
- reviewing the services during the design stage of the project to achieve the Environment Protection (Noise) Policy 2007.

The proposal plans reflect these recommendations such that they form part of the proposal. The applicant is willing and capable of installing and implementing the above measures meaning the proposal will satisfy the provisions of the Code. The applicant would also accept a condition of consent that reinforces the above.

Car Parking Design

As outlined above, the applicant has further consulted with Phil Weaver and Associates and engaged Frank Siow and Associates to provide a peer review of the traffic and car parking advice prepared by the applicant's and Council's representatives (MFY).

Firstly, we are of the view that the "intensity of the land use" has been misrepresented. As outlined by Phil Weaver, in the am peak hour period, there will be a theoretical 28 entry movements and 23 exit movements (accounting for staff and parents). This is less than 1 movement per minute. The pm peak period generates fewer movements.

SIDRA analysis prepared by Phil Weaver and Associates identified that:

- The access point will operate at a Level of Service (LOS) A during both the am and pm peak hour commuter periods on a weekday
- The average delay to drivers when turning out of the access point onto Johnston Street would be only 6.3 seconds during both the am and pm peak hour periods
- The average delay to drivers when turning right into the child care centre from Johnston Street in the am peak hour period would be only 5.9 seconds and 6.2 seconds in the pm peak hour period
- There would be a queue of only one vehicle (at the 95th percentile probability level) associated with drivers turning right into the child care centre from Johnston Street in both the am and pm peak hour periods.

LOS A equates to primarily free flowing traffic where vehicles are completely unimpeded in their ability to manoeuvre within the traffic stream (Austroads Guide to Traffic Management Part 3).

Frank Siow and Associates concurs that:

- The proposed development has sufficient car parking to meet demand.
- The parking layout conforms with the relevant Australian Standards.
- The development would not result in adverse traffic impacts on the adjacent road network.

Phil Weaver and Associates has also provided further advice in respect the proposed car stacker arrangement which is to be used by staff and parents/visitors. Staff will use the top level of the stacker with parents/visitors using the ground level parking space beneath the stacker without the need to operate/be trained in the function of the stacker. Such an approach has been successfully used in other similar settings as outlined by the potential supplier of the system. Excluding staff parking (up to 6 spaces – 5 at the upper level of the stacker and an additional space at ground level likely

beneath the stacker), there remains 17 car parking spaces available for use during peak periods. The proponent has a staggered drop-off and pick-up arrangements through its Parent Management Plan that will provide ensure arrival and pick-up takes place over a longer period (i.e. 3 hours each). This management approach has been used by the operator since 2005 and ensures calm and orderly traffic conditions. Similarly, the operator ensures that parents are informed of the parking arrangements prior to their child attending the site and ongoing communication with parents would also take place if required.

Frank Siow and Associates agrees that the use of the car stacker can be appropriately managed so as not to affect drop-off and pick-up, that the car stacker would not need to be restricted to small vehicles and that the proportion of staff parking and the vertical stacker clearance has been satisfactorily resolved.

Waste Management Plan

The enclosed Waste Management Plan prepared by Colby Phillips Advisory sets out that:

- A suitably sized waste bin storage area has been provided to accommodate the following:
 - 1 x 1,100L bin for general waste to be collected two times per week
 - 1 x 1,100L bin for cardboard to be collected once per week
 - 1 x 240L bin for mixed recycling to be collected once per fortnight by Council's kerbside service
 - 1 x 240L bin for food waste to be collected once per fortnight by Council's kerbside service.
- There would be 4 collections per week – 3 collections of a 1,100 bin and one collection of a 240L bin which can readily be collected by Council's kerbside service in the same manner that currently takes place at the site.
- The larger 1,100 litre bins would be collected at the street frontage by a rear-lift truck.
- The bins could be readily be transported from the bin storage area with the path and gradients reviewed together with the anticipated bin weight (around 150 kg).

Phil Weaver and Associates identifies that the collection of the 1,100 litre bins (3 times per week) would take place outside of peak hours between approximately 9am and 3pm. Despite the low frequency of collections and duration of each collection (2-3 minutes each), a roll-over kerb could be installed at the front of the site allowing a truck to encroach within the road reserve and to retain a 5m wide trafficable road width

directly out the front of the site. Frank Siow and Associates concurs with the advice of Colby Phillips Advisory and Phil Weaver and Associates.

Overshadowing

The subject land is located within a zone wherein commercial development of various kinds and heights is expressly contemplated.

The attached additional overshadowing prepared by URPS more clearly demonstrates the impacts of the development during Winter Solstice (i.e. the worst case). This analysis indicates that:

- At 9am there may be some overshadowing of the north-west facing ground level windows of the nearest adjacent dwelling at 16 Johnston Street (there would be no overshadowing of the upper level north-east facing dwellings of any habitable rooms). No other dwellings will be affected at this time.
- At midday there is no overshadowing of any habitable rooms of 16 Johnston Street or any other dwellings
- At 3pm there is no overshadowing of any habitable rooms of any nearby dwellings.

Importantly, the Code seeks to minimise overshadowing of habitable rooms and private open space of dwellings within neighbourhood zones (i.e. across the other side of Johnston Street). It does not seek to minimise shadow impacts of dwellings in other zones (such as the adjacent dwelling at 16 Johnston Street). The proposed development therefore satisfies the relevant Overshadowing provisions of the Code's Interface between Land Uses provisions.

Conclusion

In summary, the enclosed expert advice and additional plans demonstrate that the proposed development will:

- Comply with the Code's noise provisions which seek to minimise impacts on nearby residential activities.
- Provide sufficient, safe and convenient car parking spaces that will meet the demand of the proposed development – this has been further confirmed through a peer review process.
- Be able to suitably manage waste generated on the site outside of peak drop-off and pick-up times.
- Readily meet the Code's overshadowing provisions to ensure that direct winter sunlight is afforded to all nearby dwellings.

For all of the reasons outlined herein and as addressed further by the consultant team the proposed development warrants Planning Consent.

Yours sincerely



Matthew King
Managing Director



14 Johnston Street Stirling Childcare Centre

Environmental Noise Assessment

6 April 2022
Reference ID: 27-3

Contents

Executive Summary	1
Introduction	3
Conclusion	14
References	15

Figures

Figure 1	The facility and surrounding dwellings.....	3
Figure 2	Play Area 1 Treatments	8
Figure 3	Play Area 2 and 3 Treatments.....	9
Figure 4	Play Area 4 Treatments	9
Figure 5	Soffit Insulation	9
Figure 6	Condensing Unit Treatments.....	12
Figure 7	Screen Insulation	12
Figure 8	Car Stacker Support – Section Detail.....	13

Tables

Table 1	Predicted Noise Levels dB(A).....	11
---------	-----------------------------------	----

Abbreviations

AAAC	Association of Australasian Acoustical Consultants
BMT	Base Metal Thickness
DO	Desired Outcome of the Code
DTS	Deemed to Satisfy criteria of the Code
EPA	South Australian Environment Protection Authority
PO	Performance Outcome of the Code
WHO	World Health Organization

Glossary

A-weighting	A mathematical adjustment to the measured noise levels to represent the human response to sound. An <i>A-weighted noise level</i> is presented as dB(A).
Ambient noise level	The noise level associated with the environment in the absence of the activity under investigation.
Background noise level	The noise level exceeded for 90% of the measurement period. The background noise level represents the lulls in the ambient environment.
Characteristic	A characteristic determined in accordance with the <i>Environment Protection (Noise) Policy 2007</i> (the Policy) to be fundamental to the nature and impact of the noise. For example, a noise source is deemed to exhibit a characteristic if it produces distinctive tonal, impulsive, low frequency or modulating features.
Code	<i>Planning and Design Code</i> Version 2022.6 dated 31 March 2022, PlanSA.
Day	A period defined by the <i>Environment Protection (Noise) Policy 2007</i> as between 7am and 10pm.
EP Act	<i>Environment Protection Act 1993</i>
Equivalent noise level	The A-weighted noise level which is equivalent to a noise level which varies over time. The descriptor is L_{Aeq} and it is the <i>A-weighted source noise level (continuous)</i> referenced in the Policy. The L_{Aeq} is also referenced as an average noise level in this assessment for simplicity.
dB	The logarithmic unit of measurement to define the magnitude of a fluctuating air pressure wave. Used as the unit for <i>sound or noise level</i> . An <i>A-weighted noise level</i> is presented as dB(A).
Indicative Noise Level	The noise level assigned by the Policy at a location to represent an impact on the acoustic amenity at that location. No further action is required to be taken under the <i>Environment Protection Act 1993</i> for noise levels which are lower than the Indicative Noise Level.

Instantaneous maximum noise level	The A-weighted noise level which is the instantaneous maximum over a period. The L_{Amax} is the A-weighted instantaneous maximum noise level referenced in Clause 20(20(b)(ii) of the Policy.
Night	A period defined by the <i>Environment Protection (Noise) Policy 2007</i> as between 10pm and 7am.
Noise	An interchangeable term with sound but which is most often described as <i>unwanted sound</i> .
Noise Sensitive Premises	Premises that could be "noise-affected". For the purposes of this assessment, the noise sensitive premises are residential dwellings. Commercial properties are not considered sensitive to the sources of noise considered in this assessment.
Policy	The <i>Environment Protection (Noise) Policy 2007</i>
Sound	An activity or operation which generates a fluctuating air pressure wave. The ear drum can perceive both the frequency (pitch) and the magnitude (loudness) of the fluctuations to convert those waves to sound.
Sound power level	The amount of sound energy an activity produces for a given operation. The sound power level is a constant value for a given activity. The sound power level is analogous to the power rating on a light globe (which remains constant), whereas the lighting level in a space (sound pressure level in this analogy) will be influenced by the distance from the globe, shielding and different locations within the space.
Sound pressure level	The magnitude of sound (or noise) at a position. The sound pressure level can vary according to location relative to the noise source, and operational, meteorological and topographical influences.
WHO Guidelines	<i>Guidelines For Community Noise</i> Birgitta Berglund Thomas Lindvall Dietrich H Schwela London, United Kingdom, April 1999, World Health Organization.

Executive Summary

The proposed development at 14 Johnston Street Stirling comprises a childcare centre with capacity for up to 95 children (the facility).

The facility provides care and sleeping spaces for the different age groups with supporting staff areas. The spaces open onto outdoor areas which will be used by the children for play when weather and the operation of the facility permits.

The noise sources at the facility include the sound of children playing, the drop off and collection of children in passenger vehicles, the collection of waste bins and the operation of air conditioning and ventilation systems.

Many childcare centres are in residential areas without any specific treatments to reduce noise levels to surrounding dwellings by incorporating outdoor play areas surrounded by open balustrade fencing. Notwithstanding this regular feature, this assessment considers the sound of children playing against objective standards established by the World Health Organization (WHO) for community noise. Specific treatments are designed, including solid fences and balustrades, to suit the location of outdoor play areas, and operational measures are developed for inclusion in a Noise Management Plan.

The facility is in a *Suburban Main Street Zone* with the Stirling shopping precinct to the north and a mix of commercial uses and dwellings to the south, in the same zone. Dwellings are located on the opposite side of Johnson Street and along Oakbank Street to the east in a *Suburban Neighbourhood Zone*.

The assessment process includes the prediction of noise levels based on established inputs from childcare centre activities. The predicted noise levels are compared against standards developed from the Planning and Design Code to provide an objective measure of adverse impacts on the amenity of an area. In the circumstance where the noise levels need to be reduced to achieve those standards, the assessment provides the recommended control measures, be it operational restrictions or physical construction requirements. The objective of the above process is to ensure the operation of the facility does not adversely impact on the amenity of surrounding dwellings.

This assessment determines the facility can reasonably and practicably achieve the relevant standards through implementing the following measures, which have been incorporated into the project documentation:

- solid fencing and balustrading of varying minimum heights and constructions between the various play areas and the nearest dwellings
- providing acoustic insulation to a nominated area of slab soffit above play area 1
- ensuring any shade system is acoustically transparent (by using a material such as *shade cloth*)
- screening the external condensing unit and applying acoustic ductwork to the fan systems
- operating the fire pump for maintenance during daylight hours and not on weekends or public holidays
- ensuring any private collection of waste occurs between 7am and 7pm Monday to Saturday and not on public holidays or Sundays

- maintaining a Noise Management Plan for the facility which includes measures such as:
 - Closing doors and windows when music is played inside
 - Ensuring outdoor play spaces are not used before 7am
 - Not introducing surfaces or equipment which would regularly elevate children above the fence height
 - Not having equipment or surfaces intended for impact outside
 - Not having musical instruments outside
 - Maintaining play equipment such that noise which could be reduced by maintenance is not generated
 - Utilising gates and doors with soft close mechanisms
 - Maintaining a method for neighbours to contact the facility
 - Ensuring crying or distressed children are taken inside the building and comforted
 - Monitoring the behaviour of children by trained childcare staff
 - Ensuring carers and staff control the level of their voice while outside.

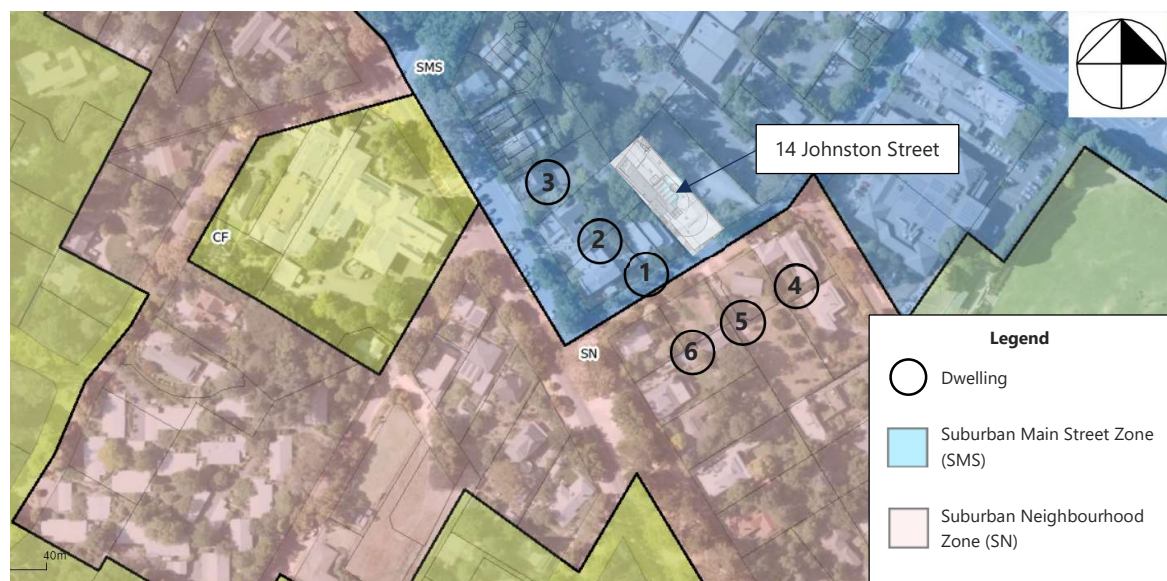
Introduction

The facility comprises a childcare centre for up to 95 children, aged 5 and under, car parking and outdoor play spaces. The noise generating activities associated with the operation of the facility and considered in this assessment include:

- children playing outside
- vehicle movements in the car parking area
- waste collection
- operation of services including air conditioning and ventilation systems.

The closest dwellings are shown and numbered 1 to 6 in Figure 1 below:

Figure 1 The facility and surrounding dwellings



Source Plan SA – SA Property & Planning Atlas

Assessment Criteria

The Code

The facility is in a *Suburban Main Street Zone*, with the nearest sensitive premises (dwellings) located within the same zone of the *Planning and Design Code Version 2022.6* dated 31 March 2022 (the Code). Dwellings are also located within a *Suburban Neighbourhood Zone* on the opposite side of Johnston Street and on Oakbank Street to the east. The following provisions within the Code are considered relevant to the environmental noise assessment.

Interface between Land Uses

Desired Outcome DO 1

Development is located and designed to *mitigate adverse effects* on or from neighbouring and proximate land uses.

Performance Outcome PO 1.2

Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is *designed to minimise adverse impacts*.

Performance Outcome PO 2.1

Non-residential development *does not unreasonably impact the amenity of sensitive receivers* (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:

- a) the nature of the development
- b) measures to mitigate off-site impacts
- c) the extent to which the development is desired in the zone
- d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.

Performance Outcome PO 4.1

Development that emits noise (other than music) *does not unreasonably impact the amenity of sensitive receivers* (or lawfully approved sensitive receivers).

Deemed to Satisfy Criteria DTS 4.1

Noise that might affect sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.

The Policy

Deemed to Satisfy Criteria 4.1 references the *Environment Protection (Noise) Policy 2007* (the Policy).

The Policy was developed under the *Environment Protection Act 1993* (the EP Act). The EP Act incorporates a requirement to ensure the acoustic *amenity of a locality is not unreasonably interfered with*. The Policy provides a quantitative approach to satisfy this requirement underpinned by the World Health Organization's *Guidelines for Community Noise* (WHO Guidelines) as it relates to community annoyance and sleep disturbance.

Compliance with the Policy will satisfy Deemed to Satisfy criteria DTS 4.1 and is considered to also satisfy the subjective requirements of the Desired and Performance Outcomes in the Code (being the Interface between land uses DO 1, PO 1.2, PO 2.1 and PO 4.1).

Schedule 1 (clause 6) of the Policy excludes noise from a school, kindergarten, childcare centre or place of worship from its objective assessment method. The *Guidelines for the use of the Environment Protection (Noise) Policy 2007* note the following:

Child-care centres, schools, kindergartens, places of worships and playgrounds are often located immediately adjacent to residences and their impacts are rarely of concern, even though the sound levels can often easily exceed environmental noise criteria such as those contained in the general provisions of the Noise Policy. Complaints to the Authority regarding school and church noise do occur from time to time and there have been proceedings brought in the South Australian Environment Resources and Development Court to deal with noise nuisance impacts from a child-care centre in one case. Typically, such complaints are handled under the general environmental duty provisions of the Environment Protection Act 1993 rather than through comparison with objective criteria such as those in the Noise Policy, which have not been established for the specific circumstances presented by schools, kindergartens, child-care centres or places of worship.

In the absence of the Policy as an objective measure, the Environment, Resources and Development Court has considered noise levels from children playing against the recommendations of the WHO guidelines. The WHO guidelines include that *to protect the majority of people from being moderately annoyed during the daytime, the outdoor sound level should not exceed 50 dB(A) $L_{Aeq16hr}$* .

The WHO guidelines criterion of an $L_{Aeq16hr}$ of 50 dB(A) is utilised by this assessment to satisfy the Code requirements from the sound of children playing. The criterion does not mean all people will be "moderately annoyed" at levels greater than 50 dB(A) but rather provides a criterion above which some people can become moderately annoyed.

The Policy is utilised for the assessment of the balance of activity at the facility, including car parking, mechanical plant operation and waste collection.

For waste collection, the Policy effectively restricts private collection (as distinct to public collection occurring at the same time as other dwellings on Johnston Road) to between 7am and 7pm Monday to Saturday and not on public holidays or Sundays.

For car parking and mechanical plant, the Policy establishes noise levels that apply to new developments (being the *Indicative Noise Level* minus 5 dB(A)). The noise levels apply at noise sensitive premises (dwellings) for both the day (7am to 10pm) and night (10pm to 7am the following day) periods. These noise levels vary according to the land use zoning in which the facility and the dwellings are located.

The noise levels that apply to dwellings in a *Suburban Main Street Zone* adjacent a development within the same zone are:

- An average noise level of 52 dB(A) during the day
- An average noise level of 45 dB(A) during the night

The noise levels that apply to dwellings in a *Suburban Neighbourhood Zone* adjacent a development within a *Suburban Main Street Zone* are:

- An average noise level of 50 dB(A) during the day
- An average noise level of 43 dB(A) during the night
- An instantaneous maximum noise level of 60 dB(A) during the night.

The "average noise level" is an *equivalent noise level* over a default assessment period of 15 minutes.

When predicting noise levels for comparison to the Policy, the predicted noise levels are to be adjusted (increased) where the activities exhibit "annoying" characteristics (dominant tonal, impulsive, low frequency content or modulation characteristics) in comparison to the surrounding ambient environment.

Assessment

WHO Guidelines

Noise from Children Playing

The WHO Guidelines criterion of an $L_{Aeq16hr}$ of 50 dB(A) is utilised by this assessment to satisfy the Code requirements from the sound of children playing.

The facility operating at capacity has been used as an input for the prediction of noise comprising:

- 28 children aged between 0 and 2 years with a sound power level of 68 dB(A)¹ per child
- 30 children aged between 2 and 3 years with a sound power level of 75 dB(A)¹ per child
- 37 children aged between 3 and 5 years with a sound power level of 77 dB(A)¹ per child.

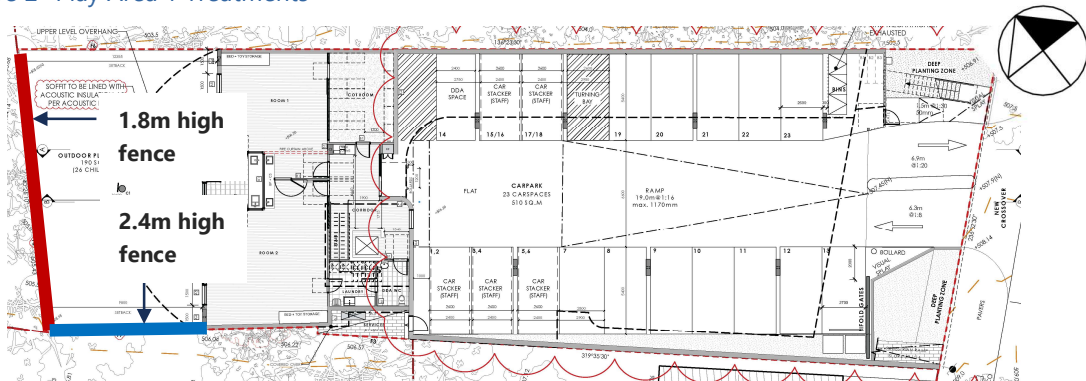
To achieve the WHO criterion and to ensure best practice operation with respect to childcare noise reduction to surrounding land uses, the following recommendations are provided:

- Ensure the extent of the fences depicted in Figure 2 as blue is a minimum of 2.4m in height and red is a minimum of 1.8m in height when measured above the Outdoor Play Area 1 ground level
- Construct the fences from sheet steel with a base material thickness (BMT) of 0.42mm, or an alternative material with the same or greater surface density. The fences should be sealed airtight at all junctions, including with the building, the ground/flood wall and at the overlap of sheets
- Ensure the extent of the balustrade depicted as yellow in Figure 3 is a minimum of 2.1m in height when measured above the deck
- Ensure the extent of the balustrade depicted as orange in Figure 3 and Figure 4 is a minimum of 1.8m in height when measured above the deck
- The balustrade material can be any material with a surface density equal to or greater than sheet steel with a 0.42mm BMT, including glass or Perspex. The balustrade should be sealed airtight at all junctions, including with the deck and at the overlap of sheets
- Incorporate a 1.8m high solid external gate for access to Play Area 2 and Play Area 4 with the same material specification as the balustrade. The gate shall incorporate a frame and rubber contact at all sides and a drop-down seal at the base to provide an airtight seal when closed
- Ensure any shade sail used in the play areas is constructed from an acoustically transparent material such as "open weave" shade cloth or similar rather than waterproof PVC (that is, any material which can be breathed through)

¹ Sound power levels for age groups and modelling inputs in accordance with the Association of Australasian Acoustical Consultants (AAAC) *Guideline for Child Care Centre Acoustic Assessment* Version 3.0

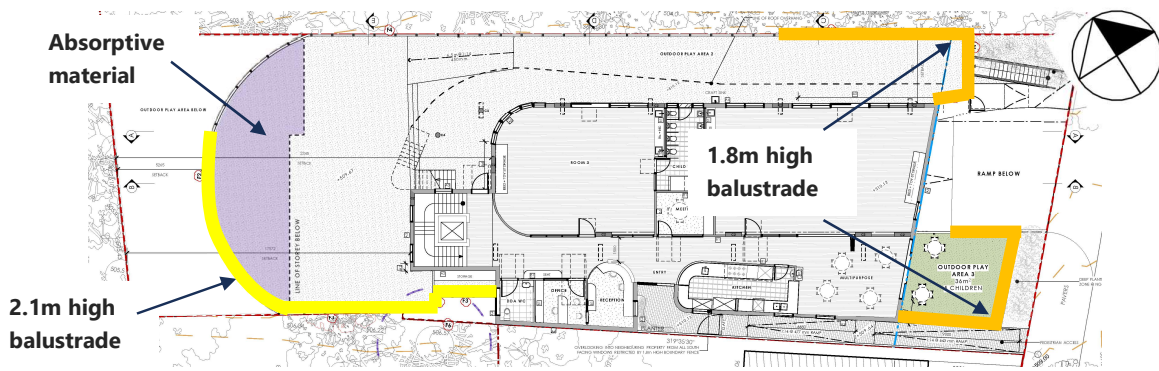
- Provide acoustic absorption to the soffit of the slab above the Play Area 1 for the extent shown as purple in Figure 3 and in accordance with Figure 5 below or by directly fixing material such as 25mm thick *Pyrotek "Reapor"* panels
- Maintain a Noise Management Plan for the facility which includes measures such as
 - Closing doors and windows in rooms where music is being played
 - Ensuring outdoor play spaces are not used before 7am
 - Not introducing surfaces or equipment which would regularly elevate children above the fence height
 - Not having equipment or surfaces intended for impact outside
 - Not having musical instruments outside
 - Maintaining play equipment such that noise which could be reduced by maintenance is not generated
 - Utilising gates and doors with soft close mechanisms
 - Maintaining a method for neighbours to contact the facility
 - Ensuring crying or distressed children are taken inside the centre and comforted
 - Monitoring the behaviour of children by trained childcare staff
 - Ensuring carers and staff control the level of their voice while outside.

Figure 2 Play Area 1 Treatments



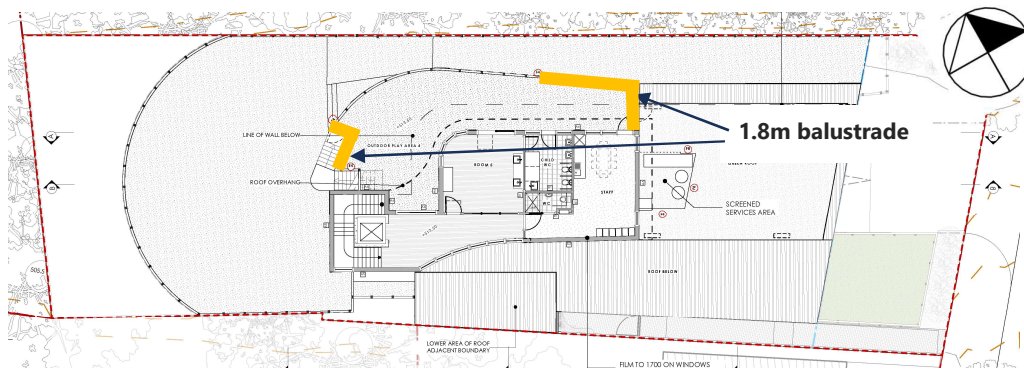
Source Gardiner Architects Drawing 202015 TP00-TP17 inclusive dated 6 April 2022

Figure 3 Play Area 2 and 3 Treatments



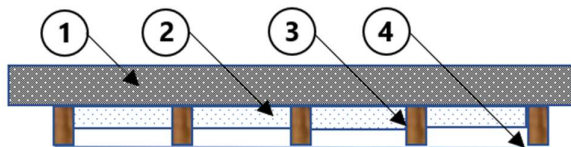
Source Gardiner Architects Drawing 202015 TP00-TP17 inclusive dated 6 April 2022

Figure 4 Play Area 4 Treatments



Source Gardiner Architects Drawing 202015 TP00-TP17 inclusive dated 6 April 2022

Figure 5 Soffit Insulation



1	Slab soffit or underside of ceiling
2	50mm thick polyester insulation with a minimum density of 32 kg/m ³ such as <i>Autex Greenstuf AAB 32-50</i> or equivalent fixed to soffit or ceiling between battens
3	Battens as required
4	Facing with at least 15% open area
Alternative is to utilise a direct fixed product without facing	

The Policy

Car Park Noise and Mechanical Plant

The Policy is utilised by this assessment to satisfy the Code requirements that relate to noise from the use of the car park, operation of the mechanical services, and the collection of waste.

The car parking for the facility is to occur within a mechanically ventilated basement. With respect to noise levels at the nearest dwellings, the entry and exit of vehicles using the basement car parking is comparable to vehicles moving on Johnston Street and once in the basement, the opening and closing of doors and manoeuvring into a park will be innocuous, particularly when noting the regular on and off-street car parking activity in and around the site. Notwithstanding this, predictions have been made of the noise levels associated with vehicles moving up and down the ramp, and in and out of the car parks themselves. Given that the activities are at similar or lower noise levels to comparable activity which already occurs in the existing ambient environment, a penalty for a unique and dominant characteristic under the Policy is not applicable.

The following inputs have been utilised for the assessment over the default 15-minute period of the Policy and are the basis for the predicted noise levels in Table 1:

- 2 staff passenger vehicles and 1 client passenger vehicle entering the car park prior to 7am (in a 15-minute period) with a sound power level of 81 dB(A) per arrival² (manoeuvring into the parking space, opening and closing doors and conversing)
- 12 client passenger vehicles entering the car park after 7am (in a 15-minute period) with a sound power level of 81 dB(A) per arrival (as per above)
- Operation of an external air conditioning condensing unit with a sound power level of 82 dB(A)
- Operation of roof mounted kitchen and car park systems with a combined sound power level of 100 dB(A)
- Operation of toilet exhaust and outside air ventilation fans with a combined sound power level of 78 dB(A)

² Sound power levels for passenger vehicle activity in accordance with the Association of Australasian Acoustical Consultants (AAAC) *Guideline for Child Care Centre Acoustic Assessment* Version 3.0

Predicted Noise Level

Noise predictions have been made and summarised in Table 1 for each identified dwelling location.

Table 1 Predicted Noise Levels dB(A)

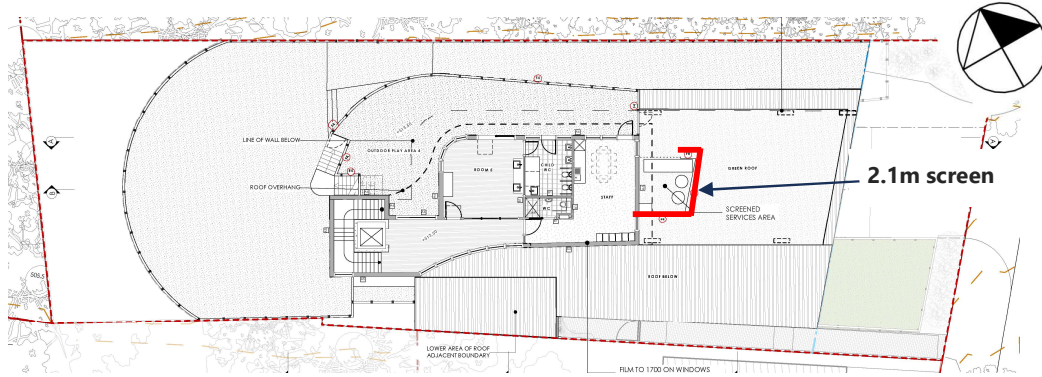
Dwelling	Predicted cumulative noise level Car parking and plant operation (dB(A))			Compliance
	Day	Night		
	L _{Aeq}	L _{Aeq}	L _{Amax}	
Criteria	52	45	NA	
1	44	44	46	Yes
2	39	39	<45	Yes
3	<35	<35	<45	Yes
Criteria	50	43	60	
4	48	43	58	Yes
5	48	43	58	Yes
6	45	41	57	Yes

Noise Reduction Measures

With reference to Table 1, the car parking activity and the operation of services can achieve the assessment criteria required to satisfy the Code. To maintain compliance with the Code, the following noise reduction measures are provided:

- Ensure the extent of screening depicted in Figure 6 as red is a minimum of 2.1m in height. Construct the screen from sheet steel with a base material thickness (BMT) of 0.42mm, or an alternative material with the same or greater surface density. No matter the material used, the screen should be sealed airtight at all junctions, including with the building and at the overlap of sheets. Small gaps may be left for drainage at the junction with the roof
- Provide acoustic insulation on the unit side of the screen. The insulation should extend for the full height and length of the screen and be installed as per Figure 7 below
- Incorporate an additional 15 dB(A) of attenuation in the mechanical services ductwork between the car park exhaust fans and the external discharge
- Incorporate an additional 5 dB(A) of attenuation in the mechanical services ductwork between the toilet exhaust fan and the external discharge
- Incorporate an additional 20 dB(A) of attenuation in the mechanical services ductwork between the kitchen exhaust fan and the external discharge
- Mount the car stackers on the northern side of the basement car park in accordance with Figure 8
- Ensure there are no irregularities on the car park entry ramp which generate excessive impacts such as grates which move when driven over

Figure 6 Condensing Unit Treatments



Source Gardiner Architects Drawing 202015 TP00-TP17 inclusive dated 6 April 2022

Figure 7 Screen Insulation

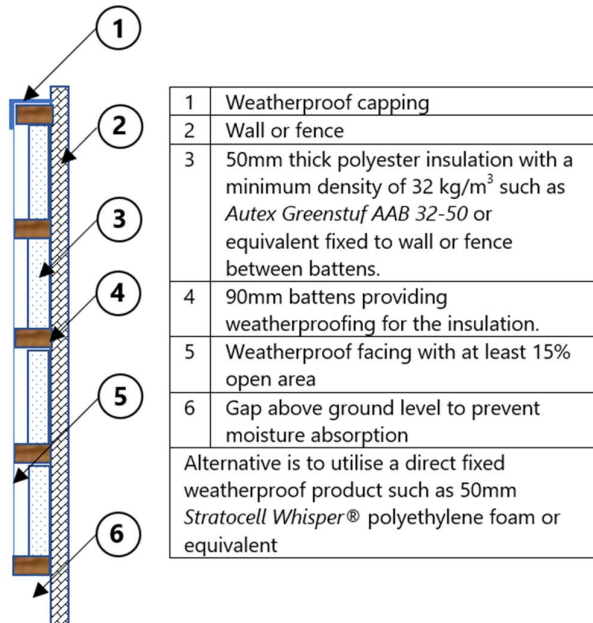
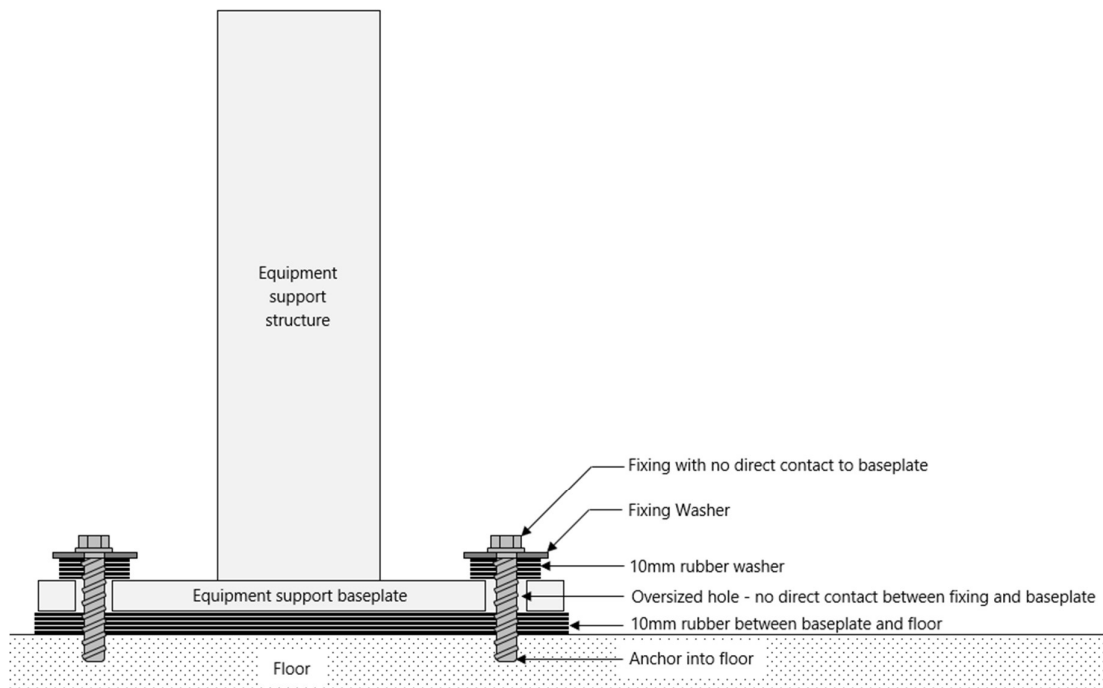


Figure 8 Car Stacker Support – Section Detail



Floor Support Detail – Principles can be adapted to wall and overhead structural connections (indicative only and not to scale)

Future Services Design

The mechanical plant has not yet been finally designed (as is common at the planning application stage of a project). As a result, there are specific recommendations relating to the ventilation and air conditioning systems in the assessment to be completed during the stage of the project when this design aspect has been completed.

Based on the assessment to date, a condition relating to the future air conditioning and ventilation system design can be reasonably and practicably complied with. The final treatments will be subject to a review of the proposed system (once designed).

The fire pump installation will only operate approximately once per month over a 15-minute period for maintenance and only in an emergency at any other time. The maintenance operation will occur during daylight hours only and not on weekends or public holidays.

Waste Collection

It is recommended the hours of private waste collection from the facility (as distinct to waste collection which occurs at the same time as other dwellings on Johnston Road) occur between 7am and 7pm Monday to Saturday and not on public holidays or Sundays.

Conclusion

The noise generating activities associated with operation of the proposed development at 14 Johnston Road, Stirling, include:

- children playing in the outdoor areas
- passenger vehicle movements in the car parking area
- operation of mechanical services including air conditioning and ventilation systems
- waste collection.

The environmental noise assessment considers the predicted noise levels from these activities against standards established in accordance with the Planning and Design Code, the World Health Organization's *Guidelines For Community Noise*, and the *Environment Protection (Noise) Policy 2007* to ensure the acoustic amenity of the surrounding sensitive premises (dwellings) is not adversely impacted.

The assessment determines the facility can reasonably and practicably achieve the relevant standards through implementing the following measures:

- solid fencing and balustrading of varying minimum heights and constructions between the various play areas and the nearest dwellings
- acoustic insulation to a nominated area of slab soffit above play area 1
- ensuring any shade system is acoustically transparent (by using a material such as *shade cloth*)
- screening the external condensing unit and applying acoustic ductwork to the fan systems
- operating the fire pump for maintenance during daylight hours and not on weekends or public holidays
- maintaining a Noise Management Plan for the facility
- reviewing the services during the design stage of the project to achieve the *Environment Protection (Noise) Policy 2007*.

With the implementation of the above measures, which have been incorporated into the project documentation, the assessment concludes the facility will not adversely impact on the amenity of any dwelling in the locality and will provide a facility which will meet the relevant Planning and Design Code provisions.

References

Planning and Design Code Version 2022.6 dated 31 March 2022, PlanSA

Environment Protection (Noise) Policy 2007, SA EPA

Guidelines For The Use Of The Environment Protection (Noise) Policy 2007, SA EPA June 2009

Gardiner Architects Drawings 202015 TP00-TP17 inclusive dated 6 April 2022

Meinhardt Mechanical Services Drawings 123065 M001 dated 4 February 2022

Guidelines For Community Noise Birgitta Berglund Thomas Lindvall Dietrich H Schwela London, United Kingdom, April 1999, World Health Organization

Guideline for Child Care Centre Acoustic Assessment Version 3.0, Association of Australasian Acoustical Consultants

Document History

Distribution:

Issue date	6 April 2022
Issued to	URPS
Description	Environmental Noise Assessment

Author Details:

Author	Mathew Ward
Mobile	0413 018 332
Email	matheward@echoacoustics.com.au

© 2022 Echo Acoustics Pty Ltd. All rights reserved.

The information contained in this document is confidential and must not be reproduced, distributed, or used, in whole or in part, for any purpose without the express written permission of Echo Acoustics.

Consultant Traffic Engineers
ABN 67 093 665 680

204 Young Street
Unley SA 5061

P: 08 8271 5999
E: mail@philweaver.com.au

File: 21-219

15 June 2022

14 Johnston Pty Ltd
C/- Trice - Project and Development Managers
225 Fullarton Road
Eastwood SA 5063

Attention: Mr Derek Royans

Dear Mr Royans,

PROPOSED CHILD CARE CENTRE – 14 JOHNSTON STREET, STIRLING (DEVELOPMENT APPLICATION 21031474) – AMENDED DESIGN

I refer to our previous discussions with respect to the proposed construction of a 95-place child care centre on the above site.

As requested, we have undertaken the following additional review of the traffic and parking related aspects of the subject development noting that the Council Assessment Panel (CAP) at its meeting dated 9 March 2022 deferred consideration of the proposed development pending provision of additional information, namely:-

- *An acoustic report prepared by a suitably qualified professional.*
- *A review of the car parking design and its relationship with the intensity of the land use, in consideration of staff, parents and children, and visitors to the site.*
- *Preparation and provision of a Waste Management Plan which considers storage capacity, location and collection times.*
- *Consideration of built form in terms of overshadowing.*

Consequently I have reviewed the subsequent changes to the design in respect to the traffic and parking related aspects of the proposed development.

Proposed Development

The amended design of the proposed development is identified on a series of plans prepared by Gardner Architects including a **Proposed – Lower G / Undercroft Plan** (Job No. 202015, Drawing No. TP.04, Revision B, dated 11 May 2022).

I understand that the proposed development will be open between 6.30 am and 6.30 pm Monday to Friday and will be closed on weekends and public holidays.

The subject development will: -

- Be constructed on three levels, with indoor activity space / outdoor play space provided on each level,
- Provide a 23-space car parking area on the Ground Floor accessed via a centrally located two-way crossover on Johnston Street,
- Include a bin storage area near the front of the site for collection by a private waste contractor,
- Include separation of the entry and exit lanes within the car park driveway to and from Johnston Street and will provide a grade of 1 in 20 over 6 m on the departure side of the access point. The grade of the entry lane into the site will be 1 in 8. On this basis I consider that the provisions of *Section 3.3 Gradients of Access Driveways* of *AS/NZS 2890.1:2004* would be met,
- The gradient along the length of the aisle way servicing spaces 7 to 13, 19 to 23 and the turning bay will be a maximum of 1 in 16,
- The car parking area and the aisle way servicing the car stackers and accessible (disability) car parking space (space 14) and adjoining shared area will be flat,
- The spaces available for use by clients of the childcare centre will be a minimum of 2.6 m in width,
- The spaces to accommodate two level car stackers will also be 2.6 m in width and will accommodate staff vehicles on the upper level of each stacker and short-term parking for the use of carers/parents delivering and collecting children attending the child care centre on the lower level, and
- The width of the car park aisle will be 6.6 m which would exceed the width of 6.2 m typically applied at many other recently constructed child care centres.

Amendments to the plans since the Development Application was originally lodged with the planning authority ensure that clear space widths of 2.6m will be provided for all spaces which would be available to parents/carers of children attending the centre. Furthermore the accessible (disability) car parking space and associated shared area fully meeting the requirements of the relevant off-street car parking standard (AS/NZS 2890.6:2009).

One wider space (Space 13) located adjacent to the landscaped area in the south-western corner of the car parking area will be designated for use by staff given the need to maintain a 300 mm clearance from the adjacent bifold gates.

A significant amendment made to the design of the building subsequent to the CAP meeting includes an increase in the vertical clearance between the car parking area and this slab of level 1 above. Consequently the car stackers would provide a clearance of at least 1800 mm on each level of these facilities.

The design will address the pedestrian-vehicular sight distance requirements of the relevant off-street car parking standard given that only low-level landscaping and paving will be provided adjacent to the corner of the driveway and the footpath.

I consider that the design of the on-site car parking areas would fully conform to the dimensional requirements of the relevant off-street car parking standards (*AS/NZS 2890.1:2004* and *AS/NZS 2890.6:2009*).

It is understood that waste and recycling generated by the proposed development will be collected by private waste contractors in after-hours periods. This aspect is addressed in further detail below.

Traffic Assessment

The *'Guide to Traffic Generating Developments'* report produced by the (former) Roads and Traffic Authority of NSW identifies 'long-day care' child care centres generate peak vehicle trips per child of: -

- 7.00 am to 9.00 am: 0.8 peak vehicle trips per child,
- 2.30 pm to 4.00 pm: 0.3 peak vehicle trips per child, and
- 4.00 pm to 6.00 pm: 0.7 peak vehicle trips per child.

On the above basis, the proposed child care centre with a capacity of 95 children would theoretically generate vehicle movements during peak periods of approximately 76 trips in the 2-hour peak morning period, 29 trips in the 1.5-hour peak afternoon period, and 67 trips in the 2-hour peak evening period.

Taking into account that there may be a number of staff entry movements and staff exit movements into and out of the car park during the am and pm peak periods, respectively, it is therefore forecast the subject development should generate of the order of:

- 28 entry movements and 23 exit movements in the am peak hour period, and
- 20 entry movements and 24 exit movements in the pm peak hour period.

An assessment of the potential traffic impact on the operation of the access point on Johnston Street has previously been undertaken using SIDRA intersection analysis software.

In summary, the SIDRA assessment identified that: -

- The access point will operate at a Level of Service (LOS) A during both the am and pm peak hour commuter periods on a weekday,
- The average delay to drivers when turning out of the access point onto Johnston Street would be only 6.3 seconds during both the am and pm peak hour periods,
- The average delay to drivers when turning right into the child care centre from Johnston Street in the am peak hour period would be only 5.9 seconds and 6.2 seconds in the pm peak hour period, and
- There would be a queue of only one vehicle (at the 95th percentile probability level) associated with drivers turning right into the child care centre from Johnston Street in both the am and pm peak hour periods.

On the above basis it is considered that the volumes of traffic anticipated be generated by the proposed development will have negligible impact on the operation of Johnston Street or other roads within the locality.

Furthermore I consider that:-

- The above volumes would not all be additional to the adjoining road network as there would be some level of 'passing trade' (e.g., parents who currently drive past the site on their way to work who would drop-off and collect their children) and a small discount associated with the existing land use,
- Actual peak hour volumes of traffic generated by the subject child care centre would likely be lower given the staggered scheduling system implemented by the operator as identified within the 'Parking Assessment' below, and
- In any event, such additional volumes are relatively low and would remain within the capacity of the adjoining road network.

Parking Assessment

Table 1 – General Off Street Car Parking Requirements within the *Planning and Design Code* identifies car parking requirements for childcare centre developments of 0.25 spaces per child, which on the basis of up to a maximum of 95 children would require 24 spaces (rounded up from 23.75 spaces).

This is based upon car parking rates identified from a number of sources including a report prepared by MFY traffic consultants (Childcare Centre Parking Rates Review - parking review dated April 2016) prepared on behalf of the Australian Childcare Alliance - South Australia.

However the above assessment identified a rate of one space per 4.2 children attending a child care centre based upon actual parking surveys. At this rate there would be requirement to provide a maximum of 23 car parking spaces as per the proposed development with the car parking rate associated with the subject development would be equivalent to a car parking rate of one (1) parking space per 4.1 children.

Therefore the rate of car parking to be provided by the subject development would be greater than the parking rate actually identified within the above MFY report.

Car Stackers

I understand that the proposed stacker system will potentially be a Storeparker N2502 dependent parking system (or similar system) is provided in *Figure 1* below.

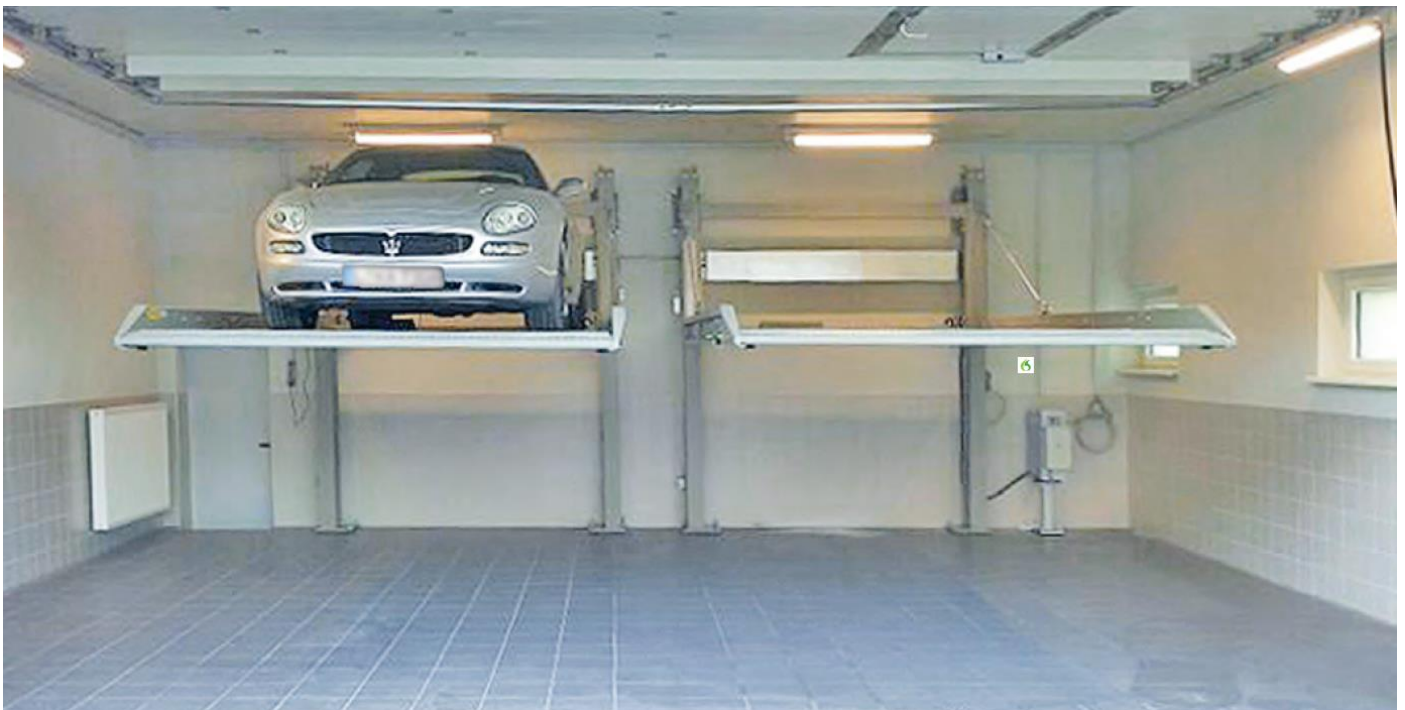


Figure 1: Example of the Storeparker N2502 dependent parking system

Significantly this system does not require columns to be located at the entry to each space, i.e., the stackers would meet the clearance requirements of *Figure 5.2 Design Envelope Around Parked Vehicle to be kept clear of Columns, Walls and Obstructions* of the relevant off-street car parking standard (*AS/NZS 2890.1:2004 Parking facilities Part 1: Off-street car parking*).

I note that concerns were raised at the recent CAP meeting in respect to the proportion of staff car parking spaces as a result of the use of car stackers and vertical clearance to be provided by the stacker system.

Consequently relevant advice from **Mr Kevin Wardle, General Manager, Car Stackers International** (the potential supplier of the stacker system) in respect to the proposed stacker system has identified that:-

"Our Car Stackers Service division has specialist induction trainers that manage over 500 installation sites nationwide. This is a very common and an accepted practice for Body Corporate and Strata Managers to manage. We advise that an induction form is completed to acknowledge that they have been fully inducted and understand the operation of the Car Stacking System.

We can also confirm the allocated staff parking on the top-level platform will only be required to operate the car stacker.

Only authorised users will be able to be operating the system and are provided with a lockout key to operate the system.

Users parking on the lower level do not need to operate the parking system. We recommend that height clearance notification signs are in place."

A dependent stacker parking system is proposed given that the provision of pits, which would be required for an independent parking system, would impact on the long-term health of Trees 2 and 5 (as identified on the plans) given the additional excavation required to provide pits for an independent stacker parking system.

On the above basis it is therefore proposed that the ground level car parking spaces of the stackers would be available for use by parents/carers of children attending the child care centre with staff vehicles occupying the spaces above. Cars parked on the upper levels of the stacker would be raised throughout the day to ensure that the ground level spaces are accessible for the use by parents/carers and other visitors attending the site.

As a result I consider that the major concerns with the proposed stacker system have been resolved in that:-

- Outside of arrival and collection periods staff parking on the upper levels of the stacker system would have unrestricted access to their cars, and the additional head height provided within the stackers would be suitable to accommodate larger vehicles and would not necessarily need to be restricted to small vehicles, and
- Only 6 of the 23 car parking spaces would be dedicated specifically to staff, i.e., only slightly more than 25% of all spaces.

Independent Traffic Advice

I note that Council staff (Ms Melanie Scott) sought independent traffic advice from Ms Melissa Mellen, MFY, in relation to the subject development following the CAP meeting on 9 March 2022. This advice is reproduced below.

Hi Melanie,

I have reviewed the plans and traffic reports relating to the proposed childcare centre at 14 Johnston Street in Stirling and provide the following preliminary advice in regard to traffic and parking requirements:

- 1. I think a deficiency of one parking space would be inconsequential and result in minimal inconvenience or impact;*
- 2. There is conflicting information in respect to the type of stacker proposed. The original Phil Weaver report indicated that the parking spaces within the stacker would be independently accessible whereas the subsequent report illustrated a stacker which is not independently accessible.*
 - a. I am not convinced that the spaces can be adequately managed during the day at a child care centre where there are shift overlap requirements and staff can not readily leave the premises for*

a few minutes to move vehicles if they are not independently accessible and not information has been provided as to how this can be managed. In reality, I believe that staff arriving after the first spaces in the stackers are occupied will park in the visitor spaces.

- b. If the spaces in the stackers are independently accessible the type of system will require columns and a recess within the ground which will impact the design.*
- c. In reality, therefore, I believe there will effectively be a greater parking deficiency than one vehicle;*
- 3. The parking management plan provided does not provide adequate detail in respect to the number of vehicles which will arrive in a specified period and how interface periods/overlap/length of stay will be managed. I would suggest that in order to confirm how this system functions and limits pick-up/set-down peaks then empirical data should be provided based on an existing operation. Given that there are existing facilities it should be simple for data to be collected which identifies the peak parking requirements at any one time at a comparable facility. Such data should be collected independently.*
- 4. There is inadequate information in respect to how waste collection is to be managed, particularly given that it has been identified that collection for this commercial facility will occur on-street and Johnston Street has a steep grade and relatively narrow footpath.*
- 5. I would question whether the design of the car park will be able to comply with AS/NZS2890.1. While the grades currently shown do strictly comply with this Standard, the maximum 1:16 grade is a maximum total grade (that is the combined grade created by the longitudinal grade and the crossfall). This means that the car park will need to be completely flat (with no crossfall for drainage) within the 1:16 section for it to be compliant. Given that the car park will almost certainly need a shallow crossfall and that it will need to tie in to entry and exit ramps which are at varying grades (and hence will need some shaping to match), I would not expect the proposed solution to be able to achieve compliance.*

I understand that additional information from the applicant is pending (and was expected yesterday) and am happy to complete a subsequent review when it is provided if you think any of the amendments may alter the above advice.

In response to the matters raised by Ms Mellen I consider that:-

1. the minor shortfall of 0.75 car parking spaces for the subject development based on rate of one space per four children with a maximum capacity of 95 children was not considered to be an issue by Ms Mellen,
2. Concerns were raised in relation to the potential operation of the stacker system in so far as suggesting that staff will use individually accessible car parking spaces proposed for use by visitors/parents attending the centre. As identified above the provision of pits required to accommodate an independent stacker system would have a detrimental impact upon at least two of the existing trees on the site. Hence it is proposed to provide a dependent parking system within all five of the car stackers to be provided within the car park.

Only the upper level of the stackers would need to be assigned to staff with the spaces on the lower level available for use by parents/carers. Accordingly only 6 of the 23 car parking spaces would be allocated specifically to staff. These spaces would be filled by staff arriving prior to children being delivered in the mornings and after all children have departed in the evenings. Consequently staff would not need to access the spaces during arrival and departure periods of children attending the centre.

3. This concern relates to perceived limitations of a dependent car parking system. I consider that this concern has been appropriately addressed by advice from the potential supplier of the stacker system. This advice identifies that the car parking spaces on the lower level of each stacker unit would in fact be available for use by parents/carers of children attending the proposed childcare centre.

4. Waste management associated with the proposed development has been addressed in detail by a waste consultant (**Colby Phillips Advisory**) refer below.
5. The concern raised in relation to grades within the car park is in my opinion unfounded given that **Clause 2.4.6.1** within the relevant off-street car parking standard (*AS/NZS 2890.1:2004*) suggests that the maximum gradient both across the carpark and along the length of the aisle way can be considered independent of each other as identified below.

2.4.6.1 Maximum gradients

The maximum gradients within a parking module including a motorcycle parking area shall be as follows:

- (a) *Measured parallel to the angle of parking—1 in 20 (5%).*
- (b) *Measured in any other direction—1 in 16 (6.25%).*
- (c) *Within parking spaces for people with disabilities—see AS/NZS 2890.6*.*

In my opinion there would be no requirement for the car parking area to grade to a single point as it would be possible to grade the sloping section of car park to a continuous drain from one side of the car parking area to the other with a low point provided underneath a grated cover.

Waste Collection

I note that a detailed assessment of options for waste collection generated by the proposed development has been prepared by Joel Phillips (Colby Phillips Advisory) in a report dated 10 May 2022. This report included assessment of various options to collect waste and recycling generated by the proposed development and concluded that the appropriate waste collection scenario would be:-

- Potential access to Council's kerbside mixed recycling and food waste collection with only one of each bin collected fortnightly,
- Collection of a single 1100 Litre general waste skip twice a week by private waste contractor, and
- Collection of a single 1100 Litre dry recycling (cardboard) bin once a week by private waste contractor.

The larger bins would be serviced by a rear lift vehicle and would potentially involve three collections per week.

The Colby Phillips Advisory waste report identified that the duration of the waste collection period, i.e., the time between the driver of the waste vehicle stopping the truck, collecting the bin from the on-site storage area, loading the contents of the bin into the rear of the vehicle and returning the bin to the storage area would typically be two to three minutes compared to potentially 90 seconds for kerbside collection given the much greater number of 240 Litre bins which would be involved in such a collection.

In order to minimise the potential for traffic impacts associated with waste collection it is proposed that:-

- Bin collection would occur on weekday periods outside of peak commuter periods and potentially in the period on a weekday between approximately 9.00 am and 3.00 pm. During this period there would typically be minimal traffic movements accessing a proposed childcare centre such as that proposed on site, and

- It is suggested that the kerb along the front of the site on Johnston Street could be reconstructed as a rollover kerb. This would allow the waste collection vehicle to encroach into this area and consequently provide a trafficable road width of approximately 5 metres between the edge of the truck and the opposite side of Johnston Street area during periods when waste is being collected in front of the site. Outside of these periods it is anticipated that the existing No Stopping restriction would continue to apply along this section of roadway.

Figure 2 below identifies the ability of an approximately 10 m long waste collection vehicle to physically access the front of the site on the above basis. The length of this vehicle is typical of the largest collection vehicles used by waste contractors servicing councils within the metropolitan area.

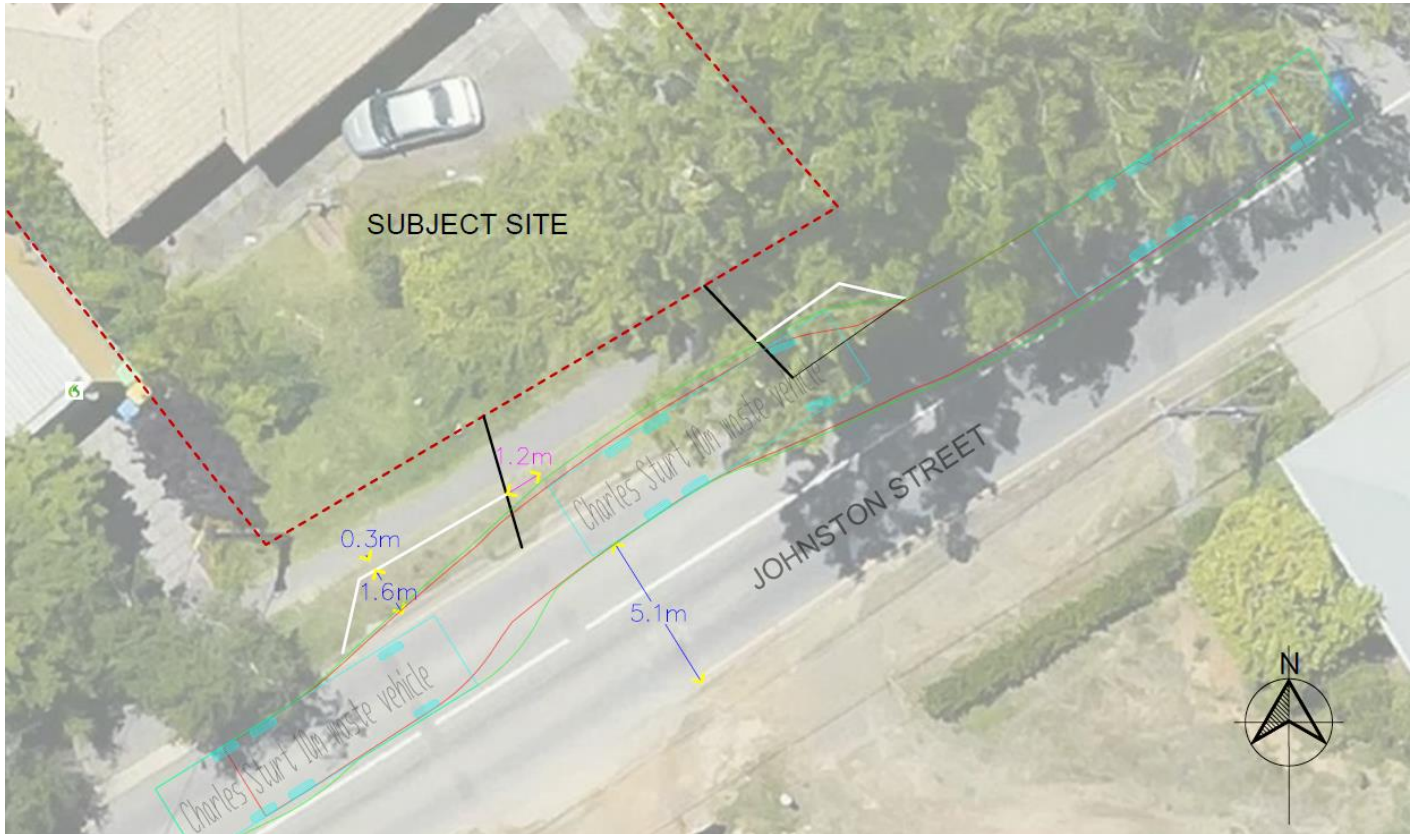


Figure 2: 10m long waste collection vehicle utilising the proposed area in front of 14 Johnston Street, Stirling

The kerb line along Johnston Street in front of the site will continue to be line marked with a No Stopping Anytime restriction. However, waste collection vehicles would be exempt from this restriction when servicing bins in front of the site.

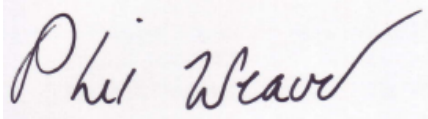
Summary and Conclusions

In summary, I consider that the proposed development will:

- Provide an appropriate quantity of on-site car parking spaces, which would address the anticipated peak parking demands associated with the subject development based upon application of car parking rates typically applied for developments operated by the applicant,
- Not result in adverse traffic impacts on the adjacent road network, based upon the analysis undertaken in the above review,
- Accommodate collection of refuse and recycling from the subject site by a waste contractor servicing the site outside of peak hour periods, and

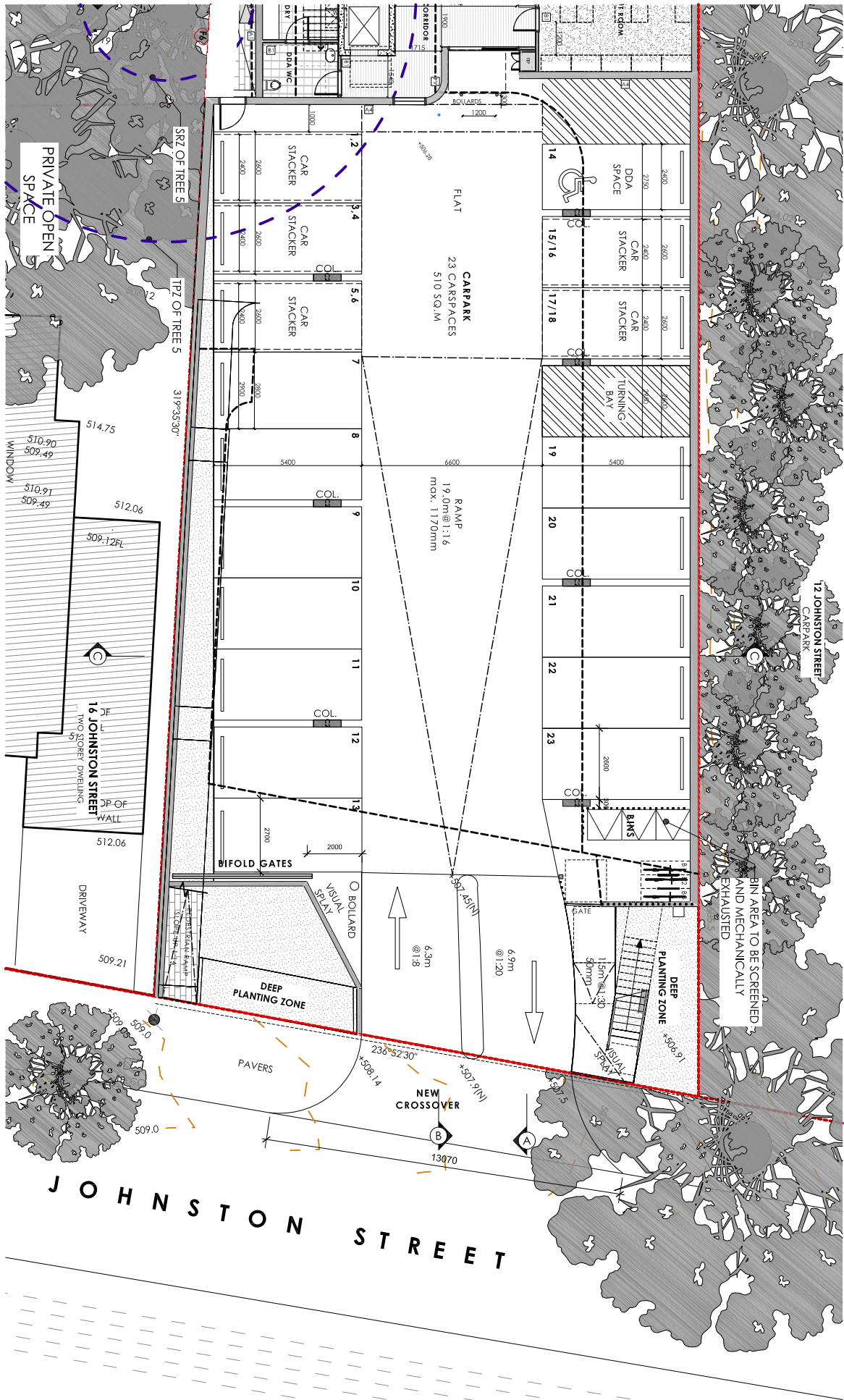
- Provide a design standard which is appropriate and meets the dimensional requirements of the relevant Australian / New Zealand Standards for off-street car parking areas inclusive of appropriately designed accessible (disability) car parking for use by clients and staff. The design of the on-site car parking area will provide appropriate car parking for use by parents / carers conforming to the requirements for a User Class 3a development.

Yours sincerely

A handwritten signature in black ink on a light-colored background. The signature reads "Phil Weaver" in a cursive, flowing script.

Phil Weaver
Phil Weaver and Associates Pty Ltd

Enc: Proposed – Lower G / Undercroft Plan Job No. 202015 (Drawing No. TP.04 Revision B) dated 11 May 2022.



PRIVATE OPEN SPACE

510.90
509.49
510.91
509.49

514.75
512.06
509.12FL

16 JOHNSTON STREET
TOP OF WALL
DRIVEWAY
512.06
509.21

509.0
509.0
509.0

JOHNSTON STREET

12 JOHNSTON STREET
CARPARK

BIN AREA TO BE SCREENED AND MECHANICALLY EXHAUSTED

NEW CROSSOVER

13070

236'52'30"

507.91M

508.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

509.14

FRANK SIOW & ASSOCIATES

Traffic and Parking Consultants

P.O. Box 253
Kensington Park SA 5068
franksiow.com.au

14 June 2022

14 Johnston Pty Ltd
C/O Mr Derek Royans
Development Manager
Trice – Project & Development Managers
225 Fullarton Road
EASTWOOD SA 5063

Dear Mr Royans,

14 JOHNSTON STREET, STIRLING **PROPOSED CHILD CARE CENTRE** **PEER REVIEW OF TRAFFIC REPORTS**

As requested, we have undertaken a peer review of a traffic report prepared by Phil Weaver & Associates (PWA) and waste management plan prepared by Colby Phillips Advisory (CPA) in relation to a proposed multi-storey child care centre development with undercroft parking.

1.0 BACKGROUND

We understand that at the Council Assessment Panel meeting of 9 March 2022, the Panel deferred consideration of the proposed development pending the provision of some additional information, including ‘a review of the car parking design and its relationship with the intensity of the land use, in consideration of staff, parents and children, and visitors to the site’.

Independent advice was sought by Council from MFY Consultants as part of the consideration of the development at the above Panel meeting.

2.0 PEER REVIEW

In undertaking this peer review, we have had regard to the traffic reports by PWA dated 17 March 2021 and 19 May 2022, the waste management report by CPA dated 19 May 2022, the proposed car parking plan (including Drawing TP.04 Revision B – Proposed Lower G/Undercroft) and the MFY comments provided to Council. We have also inspected the site.

We provide our opinions below.

1. The relevant Development Plan for the development is noted as the *Adelaide Hills Council Development Plan consolidated 8 August 2019*.
2. The subject land is located within the *District Centre Zone Policy Area 55- Stirling Core* (see *Map AdHi/28* and *May AdHi/72*).
3. *Table AdHi/4 – Off Street Vehicle Parking Requirements* is relevant to the parking assessment of the proposal.

FRANK SIOW & ASSOCIATES

Traffic and Parking Consultants

P.O. Box 253
Kensington Park SA 5068
franksiow.com.au

14 June 2022

14 Johnston Pty Ltd
C/O Mr Derek Royans
Development Manager
Trice – Project & Development Managers
225 Fullarton Road
EASTWOOD SA 5063

Dear Mr Royans,

14 JOHNSTON STREET, STIRLING **PROPOSED CHILD CARE CENTRE** **PEER REVIEW OF TRAFFIC REPORTS**

As requested, we have undertaken a peer review of a traffic report prepared by Phil Weaver & Associates (PWA) and waste management plan prepared by Colby Phillips Advisory (CPA) in relation to a proposed multi-storey child care centre development with undercroft parking.

1.0 BACKGROUND

We understand that at the Council Assessment Panel meeting of 9 March 2022, the Panel deferred consideration of the proposed development pending the provision of some additional information, including ‘a review of the car parking design and its relationship with the intensity of the land use, in consideration of staff, parents and children, and visitors to the site’.

Independent advice was sought by Council from MFY Consultants as part of the consideration of the development at the above Panel meeting.

2.0 PEER REVIEW

In undertaking this peer review, we have had regard to the traffic reports by PWA dated 17 March 2021 and 19 May 2022, the waste management report by CPA dated 19 May 2022, the proposed car parking plan (including Drawing TP.04 Revision B – Proposed Lower G/Undercroft) and the MFY comments provided to Council. We have also inspected the site.

We provide our opinions below.

1. The relevant Development Plan for the development is noted as the *Adelaide Hills Council Development Plan consolidated 8 August 2019*.
2. The subject land is located within the *District Centre Zone Policy Area 55- Stirling Core* (see *Map AdHi/28* and *May AdHi/72*).
3. *Table AdHi/4 – Off Street Vehicle Parking Requirements* is relevant to the parking assessment of the proposal.

Crash data commentary

4. Based on crash data reviewed by PWA for the 5-year period from 2015 to 2019 (inclusive), PWA opined that the number of crashes is considered to be low (no midblock crashes recorded between Milan Terrace and Oakbank St and a total of 3 recorded crashes at Johnston Street/Oakbank Street & Johnston Street/Milan Terrace). We have also reviewed the updated crash data for the 5-year period from 2016 to 2020 (inclusive) and found a similar number of crashes to that by PWA (ie no midblock crashes and 3 recorded crashes at the nearby junctions).
5. We concur with PWA that the number of crashes in Johnston Street is considered to be low.

Adequacy of parking provision

6. The proposed development would provide 23 parking spaces on-site, including 5 car stacker spaces designated for staff use and a disabled parking space with clear zone space. Based on *Table AdHi/4* of the Development Plan, the parking required for a 95-children child care centre would be 24 spaces (rounded up), ie a minor shortfall of 1 space arising.
7. We concur with the PWA opinion that ‘an appropriate quantity of on-site car parking spaces’ would be provided by the development.

Parking layout and relevant standards

8. The proposed car parking layout would have typical space dimensions of 2.6m by 5.4m, disabled and clear zone spaces of 2.4m by 5.4m, staff spaces of 2.4m by 5.4m and a minimum aisleway width of 6.6m.
9. We concur with the PWA opinion that the proposed car parking layout would fully conform to the requirements of the relevant off-street car parking standards (AS/NZS 2891.4-2004 and AS/NZS 2890.6-2009 disabled parking).
10. We note the issue raised by MFY regarding maximum gradients specified in *Clause 2.4.6.1* of AS/NZS 2890.1-2004.
11. We concur with PWA’s view that the maximum gradients across the car park and along the length of the aisleway can be considered independently of each other and that the proposed grades within the parking area would conform to AS/NZS 2890.1-2004.

Traffic impact

12. The PWA reports provided trip generation forecast of the development and SIDRA analysis to estimate the traffic impact of the development on Johnston Street.
13. We concur with the PWA opinion that the development would not result in adverse traffic impacts on the adjacent road network.

Proposed car stacker system and parking allocation

14. We have reviewed the report referred to by PWA, entitled *Childcare Centre Parking Rates Review* prepared by MFY in 2016. We have noted one of the key observations by MFY in that report: ‘*Where peak parking periods for differing users does not coincide, it is ideal to minimise the parking provision by maximising use of the spaces. A child care centre is an ideal use for shared parking, as peak staff demand (which occurs during lunch periods) coincides with the period when student generated demand*

is very low. Conversely staff numbers are not at maximum during the morning and afternoon peak parking period. Thus there is an opportunity to maximise the use of the spaces' (our underline).

15. We have also noted the operating procedure by the child care operator described in the PWA report of 17 March 2021, in which staggered times are allocated for parents dropping off or picking up children as part of their parking management of the car park.
16. The PWA report indicates that 6 out of the 23 parking spaces would be allocated for staff, ie 5 staff spaces on the upper level car platform and Space 13 which has an effective width of 2.4m with 0.3m clearance to the gate.
17. As a further suggestion, we think that, if Council wishes to minimise specific allocation of spaces for staff further, Space 13 could readily be designated as a SMALL CAR general space (2.3m width required by AS/NZS 2890.1-2004). This would then allow 18 of the parking spaces to be independently available to parents and visitors.
18. We note from the PWA report of 19 May 2022 that a 'dependent parking system' for the car stackers is proposed, given that it would not be feasible to undertake excavation to provide pits for an independent stacker parking system in order to protect the long-term health of some trees proposed to be retained.
19. The information provided by the potential supplier of the dependent parking system advises that allocated staff using the top-level platform would only be required to be trained in the operation of the system, while users on the lower level would not need to operate the system. We note the PWA advice that the 5 upper level spaces of the parking system would be allocated specifically to staff and the spaces below would be available for other users.
20. The PWA report opined that outside of the arrival and collection periods, staff parking on the upper level spaces would have unrestricted access to their cars and the additional head height provided within the stackers (indicated as 1.8m) would be suitable to accommodate larger vehicles and would not necessarily need to be restricted to small vehicles. We note for example that some SUVs like the Toyota RAV4 has a height of less than 1.8m.
21. We concur with the PWA opinion that staff using the 5 upper level spaces can be managed appropriately and by arriving and leaving outside of the peak arrival and collections periods, they would not be affected by the parent parking underneath.
22. We concur with the PWA opinion that the 1.8m head height available for both levels of the stacker spaces would not necessarily need to be restricted to small vehicles.
23. Based on our review above, we concur with the PWA opinion that the concerns of the CAP arising from the use of the proposed stacker system (ie the proportion of staff car parking spaces and the vertical clearance provided by the stacker system) have been satisfactorily resolved.

Waste management plan

24. We have noted the discussion in the CPA report regarding the waste management plan for the site, which would involve rear lift trucks, collections to be undertaken outside of peak hour periods and the low frequency and duration of collection (3 collections per week of 2 to 3 minutes duration each time). We note the comment in the CPA report that the waste management plan was developed following consultation with 4 major waste collection contractors, based on the specific characteristics of the subject site, which has a steep downhill grade.

25. Having regard to the waste management plan provided by Colby Phillips Advisory, we concur with the PWA opinion that the development would accommodate collection of refuse and recycling from the subject site outside of peak hour period.

Yours sincerely,

Frank Siow

FRANK SIOW
Principal Consultant

Crash data commentary

4. Based on crash data reviewed by PWA for the 5-year period from 2015 to 2019 (inclusive), PWA opined that the number of crashes is considered to be low (no midblock crashes recorded between Milan Terrace and Oakbank St and a total of 3 recorded crashes at Johnston Street/Oakbank Street & Johnston Street/Milan Terrace). We have also reviewed the updated crash data for the 5-year period from 2016 to 2020 (inclusive) and found a similar number of crashes to that by PWA (ie no midblock crashes and 3 recorded crashes at the nearby junctions).
5. We concur with PWA that the number of crashes in Johnston Street is considered to be low.

Adequacy of parking provision

6. The proposed development would provide 23 parking spaces on-site, including 5 car stacker spaces designated for staff use and a disabled parking space with clear zone space. Based on *Table AdHi/4* of the Development Plan, the parking required for a 95-children child care centre would be 24 spaces (rounded up), ie a minor shortfall of 1 space arising.
7. We concur with the PWA opinion that ‘an appropriate quantity of on-site car parking spaces’ would be provided by the development.

Parking layout and relevant standards

8. The proposed car parking layout would have typical space dimensions of 2.6m by 5.4m, disabled and clear zone spaces of 2.4m by 5.4m, staff spaces of 2.4m by 5.4m and a minimum aisleway width of 6.6m.
9. We concur with the PWA opinion that the proposed car parking layout would fully conform to the requirements of the relevant off-street car parking standards (AS/NZS 2891.4-2004 and AS/NZS 2890.6-2009 disabled parking).
10. We note the issue raised by MFY regarding maximum gradients specified in *Clause 2.4.6.1* of *AS/NZS 2890.1-2004*.
11. We concur with PWA’s view that the maximum gradients across the car park and along the length of the aisleway can be considered independently of each other and that the proposed grades within the parking area would conform to AS/NZS 2890.1-2004.

Traffic impact

12. The PWA reports provided trip generation forecast of the development and SIDRA analysis to estimate the traffic impact of the development on Johnston Street.
13. We concur with the PWA opinion that the development would not result in adverse traffic impacts on the adjacent road network.

Proposed car stacker system and parking allocation

14. We have reviewed the report referred to by PWA, entitled *Childcare Centre Parking Rates Review* prepared by MFY in 2016. We have noted one of the key observations by MFY in that report: ‘*Where peak parking periods for differing users does not coincide, it is ideal to minimise the parking provision by maximising use of the spaces. A child care centre is an ideal use for shared parking, as peak staff demand (which occurs during lunch periods) coincides with the period when student generated demand*

is very low. Conversely staff numbers are not at maximum during the morning and afternoon peak parking period. Thus there is an opportunity to maximise the use of the spaces' (our underline).

15. We have also noted the operating procedure by the child care operator described in the PWA report of 17 March 2021, in which staggered times are allocated for parents dropping off or picking up children as part of their parking management of the car park.
16. The PWA report indicates that 6 out of the 23 parking spaces would be allocated for staff, ie 5 staff spaces on the upper level car platform and Space 13 which has an effective width of 2.4m with 0.3m clearance to the gate.
17. As a further suggestion, we think that, if Council wishes to minimise specific allocation of spaces for staff further, Space 13 could readily be designated as a SMALL CAR general space (2.3m width required by AS/NZS 2890.1-2004). This would then allow 18 of the parking spaces to be independently available to parents and visitors.
18. We note from the PWA report of 19 May 2022 that a 'dependent parking system' for the car stackers is proposed, given that it would not be feasible to undertake excavation to provide pits for an independent stacker parking system in order to protect the long-term health of some trees proposed to be retained.
19. The information provided by the potential supplier of the dependent parking system advises that allocated staff using the top-level platform would only be required to be trained in the operation of the system, while users on the lower level would not need to operate the system. We note the PWA advice that the 5 upper level spaces of the parking system would be allocated specifically to staff and the spaces below would be available for other users.
20. The PWA report opined that outside of the arrival and collection periods, staff parking on the upper level spaces would have unrestricted access to their cars and the additional head height provided within the stackers (indicated as 1.8m) would be suitable to accommodate larger vehicles and would not necessarily need to be restricted to small vehicles. We note for example that some SUVs like the Toyota RAV4 has a height of less than 1.8m.
21. We concur with the PWA opinion that staff using the 5 upper level spaces can be managed appropriately and by arriving and leaving outside of the peak arrival and collections periods, they would not be affected by the parent parking underneath.
22. We concur with the PWA opinion that the 1.8m head height available for both levels of the stacker spaces would not necessarily need to be restricted to small vehicles.
23. Based on our review above, we concur with the PWA opinion that the concerns of the CAP arising from the use of the proposed stacker system (ie the proportion of staff car parking spaces and the vertical clearance provided by the stacker system) have been satisfactorily resolved.

Waste management plan

24. We have noted the discussion in the CPA report regarding the waste management plan for the site, which would involve rear lift trucks, collections to be undertaken outside of peak hour periods and the low frequency and duration of collection (3 collections per week of 2 to 3 minutes duration each time). We note the comment in the CPA report that the waste management plan was developed following consultation with 4 major waste collection contractors, based on the specific characteristics of the subject site, which has a steep downhill grade.

25. Having regard to the waste management plan provided by Colby Phillips Advisory, we concur with the PWA opinion that the development would accommodate collection of refuse and recycling from the subject site outside of peak hour period.

Yours sincerely,

Frank Siow

FRANK SIOW
Principal Consultant

Derek Royans
14 Johnston Pty Ltd
C/- Trice
225 Fullarton Road
Eastwood SA 5063

Level 1
60 Hindmarsh Square
Adelaide SA 5000
info@colbyphillips.com.au
0438 800 264

Wednesday, 15 June 2022

Dear Derek,

Re: Waste Management – 14 Johnston Street, Stirling

Please find below details of a suitable waste management system for the proposed development.

In my opinion, the waste management system would allow effective management of wastes and support the objectives of the South Australian Better Practice Guide for Waste Management and the South Australian Planning & Design Code.

1 Description of proposed development

The proposed development is a commercial building consisting of 3 levels including an undercroft carpark. It is located at 14 Johnston Street, Stirling in Adelaide Hills Council. I understand that the intended use is an Early Learning Centre, operated by Paisley Park Early Learning Centres. The centre will accommodate up to 95 children (aged 6 weeks to 6 years) and supporting staff.

The proposed waste management system is based on the supplied plans (Dwgs 202015-TP.00 to TP.20 dated 11/05/22).



Figure 1-1: Context of site at 14 Johnston Street, Stirling

2 Waste & recycling volumes

Paisley Park operates a network of early learning centres across Australia including twelve in South Australia. Waste and Recycling volume generation values are not available for Early Learning / Child Care Centres in the South Australian Better Practice Guide (Zero Waste SA, 2014). Waste generation has therefore been estimated based on a similar sized facility operated by Paisley Park in South Australia, namely Hallett Cove.

The Hallett Cove site is operating at full capacity (95 children) and currently accesses the following waste collection services.

Table 2-1: Waste collection volumes, Paisley Park Hallett Cove

Service	Bins	Required Collection Frequency	Service Provider
General Waste (Landfill)	2 x 1,100L skip bins	Once Weekly	Cleanaway
Mixed Recycling*	1 x 1,100L skip bin	Once Weekly	Cleanaway
Food Waste**	N/A	N/A	Composted on site

* Around 80% of Mixed Recycling is Cardboard

** Food waste generation is minimised and avoided where possible.

At present, it is not possible to get a Mixed Recycling service for commercial premises in Stirling. It is therefore proposed that a Cardboard service be used. Most (>80%) recyclable materials are expected to be cardboard.

Table 2-2: Waste collection schedule, Paisley Park Stirling

Service	Bins	Collection Frequency	Service Provider
General Waste (Landfill)	1 x 1,100L skip bins	Twice Weekly	Murray Bridge Recycling or Cleanaway
Cardboard	1 x 1,100L skip bin	Once Weekly	Murray Bridge Recycling or Cleanaway
Mixed Recycling	1 x 240L MGB	Once Fortnightly	Council kerbside service
Food Waste*	1 x 240L MGB	Once Fortnightly	Composted on site Residual collected with Council kerbside service

* Food waste generation is minimised and avoided where possible. Small amounts of food waste is to be composted on site as part of the learning experience for children. Any residual food waste can be disposed via Council's kerbside collection service.

3 Waste collection strategy

Three potential waste collection strategies have been considered. These are described in a separate short report (appended to this report), with features and advantages of each potential strategy described. A previously approved development on the subject site was to have been serviced by Council rear-lift truck collecting skip bins from the site. This system had been proposed by Council's waste management officer.

The collection system proposed in the present waste management plan also uses a rear-lift truck collecting skip bins. The system is improved, by allowing space on the kerb (suitably surfaced) for the waste truck to pull partially off the road to allow better visibility for cars travelling down Johnston Street. This is further discussed in a later section.

4 Waste Management System

4.1 Routine Services

Figure 4-1 and Figure 4-2 show where the recommended bin storage would be located at the site, the relevant disposal pathways, and how the waste collection would occur. These are discussed in the following sections.

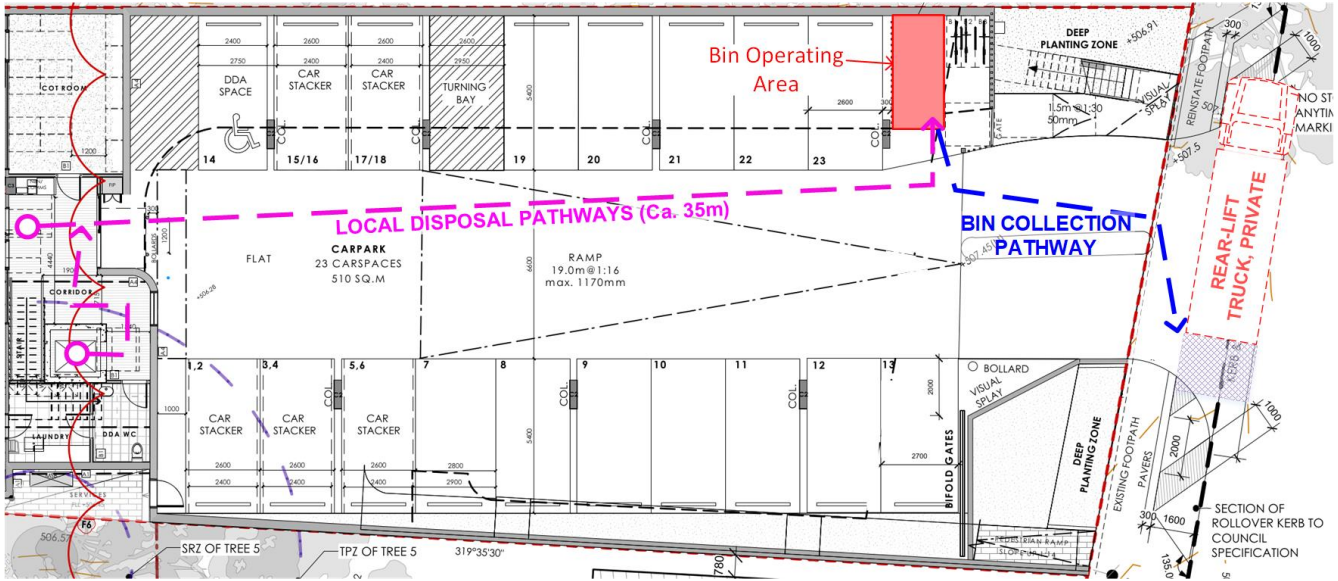


Figure 4-1: Overview of Lower Ground / Undercroft Level with key features of waste system included.

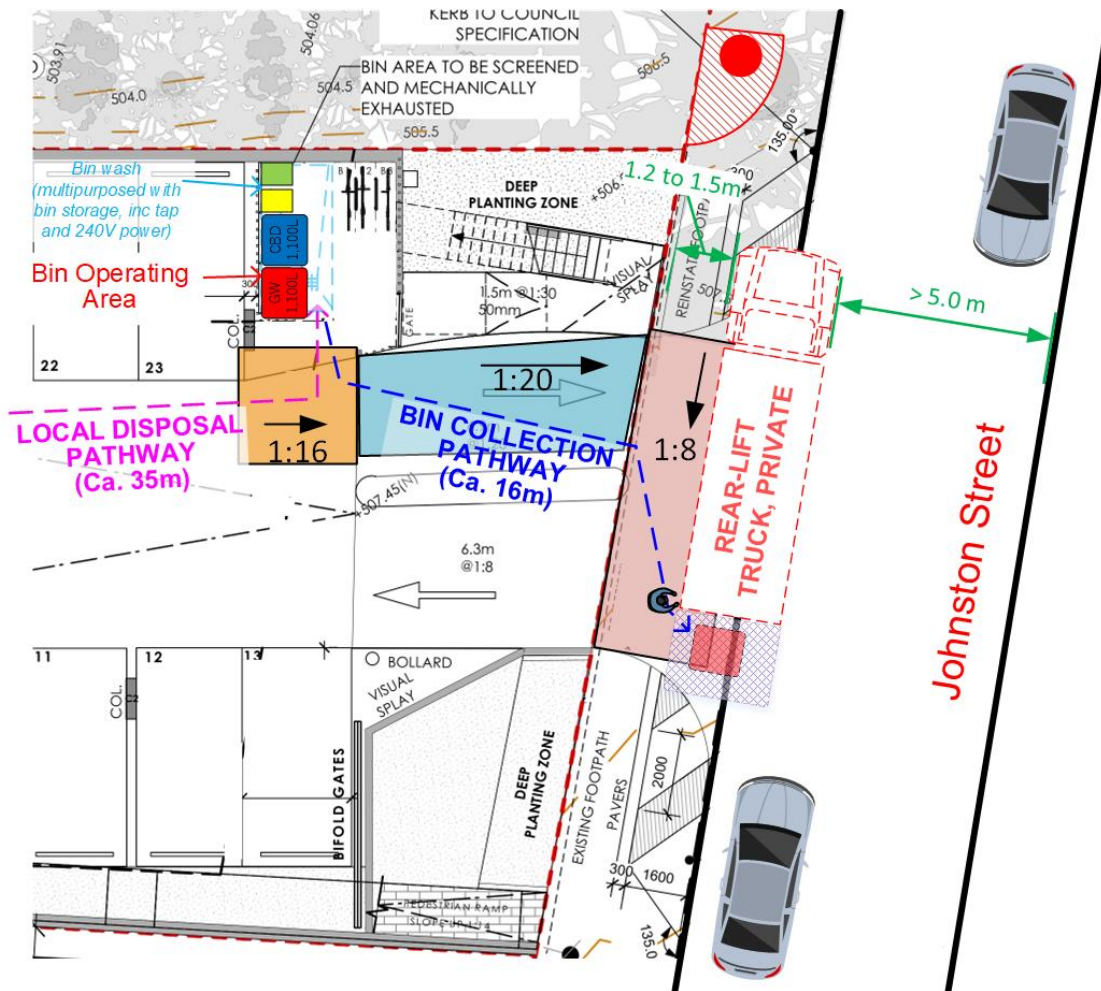


Figure 4-2: Bin storage and collection detail. Red/GW = General Waste, Blue/CBD = Cardboard, Yellow = Mixed Recycling, Green = Food Waste.

4.2 System Operation

1. Suitably sized bins (i.e. between 5 to 20 litres) will be located throughout the centre for user disposal of waste.
2. These bins will be serviced by centre staff throughout the day as required, carrying waste in bags or trolley to the 1,100L skip bins located in the Bin Operating Area. This area has space for 1 x 1,100L General Waste (landfill) bin, 1 x 1,100L Cardboard Recycling bin, 1 x 240L Mixed Recycling bin, and 1 x 240L Organics bin.
3. Waste collection (by private contractor) will be arranged for the non-peak periods (9am to 3pm), to minimise risk of cars queuing to exit the carpark.
4. Waste collection vehicle (Private Contractor) would be a Rear-Lift Truck and would stop on Johnston Street as shown in Figure 4-2. This position would block the car park entry and exit.
 - a. The distance of these movements is 15m. Gradients are 1:16, 1:20, and around 6m at 1:9. The path and gradients are indicated in Figure 4-3.
 - b. Full bins are anticipated to weigh around 150kg since most waste is low density (e.g. soiled nappies, cardboard, plastic). 200mm diameter casters (wheels) on the bins are specifically designed to support easy rolling of the bins (noting that bins are rated for 400 kg).
5. Once the centre is operating at full capacity (expected to be around 12 months after opening), collection of bins are expected to be:
 - a. General Waste: twice per week, rear-lift truck
 - b. Cardboard Recycling: once per week, rear-lift truck
 - c. Mixed Recycling: once per fortnight, Council kerbside truck
 - d. Organics: once per fortnight, Council kerbside truck.
6. For each rear-lift truck collection, the truck is expected to be stopped on Johnston Street for 2 to 3 minutes. Therefore, a total of 6 to 8 minutes per week. When the site first becomes operational (i.e. low child occupancy), collections are likely to be half (i.e. three collections per fortnight, with total 6-8 minutes per fortnight).

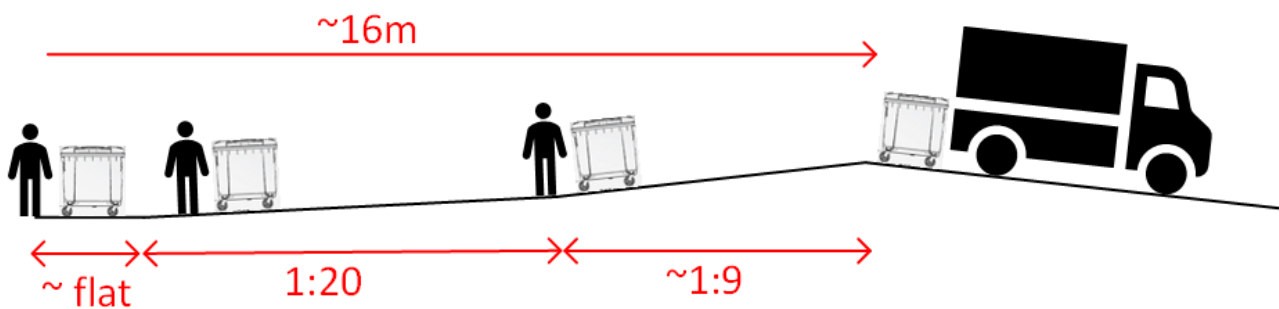


Figure 4-3: Path and gradients for moving bins from bin enclosure to truck stopped on Johnston Street

4.3 Bin Cleaning

A dedicated on-site bin cleaning area would be provided and multi-purposed with the Bin Operating Area— see Figure 4-2.

- This bin wash area would require grading to a sewer drain with basket screen to remove gross solids, with water proof / washable surface treatment on floor and adjacent walls, standard cold-water supply tap and commercial-grade electrical power supply (if pressure washer system is to be used), plus bunds and screens for use during bin wash events.
- Bin washing activity would be managed by the Site Manager.
- Bin washing would be timed to occur immediately after bins are emptied.

Alternatively, bin cleaning at the Development could be outsourced to an external contractor (e.g.

<http://binforce.com.au/>). These external contractors generally have self-contained bin washing systems on back of ute or truck that enable them to clean bins on site – e.g. Figure 4-4. Some will remove bins from site, replacing them with an empty spare, clean the bins, then return them to site.

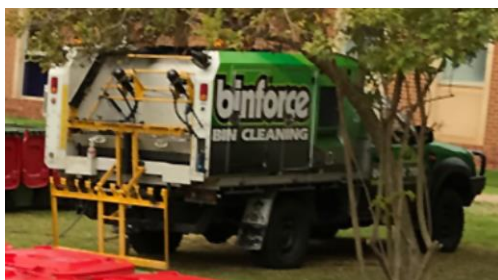


Figure 4-4: On-site bin wash system for rear-lift trucks on back of ute. Source: <http://binforce.com.au/>

4.4 Collection & Traffic

N.B. The following is not formal traffic engineering advice. Please refer to the Traffic Engineer's report for formal traffic engineering advice.

The key consideration of the design of the waste management system has been safe and effective collection of waste. As shown in Figure 1-1 (page 1), the site is on a relatively narrow and steep street.

Four major waste collection contractors (Cleanaway, JJ Richards, Veolia, and Suez) as well as one small regional contractor (Murray Bridge Recyclers) were consulted about the design and operation of the system. Feedback was provided that Front Lift collection services would not be appropriate for the location if collection had to be from the northern side of Johnston St, because the bin would be downhill from the truck during collection. If collection was from the southern side of Johnston St (i.e. truck facing uphill) then this would have been acceptable to contractors.

With a Rear-Lift service (as shown in Figure 4-2), the bin is moved to the rear of the truck (uphill) which simplifies collection.

In this position, the truck would block the entry and exit driveways for the carpark, which improves safety (cars cannot attempt an unsafe / low visibility exit). The exit would be blocked for only 2 – 3 minutes each time (total of 6 to 8 minutes per week), during non-peak periods (9am to 3pm), minimising inconvenience to customers.

The position of the truck also keeps bin movements mostly on shallow gradients (1:20) with approx. 6 m on the natural street gradient of ca. 1:9. This gradient is not favourable, but is unavoidable for the location.

Confirmation has been received from Murray Bridge Recyclers that they will be willing to provide a Rear Lift collection service for both General Waste and Cardboard once the site is operational, based on the system described in this report.

It is proposed that the kerb along the front of the site on Johnston Street be reconstructed as a rollover kerb. As shown in Figure 4-2, this would allow the waste truck to encroach into this area and consequently provide a trafficable road width of approximately 5 m between the edge of the truck and the opposite side of Johnston Street during periods when waste is being collected in front of the site. Outside of these periods it is anticipated that the existing No Stopping restriction would continue to apply along this section of roadway. This would improve visibility of oncoming traffic for cars travelling down Johnston Street.

Further discussion of traffic matters is provided in the Traffic Engineer's report.

5 Planning & Design Code Objectives

The applicable policies from the Planning & Design Code (Plan SA, 2021) relating to Waste are provided in the following table. The third column states how these policies have been addressed in the proposed design.

General Development Policies		
PO 20.1 Provision is made for the adequate and convenient storage of waste bins in a location screened from public view	DTS/DP 20.1 None are applicable	Response: Bin volumes are provided based on known actual volumes from a similar sized Paisley Park centre, as indicated in Table 2-1 and Table 2-2. Bins are to be kept in the undercroft of the building screened from public view.
PO 26.3 Provision is made for suitable household waste and recyclable material storage facilities which are: (a) Located away, or screened, from public view, and (b) Conveniently located in proximity to dwellings and the waste collection point	DTS/DPF 26.3 None are applicable	Response: Not applicable. Not a residential development.
PO 26.4 Waste and recyclable material storage areas are located away from dwellings	DTS/DPF 26.4 Dedicated waste and recyclable material storage areas are located at least 3m from any habitable room window.	Response: Not applicable. Not a residential development. However, bins are isolated away from areas where children and staff will be working.
PO 26.5 Where waste bins cannot be conveniently collected from the street, provision is made for on-site waste collection, designed to accommodate the safe and convenient access, egress and movement of waste collection vehicles.	DTS/DPF 26.5 None are applicable	Response: Bins are proposed to be collected from the street, as described in Section 3.
PO 30.4 Provision is made for suitable household waste and recyclable material storage facilities conveniently located and screened from public view	DTS/DPF 30.4 None are applicable	Response: Not applicable. Not a residential development.
PO 30.5 Waste and recyclable material storage areas are located away from dwellings	DTS/DPF 30.5 Dedicated waste and recyclable material storage areas are located at least 3m from any habitable room window.	Response: Not applicable. Not a residential development.
PO 30.6 Provision is made for on-site waste collection where 10 or more bins are to be collected at any one time	DTS/DPF 30.6 None are applicable	Response: Bins are proposed to be collected from the street, with each collection event expected to take 2 to 3 minutes, during non-peak periods (9am to 3pm)
Design in Urban Areas		

<p>PO 11.1 Development provides a dedicated area for on-site collection and sorting of recyclable materials and refuse, green organic waste and wash bay facilities for the ongoing maintenance of bins that is adequate in size considering the number and nature of the activities they will serve and the frequency of collection.</p>	<p>DTS/DPF 11.1 None are applicable</p>	<p>Response: Collection systems are provided for source-separated landfill and cardboard recycling. Commercial mixed recycling service is not presently available in Stirling. It may be possible for the business to access a single Council kerbside mixed recycling bin (with agreement from Council). Food waste is to be composted on site. It may be possible for the business to access a single Council kerbside food waste bin (with agreement from Council).</p> <p>A dedicated bin wash is included in the undercroft area. Alternatively, the site could consider outsourcing bin washing to external contractors (which have mobile bin washing facilities).</p>
<p>PO 11.2 Communal waste storage and collection areas are located, enclosed and designed to be screened from view from the public domain, open space, and dwellings</p>	<p>DTS/DPF 11.2 None are applicable</p>	<p>Response: Bins are to be stored in the undercroft area, screened from view from the public domain.</p>
<p>PO 11.3 Communal waste storage and collection areas are designed to be well ventilated and located away from habitable rooms.</p>	<p>DTS/DPF 11.3 None are applicable</p>	<p>Response: Not applicable. Not a residential development. Bins are to be stored in the undercroft area with mechanical ventilation</p>
<p>PO 11.4 Communal waste storage and collection areas are designed to allow waste and recycling collection vehicles to enter and leave the site without reversing.</p>	<p>DTS/DPF 11.4 None are applicable</p>	<p>Response: Bins are proposed to be collected from the street, with each collection event expected to take 2 to 3 minutes, during non-peak periods (9am to 3pm).</p>
<p>PO 11.5 For mixed use developments, non-residential waste and recycling storage areas and access provide opportunities for on-site management of food waste through composting or other waste recovery as appropriate</p>	<p>DTS/DPF 11.5 None are applicable</p>	<p>Response: It is proposed to compost small amounts of food waste on site. This would be supplemented with one Council kerbside organics bin. Cardboard recycling is proposed. Small amounts of mixed recycling could be disposed using Council's kerbside recycling service.</p>



I trust that this Letter of Support assists with resolution of this matter. Please let me know of any queries or where further information is required. If needed, I would be available to meet or speak with Council regarding any further questions they may have.

Yours Sincerely,

Joel Phillips
Principal Consultant & Director
Colby Phillips Advisory

References:

- Plan SA. (2021). *South Australia Planning and Design Code*.
- Zero Waste SA. (2014). *South Australian Better Practice Guide – Waste Management in Residential or Mixed Use Developments*.

Attachment:

Comparison report of potential collection systems for the site.

Wednesday, 15 June 2022

14 Johnston Street, Stirling – Waste Collection Options Memo

The purpose of this memo is to consider the options for collection of waste at the subject site at 14 Johnston Street, Stirling. If the proposed / intended purpose of the site is ignored momentarily, there are three possible scenarios for collection of waste at the site:

1. Collection with Council's standard kerbside collection service
2. Collection with a "Rear-Lift" truck, which stores on the street
3. Collection with a "Rear-Lift truck, which stores on the site

These three scenarios are considered in the following sections.

1 Context

The context of the subject site is shown in Figure 1-1. The street is approximately 6 metres from kerb to kerb. There is a paved footpath (maintained by Council) at the front of the site. On the opposite side of the road, the verge does not have any paving or other path suitable for pedestrians. Both sides of the road have "yellow lines" restricting parking. This is reflective of the relatively narrow width of the road, and relatively high levels of traffic (mainly during morning and afternoon peak periods). The street informally acts as a feeder to the South Eastern Freeway, and also provides access to two supermarkets and other businesses at the bottom end of the street.



Figure 1-1: Context of site at 14 Johnston Street, Stirling

2 Kerbside Collection (Council service)

The first potential collection service would be accessing Council's kerbside collection service. In this scenario, it is assumed that the maximum number of potential bins are presented. In this scenario, the bins would not be sufficient for the proposed use at this site. However, if the proposed use was adjusted then this service may be possible. The features of the service would then be:

- Up to 10 bins presented, including 6 x General Waste and 4 x Recycling. On the alternate week, 2 green bins may be presented in lieu of 4 x recycling.
- The site may potentially only be eligible for 1 set of bins, but Council has indicated that the site could request additional bins for an annual fee.
- In this situation, the waste truck would spend **up to 90 seconds (1.5 minutes)** essentially stationary in front of the general waste bins, collecting them one at a time
- During this time, cars at the rear of the truck would be blocked with little or no visibility of oncoming vehicles, as shown in Figure 2-1. They would need to wait for the truck to complete the collection before proceeding.
- Similarly, cars would not be able to enter the carpark of the subject site.
- This restriction would occur twice per week (once for each collection service).
- It is difficult to control when the collections occur, and they may occur at peak times (7:30am to 9am, 3pm to 5pm)

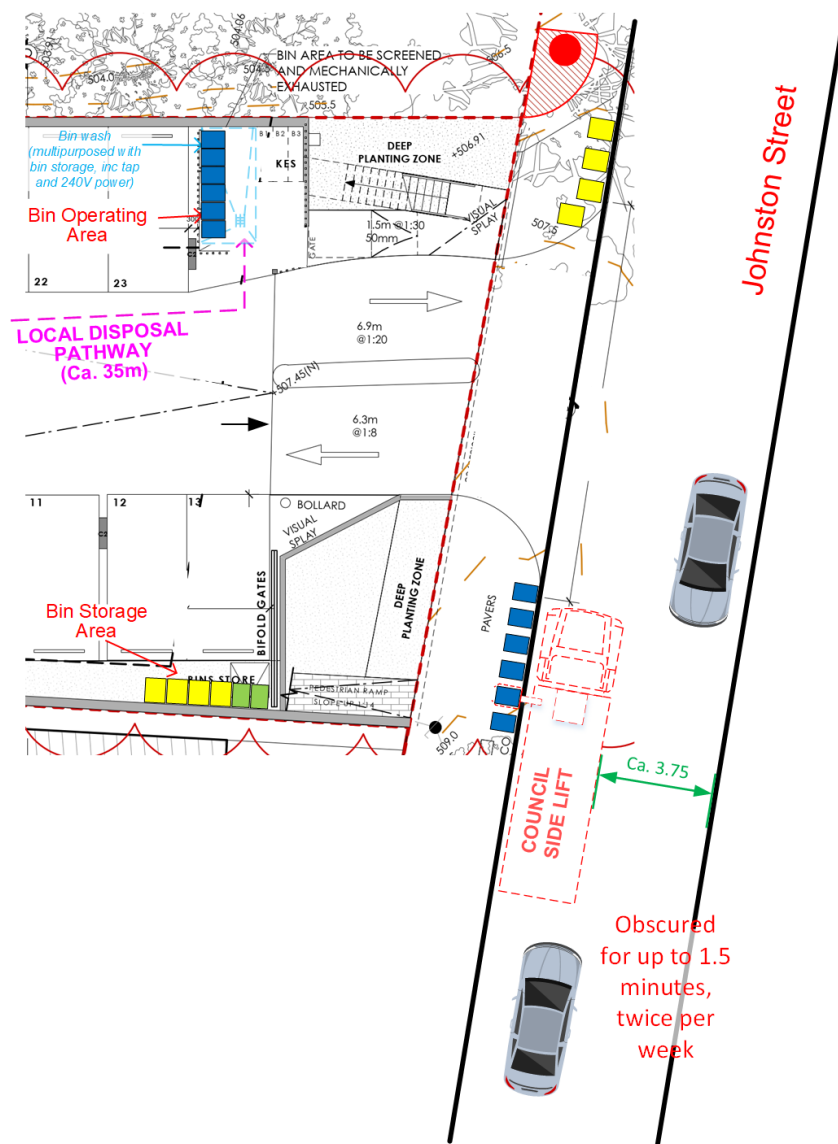


Figure 2-1: Potential kerbside collection service at the subject site.

3 Rear Lift Collection with truck parking on-street

The second potential service at the site would be using 4-wheel skip bins. Each of these skip bins can contain the volume of 5-8 kerbside bins. Council does not presently offer collection of such skip bins, however it is noted that there is an existing approval on the site where Council had offered for 4-wheel skip bins to be provided to the site. Council had indicated that Council could collect the skip bins, subject to the bins being presented on the kerb by the site occupants.

For the present application, a function waste system would have the following features:

- Potential access to Council's kerbside mixed recycling and food waste. Only 1 of each bin would be required for small residual volumes, presented fortnightly.
- A single 1,100L General Waste skip bin and a single 1,100L cardboard bin.
- A private collection truck would stop in front of the site, in an area of the kerb with rollover kerb, as shown in Figure 2-1. The position of the stored truck would allow approx. 1.2 to 1.5m for pedestrian footpath and greater than 5.0m of unobstructed road on Johnston Street.
- When stopped, the truck would collect a single skip bin. The bin would be wheeled from the bin enclosure to the truck by the driver. The bin would be emptied, then returned to the enclosure.
- The distance between the bin enclosure and the truck is approx. 16m.
- It is estimated that the complete collection (time between driver stopping the truck and the truck driving away) could be done in as little as 90 seconds. More likely it would take **around 2 minutes** and occasionally up to 3 minutes. This would be up to 3 times per week.
- During the time the truck was stopped, a trafficable road width of approximately 5 m between the edge of the truck and the opposite side of Johnston Street could be maintained.
- Timing of the collections can be controlled to happen during off-peak times (9am to 3pm) to minimise disruption to traffic.

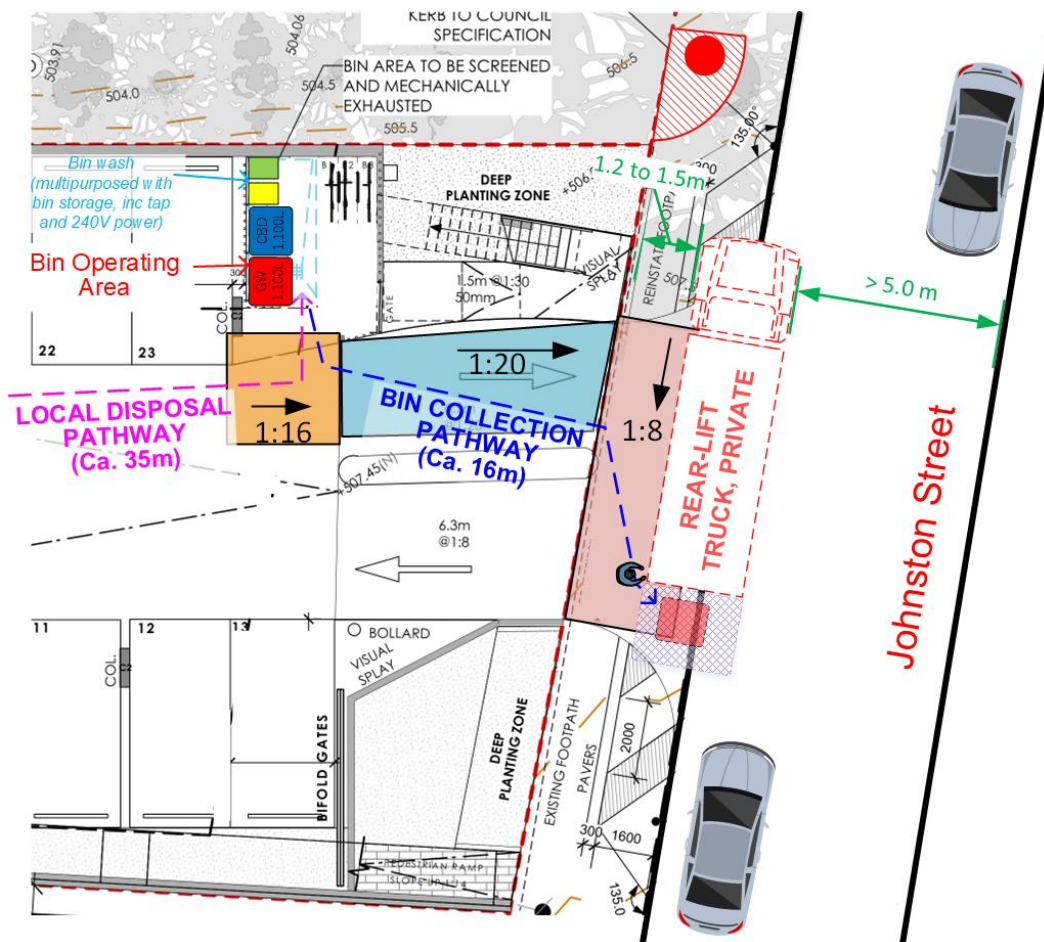


Figure 3-1: Potential street collection service for 4-wheel skip bins at the subject site.

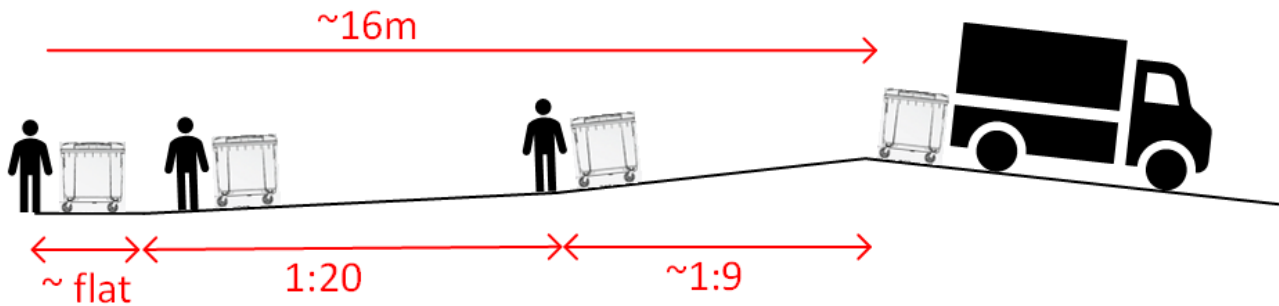


Figure 3-2: Path and gradient for moving a bin from the bin enclosure to a Rear-Lift truck parked in the partial embayment

4 Rear Lift Collection with truck parking on-site

The final potential option for waste collection is to have a rear lift truck enter the site.

- It would not be possible for the truck to enter and exit the site in a forward direction (because the width of the site is not enough for the truck to turn around).
- This would mean the truck would need to reverse-enter the site.
- The reverse-turn would require a lot of width on the site, which is steeply sloping at the crossover.
- Rear-lift collection trucks need overhead clearance of around 3.2 to 3.5 metres. On the subject site, which is sloping, this clearance may need to be more. This creates a very high first floor, potentially limiting the development, and having poor aesthetics.

The restrictions to the site that would be needed to facilitate collection of waste on site means that this option is not considered feasible for any type of development.

5 Previous development approval for the subject site

A previously approved development on the site consisted of:

- 8 x residential dwellings (apartments)
- 1 x shop
- 1 x office

AHC's waste management officer at the time of approval advised two options for consideration for waste management. The options may be summarised as:

- Option 1: total of 10 x General Waste bins, 10 x recycling bins, 8 x organics bins
 - o To be presented by tenants on the verge area for collection by Council's kerbside service
- Option 2:
 - o General Waste: 1 x 1,100L skip bin + 2 x 140L wheelie bin
 - o Recycling : 4 x 660L skip bin
 - o Organics : 6 x 360L wheelie bins
 - o Collected by Council rear lift truck
 - o Bins to be presented on the verge area as Council's contractor would not enter private property to collect bins

If fully used, Option 1 would require the kerbside truck to be essentially stationary on Johnston St for 2.5 minutes twice per week.

If fully used, Option 2 would require the rear lift truck to be stationary on Johnston St for around 3 minutes twice per week. This would be similar to the Rear Lift solution contemplated in Section 3, although in this case the truck would not be using the proposed partial embayment and would therefore obscure the road the same way that a kerbside collection service would.

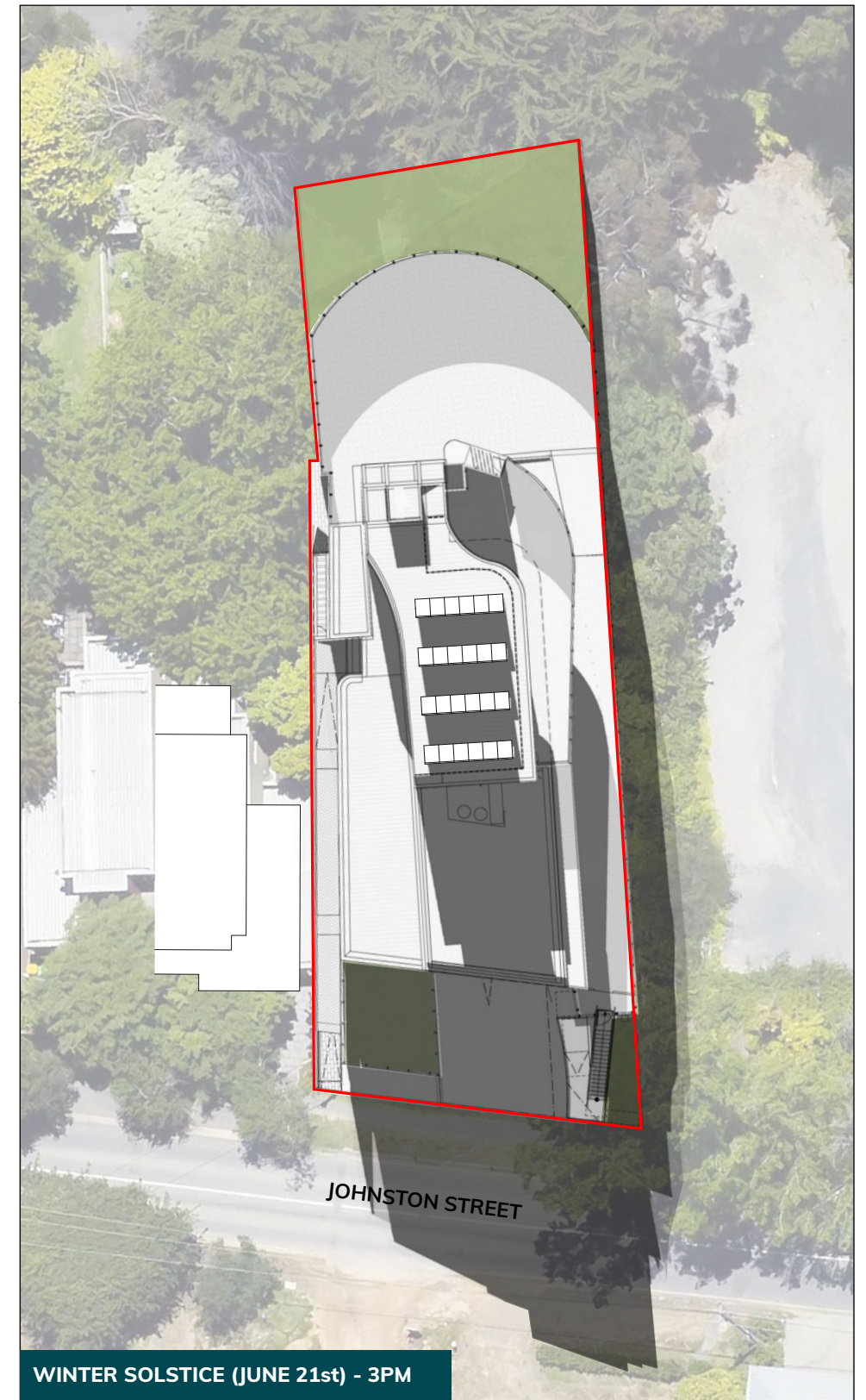
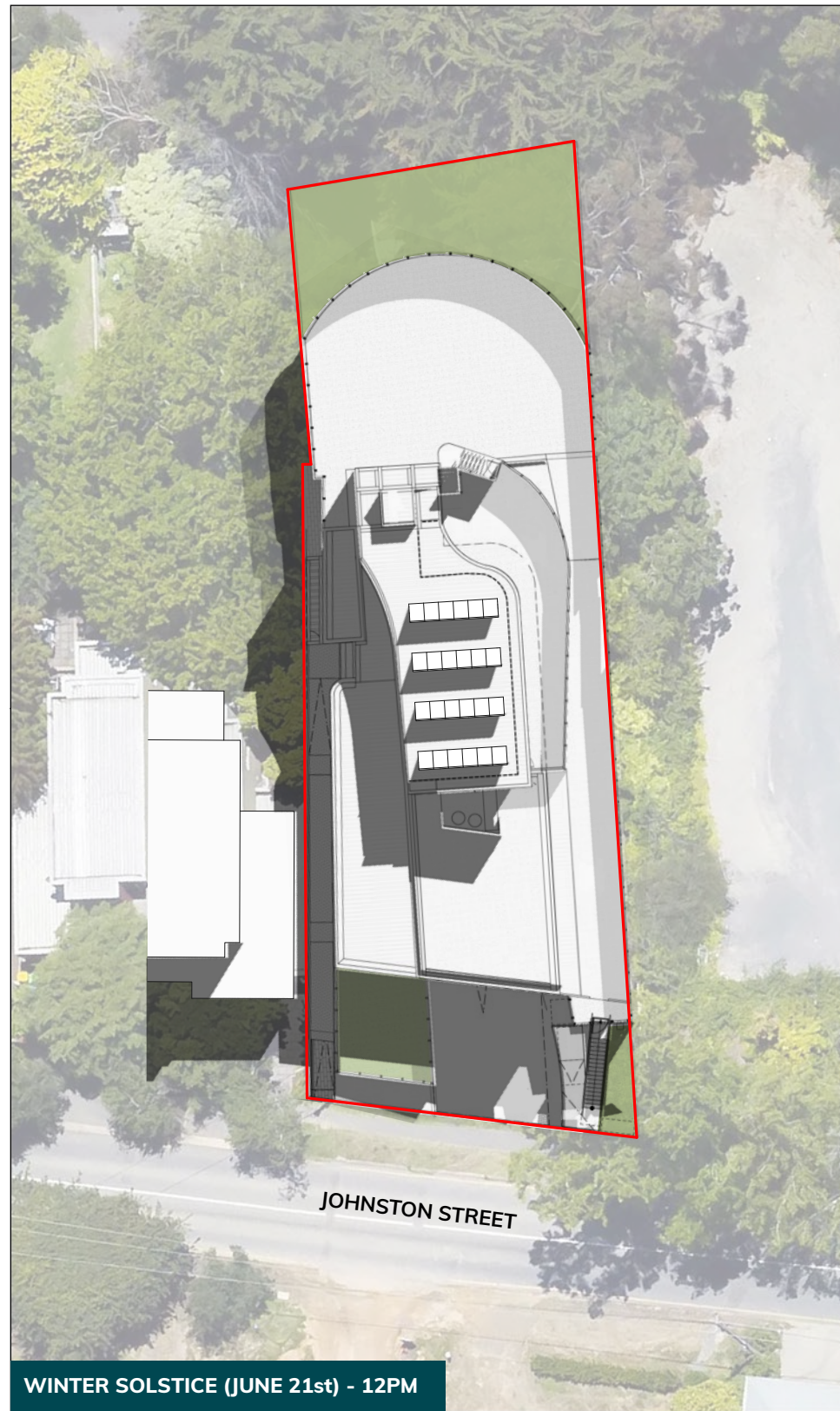
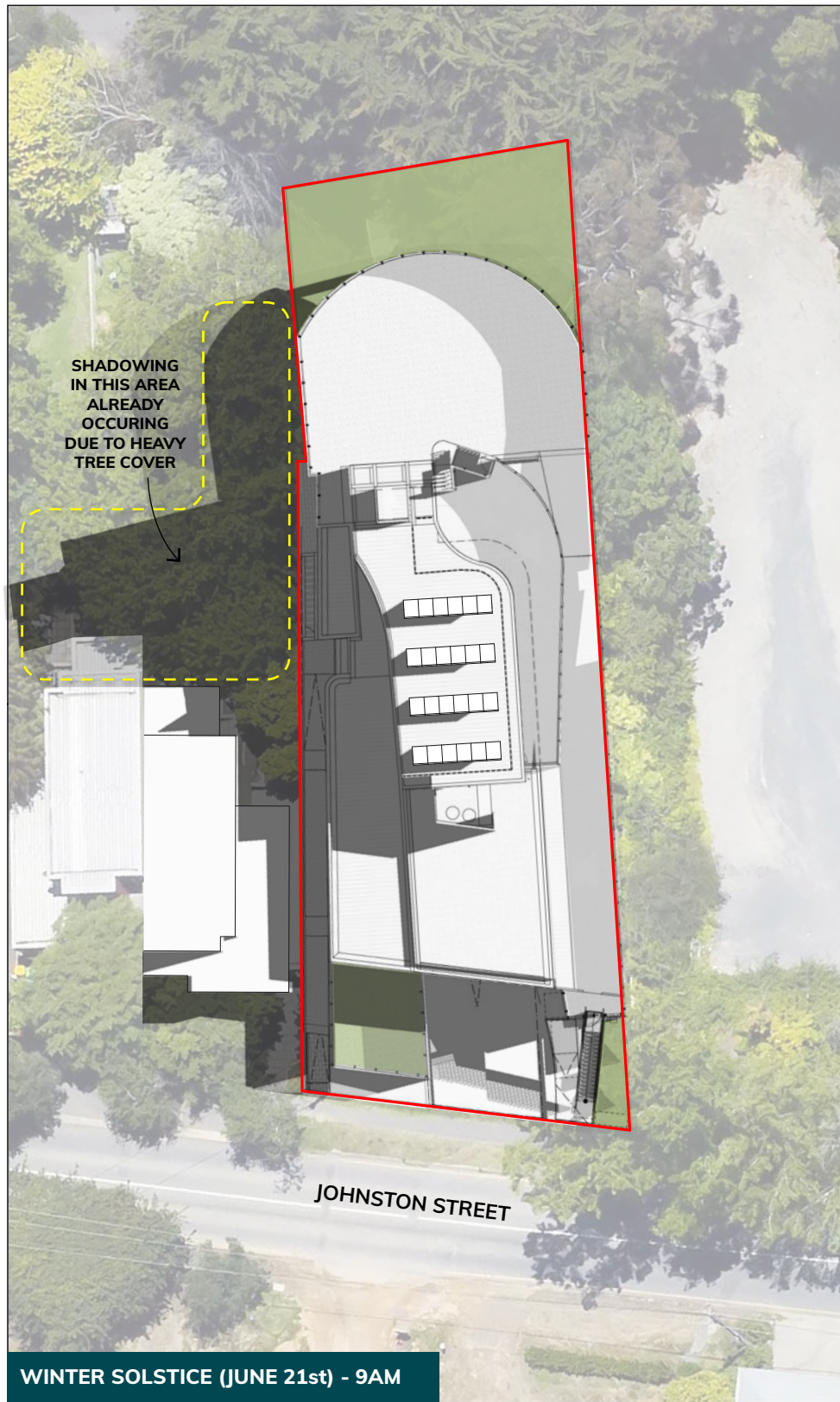


6 Conclusions

The discussion in the previous sections indicates that:

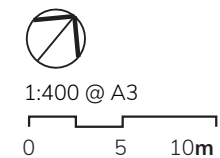
- Collection of waste on site would not be commercially feasible due to the restrictions on the design of the site. Furthermore, reversing a truck onto the site may be considered to be less preferable than the on-street storing of the truck.
- The kerbside collection of bins would completely block one side of the road for up to 1.5 minutes, while the on-street collection (with partial embayment of truck) would only partially block the road for normally 2 minutes and occasionally up to 3 minutes.
- Private rear-lift collection can be conditioned to off-peak times (9am to 3pm), whereas Council kerbside timing is difficult to control or more likely to occur during peak traffic times.
- The on-street waste truck collection allows use of larger specialised bins, which enables the development potential of the site to fully used.
- The on-street collection system shown in Section 3 is considered to be superior to both systems considered for the previous approved development on the subject site.

For these reasons, we consider that the on-street collection of waste (with truck encroaching onto the kerb) is the optimum solution for waste collection at the subject site. It would result in better convenience and visibility for road users than a fully-utilised kerbside service.



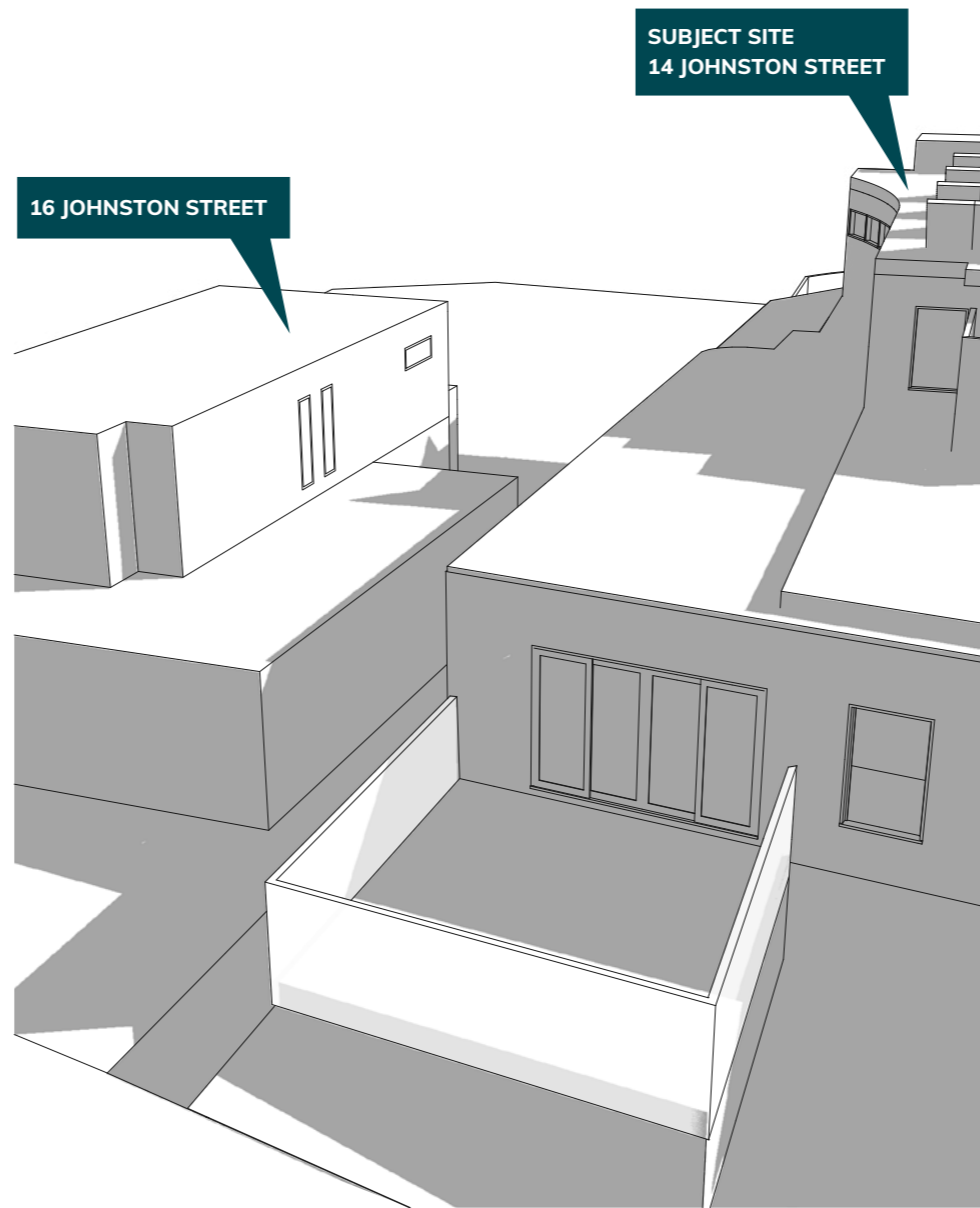
SHADOW ANALYSIS 14 Johnston Street, Stirling

JOB REF. 20ADL-0282
 PREPARED BY. MP
 DATE. 15.06.22
 REVISION. 2
 DATA SOURCE. MetroMap (09.01.2022)
 data.sa.gov.au

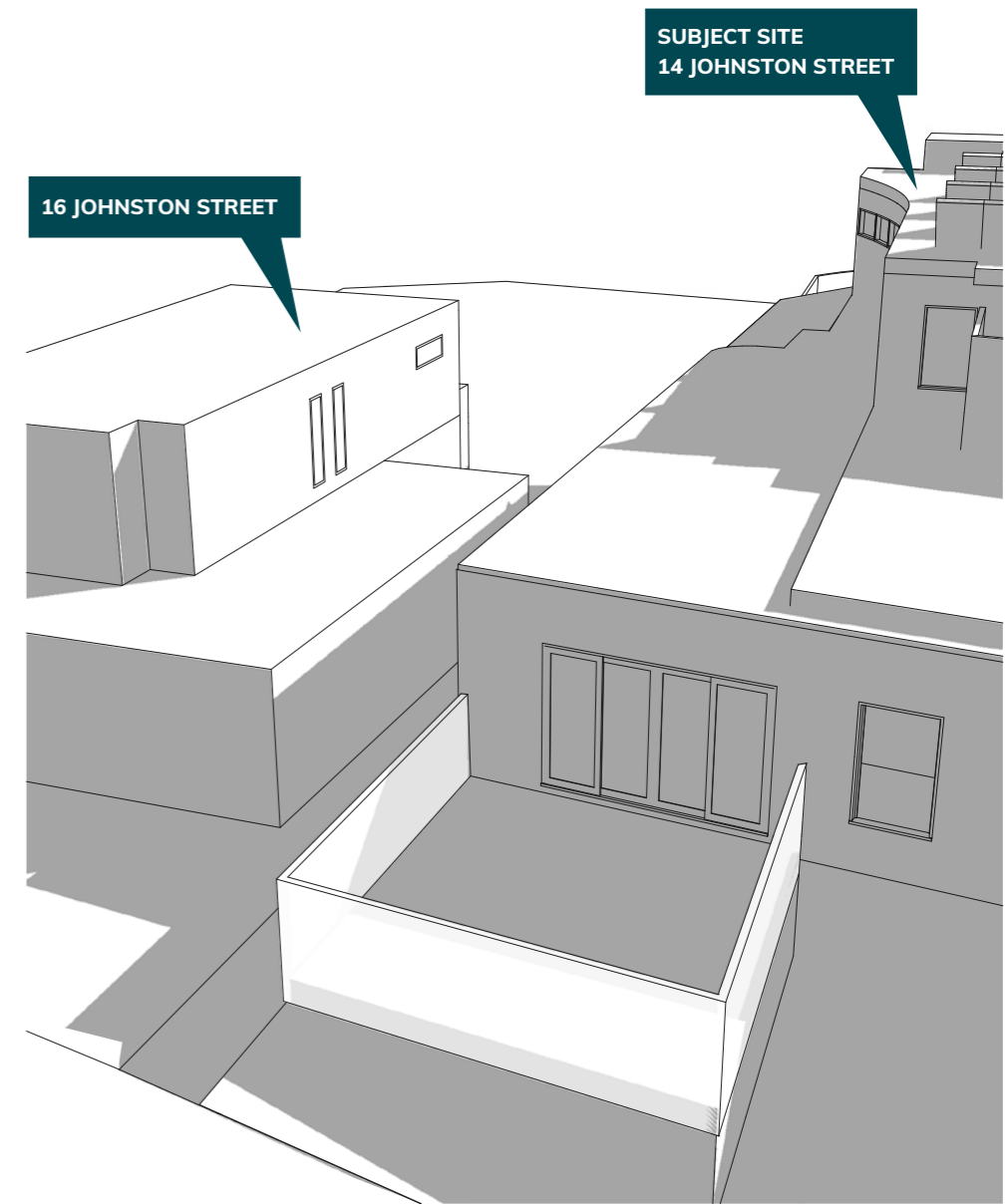




WINTER SOLSTICE (21 JUNE) - **9AM**



WINTER SOLSTICE (21 JUNE) - **10AM**

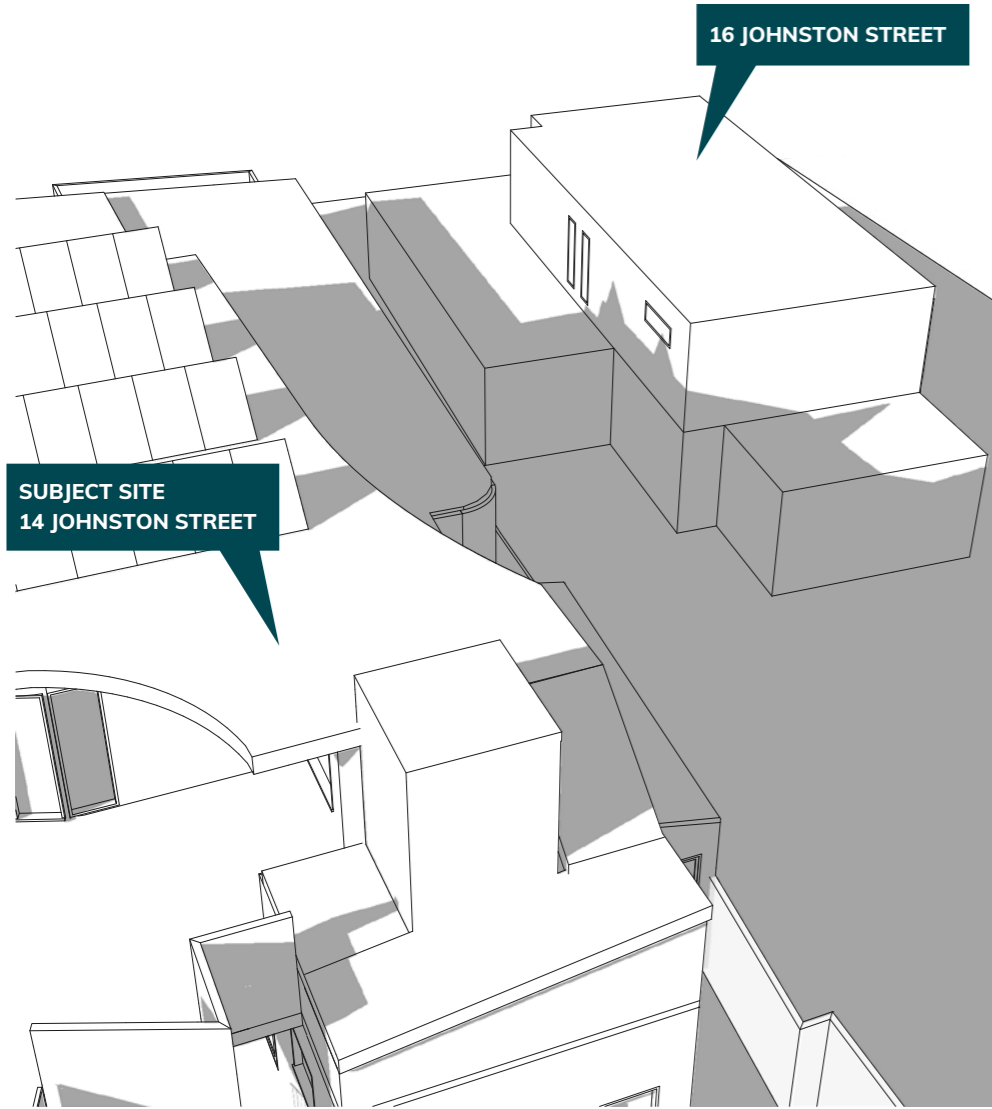


WINTER SOLSTICE (21 JUNE) - **11AM**

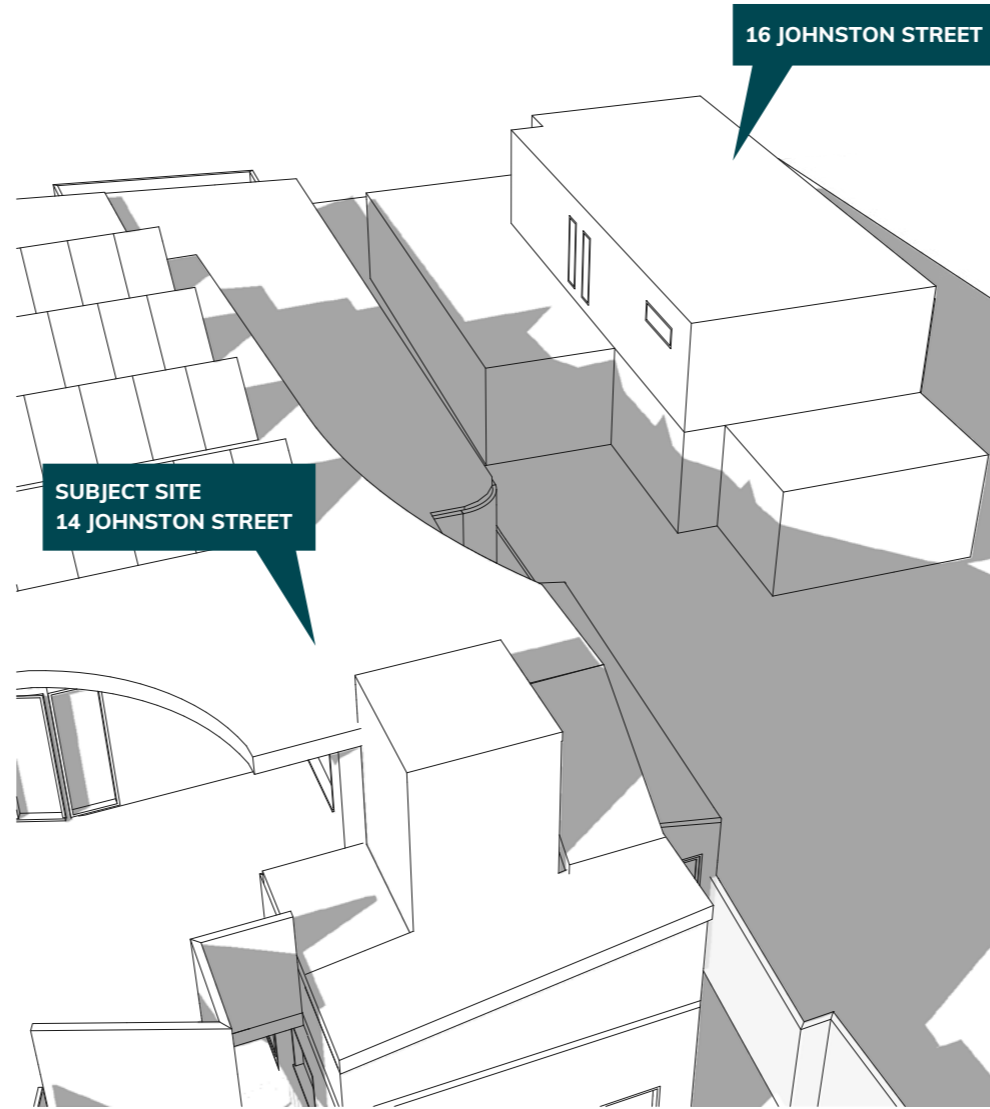
SHADOW ANALYSIS

14 Johnston Street, Stirling

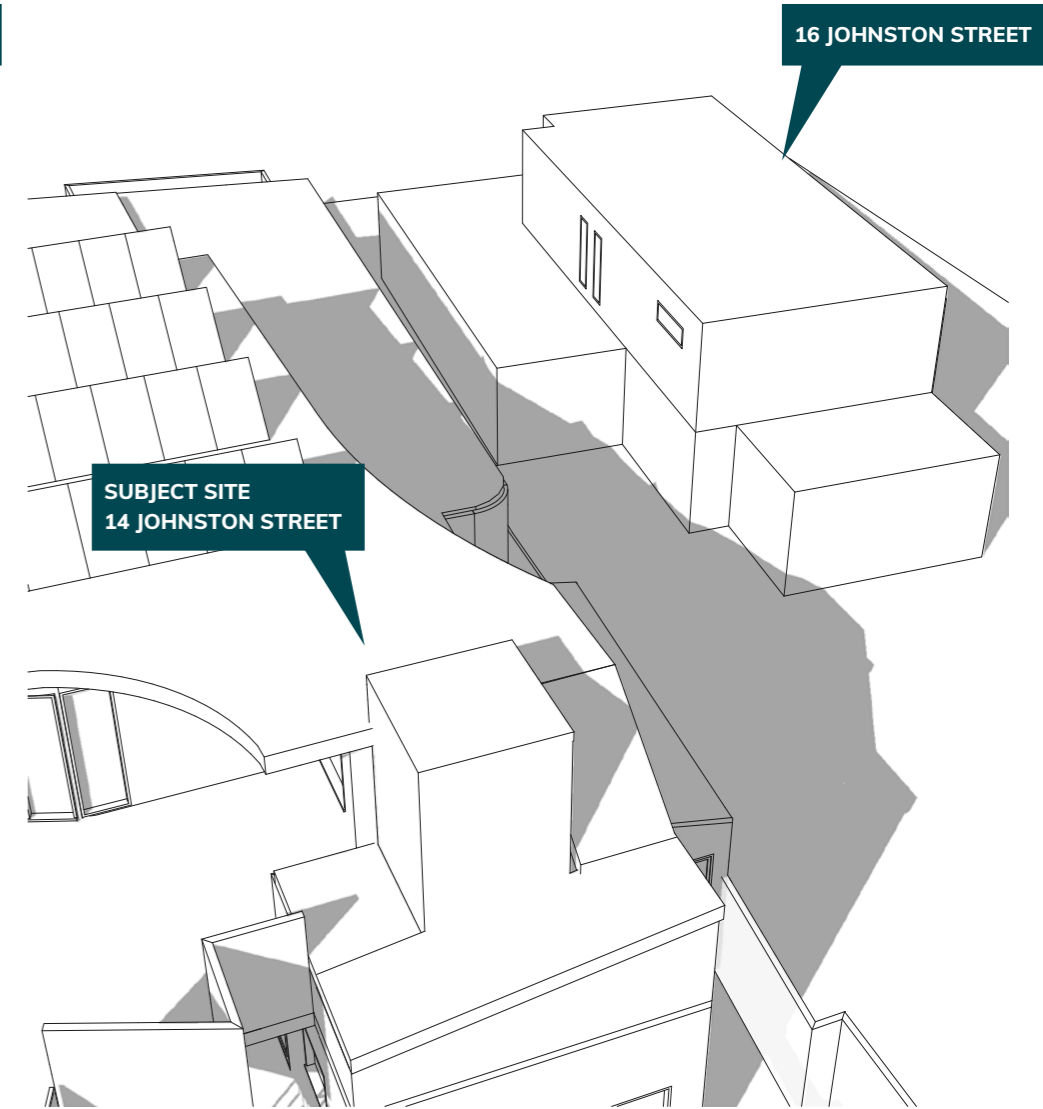
JOB REF. 20ADL-0282
 PREPARED BY. MP
 DATE. 15.06.22
 REVISION. 2



WINTER SOLSTICE (21 JUNE) - **9AM**



WINTER SOLSTICE (21 JUNE) - **10AM**



WINTER SOLSTICE (21 JUNE) - **11AM**

SHADOW ANALYSIS

14 Johnston Street, Stirling

JOB REF. 20ADL-0282
 PREPARED BY. MP
 DATE. 15.06.22
 REVISION. 2



Melanie Scott

From: Ashley Curtis
Sent: Monday, 20 June 2022 11:47 AM
To: Melanie Scott
Cc: Nick Carter
Subject: FW: Internal Referral Request Received | Application ID: 21031474 | Council Area: Adelaide Hills Council | Address: 14 JOHNSTON ST STIRLING SA 5152

Hi Mel, comments made via PlanSA, copy below:

I recommend that Council does not support this development, as the proposed waste collection strategy will have too big an impact on traffic on Johnston Rd.

Johnston Rd is a very busy road within Stirling's main commercial precinct, with over 4,000 vehicles per day. It features a solid white dividing line, which controls parking and overtaking along its length, which is required for road safety. The applicant proposes to collect 3 to 5 skip bins per week utilising private contractor who will have to stop on Johnston Rd, blocking traffic for an estimated 3 minutes (applicant's estimate) at a time. During this time, no traffic heading eastbound will be able to pass, and will queue behind the private waste contractor's vehicle.

Whilst Council's own waste collection vehicle also blocks traffic, it is for a much lesser duration, much less frequent, and is well understood by the community.

The proposal of providing an indented area for the private waste contractor on Council road verge is also not supported. The indent will not be large enough to allow free flowing traffic on Johnston Rd, but it will be large enough to negatively impact the existing footpath on Johnston Rd. Further, there is a real risk that parents attending the childcare centre will try and use the indent as an informal drop zone, adding to congestion on Johnston Rd.

All other commercial developments in Stirling that utilises private waste contractors accommodate waste collection within their own site/ private property, and there are no known precedents within Adelaide Hills Council of a development requiring the temporary colure/ obstruction of a full lane of traffic for waste collection by private contractor. On this basis the development should be refused.

Kind Regards,

Ashley Curtis
Manager Civil Services

Ext. 566

From: Plan SA Admin <dap@plan.sa.gov.au>
Sent: Friday, 17 June 2022 12:57 PM
To: Ashley Curtis <acurtis@ahc.sa.gov.au>
Subject: Internal Referral Request Received | Application ID: 21031474 | Council Area: Adelaide Hills Council | Address: 14 JOHNSTON ST STIRLING SA 5152

[EXTERNAL]

Internal Referral Request Received | Application ID: 21031474 |

Council Area: Adelaide Hills Council

Applicant: 14 JOHNSTON PTY LTD

Address: 14 JOHNSTON ST STIRLING SA 5152



An internal referral request has been received from Melanie Scott for the Planning Consent for application with ID 21031474

Details of request: Hi Ashley and Nick this has come back for me to take to CAP. As far as I can see it still proposes at least 3 waste pick ups per week from the street. You would at least need to look at the amended waste report, the traffic report and perhaps the planning report, all submitted on 17 June. Your response is sought by Wednesday 22 June to enable us to write a report for CAP. Happy to discuss. thanks Melanie

Nature of development: Construction of a three-level childcare centre (pre-school) with ancillary car parking, outdoor play areas and landscaping

View the [Development Application](#).

From: Melanie Scott <mscott@ahc.sa.gov.au>
Sent: Tuesday, 15 March 2022 12:53 PM
To: Melissa Mellen <melissa@MFY.COM.AU>
Cc: James Booker <jbooker@ahc.sa.gov.au>
Subject: 14 Johnston Street Stirling application 21031474

Hi Melissa
Long time no speak! Probably a good thing.

Council has an application for a 3 level childcare centre with all parking, pick up and drop off under croft. The applicant provided two traffic reports from Phil Weaver.

The application was deferred by CAP last week for a number of matters. Council would like to commission an independent review of the parking/traffic arrangements for the site and wondered about your availability please?

We could send you what we have now noting it is likely we will have an amended parking plan among other things by 23 March and all our activity is working towards reviewing what we get on 23 March (hopefully earlier) for re presentation at CAP on 13 April.

Thoughts please?

Melanie Scott
Senior Statutory Planner
Does not work Wednesdays

Melanie Scott

From: Melissa Mellen <melissa@MFY.COM.AU>
Sent: Thursday, 24 March 2022 6:42 PM
To: Melanie Scott
Cc: James Booker
Subject: RE: 14 Johnston Street Stirling application 21031474

[EXTERNAL]

Hi Melanie,

I have reviewed the plans and traffic reports relating to the proposed childcare centre at 14 Johnston Street in Stirling and provide the following preliminary advice in regard to traffic and parking requirements:

- I think a deficiency of one parking space would be inconsequential and result in minimal inconvenience or impact;
- There is conflicting information in respect to the type of stacker proposed. The original Phil Weaver report indicated that the parking spaces within the stacker would be independently accessible whereas the subsequent report illustrated a stacker which is not independently accessible.

I am not convinced that the spaces can be adequately managed during the day at a child care centre where there are shift overlap requirements and staff can not readily leave the premises for a few minutes to move vehicles if they are not independently accessible and not information has been provided as to how this can be managed. In reality, I believe that staff arriving after the first spaces in the stackers are occupied will park in the visitor spaces.

If the spaces in the stackers are independently accessible the type of system will require columns and a recess within the ground which will impact the design.

In reality, therefore, I believe there will effectively be a greater parking deficiency than one vehicle;

- The parking management plan provided does not provide adequate detail in respect to the number of vehicles which will arrive in a specified period and how interface periods/overlap/length of stay will be managed. I would suggest that in order to confirm how this system functions and limits pick-up/set-down peaks then empirical data should be provided based on an existing operation. Given that there are existing facilities it should be simple for data to be collected which identifies the peak parking requirements at any one time at a comparable facility. Such data should be collected independently.
- There is inadequate information in respect to how waste collection is to be managed, particularly given that it has been identified that collection for this commercial facility will occur on-street and Johnston Street has a steep grade and relatively narrow footpath.
- I would question whether the design of the car park will be able to comply with AS/NZS2890.1. While the grades currently shown do strictly comply with this Standard, the maximum 1:16 grade is a maximum total grade (that is the combined grade created by the longitudinal grade and the crossfall). This means that the car park will need to be completely flat (with no crossfall for drainage) within the 1:16 section for it to be compliant. Given that the car park will almost certainly need a shallow crossfall and that it will need to tie in to entry and exit ramps which are at varying grades (and hence will need some shaping to match), I would not expect the proposed solution to be able to achieve compliance.

I understand that additional information from the applicant is pending (and was expected yesterday) and am happy to complete a subsequent review when it is provided if you think any of the amendments may alter the above advice.

Regards,

From: Melanie Scott <mscott@ahc.sa.gov.au>
Sent: Tuesday, 29 March 2022 10:43 AM
To: Melissa Mellen <melissa@MFY.COM.AU>
Subject: RE: 14 Johnston Street Stirling application 21031474

Hi Melissa

A final question, I have been told you were involved in designing the carparking rates in the code. Our panel got stuck on the different rates required for childcare vs preschool in the General Development Policies Transport, Access and Parking table 1 given definition wise in part 7 of the code the two uses are the same.

<u>Pre-school</u>	Means a place primarily for the care or instruction of children of less than primary school age not resident on site.
Protective tree netting structure	Means netting and any associated structure that

Melanie Scott – Senior Statutory Planner
Does not work Wednesdays
ext: 560

Melanie Scott

From: Melissa Mellen <melissa@MFY.COM.AU>
Sent: Wednesday, 13 April 2022 7:14 PM
To: Melanie Scott
Subject: RE: 14 Johnston Street Stirling application 21031474

[EXTERNAL]

Hi Melanie,

While the fundamental uses of a pre-school and a child care centre may be the same (in that they provide education for children prior to their school years), the peak parking demand associated with the two uses is quite different.

A child care centre (including one which offers an Early Learning programme in a child care setting) does not have a set starting or finishing time for a class/session but rather provides for children to be delivered or collected throughout the day. This means that the pick-up/set-down peak is spread over a longer period and therefore the peak parking at any one time is reduced (actually the majority of the set-down is typically spread over two hours and the majority of the pick-up is spread over 1.5 hours).

An ELC differs in that classes have a set start and finish time. At some facilities there is a day session (set-down in the morning and pick-up in the afternoon), while other facilities offer morning and afternoon sessions (with a break during the lunch period). Regardless whether the ELC offers one or two sessions daily, the pick-up and set-down period is condensed to approximately 20 minutes. This means that the peak parking at any one time is higher. In essence, the pick-up/set-down at an ELC is comparable with a school.

Note that the total parking over the day would be similar for both types of facility but the important consideration is the peak at any one time which dictates the number of spaces which should be provided.

It is for the above reason that the parking provision at a child care centre (including one with an ELC programme) and an ELC differ.

I hope that helps.

Regards,

Melissa Mellen | Director | MFY Pty Ltd



Unit 6/224 Glen Osmond Road, Fullarton SA 5063

t: 08 8338 8888 | m: 0413 800 135 | e: melissa@mfy.com.au | w: mfy.com.au

Disclaimer: This email may contain information which is confidential and/or copyright, intended for the addressee only. If you are not the intended recipient of this email, you must not use, copy, distribute or utilise this information in any way, for any purpose. Please notify the sender immediately and delete this email if you received it in error. The receiver of this email is responsible for their own virus protection and is urged to scan any transmissions and attachments for viruses. MFY Pty Ltd disclaims all responsibility or liability of any actions, claims, costs and damages whatsoever resulting from or following upon any reproduction or modifications of these documents, drawings or data contained therein by any other party or application of the said documents or data to other than their original purpose.

Visit me by appointment at: 24 Onkaparinga Valley Road, Woodside SA 5244
PO Box 44 Woodside SA 5244

From: Melanie Scott
Sent: Tuesday, 21 June 2022 9:12 AM
To: Melissa Mellen <melissa@MFY.COM.AU>
Subject: 14 Johnston Street Stirling Application 21031474

Hi Melissa

Further to the advice provided by you to Council please could you review the attached amended documents submitted to Council on 17 June 2022. Council is in the process of writing a report to represent the application to the CAP on 8 July 2022.

Council engineering have reviewed the amended proposal with the following comment:

“I recommend that Council does not support this development, as the proposed waste collection strategy will have too big an impact on traffic on Johnston Rd.

Johnston Rd is a very busy road within Stirling's main commercial precinct, with over 4,000 vehicles per day. It features a solid white dividing line, which controls parking and overtaking along its length, which is required for road safety. The applicant proposes to collect 3 to 5 skip bins per week utilising private contractor who will have to stop on Johnston Rd, blocking traffic for an estimated 3 minutes (applicant's estimate) at a time. During this time, no traffic heading eastbound will be able to pass, and will queue behind the private waste contractor's vehicle.

Whilst Council's own waste collection vehicle also blocks traffic, it is for a much lesser duration, much less frequent, and is well understood by the community.

The proposal of providing an indented area for the private waste contractor on Council road verge is also not supported. The indent will not be large enough to allow free flowing traffic on Johnston Rd, but it will be large enough to negatively impact the existing footpath on Johnston Rd. Further, there is a real risk that parents attending the childcare centre will try and use the indent as an informal drop zone, adding to congestion on Johnston Rd.

All other commercial developments in Stirling that utilises private waste contractors accommodate waste collection within their own site/ private property, and there are no known precedents within Adelaide Hills Council of a development requiring the temporary closure/ obstruction of a full lane of traffic for waste collection by private contractor. On this basis the development should be refused.”

The applicants waste consultant has referred to a previous approval to the site which contemplated rear kerbside pick up of large bins once a week but was not conditioned nor ever enacted.

Council seeks your review of the amended traffic and waste report in order to pose a complete picture to the panel. The application prior to these amendments missed a number of performance outcomes by small amounts (parking shortfall, height (noting there is now a .5m increase in height to accommodate larger stackers without impacting trees)) and now most like misses on PO in General Dev Policies(26.5) and Design in Urban areas(11.1, 11.3, 11.4) to do with waste pick up which combined would likely be used to support a refusal. Please let me know if you would like the amended plans, planner statement and acoustic report.

thanks

Melanie Scott
Senior Statutory Planner
Does not work Wednesdays

MLM/22-0072



28 June 2022

Traffic • Parking • Transport

Unit 6, 224 Glen Osmond Road
FULLARTON SA 5063

T: +61 8 8338 8888

F: +61 8 8338 8880

E: mfy@mfya.com.au

W: mfy.com.au

MFY Pty Ltd

ABN 79 102 630 759

Ms Melanie Scott
Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

Dear Melanie,

PROPOSED CHILD CARE CENTRE – 14 JOHNSTON STREET, STIRLING

I am in receipt of an amended plan for the proposed child care development at 14 Johnston Street in Stirling. The amended proposal responds, in part, to issues which have been previously identified, including traffic and parking related matters which I raised in an email to you on 24 March 2020. Supplementing the amended plans are reports by Phil Weaver and Associates and Frank Siow and Associates.

You have requested that I review the updated plans and reports to identify if the previous concerns which were raised have been addressed. You have also requested that I review a Waste Management Plan provided by Colby Phillips.

The amended proposal has included modifications to the geometric design and clarification of the type of stackers to be installed which will result in adequate parking for the proposal. In my view the 0.5 space deficiency will not be detrimental to the operation of the site.

However, I do not concur with either Mr Weaver or Mr Siow in respect to the grade requirements in the Australian Standard. Both Mr Weaver and Mr Siow have indicated that the relevant clause in AS/NZS2890.1 provides for the grade across the aisle and along the aisle can be considered independently. Clause 2.4.6.1 of AS/NZS2890.1:2004 reads as follows:

The maximum gradients within a parking module including a motorcycle parking area shall be as follows:

(a) Measured parallel to the angle of parking—1 in 20 (5%).

(b) Measured in any other direction—1 in 16 (6.25%).

(c) Within parking spaces for people with disabilities—see AS/NZS 2890.6.*

Specifically, part (b) of this clause specifies the grade measured in “any other direction”. This means that the maximum grade anywhere on the driveway should not exceed this grade. The proposal shows a 1:16 grade along the length of the driveway. Accordingly, even if there was a crossfall of



only 1:100 on the driveway, the grade along the diagonal on the driveway would be 1:15.8. This would not comply with this section of the Standard as while each grade can be considered independently, the resultant grade at other angles must also be considered.

Further to the above, designing a car park in a child care centre where the car park will likely exceed the recommended maximum grade is not desirable, particularly given the proposed use. It is relevant to consider that the requirement for young children to alight from vehicles or infants to be placed to or from car seats would warrant a shallow grade on the parking area. This area of the design, in my view, warrants further review.

The other issue which, in my view, has not been resolved is the refuse collection methodology for the development. The proposal seeks to park a refuse collection vehicle across the crossover, (partially mounted on the footpath/verge) while a driver wheels the bins to and from the storage area. The reports indicate that this process would take approximately three minutes and would result in a clear width of 5.0m being retained on Johnston Street for other traffic.

The proposal, as described above, would result in a number of breaches of the Australian Road Rules. Specifically I am of the view that the following Road Rules would be contravened by the proposal:

- *Rule 198 (2)*

A driver must not stop on or across a driveway or other way of access for vehicles travelling to or from adjacent land unless—

(a) the driver—

(i) is dropping off, or picking up, passengers; and

(ii) does not leave the vehicle unattended; and

(iii) completes the dropping off, or picking up, of the passengers, and drives on, as soon as possible and, in any case, within 2 minutes after stopping; or

(b) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under the Australian Road Rules.

Note that the Australian Road Rules also specifies that “ *For this rule, a driver leaves a vehicle **unattended** if the driver leaves the vehicle so that the driver is over 3 metres from the closest point of the vehicle.*”

- *Rule 169*

A driver must not stop at the side of a road marked with a continuous yellow edge line.

- *Rule 197 (1)*

A driver must not stop on a bicycle path, footpath, shared path or dividing strip, or a nature strip adjacent to a length of road in a built-up area, unless—



- (a) the driver stops at a place on a length of road, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under the Australian Road Rules; or*
- (b) the driver is permitted to stop under another law of this jurisdiction.*

- Rule 208(6)

If the road has a continuous dividing line or a dividing strip, the driver must position the vehicle at least 3 metres from the continuous dividing line or dividing strip, unless otherwise indicated by information on or with a parking control sign.

Typically refuse collection for commercial development would occur within the site. At child care centres arrangements can often include timing collection such that it occurs when the car park is empty. While there may be an opportunity to negotiate on-street collection for such a development, it is essential, in my view, that the refuse vehicle can be lawfully parked while collecting waste. The subject proposal would not only obstruct a crossover, but it would result in a vehicle being parked where there is an exiting solid yellow line adjacent the kerb and a dividing line on the road.

I would also question whether the obstruction of the access for three minutes during operating times is acceptable. While the proposed collection periods do not represent peak traffic periods at the facility, there will be requirements for access during the day and no analysis has been provided to identify the number of drivers who may be affected.

In summary, therefore, while the matters relating to parking provision have been addressed, further investigations to resolve the grade of the driveway are required. The most significant issue from a traffic perspective, however, is the proposal that driver of the refuse collection vehicle will be required to breach the Australian Road Rules in order to execute the proposed refuse collection for the facility.

Yours sincerely,
MFY PTY LTD

A handwritten signature in black ink, appearing to read 'Melissa Mellen'.

MELISSA MELLEN
Director



2010 NATIONAL WINNER
2010 TELSTRA SOUTH AUSTRALIAN
BUSINESS WOMAN OF THE YEAR

DEEMED PLANNING CONSENT NOTICE

Issued pursuant to section 125 *Planning, Development and Infrastructure Act 2016*

Date of Notice:	21 June 2022
From:	14 Johnston Pty Ltd
To:	Adelaide Hills Council Assessment Panel
Electronic:	Through the PlanSA website

For Development Application:

Development application number	Development application date	Category/classification of development	Development verification date
21031474	12 October 2021	Performance Assessed	12 October 2021

Timeframes Applicable to this Development Application

1. As the relevant authority for this application you were required to determine the development application within 70 business days from the date of the application.¹
2. The time to determine the application lapsed on 9 March 2022
3. As of the date of this Notice the development application has not yet been decided.

You are hereby notified pursuant to section 125(2) of the Planning Development and Infrastructure Act 2016 that planning consent should be granted

4. By operation of section 125 of the *Planning, Development and Infrastructure Act 2016*:
 - a. Planning consent is deemed to be granted on the date this notice is received by you.
 - b. The deemed planning consent will cease to have effect if you, the relevant authority, grant planning consent within 10 days of receiving this notice.
 - c. The deemed planning consent is subject to any standard condition(s) as prescribed by a practice direction issued by the Commission.

Advisory Notes:

1. Attached to this notice is State Planning Commission Practice Direction 11 (Deemed Planning Consent Standard Conditions) 2020, which specifies the standard condition(s) for the purpose of the deemed planning consent.
2. If a relevant authority considers that the relevant application for planning consent should have been refused the relevant authority may apply to the Environment, Resources and Development Court for an order quashing the deemed planning consent.
3. Any application to quash the deemed planning consent must be made within 1 month after the deemed planning consent is taken to have been granted unless the Court, in its discretion, allows an extension of time.

¹ Regulation 53, *Planning, Development and Infrastructure (General) Regulations 2017*.



Standard Conditions of Deemed Planning Consent

	Column 1 – Development	Column 2 – prescribed condition(s)				
Conditions imposed by a referral agency						
1.	Where the application is required to be referred to a prescribed body for the purposes of section 122 of the <i>Planning, Development and Infrastructure Act 2016</i> .	Any condition imposed by the prescribed body pursuant to section 122(5)(b)(ii) of the <i>Planning, Development and Infrastructure Act 2016</i> .				
Ancillary buildings/structures						
2.	Where the application is for or includes an outbuilding, carport, verandah or pergola that is clad in sheet metal, to which General Development Policies – Design in Urban Areas Performance Outcome or Deemed-to-satisfy criteria 16.1 applies.	The structure must be pre-colour treated or painted in a non-reflective colour.				
Noise						
3.	Where General Development Policies – Interface Between Land Uses Performance Outcome or Deemed-to-satisfy criteria 4.1 apply.	Noise affecting sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.				
4.	Where the application is for or includes a swimming pool to which the General Development Policies – Interface Between Land Uses Performance Outcome or Deemed-to-satisfy criteria 4.3 of the Planning and Design Code apply.	Any swimming pool pump and/or filtration system ancillary to a dwelling erected on the same site is: <ul style="list-style-type: none"> a. enclosed in a solid acoustic structure located at least 5m from the nearest habitable room located on an adjoining allotment, or b. located at least 12m from the nearest habitable room located on an adjoining allotment. 				
5.	Where General Development Policies – Interface Between Land Uses Performance Outcome 4.6 or Deemed-to-satisfy Criteria 4.6 of the Planning and Design Code apply.	Development incorporating music includes noise attenuation measures that will achieve the following noise levels: <table border="1" data-bbox="810 1693 1425 1912"> <thead> <tr> <th>Assessment location</th> <th>Music noise level</th> </tr> </thead> <tbody> <tr> <td>Externally at the nearest existing noise sensitive location</td> <td>Less than 8dB above the level of background noise (L_{90,15min}) in any octave band of the sound spectrum (LOCT_{10,15} < LOCT_{90,15} + 8dB)</td> </tr> </tbody> </table>	Assessment location	Music noise level	Externally at the nearest existing noise sensitive location	Less than 8dB above the level of background noise (L _{90,15min}) in any octave band of the sound spectrum (LOCT _{10,15} < LOCT _{90,15} + 8dB)
Assessment location	Music noise level					
Externally at the nearest existing noise sensitive location	Less than 8dB above the level of background noise (L _{90,15min}) in any octave band of the sound spectrum (LOCT _{10,15} < LOCT _{90,15} + 8dB)					

	Column 1 – Development	Column 2 – prescribed condition(s)
Privacy		
6.	<p>Where:</p> <ul style="list-style-type: none"> a. the application proposes a building exceeding 1 storey; and b. the proposed building is sited adjacent to or within a neighbourhood-type zone²; and c. General Development Policies – Design Performance Outcome or Deemed-to-satisfy Criteria 14.1 of the Planning and Design Code applies to the proposed development. 	<p>Upper level windows facing side or rear boundaries shared with another residential allotment/site must:</p> <ul style="list-style-type: none"> a. be permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 200mm or b. have sill heights greater than or equal to 1.5m above finished floor level or c. incorporate screening to a height of 1.5m above finished floor level.
7.	<p>Where:</p> <ul style="list-style-type: none"> a. the application proposes a building exceeding 1 storey incorporating a balcony; and b. the proposed building is sited adjacent to or within a neighbourhood-type zone³; and c. General Development Policies – Design Performance Outcome or Deemed-to-satisfy Criteria 14.2 of the Planning and Design Code applies to the proposed development. 	<p>All sides of balconies or terraces on upper building levels must be permanently obscured to a height of 1.7m above finished floor level prior to occupation of the building, other than where the longest side of the balcony will face a road (including any road reserve) or reserve (including land held as open space) that is at least 15m wide in all places faced by the balcony.</p>
Car Parking and Vehicle Access		
8.	<p>Where the application is for or includes a new car parking area or vehicle access point and to which the General Development Policies – Transport, Access and Parking Performance Outcome or Deemed-to-satisfy criteria 5.1 of the Planning and Design Code applies.</p>	<p>All vehicle car parks, driveways, vehicle entry and manoeuvring areas must be designed, constructed and maintained in accordance with Australian Standards (AS/NZS 2890.1:2004 and AS/NZS 2890.6.2009)</p>

² Neighbourhood-type zone has the meaning defined in Part 8 of the Planning and Design Code

³ Neighbourhood-type zone has the meaning defined in Part 8 of the Planning and Design Code

	Column 1 – Development	Column 2 – prescribed condition(s)
Landscaping		
9.	<p>Where the following provisions of the General Development Policies of the Planning and Design Code apply to the application:</p> <ul style="list-style-type: none"> a. Bulk Handling and Storage Facilities Performance Outcomes or Deemed-to-satisfy criteria 2.1 or 2.2; b. Design Performance Outcomes or Deemed-to-satisfy criteria 3.1, 7.5, 7.6, 9.2, 23.1 or 23.2; c. Design in Urban Areas Performance Outcomes or Deemed-to-satisfy criteria 3.1, 6.5, 6.6, 8.2, 10.1, 10.2, 21.1, 34.1 or 34.2; d. Resource Extraction Performance Outcome or Deemed-to-satisfy criteria 3.2; or e. Tourism Development Performance Outcome or Deemed-to-satisfy criteria 2.2 or 2.4. 	<p>Landscaping must be designed, undertaken and maintained in accordance with the plans and details forming part of the development authorisation.</p>
Waste Storage/Collection		
10.	<p>Where:</p> <ul style="list-style-type: none"> a. the application is for or includes an industry, warehouse, store, retail fuel outlet, depot, or renewable energy facility; and b. General Development Policies – Design Performance Outcome 30.1 or Design in Urban Areas Performance Outcome 42.1 of the Planning and Design Code applies. 	<p>Areas for activities including loading and unloading, storage of waste refuse bins in or wash-down areas used for the cleaning of vehicles, vessels, plant or equipment must be:</p> <ul style="list-style-type: none"> a. designed to contain all wastewater within a bunded and roofed area to exclude the entry of external surface stormwater run-off b. paved with an impervious material c. designed to drain wastewater to either: <ul style="list-style-type: none"> i. a treatment device such as a sediment trap and coalescing plate oil separator with subsequent disposal to a sewer, private or Community Wastewater Management Scheme or ii. a holding tank and its subsequent removal off-site on a regular basis.

	Column 1 – Development	Column 2 – prescribed condition(s)								
Hours of Operation										
11.	<p>Where:</p> <ul style="list-style-type: none"> a. the application is for or includes a consulting room, office or shop; and b. the subject land is located adjacent to a site containing an existing sensitive land use or a neighbourhood-type zone⁴; and c. General Development Policies – Interface Between Land Uses Performance Outcome or Deemed-to-satisfy criteria 2.1 of the Planning and Design Code applies to the proposed development. 	<p>Hours of operation are limited to the following:</p> <table border="1"> <thead> <tr> <th>Class of Development</th> <th>Hours of operation</th> </tr> </thead> <tbody> <tr> <td>Consulting room</td> <td>7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td> </tr> <tr> <td>Office</td> <td>7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td> </tr> <tr> <td>Shop (other than a restaurant)</td> <td>7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday</td> </tr> </tbody> </table>	Class of Development	Hours of operation	Consulting room	7am to 9pm, Monday to Friday 8am to 5pm, Saturday	Office	7am to 9pm, Monday to Friday 8am to 5pm, Saturday	Shop (other than a restaurant)	7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday
Class of Development	Hours of operation									
Consulting room	7am to 9pm, Monday to Friday 8am to 5pm, Saturday									
Office	7am to 9pm, Monday to Friday 8am to 5pm, Saturday									
Shop (other than a restaurant)	7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday									
External Lighting										
12.	Where General Development Policies – Interface Between Land Uses Performance Outcomes 6.1 or 6.2 of the Planning and Design Code apply to the application.	All external lighting must be designed and constructed according to conform to Australian Standard (AS 4282-1997).								
13.	<p>Where:</p> <ul style="list-style-type: none"> a. the application includes car parking for 6 or more vehicles; and b. the application does not limit access to the car park during daylight hours; and c. General Development Policies – Transport, Access and Parking Performance Outcome 6.5 of the Planning and Design Code applies to the application. 	Vehicle parking areas must be provided with floodlit entry and exit points which are operational between the hours of sunset and sunrise.								
Transportable buildings										
14.	Where the application is for or includes a transportable building and General Development Policies – Design Performance Outcome or Deemed-to-satisfy criteria 19.1 of the Planning and Design Code applies to the proposed development.	The sub-floor space beneath the transportable building and ground level must be clad in a material and finish consistent with the building façade.								

⁴ Neighbourhood-type zone has the meaning defined in Part 8 of the Planning and Design Code

	Column 1 – Development	Column 2 – prescribed condition(s)
Temporary Development		
15.	Where an application seeks approval for a temporary development.	On cessation of the temporary development as specified in the application documentation— <ul style="list-style-type: none"> i. the previous use of the land will revive and the use of the land subject to this development authorisation will cease; and ii. any person who has the benefit of the development will restore the land to the state in which it existed immediately before the development.
Regulated and significant trees		
16.	Where the application is for or includes the killing, destruction or removal of a regulated or significant tree.	Either: <ul style="list-style-type: none"> a. Replacement trees must be planted within 12 months of completion of the development at the following rates: <ul style="list-style-type: none"> i. if the development relates to a regulated tree—2 trees to replace a regulated tree; or ii. if the development relates to a significant tree—3 trees to replace a significant tree; or; or b. Payment of an amount calculated in accordance with the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 be made into the relevant urban trees fund (or if an urban trees fund has not been established for the area where the relevant tree is situated, or the relevant authority is the Commission or an assessment panel appointment by the Minister or a joint planning board, the Planning and Development Fund) in lieu of planting 1 or more replacement trees. Payment must be made prior to the undertaking of development on the land.
Division of land in an Environment and Food Production Area		
17.	Where the application is for or includes the division of land in an Environment and Food Production Area	The additional allotments created will not be used for residential development.
Fortifications		
18.	Where the Commissioner of Police determines that a proposed development involves the creation of fortification pursuant to section 124 of the <i>Planning, Development and Infrastructure Act 2016</i> .	The creation of fortifications is prohibited.