

**NSLPP MEETING HELD ON 07/12/2022****Attachments:**

1. Architectural Plans
2. Plan of Management
3. Traffic Impact Assessment and Letter Response
4. BCA Report and Access Report

**ADDRESS/WARD:** 45-51 Ridge Street, North Sydney**APPLICATION No:** DA 241/22**PROPOSAL:** Fit out and use of an existing building as a Centre Based Child Care Facility and Educational Facility (Kindergarten), playgroup location and out of school hours care facility.**PLANS REF:**

Plan No.	Issue	Description	Prepared by	Dated
DA.000	F	Cover Page/Location Plan	Lucy Jackson (Arch)	14/11/22
DA.101	F	Existing & Demo Ground Floor Plan	Lucy Jackson (Arch)	14/11/22
DA.102	E	Existing & Demo - Level 1 Floor Plan	Lucy Jackson (Arch)	08/07/22
DA.103	D	Existing & Demo - Elevation	Lucy Jackson (Arch)	14/11/22
DA.200	F	Proposed – Ground Floor Plan	Lucy Jackson (Arch)	14/11/22
DA.201	F	Proposed – Level 1 Floor Plan	Lucy Jackson (Arch)	14/11/22
DA.202	D	Proposed – South Elevation	Lucy Jackson (Arch)	14/07/22
DA.203	A	Proposed Site Plan	Lucy Jackson (Arch)	14/11/22
DA.300	C	Proposed – Landscape Plan	Lucy Jackson (Arch)	14/11/22
DA.301	A	Proposed – Lift	Lucy Jackson (Arch)	25/08/22

**OWNER:** North Sydney Council**APPLICANT:** Cameragal Montessori School Pty Ltd**AUTHOR:** John McFadden, Consultant Planner  
State Planning Services**DATE OF REPORT:** 29 November 2022**DATE LODGED:** 12 August 2022**RECOMMENDATION:** Approval

## EXECUTIVE SUMMARY

The Applicant seeks development consent from the North Sydney Local Planning Panel (NSLPP) for the fit-out and use of the existing buildings as a centre based child care facility, an education facility (kindergarten), playgroup location and out of school hours care facility on land identified as No. 45-51 Ridge Street, North Sydney, and legally described as Lot 3 in DP 1101874.

**The application is required to be reported to the NSLPP for determination in accordance with Directions of the NSW Minister of Planning. The application is considered to involve a conflict of interest as the proposal will be situated on land owned by Council. The proposed development is also considered sensitive development, as it involves partial demolition of heritage items.**

Notification of the proposal has attracted one (1) submission raising particular concerns about additional traffic congestion in Ridge Street and the cumulative traffic impact in the area with the Marist College development. The assessment has considered these concerns as well as the performance of the application against relevant State Environmental Planning Policies and Council's planning requirements.

The proposal seeks to convert the existing vacant office uses in the heritage listed buildings to the above uses with some internal alterations and external alterations to the rear of the buildings. Council's Conservation Planner has raised no objection to the development as proposed subject to conditions.

Following concerns raised during preliminary assessment of the application, the proposal was amended to incorporate modifications to comply with various guidelines and requirements for Child Care Centres. Due to the generally internal nature of these modifications, the amended proposal was not renotified.

The proposal has been assessed to be generally in accordance with the National Regulations of Child Care Centres 2011, NSW Child Care Planning Guidelines 2017, North Sydney Local Environmental Plan 2013 and North Sydney DCP 2013 Part B, Section 5 - Child Care Facilities.

With regard to Traffic and Parking, the Applicant requested that Council accept the required emergency vehicle and accessible car spaces to be provided off-site. This request is considered feasible, reasonable and acceptable, as accessible spaces can be utilised in the Ridge Street Council carpark. Further, a 'no parking' area adjacent to the proposed facility's entry could be used in the rare event that an emergency vehicle is required to attend the centre.

The Applicant is also sought consideration and acceptance for the zero provision of staff and parent (drop off) spaces. Following review from Council's Traffic Manager it was confirmed that Council can accept this subject to conditions and given that there are no specific requirements outlined under Council policy.

The assessment of the proposed development has considered the concerns raised in any submissions as well as the performance of the application against Council's planning requirements. Following this assessment, and having regard to the provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979* (as amended), the application is recommended for approval given the proposal's compliance to and consistency with the key objectives and controls within the respective SEPPs and under Council policy including NSLEP 2013 and NSDCP 2013, and lack of adverse impacts from the development on adjoining and surrounding properties.



**LOCATION MAP**



† Property/Applicant ● Submitters - Properties Notified

## **DESCRIPTION OF PROPOSAL**

The Applicant seeks development consent for fit-out and use of an existing building as a centre based child care facility, an education facility (kindergarten), playgroup location and out of school hours care facility on land at No. 45-51 Ridge Street, North Sydney.

### **Proposed works**

The proposed works include the following:

- The demolition of some internal walls and partitioning on the ground floor and first floors in addition to removal of ground floor glazing and part of the first floor glazing to the rear conservatory, replacement of existing toilets with new toilets for children and people with disabilities and the installation of a new lift at the rear of the building. New glazing and balustrades are also proposed to the rear of the building.
- Landscaping of the rear garden area is also proposed to provide outdoor play areas.

Specifically, the proposed alterations and additions to the existing building are detailed as follows:

#### **Ground Floor:**

- Demolition of existing internal partitioning to 4 offices and a meeting room and provision of some new partitioning to create a large classroom of 115m<sup>2</sup> on the eastern side of the building, with a room for playgroup sessions and baby education classes on the western side of the building, in addition to an administration/meeting room and staff room;
- The central core of the floorplan, which contains bathrooms, a kitchenette and shower will be upgraded to provide male and female ambulant toilets, three preschool toilets and a new accessible bathroom. The doors to all existing toilets and the kitchenette will be widened to comply with current requirements;
- A new lift is to be installed adjoining the new entry door and lobby at the rear, south western part of the building to make this the preferred entry to the centre;
- Removal of much of the glazing to the rear, southern façade is proposed and it is to be replaced with new BCA compliant glazing and new doors and external sprinklers where required;
- Removal of glazing to the existing rear 'conservatory' structure to enable it to be incorporated into play area;
- Removal of external stairs on the rear southeast corner of the building;
- Install new BCA compliant balustrading to the existing external stairs on the southwest side of the building;
- Demolish a section of the existing wall to James Place to create a new entry gate with security buzzer;
- Install artificial turf, sandpit and play equipment to the rear garden area and soft-fall flooring to the covered conservatory area for outdoor play.

#### **Level 1:**

- Demolition of internal partitioning to two offices and the provision of new partitioning to create a large 'flexible' room of 104m<sup>2</sup> and breakout room, for after school care, on the eastern side of the building, with two, 'flexible' use rooms of 79m<sup>2</sup> and 34m<sup>2</sup> for after school care on the western side of the building;

- The central core of the floorplan, which contains bathrooms, a kitchenette and shower will be upgraded to provide male and female ambulant toilets, two preschool and two standard toilets and a new accessible bathroom. The doors to all existing toilets will be widened to comply with current requirements. This floor level includes a room over 43 Ridge Street which also appears to be used as a part of the Centre;
- Removal of some external glazing to the rear conservatory and the replacement of some glazing with Australian Standard glazing;
- Provision of new sheet metal balustrading to the stairs and first floor decks and balconies to comply with NCC requirements;
- Provision of a new accessible lift;
- Use the rear deck as an outdoor play area of 78m<sup>2</sup>.

There are no modifications proposed to the street facade of the building.

The cost of works of the proposed development is estimated to be \$450,000.00.

### **Centre based child care facility use**

The Child Care Centre (pre-school) part of the proposal seeks to provide mixed preschool and Kindergarten class licenced for a maximum of 31 children (initially) in the 3-6 year age group range. It is noted that in 2024, the school plans to open a transition program for a maximum of 10 children (in the ages 2-3) on the first floor.

The facility is proposed to have a maximum capacity of 41 children (total for child care).

#### **Hours of operation**

The child care centre/kindergarten uses will operate between 8.30am–3:00pm, Monday to Friday only.

#### **Staffing**

Five (5) staff (1 per 10 children) are proposed for the child care centre/kindergarten.

### **Playgroup Use**

Maximum of 30 persons (15 parents and 15 children).

#### **Hours of operation**

9.30am – 11.30am and 1pm -3pm, Monday to Friday only.

#### **Staffing**

1 staff

### **Baby Education Classes**

A maximum of 10 parents and 10 babies

#### **Hours of operation**

1pm -2.30pm, Monday to Friday only.

#### **Staffing**

1 staff

### Out of School Hours Care Use

- Before School
  - maximum of 20 children
  - 7am – 8.30am, Monday to Friday only.
- After School
  - maximum of 20 Children
  - 3pm – 6.00pm, Monday to Friday and 10am to 5pm, Saturdays (for any weekend associated programs)

### Staffing

2 staff

### Facility capacity

In summary, the total number of children, parents and staff at **any one time**, associated with the new use is as follows:

- Maximum 86 children (split as follows: 41 – child care centre, 15 – playgroup, 10 – baby education classes, 20 – before school care, 20 – after school care)
- Maximum 25 parents (playgroup and baby education classes only)
- Maximum 9 staff (split as follows: 5 – child care centre, 1 – playgroup, 1 – baby education classes, 2 – before/after school care)



Figure 1: Site Plan (extract from the SEE report)





Figure 2: Ridge Street elevation, no alterations are proposed for the front (street/heritage) façade

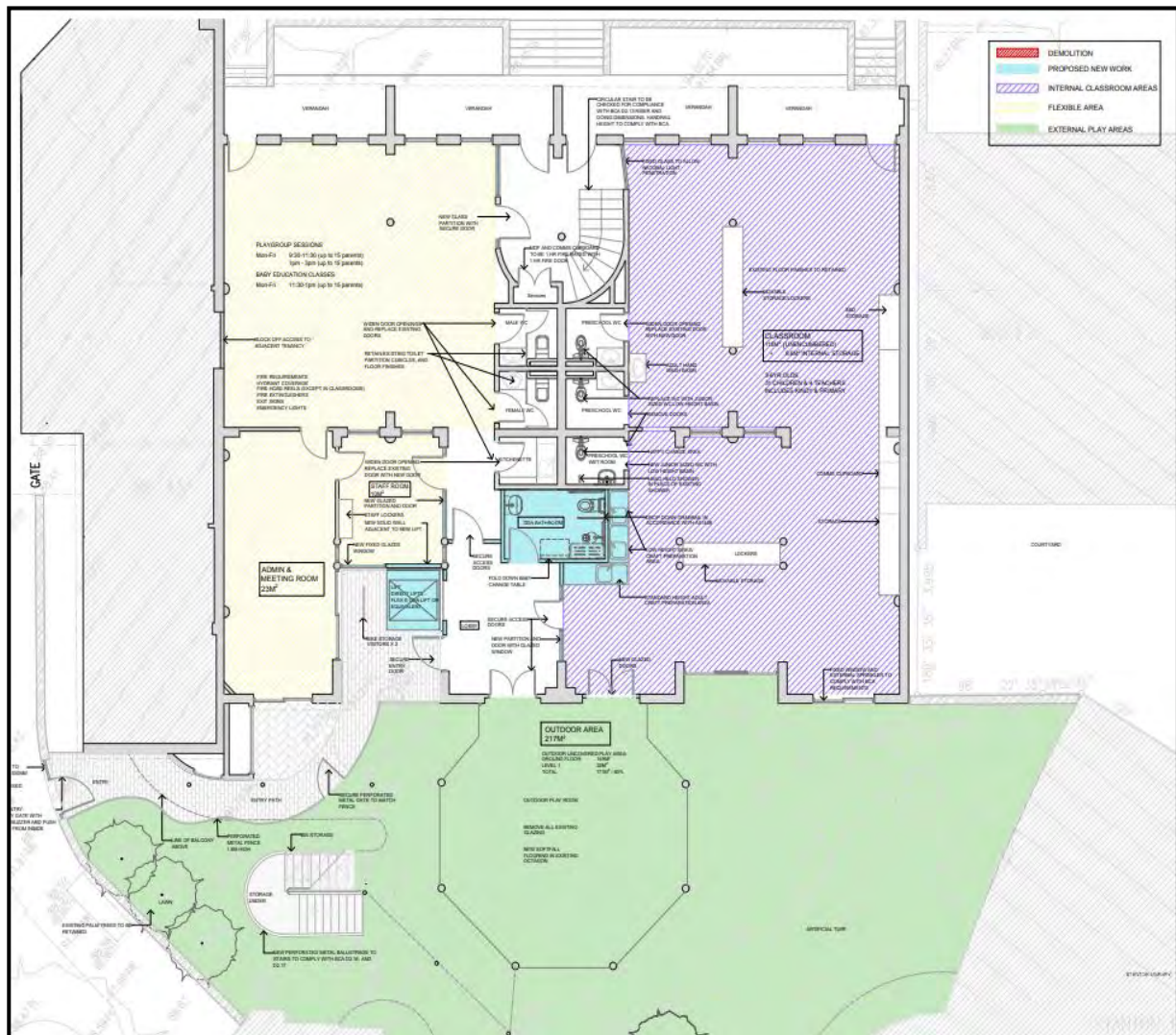


Figure 3: Proposed Amended Ground Floor Plan (Extract from Architectural Plan DA. 200 – Lucy Jackson Architect)



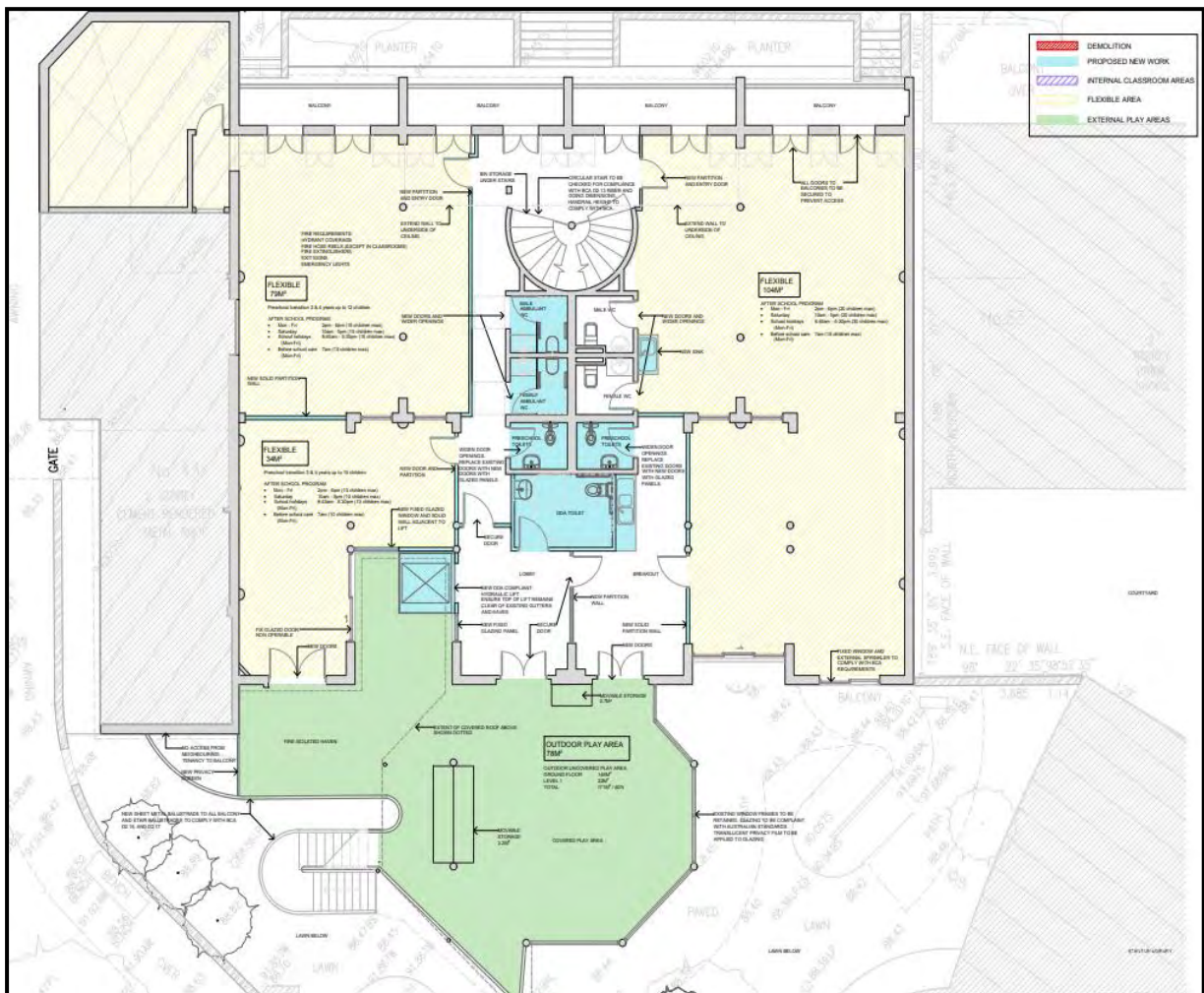


Figure 4: Proposed Amended First Floor Plan (Extract from Architectural Plan DA. 201 – Lucy Jackson Architect)



Figure 5: Proposed South (rear) Elevation (Extract from Architectural Plan DA.202 - Lucy Jackson Architect)

## STATUTORY CONTROLS

*Environmental Planning and Assessment Act 1979* (as amended)  
Environmental Planning and Assessment Regulation 2021

North Sydney Local Environmental Plan 2013 (NSLEP 2013):

- Zoning - B4- Mixed Use
- Clause 5.10 – Heritage conservation:
  - Heritage Items (Nos. I0973, I0974, I0975 & I0976) and in vicinity of Items
  - Conservation Area No. 19 (McLaren Street CA)

State and regional environmental planning policies:

- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021.
- State Environmental Planning Policy (Industry & Employment) 2021
- SEPP (Building Sustainability Index: BASIX) 2004
- Education and Care Services National Regulations 2011
- Child Care Planning Guidelines 2017

## POLICY CONTROLS

North Sydney Local Infrastructure Contributions Plan 2020  
North Sydney Development Control Plan 2013 (NSDCP 2013)

## DESCRIPTION OF SITE AND LOCALITY

The subject site consists of four (4) heritage listed terrace houses which is contained within a much larger Civic Precinct, Lot 3 DP 1101874, owned by North Sydney Council and occupied by Stanton Library, North Sydney Council Offices, tennis courts, shops and a number of other community facilities. The four heritage terrace houses which form the building, subject of this application, are approximately 20m in width with a building depth of approximately 15m and an irregular shaped garden area extending between 9.5-11.5m to the rear.

Adjoining site to the east is a two-storey row of ‘modern’ terraces containing shops on the ground floor, to the west a part one part two storey commercial building, whilst to the rear is the Stanton Library complex. To the north and opposite across Ridge Street is St Mary’s Church.

## RELEVANT HISTORY

The terraces were originally constructed c1882.

### Previous applications/history

<b>Date</b>	<b>Action</b>
C1882.	Erection of the terrace of four houses at 45-51 Ridge Street and the shop at No. 43
1938	BA344- Approval for alterations and additions to convert the dwellings to flats
1948	The property was resumed by North Sydney Council in 1948 as part of a large-scale civic improvement scheme.
1982	The Inter-War street façade (from the 1938 alterations) was modified and the original late Victorian Italianate style of the original façade reinstated.

The terraces at 45-51 Ridge Street have been occupied by a number of commercial uses and *'The interiors of the former terraces have been heavily altered and extended towards the rear.'* (Heritage Officer's report).

### **Pre-lodgement Meeting- 24 March 2022**

A pre-lodgement meeting was held with representatives of the Montessori School and Council Officers to discuss the proposal prior to lodgement.

The issues raised were:-

- 1) Permissibility within the zone;
- 2) Building Heights (Clause 4.3 NS LEP 2013);
- 3) Heritage Conservation (Clause 5.10 NS LEP 2013);
- 4) North Sydney Policy Controls;
- 5) North Sydney Local Planning Panel (NSLPP);
- 6) Traffic & Parking;
- 7) Building Code of Australia (BCA) requirements;
- 8) Acoustic Assessment;
- 9) Contamination Assessment;
- 10) Architectural Plans;
- 11) National and State Child care Centre Laws and Guidelines;
- 12) Plan of Management.

The above issues have been either adequately addressed in the Applicant's development application and subsequent amended plans and details, or addressed within this report and appropriate conditions recommended.

### **Current Application - DA 241/22**

<b>Date</b>	<b>Action</b>
12 August 2022	DA lodged for fit out and use as a centre based child-care facility, an education facility (kindergarten), play group location and out of school hours care facility.
22 August 2022	A Stop the Clock letter was issued to the Applicant requesting further details on the lift and kitchen cooking facilities be provided via additional information/amended plans.
26 August 2022	The Applicant provided additional information in response to the Stop the Clock letter.
26 September 2022	A Request for Information (RFI) letter was provided to the Applicant requesting provision of an acoustic report.
26 September 2022	The Applicant provided an acoustic report in response to the RFI letter.
4 November 2022	Additional Information requested relating to provision of internal facilities to comply with Child Care Guidelines and additional Traffic modelling and information.
15 November 2022	Additional Information and amended plans were received.



## INTERNAL REFERRALS

### BUILDING – 26 October 2022

Council's Senior Building Surveyor provided the following comments:-

*'The building is classified by the NCC BCA as a class 5 and 9b building of Type A construction.*

*The application is supported by an Access Assessment Report dated 22 July 2022 prepared by BCA Access which concludes that the proposed design either complies or can comply with the NCC BCA and Disability (Access to Premises – Buildings) Standards 2010.*

*The application is also supported by a BCA Assessment Report dated 22 July 2022 prepared by BCA Logic which concludes that the proposed design can comply with the NCC BCA.*

*Given the change of use and scale of the proposed works upgrade of the building is required pursuant to Clause 64 of the Environmental Planning & Assessment Regulations 2021.*

*It is recommended that the building be upgraded in accordance with the recommendations contained within the BCA Assessment Report dated 22 July 2022 prepared by BCA Logic however it should be noted that the BCA Report proposes changes to the building fabric and as such it is recommended that the BCA Report be provided to Council's Conservation Planner for their review and comment prior to DA determination.*

*Generally, the proposed development is able to comply with the NCC BCA 2019, Volume 1.*

*A detailed assessment of compliance with the Building Code of Australia 2019 will be undertaken by an appropriately registered certifier at the Construction Certificate Stage of the proposed development.*

*It is recommended the following standard Conditions be adopted: '**Standard Condition "F1"**.*

#### ***National Construction Code***

*All building work must be carried out in accordance with the provisions of the National Construction Code.*

*(Reason: Prescribed - Statutory)*

**Standard Condition “C10”.**

***Upgrade of existing building – Fire Spread and Safe Egress***

*Pursuant to clause 64 of the EP&A Regulation 2021, aspects of the existing building must be brought into conformity with the National Construction Code (NCC).*

*Work must be carried out as part of the development so as to upgrade the building to bring it into compliance with the following:*

- *BCA Assessment Report No. 115008-BCA-r1 dated 22 July 2022 prepared by BCA Logic.*

*Plans and specifications showing the upgrading works which must be carried out under this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate.*

*Notes:*

- 1) The Certifying Authority must be satisfied that the plans and specifications submitted prior to the issue of any Construction Certificate comply with the requirements of this condition.*
- 2) The Certifying Authority issuing the Construction Certificate has no power to remove the requirements to upgrade the existing building as required by this condition.*
- 3) Where this condition specifies compliance with the performance requirements of the BCA, the Certifying Authority, subject to their level of accreditation, may be satisfied as to such matters.*

*(Reason: Application of Regulations relating to Fire and Life Safety)*

**Standard Condition “C16”.**

***Provision of Accessible Paths of Travel***

**C16** *Access to and throughout the building must be designed and constructed to provide access and facilities in accordance with the Building Code of Australia and Disability (Access to Premises – Buildings) Standards 2010. Plans and specifications complying with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.*

*Notes:*

- 1. If, in complying with this condition, amendments to the development are required, the design changes must be submitted for the approval of Council prior to a Construction Certificate being issued. Approval of a modification application may be required.*
- 2. It is not within Council’s power to set aside National legislation which requires the upgrade of buildings to meet modern access standards. Such decisions remain the jurisdiction of the Building Professionals Board Access Advisory Committee who may grant an exemption in certain exceptional circumstances.*

3. *Information on making an application for an “unjustifiable hardship exemption” under the accessibility standards can be found in the website of the NSW Building Professional Boards at <http://www.bpb.nsw.gov.au/page/premises-standards>*

*(Reason: To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards)*

**Planning comment:** The above comments are noted and concurred with. Any recommended conditions will be included should consent be granted.

#### **ENVIRONMENTAL HEALTH – 4 October 2022**

Council’s Environmental Health Team provided the following comments:

*‘The proposal seeks change of use from commercial to early learning. The site is known as 45-51 Ridge Street, North Sydney and is Council owned.*

##### *Contamination*

*The provided limited Environmental Assessment report states that contamination soil testing was required of the landscaped areas of the site. The report states that soil sampling and analysis concluded that no physical evidence of contamination associated with shallow soils was encountered.*

*One exceedance of PAH (benzo(a)pyrene TEQ) was identified, with the concentration marginally exceeding relevant criteria. The risk posed by the marginally elevated concentration of the stated parameter to both human and ecological receptors is considered to be negligible, on the basis of the placement of artificial turf on the site. The installation of artificial turf must be conditioned such that all subject grassed areas must be covered with artificial turf to ensure there is no contact with the soil by children, workers, and occupants at the site.*

##### *Acoustic/noise impacts*

*The provided acoustic report presents an assessment of operational noise impacts and traffic noise intrusion into the proposed use.*

*The reports states noise amelioration measures will be incorporated into the development to ensure noise emitted from the operational usage of the outdoor and indoor areas complies with project specific operational noise limits. The report indicates appropriate controls can be incorporated into the existing external doors to ensure ingress of external noise into the centre complies.*

*Recommendations are outlined for acoustic treatments to the existing façade, the internal inter-connecting door on level 1 and operational measures for outdoor areas, including limiting the number of children in the outdoor play areas at any one time to 37 on the ground floor and 10 on level 1, and no music in any outdoor area. Compliance with all recommendations outlined in the acoustic report shall be conditioned as per the standard condition below. No music or amplified sound in any outdoor area at any time must be conditioned. Please note highlighted text for additions and/or amendments to standard wording.*

Recommendation

*Supported, subject to the following recommended conditions imposed:*

**Sediment Control**

- C6. *Where construction or excavation activity requires the disturbance of the soil surface or existing vegetation, erosion and sediment control techniques, as a minimum, are to be in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom, 2004) commonly referred to as the "Blue Book" or a suitable and effective alternative method.*

*A Sediment Control Plan must be prepared and submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate and prior to any works commencing. The Sediment Control Plan must be consistent with the Blue Book and disclose:*

- a) All details of drainage to protect and drain the site during the construction processes;*
- b) All sediment control devices, barriers and the like;*
- c) Sedimentation tanks, ponds or the like;*
- d) Covering materials and methods; and*
- e) A schedule and programme of the sequence of the sediment and erosion control works or devices to be installed and maintained.*
- f) Methods for the temporary and controlled disposal of stormwater during construction.*

*All works must be undertaken in accordance with the approved Sediment Control plan.*

*The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.*

*(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)*

**Noise from Plant and Equipment**

- C14. *The use of all plant and equipment installed on the premises must not:*

- (a) Contribute an LAeq(15min) which will cause the total LAeq(15min) from all plant and equipment operating contemporaneously on the site or in the strata scheme or in the mixed strata schemes to exceed the RBL by more than 5dB when measured at the boundary of any affected receiver. The modifying factor adjustments in the EPA Noise Policy for Industry shall be applied.*
- (b) cause "offensive noise" as defined in the Protection of the Environment Operations Act 1997.*

*“affected receiver” includes residential premises (including any lot in the strata scheme or another strata scheme), premises for short-term accommodation, schools, hospitals, places of worship, parks and such other affected receiver as may be notified by the Council in writing. “boundary” includes any window or elevated window of an affected receiver.*

*Terms in this condition have the same meaning as in the Noise Guide for Local Government and the Noise Policy for Industry published by the NSW Environment Protection Authority.*

*(Reason: To maintain an appropriate level of amenity for adjoining land uses)*

### **Compliance with Acoustic Report**

- C15. *All recommendations contained in the acoustic report prepared by Renzo Tonin & Associates, dated 30 July 2022, must be implemented during construction, and use of the development as an on-going requirement.*

*A statement from an appropriately qualified acoustical consultant eligible for membership of the Association of Australasian Acoustical Consultants, certifying that the acoustic mitigation measures outlined in the above stated report and any further detailed acoustic review of all mechanical plant, have been suitably incorporated into the development, and that relevant noise criteria have been satisfied, must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate.*

*The Principal Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.*

*(Reason: To maintain an appropriate level of amenity for adjoining land uses)*

### **Installation and Maintenance of Sediment Control**

- E14. *Erosion and sediment controls must be installed and maintained at all times in accordance with the Sediment and erosion control plan submitted and approved with the Construction Certificate.*

*Erosion and sediment measures must be maintained in accordance with the publication Managing Urban Stormwater: Soils & Construction (4th edition, Landcom, 2004), commonly referred to as the “Blue Book” and can only be removed when development activities have been completed and the site fully stabilised.*

*(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)*

***Sediment and Erosion Control Signage***

*E15. A durable sign, must be erected during building works in a prominent location on site, warning of penalties should appropriate erosion and sedimentation control devices not be maintained. A sign of the type referred to in this condition is available from Council.*

*(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)*

***G4. Noise Certification***

***I7. Noise and Vibration Impact***

***I8. Noise and Vibration Impact (Compliance)***

***I10. Waste Collection***

***111. Delivery Hours***

***No music or amplified sound***

*I4. No music or amplified sound is to be played in any outdoor area at any time.*

*(Reason: To maintain an appropriate level of amenity for adjoining land uses)*

***Artificial Turf***

*C19. All grassed areas must be covered with artificial turf to ensure there is no contact with the soil*

*(Reason: To protect children and users of the development in general from exposed soil)*

**Planning comment:** The above comments are noted and concurred with. Any recommended conditions will be included should consent be granted.

**HERITAGE – 2 November 2022**

Council's Conservation Planner reported on the proposal and made the following recommendations:

*'Recommendations and Conclusion*

*With reference to the above, an assessment of the proposed works at 45-51 Ridge Street has been undertaken in relation to NSLEP 2013 Clause 5.10 Heritage conservation and NSDCP 2013 Part B s13.6 Heritage and Conservation Areas and the relevant Area Character Statement for the site in NSDCP 2013 Part C: s2.2. The proposed works will not adversely impact on the significance of the subject heritage items nor adversely impact on the nearby McLaren Street and Holtermann Estate A conservation areas. The proposed works are supported on heritage grounds subject to conditions recommended as follows:*

Non-standard conditions:

1. *That existing fabric relating to the earlier building and including the nib walls and bulkheads are to remain in situ. Additionally, a conservation schedule for the ongoing care of the building is to be prepared including the investigation and implementation of a new colour scheme picking up a traditional colour scheme to enhance its contribution to the streetscape character of Ridge Street.*
2. *That the proposed lift structure is to remain clear of the eaves so as not to disrupt the understanding of the traditional roof form. Details are to be submitted to Council for the approval of Council's Conservation Planner.*

Standard conditions

3. **A4 – No demolition of extra fabric**
4. **C8 – Colours finishes and Materials (Heritage items)**
5. **E5 – Removal of extra fabric**

*(Reason: To protect the character and significance of the heritage item and its setting within the vicinity of the nearby heritage items)*

**Planning comment:** The above comments are noted and concurred with. Any recommended conditions will be included should consent be granted.

**TRAFFIC – 4 November 2022**

Council's Traffic Manager reviewed the proposed development and provided the following commentary:

***'Traffic Generation'***

*'However, the report has not considered and not included in the SIDRA modelling, the traffic movement into access driveway of St Marys Primary School, located on the northern side of Ridge Street, during school drop off / pick up times.'*

*'There have been reports to Council on traffic congestion issues in Ridge Street partially caused by traffic into the school during school drop off / pick up times.'*

***'Parking Provision'***

*'The development does not propose any car parking spaces which is compliant with Council's DCP, since there is no minimum parking requirement.'*

***'Loading and Servicing Facilities'***

*'There is no requirement for provision of loading facilities for childcare centres. The development does not propose any loading and servicing facilities which is compliant with Council's DCP. The report relies on the utilisation of existing Loading Zone in Ridge Street close to Miller Street.'*

### ***Bicycle Parking***

*Council's DCP specifies that all new development is to provide on-site, secure bicycle parking facilities.*

*The minimum required bicycle space for childcare centres is 1 bicycle parking space per 10 staff (1.5) and 2 bicycle parking space per centre (2). Therefore, the minimum required bicycle spaces for this development are 4.*

*The proposed development does not provide any formal bicycle spaces and relies on the available on-street bicycle spaces in Ridge Street which does not comply with Council's DCP.*

### ***'Drop off and pick up of Children'***

*'The proposed development does not provide any designated disabled access space and designated emergency vehicle space on site.*

*The report also does not address any of the above requirements.'*

### ***Conclusion***

*It is recommended that the proposed development is not supported until the Applicant addresses the following:*

- 1. The amended report incorporates the cumulative traffic impact of St Marys Primary School, located on the northern side of Ridge Street, during school drop off / pick up times in the SIDRA modelling and resubmit to Council for review.*
- 2. The proposed development to provide one designated disabled access space within the site boundaries to comply with Council's DCP, Section 5 "Child Care Facilities".*
- 3. The proposed development to provide one designated emergency vehicle space within the site boundaries to comply with Council's DCP, Section 5 "Child Care Facilities".*
- 4. Detailed design and location of proposed bicycle spaces be shown on final plans and be submitted to Council for review.*

*Should the development be approved, the following conditions of consent are recommended:*

- 1. That a Construction Management Plan be prepared and submitted to Council for approval by the North Sydney Traffic Committee prior to the issue of the Construction Certificate. Any use of Council property shall require appropriate separate permits/approvals.*



2. *Council will not take into consideration any future requests for on-street drop off/pick up facilities benefitting this development if the development is in shortage of drop off/pick up facilities.*
3. *Council will not consider any future requests for provision of on street Loading Zone benefitting this development if the development is in shortage of Loading Zone facilities.*

**Planning Comment:**

The Applicant was advised of the traffic issues raised in the Traffic Engineers report and provided a report by McLaren Traffic Engineering dated 15 November 2022 which addressed the concerns as follows:

- 1) Additional SIDRA modelling data was provided;
- 2&3) In relation to the requirements to provide a disabled space and emergency space, the report cited Council's DCP – Child Care Centres Section 5.9 Drop off and pick up of Children:-

*'P2 In addition to P1 above, **one designated disabled access and one designated emergency vehicle space must be provided** on site in the R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential, SP2 Infrastructure (Educational Establishment) and E4 Environmental Living zones, **and within close proximity in the B1 Neighbourhood Centre, B3 Commercial Core, B4 Mixed Use and IN2 Light Industrial zones (e.g. on-street directly adjacent to the centre).**' (Emphasis in bold)*

The Applicant contends that the disabled and emergency spaces are only required within close proximity of the centre as it is within a B4 Mixed Use zone and from the above, this would appear to be the case. The example given of 'on-street directly adjacent to the centre' also acknowledges the spaces do not have to be 'on-site but can also be 'on-street'. There are 4 accessible spaces within the Council's Ridge Street Carpark adjacent and 2 of those are on the ground floor.

It is also suggested that Emergency vehicles will park where they wish however there is a 'no parking' space at the end of James Place which would be adjacent to the main entry if an emergency arose. (It is also noted a 'no stopping' space exists opposite in Ridge Street which could be used in emergencies).

- 4) With regard to bicycle spaces, two spaces have been provided on the amended plans.

**It is considered the Applicant has reasonably addressed the four concerns raised by the Traffic Engineer.**

In relation to the three (3) recommended conditions of consent:-

- 1) The requirement for a Construction Management Plan is reasonable and will be imposed on any consent granted

- 2) This condition is moot as whilst no drop off/pick up spaces are proposed, Nth Sydney DCP Section 10 – Car Parking and Transport, *Table B-10.3 – Parking rates for specific non-residential uses* lists the spaces required for ‘staff’ and ‘parents’ (drop off/pick up) as ‘**maximum parking rates**’ not minimum rates, and so a zero provision would also be compliant. The Traffic Engineer acknowledges this in his report where he states:- ‘*The development does not propose any car parking spaces which is compliant with Council’s DCP*’, therefore, as there is no ‘shortage’ of spaces the requirement for this condition is considered unnecessary.

The lack of any drop off/pick up spaces provided within the site is not considered ideal; however, noting the constraints of the site and unique context and setting, and the inability for providing leased spots in the Ridge Street car park for the new facility, some flexibility and further consideration of alternatives to manage drop off/pick up periods, may be applied.

Council’s Manager – Engineer and Property Services suggested to the Traffic Engineer the following possible options to resolve the above:

*There are two options that could be considered:*

*Option 1: At present there are 3 x metered 1P parking spaces directly in front of the four terraces and it would be feasible to use these spaces as short term drop off/pick up parking spaces during the morning and afternoon peak period when parents are dropping off and collecting their children. The spaces can then revert to 1P parking at other times. This is the preferred option for Council; however, it is noted that this would need the North Sydney Traffic Committee consultation and approval.*

*Option 2: At the discretion of Council’s Director – Engineering and Property Services, the grace period for entry and exit from the Ridge Street car park may be extended to at least 15 minutes to allow sufficient time for drop off/pick up. Option 2 would only be made available to the facility if the Traffic Committee refuses Option 1.*

It must be noted that these options were not supported by the Traffic section as these were seen to be setting a precedent for similar development and raised safety concerns with the use of Councils carpark for the dropping off of students.

- 3) There appears to be no requirement for a loading facilities/space for a Child Care Centre and although some deliveries would occur, they would be less frequent than a retail use of the premises and the building has had previous commercial uses in it for some years. It is considered this condition is also unnecessary and at any rate, such a request would have to be made to the North Sydney Traffic Committee for their consideration.

Councils Traffic section also opined that the application should be referred to the RMS as it results in additional traffic generation near a signalised intersection. There is no statutory requirement for the to occur and experience has shown that the RMS is less than inclined to provide comment into matters where formal referral is not required. It should also be noted that the site is incapable of further expansion and that both Marist Brothers (approved student population 2074) and Wenona (student population c1200) would have far greater influence on traffic issues in Ridge Street and its intersection with Miller Street.

It is considered that any concerns raised by Council's Traffic Manager may be resolved through the imposition of conditions, should consent be granted.

## **MANAGER – COMMUNITY DEVELOPMENT**

### **First report - 27 October 2022**

Council's Manager – Community Development provided the following report/comments:

*'The following documents were used to assess the DA documentation provided:*

- *Education and Care Services National Regulations 2011.*
- *North Sydney Council's Development Control Plan (DCP) 2013 (Section 5: Child Care Centres and Section 10: Car Parking and Transport).*
- *NSW Child Care Planning Guidelines 2017.*

*This development application must comply with Part 4.3 Physical Environment of the Education and Care Services National Regulations 2011 and Sections 5 and 10 of North Sydney Council's DCP 2013. For best practice, the design of the service should also reflect the recommendations noted in the NSW Child Care Planning Guidelines 2017.'*

### **SUMMARY**

*The following points are significant to the design and construction of a NSDCP compliant early childhood service and were deemed to be non-compliant. These points are as follows:*

- *5.3 Siting P2 - Fire isolated haven - This needs to be clearly identified on the floor plan.*
- *5.4 Capacity and Composition P1 - Places- It is unclear as to the intention of the Applicant around the number of places to be provided each day. The outdoor space requires a landscape plan in order to identify the total unencumbered floor space and then a determination on the capacity for enrolments can be made.*
- *5.4 Capacity & Composition P4 - Staff to children ratio - Plan of management needs to be provided in order to confirm Applicant has a clear understanding of the ratios for all age groups.*
- *5.7 Safety & Security P1 - Onsite parking spaces - No parking provisions have been made for staff or families.*
- *5.7 Safety & Security P2 - Lift position - does not open into an area in the direct vision of the staff in any room. There is no office, making it possible for unmonitored entrance and exit of the building.*
- *5.7 Safety & Security P2 - Entrance gate - Leads into the outdoor area with pathways leading to multiple areas. There is no catchment area for children.*
- *5.9 Drop off & pick up of children P2 - The plan does not indicate a designated emergency vehicle space.*
- *5.10.1 P2- Staff space- There is no provision for staff space, including office, staff room or private meeting space.*
- *5.10.3 Outdoor space P5 - indicates that the 2 playgrounds which have a southerly aspect may not receive a minimum 2 hours direct sunlight.*
- *5.10.3 Outdoor space P10 - No landscaping plan has been submitted.'*

(The report also assessed the proposal against the NSW Child Care Planning Guidelines 2017, and some issues were identified which also required attention).

**Initial Planning Comment:** The above concerns with compliance with NS DCP and NSW Child Care Planning Guidelines were conveyed to the Applicant in a RFI letter dated 4 November 2022. The Applicant responded with amended plans and details on 15 November 2022.

## **Second Report - 22 November 2022**

Manager Community Development provided the following additional comments:-

*'I have reviewed the amended plans which have been assessed against the Child Care Planning Guidelines NSW 2017.*

*I am satisfied in large part with the provisions which are now shown on the updated architectural plans.*

*There are a couple of outstanding issues which I am recommending become a condition of consent before a construction certificate is issued*

- *4.7 The internal stair has been noted to be upgraded to comply with BCA D2.13*
- *A risk assessment to be carried out as a condition of consent.*
- *4.8 An Emergency and Evacuation Plan to be provided as a condition of consent'*

**Planning Comment:** The above issues would be included as conditions with any consent granted.

## **SUBMISSIONS**

### **Original proposal**

On 26/08/2022, Council notified adjoining properties and the Stanton Precinct of the proposed development seeking comment between 26/08/2022 - 09/09/2022. Council received one (1) submission. The matters raised in the submission are listed below:

The original submission may be viewed by way of DA tracking on Council's website [https://www.northsydney.nsw.gov.au/Building\\_Development/Current\\_DAs](https://www.northsydney.nsw.gov.au/Building_Development/Current_DAs) and is available for review by NSLPP members.

### **Basis of Submissions**

- There will be an additional 67 cars per day using an already highly congested local road (Ridge Street), both during the week and on weekends.
- Residents of Ridge Street already find it extremely difficult to leave and enter our driveways in mornings and afternoons due to school buses and parents dropping their children off to existing schools in Ridge Street (St Mary's Campus junior school and Marist Catholic College).
- Drivers also use Ridge Street as a through road for dropping off children to Wenona School and Monte Sant Angelo Mercy College. Due to these private cars, Ridge Street becomes a virtually non-moving car park every day, much to the frustration of Ridge Street residents;
- Council will also be aware of the enormity of the current DA submitted by the Marist Catholic College which has been noted of "State Significance" which will add substantially to the traffic problems currently experienced in Ridge Street.



<p>(a) location;</p> <p>(b) indoor or outdoor space</p> <p>(c) site area and site dimensions</p> <p>(d) colour of building materials or shade structures</p>	<p>Complies</p> <p>Indoor space complies Outdoor space complies</p> <p>Site area and dimensions comply</p> <p>Yes</p>	<p>Located on ground and 1<sup>st</sup> floors.</p> <p>Heritage items however no structural changes proposed to the existing street façade. Heritage conditions provided by Council’s Heritage Officer in relation to colour schemes and finishes.</p>
<p>3.27 Centre-based child care facility—development control plans provisions: - DCP requirements that relate to the following matters cannot be applied to CCC’s:-</p> <p>(a) operational or management plans or arrangements (including hours of operation),</p> <p>(b) demonstrated need or demand for child care services,</p> <p>(c) proximity of facility to other early education and care facilities,</p> <p>(d) any matter relating to development for the purpose of a centre-based child care facility contained in—</p> <p>(i) the design principles set out in Part 2 of the Child Care Planning Guideline, or</p> <p>(ii) the matters for consideration set out in Part 3 or the regulatory requirements set out in Part 4 of that Guideline (other than those concerning building height, side and rear setbacks or car parking rates).</p>		<p>The SEPP overrides any NS DCP requirements in relation to the specified controls</p>

**State Environmental Planning Policy (Biodiversity and Conservation) 2021**

(Formerly SREP (Sydney Harbour Catchment) 2005 and SEPP - Vegetation in Non-Rural Areas, 2017)

The new State Environmental Planning Policy (Biodiversity and Conservation) 2021 supersedes the provisions of the former SREP (Sydney Harbour Catchment) 2005, however, the current proposal would not appear to offend the relevant provisions of the SEPP due to the nature of the proposed development as the building is not likely visible from the harbour and negligible impacts on the scenic quality and the ecology of Sydney Harbour and its foreshores are expected.

State Environmental Planning Policy (Biodiversity and Conservation) 2021 has also replaced State Environmental Planning Policy (Vegetation in Non-Rural Areas) (Vegetation SEPP) however the new SEPP contains similar provisions for the regulation of clearing of native vegetation on urban land and land zoned for environmental conservation/management both with and without requiring development consent.

The site is largely developed with 3 palm trees onsite in the rear yard/garden to be retained.

### **State Environmental Planning Policy (Resilience and Hazards) 2021**

State Environmental Planning Policy (Resilience and Hazards) 2021 has replaced State Environmental Planning Policy No. 55 (SEPP 55), however, the new SEPP contains the same provisions that requires the consent authority to consider the likelihood of contamination on the site together with the need for remediation and to address the methods necessary to remediate the site. The proposal does not propose any excavation or earthworks.

The property, which was originally a row of Victorian terrace houses, has more recently been used for office uses.

The Environmental Assessment report, prepared by *RARE Environmental Pty Ltd* carried out some soil sampling and found one area of concern.

The report concluded:-

*'The findings of the limited EA support the following conclusions:*

- *No physical evidence of contamination or aesthetic impacts (odours/staining etc) associated with shallow soils (<0.2mbgl) was encountered.*
- *One exceedance of PAH (benzo(a)pyrene TEQ) was identified in sample BH3-A. The concentration of 3.6mg/kg marginally exceeded both the ESL SAC (1.4mg/kg) and HIL (3mg/kg).*
- *On the basis of the placement of the artificial turf, the risk posed by the marginally elevated concentration of benzo(a)pyrene TEQ at BH3-A to both human and ecological receptors is considered to be negligible.*

*The findings support the conclusion that the site, limited to the landscaped area at the rear of the property which formed the focus of this limited EA, is suitable for the proposed change of use to an early learning centre.'*

Council's Environmental Officer reviewed the report and recommended that:-

*'The installation of artificial turf must be conditioned such that all subject grassed areas must be covered with artificial turf to ensure there is no contact with the soil by children, workers, and occupants at the site.'*

**State Environmental Planning Policy (Industry & Employment) 2021**

State Environmental Planning Policy (Industry and Employment) 2021 has replaced State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64) and the previous provisions have been carried over to the new State Policy.

No signage is proposed under the current application.

**Education and Care Services National Regulations 2011**

The *Education and Care Services National Regulations 2011* provide details on a range of operational requirements for education and child care service establishments.

Council’s Manager Community Development reviewed the proposal against the regulations and initially found a number of issues which required modifications to the development proposal, the Applicant was advised and addressed the issues with modified plans and amended information.

**NSW Child Care Planning Guidelines 2017**

The Guideline aligns NSW planning controls with the *Education and Care Services National Law 2010, Regulations 2011* and the ‘*National Quality Framework*’ for Child Care Centres.

Council’s Manager Community Development reviewed the proposal against the Guidelines and, as mentioned above, found a number of issues which have now been addressed by the amended plans and details submitted on 15 November 2022, and noted in the table below.

<b>CONSIDERATIONS FROM THE CHILD CARE PLANNING GUIDELINES (CCPG) NSW 2017: (Performance to the guidelines of amended plans in emphasized in bold)</b>	
<p><b>4.1</b> Indoor Space                      Requirements: Storage areas including joinery units are not to be included in the calculation of indoor space. To achieve a functional unencumbered area free of clutter, storage areas must be considered when designing and calculating the spatial requirements of the facility. It is recommended that a childcare facility provide:</p> <ul style="list-style-type: none"> <li>• a minimum of 0.3m<sup>3</sup> per child of external storage space</li> <li>• a minimum of 0.2m<sup>3</sup> per child of internal storage space.</li> </ul>	<ul style="list-style-type: none"> <li>• Lockers are not noted on the architectural plan for any areas - <b>Now provided - compliant</b></li> <li>• No storage areas are identified in any indoor spaces nor in the outdoor areas - <b>Now provided - compliant</b></li> <li>• No shelving is identified for the placement of materials accessible to children - <b>Now provided - compliant</b></li> <li>• Bed storage is not included and although children attending may not require a regular day sleep, there has47 been no provision for a child who becomes unwell whilst in attendance or a child who may require a day sleep from time to time. - <b>Now provided - compliant</b></li> <li>• A craft preparation area has not been identified - <b>Now provided - compliant</b></li> </ul>



<p><b>4.2</b> Laundry and Hygiene facilities: A service must provide laundry facilities or access to laundry facilities or make other arrangements for dealing with soiled clothing, nappies or linen, including hygienic facilities for storage prior to their disposal or laundering.</p>	<ul style="list-style-type: none"> <li>• No on-site laundry facilities have been provided.</li> <li>• No mention of external laundry facilities has been made and there is no provision for the storage of soiled clothing prior to disposal or laundering.</li> </ul> <p><b>Laundry facilities have been added to the architectural plans in the external storage area. There is existing provisions already in the location from previous tenant. Soiled clothing will be bagged and stored in laundry - compliant</b></p>
<p><b>4.3</b> Toilet and Hygiene facilities: A service must ensure that adequate, developmentally and age- appropriate toilet, washing and drying facilities are provided for use by children being educated and cared for by the service.</p>	<ul style="list-style-type: none"> <li>• 2 child toilets have been included in the design of the upstairs area and 3 child toilets included downstairs.</li> <li>• An adult handwashing basin has not been included in the downstairs playroom, requiring staff to leave the play area to wash their hands.</li> </ul> <p><b>The architectural plans have been updated to show an adult hand wash basin adjacent to the preschool toilets - compliant.</b></p>
<p><b>4.4</b> Ventilation and natural light.</p>	<ul style="list-style-type: none"> <li>• It is noted that this building is part of a line of terraces and therefore may be dark. No provision for skylights has been mentioned.</li> <li>• Given the nature of a terrace, there may be a need for artificial ventilation, which has not been mentioned.</li> </ul> <p><b>There are north facing windows and these, combined with the demolition of existing partitions will allow light to penetrate through the building. To the south is extensive glazing providing indirect light. (refer to DA.203 - Site Plan). The north facing windows can be opened to allow for ventilation while the southern part of the building has full height operable doors. Ceiling fans have been added to the plans – Proposal is now considered adequate due to orientation of the property.</b></p>
<p><b>4.5</b> Administrative space: A service must provide adequate areas for the purpose of conducting administrative functions of the service, consulting with parents and conducting private conversations.</p>	<ul style="list-style-type: none"> <li>• No administrative space has been provided for.</li> <li>• Whilst there is space for adult conversation in the playgroup areas, there is no place for private conversation.</li> <li>• There is no staff room for educators to take a lunch break or to complete programming and documentation requirements.</li> </ul> <p><b>The architectural plans have been updated to show the administrative space.</b></p> <ul style="list-style-type: none"> <li>• <b>Meetings and private conversations can take place within the administrative space.</b></li> <li>• <b>There is a breakout space/ staff room on level 1 and we have added a second staff room on the ground floor. (refer to updated plans). - now compliant</b></li> </ul>
<p><b>4.6</b> Nappy change facilities: Childcare facilities must provide for children who wear nappies, including appropriate hygienic facilities for nappy changing and bathing.</p>	<ul style="list-style-type: none"> <li>• No nappy change area has been provided and although the space is intended for children aged over 3 years, no account has been taken for older children who may require wearing a nappy for medical/developmental reasons. This area must also contain steps for older children to access nappy change area.</li> <li>• No bathing facilities have been provided to cater for children who may have toileting accidents.</li> </ul>

	<p><b>The architectural plans have been updated to show the nappy change area and bathing facilities. For preschool age children a ‘step up’ nappy change bench would be inappropriate and it is proposed to use the wet room to change nappies standing if and as required -Proposal is now considered adequate.</b></p>
<p><b>4.7</b> Premises designed to facilitate supervision: A centre-based service must ensure that the rooms and facilities within the premises are designed to facilitate supervision.</p>	<ul style="list-style-type: none"> <li>• The stair balustrades are noted to have 2 handrails, and this may present a climbing hazard and therefore a falling risk. The internal circular stairway will require a detailed risk assessment to be undertaken as well as the external staircase from the first floor to the ground.</li> <li>• Access to the upstairs verandah will need to be prohibited to prevent supervision risks and possible climbing hazards to children.</li> </ul> <p><b>The architectural plans have been updated to remove this note. The internal stair has been noted to comply with BCA D2.13 and balustrade requirements. Risk assessment to be Conditioned on any approval. The architectural plans have been updated to show the security for the northern verandah - Proposal is now considered satisfactory.</b></p>
<p><b>4.8</b> Emergency and evacuation procedures: These must include instructions for what must be done in the event of an emergency as well as a floor plan detailing exits and a risk assessment.</p>	<ul style="list-style-type: none"> <li>• No emergency and evacuation plan was provided.</li> <li>• Consideration should be given to the location of the assembly point and how children will be supervised during the evacuation, which will be required from multiple rooms.</li> </ul> <p><b>An assembly point is to be established outside 1 James Place. Compliance Emergency Planning has been engaged to undertake a risk assessment and to provide the Emergency and Evacuation Plan. This can be made a Condition of consent - Proposal is now considered satisfactory.</b></p>
<p><b>4.9</b> Outdoor space requirements: An education and care service must provide for every child to have a minimum of 7m<sup>2</sup> of unencumbered outdoor space.</p>	<ul style="list-style-type: none"> <li>• No outdoor storage has been provided.</li> <li>• The entrance gate leads directly to the playground and pathways lead past bin storage, the lift and entry to the baby education classroom. This area is not usable outdoor play space and cannot be counted as unencumbered play space.</li> </ul> <p><b>The proposal and architectural plans have been updated to show the reduction in number of children to 31 outdoor storage space provided - now compliant.</b></p>
<p><b>4.11 Shade Solar access:</b> Controlled exposure to daylight for limited periods is essential as sunlight provides vitamin D which promotes healthy muscles, bones and overall wellbeing. Outdoor play areas should be provided with controlled solar access throughout the year. Outdoor play areas should have year- round solar access to at least 30 per cent of the ground area, with no more than 60 per cent of the outdoor space covered.</p>	<p>The architectural plan shows that all the outdoor space on level 1 and partial area of the playground located at the rear of the building is covered which would indicate that over 60% of the outdoor space may be covered.</p> <p><b>The architectural plans have been updated and noted to show the true extent and total sqm of covered areas as 60% - now compliant.</b></p>

The above issues have been considered to be adequately addressed or are capable of being conditioned should the application be approved.

## **NORTH SYDNEY LOCAL ENVIRONMENT PLAN (NSLEP 2013)**

### **1. Permissibility**

The proposed development can be defined as Centre-based Child Care facility/Education Facility (Kindergarten), playgroup location and out of school hours care facility, all of which are permissible in the B4 - Mixed Use zone with development consent.

### **2. Objectives of the zone**

The objectives for a B4 - Mixed Use zone are stated below:

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To create interesting and vibrant mixed use centres with safe, high quality urban environments with residential amenity.*
- *To maintain existing commercial space and allow for residential development in mixed use buildings, with non-residential uses concentrated on the lower levels and residential uses predominantly on the higher levels.*

The proposal is generally consistent with the relevant objectives of the zone, notwithstanding some issues with the design of the proposal and compliance with National guidelines which have now been addressed.

### **Part 4 – Principal Development Standards**

<b>Principal Development Standards – North Sydney Local Environmental Plan 2013</b>			
<b>Site Area – 20,200m<sup>2</sup></b>	<b>Proposed</b>	<b>Control</b>	<b>Complies</b>
Clause 4.1 – Subdivision lot size	N/A	N/A	N/A
Clause 4.3 – Heights of Building	Existing building scales at 9.5m approximately.  There are no works proposed above 5.5m approximately.	10m maximum	Yes
Clause 4.4 – Floor Space Ratio	-	None	N/A
Clause 4.4a – Non residential FSR	All Floor Space	0.5:1 Minimum	Yes

### **3. Height of Buildings**

The following objectives for the permissible height limit of 10m pursuant to clause 4.3 in NSLP 2013 are stated below:

- (a) *to promote development that conforms to and reflects natural landforms, by stepping development on sloping land to follow the natural gradient,*
- (b) *to promote the retention and, if appropriate, sharing of existing views,*
- (c) *to maintain solar access to existing dwellings, public reserves and streets, and to promote solar access for future development,*
- (d) *to maintain privacy for residents of existing dwellings and to promote privacy for residents of new buildings,*
- (e) *to ensure compatibility between development, particularly at zone boundaries,*
- (f) *to encourage an appropriate scale and density of development that is in accordance with, and promotes the character of, an area.*

The existing and proposed development would appear to have a height of 9.53m and the alterations and additions proposed at the rear of the building appear to be proposed no higher than 5.5m, this complies with the permissible height limit of 10m in accordance with clause 4.3 in NSLEP 2013.

#### **4. Floor space ratio**

No maximum general FSR applies to the site.

#### **5. Non-Residential floor space ratios**

The objectives of this clause are as follows:-

- (a) *to provide for development with continuous and active street frontages on certain land in Zone B1 Neighbourhood Centre, Zone B4 Mixed Use and Zone SP2 Infrastructure,*
- (b) *to encourage an appropriate mix of residential and non-residential uses,*
- (c) *to provide a level of flexibility in the mix of land uses to cater for market demands,*
- (d) *to ensure that a suitable level of non-residential floor space is provided to promote employment and reflect the hierarchy of commercial centres.*

The development control is designed to require a minimum 0.5:1 (50%) commercial component in developments containing residential uses in mixed/commercial zones. As the proposal is 100% 'non-residential' with no residential component, the proposal complies with this clause.

### **Part 5 – Miscellaneous Provisions**

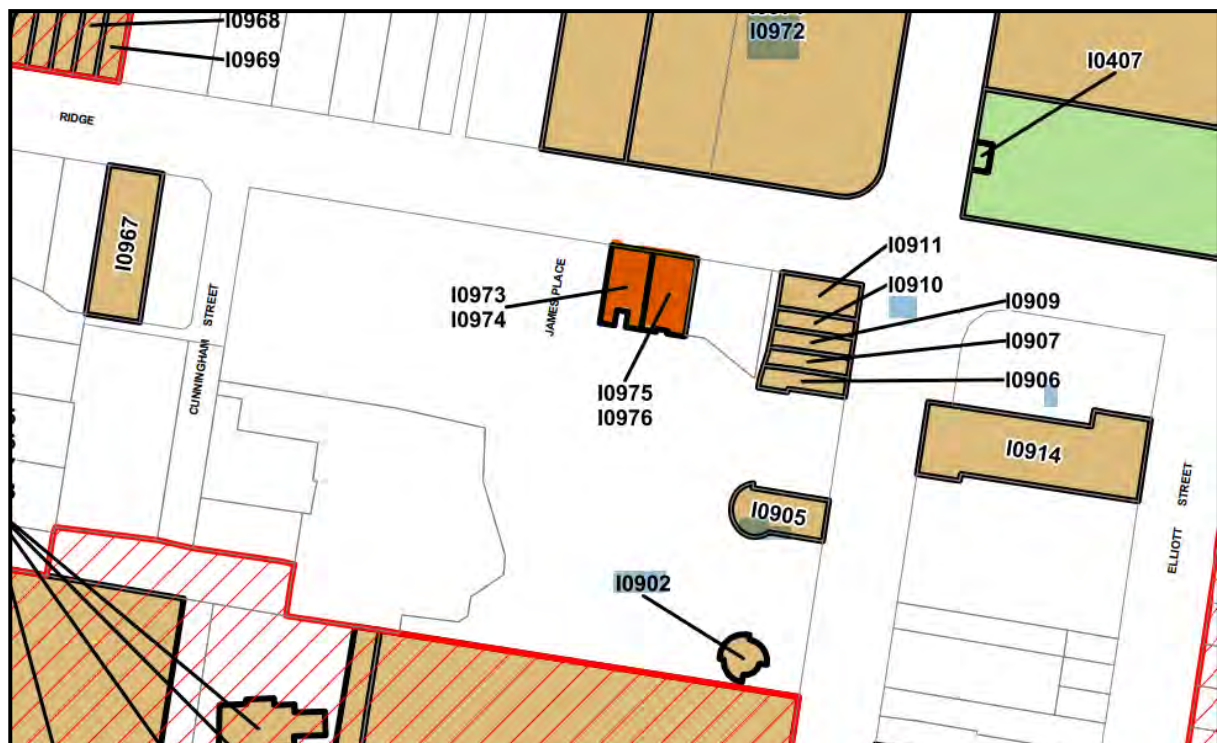
#### **6. Heritage Conservation**

The subject building is listed as a group of Heritage Items and is located not too distant from two Conservation Areas under Schedule 5 in NSLEP 2013 so the following planning objectives apply to the site:

- (a) *to conserve the environmental heritage of North Sydney,*
- (b) *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) *to conserve archaeological sites,*
- (d) *to conserve Aboriginal objects and Aboriginal places of heritage significance.*

The subject building/s are listed as Local Heritage Items Nos. I0973, I0974, I0975 & I0976 (shaded brown below in **Figure 7**). The terraces comprising the Heritage listings have significance as each is a part of:-

*..... a fine, characteristic row of four substantial late-nineteenth century terrace houses (nos. 45, 47, 49, 51 Ridge Street) whose recent renovation has enhanced their strong streetscape presence. Important group for establishing the street character and an important relic of the early development of this street.' (State Heritage Inventory)*



**Figure 6: Subject site shaded orange within the larger Civic Precinct site**

The McLaren Street Conservation Area (CA19 shaded red) is located well to the rear (south) of the proposed development and the Holtermann Estate A Conservation Area to the northwest. The development is however in the vicinity of several other heritage items.

The Applicant has provided a Heritage Impact Statement prepared by John Oultram Heritage & Design and dated July 2022, Council's Conservation Planner has reviewed the HIS and plans and concluded that:-

*'The proposed works will not adversely impact on the significance of the subject heritage items [and will not] adversely impact on the nearby McLaren Street and Holtermann Estate A, Conservation Areas. The proposed works are supported on heritage grounds subject to conditions....'(Conservation Planner's report).*

Conditions recommended by the report would be included in any consent granted.

## **Part 6 – Additional local Provisions**

### **Division 2 – General Provisions**

#### **7. Earthworks**

The application does not involve any significant excavation, save for superficial disturbance for the lift and paving/landscaping works in the rear garden, however, an assessment has been carried out under matters raised in clause 6.10 in NSLEP 2013 as follows:

*Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—*

- (a) the likely disruption of, or any detrimental effect on—
  - (i) drainage patterns and soil stability in the locality of the development, and*
  - (ii) natural features of, and vegetation on, the site and adjoining land,**
- (b) the effect of the development on the likely future use or redevelopment of the land,*
- (c) the quality of the fill or the soil to be excavated, or both,*
- (d) the effect of the development on the existing and likely amenity of adjoining properties,*
- (e) the source of any fill material and the destination of any excavated material,*
- (f) the likelihood of disturbing Aboriginal objects or relics,*
- (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,*
- (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

The minor works are generally contained within the building envelope and so will have little impact on drainage patterns, soil stability natural features and vegetation on the site or adjoining properties. However, some contamination of the soil has been identified by the Site Contamination Report and appropriate conditions recommended to manage this issue. These conditions, in addition to other engineering conditions as recommended by Council's Development Engineer will be included on any consent granted.

#### **8. Residential flat buildings in zone B4 Mixed Use**

N/A - No residential component exists or has been proposed in the current development.

### **NORTH SYDNEY DEVELOPMENT CONTROL PLAN 2013**

The proposal has been assessment under the following heading within NSDCP 2013:

Part B Section 5 Child Care Facilities		
Requirement	Complies	Comment
<p><b>5.2 LOCATION</b>  <b>Provisions:-</b></p> <p>P1 CCC must not front a state road (as defined under the Roads Act 1993).</p> <p>P2 CCC must not be located adjacent to or within 100m of a sex service premises or a restricted premises.....</p> <p>P3 An electro-magnetic field and radio frequency impacts assessment must be undertaken where the source is within 300m of a proposed child care facility.</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p>	<p><b>NB: The NSW CCC Guidelines take preference to DCP's in relation to location and many other requirements, however, the DA's performance will still be compared to Council's requirements.</b></p> <p>The CCC does not front a State Road and the proposed main entrance, would have frontage to and parking to the CCC, is however, to the Access Road.</p> <p>There appears to be no restricted premises within 100m of the proposed CCC.</p>
<p><b>5.3 SITING</b>  <b>Provisions:-</b></p> <p>P1 Child care facilities should be located at ground level wherever possible.</p> <p>P2 Council may consider approving a child care facility located above ground floor level, subject to the following criteria being met:                      (a) A fire isolated safe haven is provided within the facility.....                      (b) The safe haven must be physically open onto either:                          (i) a fire stair dedicated to the facility....                              or                          (ii) an emergency fire rated lift.....                      (c) The safe haven should be of such a size to cater for the maximum capacity of the centre ....                      (d) An Emergency Evacuation Plan,                      (e) Indoor play areas are not impeded by internal features such as columns.                      (f) The minimum area of indoor play spaces are to be increased by the same amount of any decrease in the minimum outdoor play space requirements.....                      (g) Outdoor areas are provided with protection from adverse weather.                      (h) Outdoor areas are oriented to the north to maximise solar access and natural light and views.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p> <p>No, demonstrates merit</p>	<p>Ground floor proposed for the CCC in addition to the first floor, see following discussion</p> <p>Council's Manager Community Development reported that the proposal is satisfactory subject to conditions.</p> <p>An Emergency and Evacuation Plan is to be provided as a condition of consent.</p> <p>Covered outdoor areas at both levels.</p> <p>Outdoor areas to south of building, site and building constraints make this unavoidable.</p>

<p><b>5.4 CAPACITY AND COMPOSITION.</b>  <b>Provisions:-</b></p> <p>P1 A centre based child care facility should not provide more than 90 child care places.          Note: To ensure a reasonable level of amenity is achieved for adjoining properties, a maximum provision of 75 child care places is considered to be best practice.</p> <p>P2 Where a centre based child care facility provides more than 75 child care places, the facility must provide for small group care (i.e. provision must be made for separate entrances and playgrounds for different age groups).</p> <p>P3 Due to the desirability of providing additional child care places for children under the age of 2 years, a component of child care places in Long Day Care services must be allocated to children under the age of 2 years.</p> <p>P4 The ratio of staff to children must comply with those permitted under the National Quality Standard for Early Childhood Education and Care and School Age Care (2018).</p>	<p>N/A - SEPP overrides this requirement</p> <p>N/A</p> <p>N/A</p> <p>Yes</p>	<p>The Transport &amp; Infrastructure SEPP states that:-</p> <p><i>(1) A provision of a development control plan that specifies a requirement, standard or control in relation to any of the following matters (including by reference to ages, age ratios, groupings, numbers or the like, of children) does not apply to development for the purpose of a centre-based child care facility—</i></p> <p>The SEPP overrides provisions P1, P2 and P3 however it should be noted the DCP carparking requirement was formulated on the basis that a CCC would not have a capacity larger than 90 places, and preferably only 75. Notwithstanding the above, the CCC would comply with Council's requirements.</p> <p>Council's Community Development Manager is satisfied with the amended proposal however it may be prudent to include a condition to remind the School of the National Standards and State Guidelines due to the multiple uses of the centre.</p>
<p><b>5.5 ENTRY</b>  <b>Provisions:-</b></p> <p>P1 Entrances to centre-based and school-based child care facilities are clearly marked by appropriate signage.</p> <p>P2 Weather protection, such as an awning, is provided to the main entry to the building containing a centre based or school-based facility and are designed and constructed to complement the building to which it is attached.</p> <p>P3 Where a centre-based child care facility is located within a building that also accommodates other uses, a separate and clearly marked entrance for the child care facility must be provided.</p>	<p>Yes*</p> <p>No, demonstrates merit</p> <p>Can comply</p>	<p>No signage has been proposed but can be conditioned</p> <p>The entries to Ridge Street are covered by balconies above, however, the main entry from James Place is not weather protected.</p> <p>Council's Conservation Planner has not made any comment in relation to the need for an awning, or the associated impacts of an awning if one is to be conditioned.</p>



<p><b>5.6 ACCESS AND MOBILITY</b>  <b>Provisions:-</b></p> <p>P1 On site parking spaces and set-down and pick-up areas are well lit.</p> <p>P2 Entry gates are located within sight of staff in the office.</p> <p>P3 Bells, alarms or other suitable mechanisms are to be provided on the entry gate to alert staff as to when someone is entering or leaving the child care facility.</p> <p>P4 An Emergency Evacuation Plan must be submitted to Council with any development application.</p> <p>P5 Entry to a child care facility should be limited to one secure point, which is to be:          (a) appropriately located to allow ease of access;          (b) adequately signposted;          (c) well lit;          (d) accessible by pedestrians and motorists;          (e) safe from pedestrian and vehicle transition areas;          (f) visible from the street if located within a separate building, or building foyer if located in a multiple occupancy building;          (g) of sufficient size to prevent congestion, taking into consideration the capacity of the child care facility;          (h) monitored through either natural or camera surveillance; and          (i) incorporate a transitional space which is to be adequately fenced and separated from the entrance.</p>	<p>N/A</p> <p>Can comply</p> <p>Yes</p> <p>Can comply</p> <p>Yes</p>	<p>None proposed.</p> <p>CCTV system to be required by condition.</p> <p>As above</p> <p>Council's Community Development Manager has requested that an Emergency Evacuation Plan be required as a condition of consent and submitted prior to the release of any Construction Certificate.</p> <p>Proposed main entry point is from James Place, however access is possible from Ridge Street. It is considered a CCTV system should be installed to all entry points to augment the Security Buzzer intercom indicated.</p>
<p><b>5.8 AIR QUALITY</b>  <b>Provisions:-</b></p> <p>P1 All applications must be accompanied by an Air Quality Assessment Report to determine the level of pollutants within and surrounding the site of the proposed child care facility.</p> <p>P2 Child care facilities located on or adjacent to:          (a) major roads (including state and regional);          (b) roads where there is an average daily traffic rate of more than 5,000 vehicular trips per day; or          (c) sites where the external noise level exceeds 55 dBA (LA90 24 hours), must incorporate the use of pollution reduction measures such as:</p>	<p>N/A</p> <p>N/A</p>	<p>The NSW Child Care Planning Guideline 2017, supersedes Councils DCP and Consideration C28 only requires an Air Quality Assessment Report for 'proposed child care facilities close to major roads or industrial developments'.</p> <p>Notwithstanding the above, the outdoor play areas are located to the rear of the premises away from the street frontage.</p>

<p>(d) air conditioning systems; and                  (e) play areas located away from pollution sources.</p>		
<p><b>5.9 DROP OFF AND PICK UP OF CHILDREN Provisions:-</b></p> <p>P1 Must provide car parking in accordance with Part B: Section 10 – Car Parking and Transport of the DCP.</p> <p>P2 In addition to P1 above, one designated disabled access &amp; one designated emergency vehicle space must be provided ....<b>within close proximity if in B4 Mixed Use zones</b> (e.g. on-street directly adjacent to the centre).</p> <p>P3 Provide accessible parking spaces for the set down and pick up of children, no more than 50m from the child care centre.</p> <p>P4 Car parking provisions do not substantially modify the streetscape.</p> <p>P5 Spaces are clearly marked to reflect that they are for the exclusive use of the child care users between the peak am and pm hours of the centre.</p> <p>P6 Where the parking is provided underground, that parking is located within 20 metres of a lift which has access to the child care centre.</p> <p>P7 Secure, undercover pram storage should be provided at 1 space for every 2 children under two years of age.</p>	<p>Yes</p> <p>No, demonstrates merit</p> <p>No, demonstrates merit</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>	<p>Although no parking is provided, the DCP requirement is a ‘<b>maximum</b>’ requirement in regards to both staff and parents (drop off/pick up) therefore any provision below the maximum, including a zero provision can be compliant. Council’s Traffic Engineer has acknowledged this by his comment: <i>‘The development does not propose any car parking spaces which is compliant with Council’s DCP, since there is no minimum parking requirement.’</i></p> <p>Whilst no accessible or emergency vehicle spaces are provided on- site, there are four accessible spaces in the adjacent Public Carpark in James Place. Further, there is a ‘no parking’ space adjacent to the proposed main entrance in James Place which could be pressed into service as an emergency space if required.</p> <p>The lack of any drop off/pick up spaces provided within the site is not considered ideal; however, noting the constraints of the site and unique context and setting, and the inability for providing leased spots in the Ridge Street car park for the new facility, some flexibility and further consideration of alternatives to manage drop off/pick up periods, may be applied.</p> <p>Council’s Traffic Manager provided further advice in relation to possible options to resolve the above:</p> <p><i>There are two options that could be considered:</i></p> <p><i>Option 1: At present there are 3 x metered 1P parking spaces directly in front of the four terraces and it would be feasible to use these spaces as short term drop off/pick up parking spaces during the morning and afternoon peak period when parents are dropping off and collecting their children. The spaces can then revert to 1P parking at other times. This is the preferred option for Council; however, it is noted that this would need the North Sydney Traffic Committee consultation and approval.</i></p>

		<p><i>Option 2: At the discretion of Council’s Director – Engineering and Property Services, the grace period for entry and exit from the Ridge Street car park may be extended to at least 15 minutes to allow sufficient time for drop off/pick up. Option 2 would only be made available to the facility if the Traffic Committee refuses Option 1.</i></p> <p>1) There appears to be no requirement for a loading facilities/space for a Child Care Centre and although some deliveries would occur, they would be less frequent than a retail use of the premises and the building has had previous commercial uses in it for some years. It is considered this condition is also unnecessary and at any rate, such a request would have to be made to the North Sydney Traffic Committee for their consideration.</p> <p>This requirement would appear to conflict with P1 if a zero level of parking provision can be compliant.</p> <p>None provided</p> <p>Under 2 year olds are not catered for with the CCC and Kindergarten uses.</p>
<p><b>5.10 PLAY SPACES</b>  <b>5.10.1 Indoor spaces</b>  <b>Provisions:-</b></p> <p>P1 A minimum of 3.25m<sup>2</sup> of unencumbered indoor floor space per child care place must be provided.                  Note: To ensure a reasonable level of amenity is achieved, provision 4.5m<sup>2</sup> per child care place is considered to be best practice.</p> <p>P2 In addition to P1, a minimum of 10m<sup>2</sup> of unencumbered indoor floor space per employee must be provided to accommodate office space/s, staff room/s, sick bay area/s and adult toilet and shower facilities, located within the licensed floor area.</p> <p>P3 Playroom spaces are to be designed such that they are not impeded by internal building features such as columns.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>	

<p><b>5.10.2 Transition Areas</b>  <b>Provisions:-</b></p> <p>P1 Transition areas must be located between the indoor space and outdoor space and be able to be supervised from outside of the area.</p> <p>P2 The area may be included in calculations of outdoor unencumbered space.</p> <p>Note: To ensure a reasonable level of amenity for the users of the facility, the provision of Transition Areas in addition to the minimum requirements for indoor and outdoor spaces is considered to be best practice.</p> <p>P3 The area should be a minimum of 4 metres wide.</p> <p>P4 The transition area must be designed to allow indoor and outdoor activities to be conducted undercover.</p> <p>P5 The transition area must be designed in a manner that offers protection from unfavourable weather conditions, including strong winds and rainfall.</p>	<p>Yes/no</p>	<p>Transition areas not delineated on the plans and it appears the 4m minimum would not be practical in the circumstances of the case.</p> <p>Council's Community Development Officer did not raise this as an issue with the proposal.</p> <p>Notwithstanding the above, the covered outdoor play areas on both levels would achieve a reasonable level of amenity in unfavourable weather conditions.</p>
<p><b>5.10.3 OUTDOOR SPACE</b>  <b>Provisions:-</b></p> <p>P1 A minimum of 7m<sup>2</sup> of open space per child care place must be provided.</p> <p>Note: To ensure a reasonable level of amenity is achieved, provision 10m<sup>2</sup> per child care place is considered to be best practice.</p> <p>P2 Must not be located directly adjacent to a state road.</p> <p>P3 Ensure that exposure to adverse weather and environs such as external noise, pollution and winds is minimised.</p> <p>P4 Locate seating and outdoor play equipment in shaded areas.</p> <p>P5 Ensure outdoor space has a northern orientation with access to views and receives a minimum of 2 hours direct sunlight per day.</p> <p>P6 Ensure outdoor space is adequately shaded in accordance with guidelines set out in the NSW Cancer Council's Shade for Early Childhood Services publication.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>No, demonstrates merit</p> <p>Yes</p>	<p>The Applicant has proposed 295m<sup>2</sup> of out door open space although some of this is covered.</p> <p>Not located adjacent to a State road.</p> <p>Orientation of lot precludes northern orientation of open space, however there appears to be reasonable solar access in the circumstances.</p>

<p>P7 Physical shading devices are to provide sun protection to children and to be integrated into the design of the building.</p>	<p>Yes</p>	
<p>P8 The playground space should be a compact square, rectangular or L-shaped area sited on one or two sides of the building, to facilitate functional use by children and effective supervision by staff.</p>	<p>No, demonstrates merit</p>	<p>Irregular shape but practical for uses and supervision on this site and in this location.</p>
<p>P9 Use plant species in landscaping that are not harmful to children or the environment.                  Avoid the use of noxious and environmental weeds (as listed on Council's website).</p>	<p>N/A</p>	<p>Few existing palm trees on site no additional plantings proposed.</p>
<p>P10 A detailed landscape plan prepared by a qualified landscape architect or other design professional with demonstrated experience in the design of children's play spaces must be submitted with any development application for a child care facility. The landscape plan must illustrate:                  (a) the separation of play areas for different age groups including the location of low fencing, planting and other structures which divide the areas but allow for interaction between the ages;                  (b) the separation of outdoor play space into active and quiet zones;                  (c) the type and placement of any fixed play equipment;                  (d) the location and type of shade structures;                  (e) the use of a variety of surfaces such as timber decking, artificial grass, sand etc. Surfaces are to comply with AS 4422 – Playground Surfacing;                  (f) the use of a variety of textures, shapes and forms, with a blend of natural and artificial materials and plantings, that are highly interactive with the children and stimulate the senses;                  (g) storage areas which can be used by staff without leaving the children;                  (h) access to water should be available in the playground so that staff can fill up water troughs of supply water to the sandpit to enhance children's play;                  (i) drainage;                  (j) sandpits that:                  (i) have a minimum depth of 450mm;                  (ii) are designed to minimise the spillage of sand, preferably with an edge that can be swept; and                  (iii) incorporate a cover when not in use.</p>	<p>Yes</p>	<p>'Landscape Plan' indicates sand pit, soft fall areas and some play equipment, no additional landscaping appears to be proposed.</p> <p>Existing 'conservatory' extension at rear of building converted to covered outdoor play areas for ground and 1<sup>st</sup> floor levels.</p> <p>Some variety of surfaces proposed sand/synthetic grass/stone to simulate some natural outdoor materials and features.</p> <p>Access to water but no water feature proposed.</p> <p>NCC compliant balustrades provided.</p>

<p>(k) Outdoor play spaces located above ground level must be enclosed by a combination of walls and fences a minimum of 1800mm high to prevent children from falling or climbing out of the space and to prevent items from being thrown out of the space.</p>	<p>Yes</p>	
<p><b>5.10.4 INDOOR – OUTDOOR SPACES Provisions:-</b></p> <p>P1 Indoor-outdoor spaces will only be considered in locations where it can be proven that the required level of outdoor space cannot be provided.  <i>Note:</i> The North Sydney Centre, St Leonards and mixed use areas of Crows Nest, Milsons Point, Neutral Bay and Cremorne are examples of where the provision of indoor-outdoor spaces may be considered acceptable.</p> <p>P2 A landscape plan must be prepared by a qualified professional and submitted with any proposal for a child care facility, detailing the same variety of elements and design considerations as outdoor spaces (refer to Section 5.10.3).</p> <p>P3 Spaces are to be provided with natural light through windows and skylights.</p> <p>P4 Spaces must incorporate higher floor to ceiling heights than indoor spaces.</p> <p>P5 Spaces should be provided with access to natural air flows and the ability for children to see out.</p> <p>P6 Spaces to be provided with a sandpit and associated drainage for water play.</p> <p>P7 Spaces should include a variety of natural materials.</p> <p>P8 Spaces must be physically separated from indoor spaces with visual and physical access between the two areas for staff and children.</p> <p>P9 Spaces are not impeded by internal features such as columns.</p>	<p>N/A</p> <p>N/A</p>	
<p><b>5.10.5 PLAY EQUIPMENT Provisions:-</b></p> <p>P1 Any outdoor play equipment must comply with Australian Standards and include appropriate ground surfacing. The surface around and underneath play equipment must comply with Australian and NZ Standard AS/NZS4422:1996.</p>	<p>Yes</p>	<p>Able to comply</p>

<p><b>5.10.6 FENCES</b>  <b>Provisions:-</b></p> <p>P1 All fences within and bordering child care facilities are to meet the Australian Standards for safety. The design and height of fencing should prevent children from scaling, or crawling under the fence.</p> <p>P2 Use materials and finishes for fences that complement characteristic visual elements in the surrounding physical environment and do not dominate the streetscape.</p> <p>P3 If perimeter fences of the outdoor space are close to a major road or a hazard, make them higher than the Australian Standard of 1200mm.</p> <p>P4 Provide a childproof self-locking mechanism on all gates.</p> <p>P5 Fences to outdoor play spaces located above ground level should be a minimum of 1800mm high.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Can comply</p>	<p>Perimeter fence to James Place 1.8m</p> <p>As above</p>
<p><b>5.11 VISUAL AND ACOUSTIC PRIVACY</b></p> <p><b>5.11.1 Visual privacy</b>  <b>Provisions:-</b></p> <p>P1 Provide screening by trees, fencing and window coverings to minimise overlooking and noise impacts.</p> <p>P2 Locate any play structures at least 3m from any property boundary located adjoining a residential property.</p> <p><b>5.11.2 Acoustic privacy</b>  <b>Provisions:-</b></p> <p>P1 All applications must be accompanied by an Acoustic Report prepared by a suitably qualified acoustic consultant.</p> <p>P2 Noise levels (measured at any point on the boundary of the site between the proposed Centre and adjoining property) do not exceed 5dB(A) above the L90 background level during the hours of operation. Council may consider a variation to this requirement, but only if the Applicant can adequately demonstrate that an alternative method of controlling the impact as outlined in the Association of Australian Acoustic Consultants' Technical Guidelines – Child Care Centre Noise Assessment.</p>	<p>N/A</p> <p>N/A</p> <p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p>	<p>Adjoins Civic Precinct buildings Stanton Library etc., no residential properties directly adjoin.</p> <p>Acoustic Assessment by Renzo Tonin &amp; Associates submitted. Council's Environmental Health Team supported the recommendations of the Acoustic report and has provided conditions.</p>





<p>at ground level on both Miller and Ridge Streets.</p> <p>P3 Limited residential development in the form of dwelling houses, semi detached dwellings, multi dwelling housing and residential flat buildings according to zone.</p> <p>P4 Open space used by local residents, students and the wider regional population for social and recreational purposes.</p>	<p>N/A</p> <p>N/A</p>	<p>Due to the Heritage Listing little opportunity is available for activation of the street.</p> <p>Terraces were converted internally in the past to commercial uses.</p>
<p><b>2.2.3 Desired Built Form Provisions:-</b></p> <p><b>Form, scale and massing</b></p> <p>P1 Generally 1-3 storeys in height with a strong relationship with adjacent building heights.</p> <p>P2 Development is to be designed to maximise solar access year round to the new public squares to be created within the Ward Street Precinct.</p> <p>P3 Development must not result in a nett increase in overshadowing to the main southern square to be created within the Ward Street Precinct between 9am and 4pm from the March equinox to the September equinox (inclusive).</p>	<p>Yes</p> <p>N/A</p> <p>N/A</p>	<p>Current development 2 storeys no proposal to increase height.</p>

**NORTH SYDNEY LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN 2020**

Development that is subject to this plan will be levied either a s 7.11 contribution or a s 7.12 levy.

The type of contribution that applies to the development type (a)(b) or (c) will be determined as follows:

- (a) Residential accommodation development that would result in a net increase in dwellings on the land (Type (a) development);

**N/A** - Type (a) development relates to non-residential development.

- (b) Non-residential development that would result in a net increase in workers on the land (Type (b) development);

**N/A - there is no net increase in workers.**

Whilst comprehensive existing GFA floorspace plans have not been provided, the existing GFA of levels 1 & 2 amounts to at least 540m<sup>2</sup> (not including conservatory structures). The existing commercial/office space would be assessed as accommodating at least 15 workers (1 worker per 35m<sup>2</sup>). The proposed Child Care Centre/pre-school, before/after school care and baby ed classes will have variable staffing but less than 15 at any one time.

- (c) Development types apart from (a) or (b) where the proposed cost of development is more than \$100,000. (Type (c) development).

**Yes** - Current proposal is a type (c) development.

Estimated Cost of Development \$450,000.00.  
1% of \$450,00.00 being \$4,500

**Section 7.12 levy = \$4,500.00**

#### **ALL LIKELY IMPACTS OF THE DEVELOPMENT**

All likely impacts of the proposed development have been considered within the context of this report.

<b>ENVIRONMENTAL APPRAISAL</b>	<b>CONSIDERED</b>
1. Statutory Controls	Yes
2. Policy Controls	Yes
3. Design in relation to existing building and natural environment	Yes
4. Landscaping/Open Space Provision	Yes
5. Traffic generation and Carparking provision	Yes
6. Loading and Servicing facilities	Yes
7. Physical relationship to and impact upon adjoining development (Views, privacy, overshadowing, etc.)	Yes
8. Site Management Issues	Yes
9. All relevant S4.15 considerations of Environmental Planning and Assessment Act 1979	Yes

## SUBMITTERS CONCERNS

The application was notified to adjoining properties and the Stanton Precinct. Council received one (1) submission where the following matters were raised:-

1) **25/22 Ridge Street, North Sydney**

- ***There will be an additional 67 cars per day using an already highly congested local road (Ridge Street), both during the week and on weekends.***

**Comment:-** Additional Traffic modelling has been provided by the Applicant that claims that *'the intersection of Ridge Street / James Place retains the same overall level of service under future (post-development) conditions with minimal delays and additional spare capacity, indicating that there will be no adverse impact on the existing road network as a result of the proposed development'*. Despite this some cumulative increase in traffic would be expected, however, it would be unreasonable to disallow the development on that ground alone. It must be remembered that two near by schools have a combined student population approaching 3300 and that further traffic impacts will be negligible in that context.

- ***'Residents of Ridge Street already find it extremely difficult to leave and enter our driveways in mornings and afternoons due to school buses and parents dropping their children off to existing schools in Ridge Street (St Mary's Campus junior school and Marist Catholic College)'***.

**Comment:-** The issue appears to relate to school buses and parents of school children from existing schools, and whilst St Marys Primary is located in Ridge Street on the opposite side of the road, the Marist College is in Miller Street and over 150m from the proposed Child Care Centre site. As mentioned above, it is inevitable some cumulative effects may occur as a result of the development particularly during morning and afternoon peak hours.

- ***'Drivers also use Ridge Street as a through road for dropping off children to Wenona School and Monte Sant Angelo Mercy College. Due to these private cars, Ridge Street becomes a virtually non-moving car park every day, much to the frustration of Ridge Street residents';***

**Comment:-** It is acknowledged there are a number of traffic generating uses in the area. The local road network is assessed as being able to accommodate the relatively minor increase in traffic generated by the proposed use. The road capacity including Miller Street, West Street and Ridge Street can handle the increased traffic loads. North Sydney Council is pro-active is discouraging use of private vehicles, encouraging public transport and cycling.

- ***'Council will also be aware of the enormity of the current DA submitted by the Marist Catholic College which has been noted of "State Significance" which will add substantially to the traffic problems currently experienced in Ridge Street'***.

**Comment:-** The Marist School is located in Miller Street, however, the development would impact the surrounding road network including Ridge Street to some extent, this concern is associated with all the previous issues raised by the objector which is a general concern regarding increased traffic in the street. The development is an existing one and almost any use would increase traffic to some degree, however, it is not considered the increase of previous uses is sufficient to refuse the proposal. It is suggested that a recommendation be made to the North Sydney Traffic Committee to consider certain options to mitigate impacts of the proposed development.

## **PUBLIC INTEREST**

The proposal is considered to be in the public interest for the reasons stated throughout this report.

## **SUITABILITY OF THE SITE**

The proposal would be located in a B4 - Mixed Use zone where Centre Based Child Care Facility/Education Facility (Kindergarten), playgroup location and out of school hours care facility are permissible forms of development. Consequently, the proposal is considered to be suitable for the site having regard to the merits of the proposal as described in the above report.

## **CONCLUSION**

The proposal was considered under the relevant Environmental Planning Instruments and policies including NSLEP 2013 and NSDCP 2013 and in general, found to be satisfactory.

The application proposes to utilise existing office premises within a row of heritage listed terraces for a Child Care Centre/educational establishment and ancillary uses that are permissible forms of development in the B4 – Mixed Use zone.

The proposal will not significantly impact the amenity of the neighbourhood and instead, make use of a not fully utilised building for uses that will benefit the community. Furthermore, the proposal will not impact the significance of the row of terraces which are Heritage listed, nor, adversely affect the adjacent Heritage Items in Ridge Street.

Council received one (1) submission that raised concerns about traffic impacts that have been discussed in this report and/or addressed with appropriate conditions of consent.

Traffic issues are determinative to this application and Council's Traffic section have raised a number of concerns.

Having regard to the merits of the proposal, the application is recommended for approval for the reasons provided below.

## **HOW WERE THE COMMUNITY VIEWS TAKEN INTO CONSIDERATION?**

The subject application was notified to adjoining properties and the Stanton Precinct for 14 days, and only one (1) submission was received. A number of traffic related issues were raised that have been addressed in this report and where appropriate, conditions of consent have been recommended and further recommendations made.

Separate to this application, the North Sydney Traffic Committee is able to consider if it would be feasible for the 3 metered 1P parking spaces directly in front of the four terraces to be used as short term drop off/pick up parking spaces during the morning and afternoon peak period when parents are dropping off and collecting their children. The spaces could then revert to 1P parking at other times.

## **RECOMMENDATION**

PURSUANT TO SECTION 4.16 OF ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED)

**THAT** the North Sydney Local Planning Panel, exercising the functions of Council as the consent authority, grant consent to Development Application No. DA241/22 for fit-out and use of an existing building as a Centre Based Child Care Facility, an Education Facility (Kindergarten), playgroup location and out of school hours care facility on land at 47 (45 - 51) Ridge Street, North Sydney, subject to the following site specific conditions and attached standard conditions:

### **Design Changes – Child Care Facilities**

C1. The following information must be provided and/or indicated on revised plans prior to approval of the Construction Certificate:

- The internal stair to be noted to be upgraded to comply with BCA D2.13.
- Appropriate signage for the entry of the Child Care Centre with Council approval if required.
- All grassed areas must be covered with artificial turf to ensure there is no contact with the soil.
- An Emergency and Evacuation Plan/diagrams as required by Section 5.3, Provision P2 (a) (b) & (c) be provided prior to approval of a Construction Certificate.
- The 'security buzzer' system proposed for James Place be augmented to provide CCTV functionality, and, this coverage extended to the doors accessing Ridge Street.
- All operational conditions contained in this consent.

(Reason: To comply with the requirements of the North Sydney Development Control Plan 2013, Section 5 'Child Care Facilities' and the associated State and National Guidelines, and to ensure security and safety of the students and staff of the Child Care Centre and its associated uses, and to protect children and users of the development in general from exposed soil)

### **Design Changes – Heritage**

C2. The following additional information and design changes must be incorporated into the final set of plans and relevant Construction Certificate to be issued by the Principal Certifying Authority:

- The existing fabric relating to the earlier building and including the nib walls and bulkheads are to remain in situ.
- A conservation schedule for the ongoing care of the building must be prepared including the investigation and implementation of a new colour scheme picking up a

traditional colour scheme to enhance its contribution to the streetscape character of Ridge Street.

- The proposed lift structure must remain clear of the eaves so as not to disrupt the understanding of the traditional roof form. Details are to be submitted to Council for the approval of Council's Conservation Planner.

(Reason: To protect the character and significance of the heritage item and its setting within the vicinity of the nearby heritage items)

### **Risk Assessment**

- C3. A risk assessment must be carried out and a risk assessment report must be submitted for approval to Council or the Principal Certifying Authority prior to release of the Construction Certificate. The risk assessment is to include factors internal and external to the facility including the drop off and pick up of students.

(Reason:- To comply with the requirements of the North Sydney Development Control Plan 2013, Section 5 'Child Care Facilities' and the associated State and National Guidelines)

### **Revised Plan of Management**

- C4. The Plan of Management must be revised to incorporate the following:

- The Centre Based Child Care Facility, Education Facility (Kindergarten) and out of school hours care facility are to comply at all times with staffing requirements of the Education and Care Services National Regulations 2011.

(Reason: To ensure that the minimum staffing requirements of the Education and Care Services National Regulations 2011 are met due to the multiple uses operating at the same time in the centre)

### **Drop Off / Pick Up Zones**

- G1. Prior to the issue of any Occupation Certificate and prior to any operations, the drop off/pick up locations must be established as follows:

- 1) In the first instance, the operator of the facility must formally seek approval from the North Sydney Traffic Committee for the 3 x metered 1P parking spaces directly in front of the building and along Ridge Street to be utilised as drop off/pick up parking spaces during the morning and afternoon peak period when parents are dropping off and collecting their children. The morning and afternoon periods must be clearly defined between specified times. These spaces can then revert to 1P parking at all other times (outside these periods).
- 2) Should the North Sydney Traffic Committee refuse to approve the above arrangement, the operator of the facility must seek approval from Council's Director – Engineering and Property Services, to extend the current grace period for entry and exit from the Ridge Street car park to at least 15 minutes to allow sufficient time for drop off/pick up.

(Reason: To ensure drop off/pick up zones for the facility are provided and to appropriate mitigate and manage traffic impacts in the vicinity, particularly during peak periods)

### Plan of Management

11. The Plan of Management, as prepared by Cameragal Montessori School must be complied with at all times.

Any changes to the Plan of Management must be approved in writing by Council.

(Reason: To ensure the ongoing operation of the childcare centre is in accordance with the terms of this consent)

### Maximum Capacity of the Facility and Children in Attendance

12. Regardless of any approved documentation including the Plan of Management, the maximum capacity of the facility at any given time is as follows:

	Maximum number of children
Child care centre	41
Playgroup	15
Baby education classes	10
Before/After school care	20 (available to child care attendees only)

	Maximum number of staff
Child care centre	5
Playgroup	1
Baby education classes	1
Before/after school care	2
<b>Total</b>	<b>9</b>

The above maximum capacity must be clearly displayed in the front (reception/lobby) areas of the facility.

The maximum number of children in attendance for the **child care centre** at any one time must be limited to 41 children in the following age groups:

Age Group	No. of Places
0-2 years	0
2-3 years	10
3-5+ years	31
<b>Total</b>	<b>41</b>

The above maximum children capacity of the child care centre must be clearly displayed in the front (reception/lobby) areas of the facility.

(Reason: To ensure the childcare centre is operating within capacity, as approved by this consent)

### **Before and After Care service**

13. The Before and After Care service provided within the centre shall only be available to children who attend the childcare service within the centre. The before & After Care Service shall not be provided to students who attend another school.

(Reason: To limit the total traffic movements associated with the use of the premises for child care and education purposes)

### **Noise Control (Child Care Centres)**

14. The use of the premises shall comply with the following:

#### Outdoor Play Area

- a) Up to two hours (total) per day - The LAeq(15 min) emitted from the outdoor play area shall not exceed the RBL by more than 10 dB at the boundary of any affected residence.
- b) More than two hours per day - The Leq(15 min) emitted from the outdoor play area shall not exceed the RBL by more than 5 dB at the boundary of any affected residence.

The LAeq(15 min) emitted from the cumulative noise impact of children playing indoors and mechanical plant on the site shall not exceed the RBL by more than 5 dB at the boundary of any affected residence.

**No music or amplified sound is to be played in any outdoor area at any time.**

“affected residence” includes residential premises (including any lot in the strata scheme or another strata scheme), premises for short-term accommodation and hospitals.

“boundary” includes any window or elevated window of an affected residence.

#### Ambient Noise Levels in Outdoor Play Areas

The LAeq(1hr) from road, rail traffic, commerce and industry at any location within the outdoor play or activity area during the hours when the Childcare Centre is operating shall not exceed 55 dB.

Terms in this condition have the same meaning as in the Noise Guide for Local Government and the Industrial Noise Policy published by the NSW Environment Protection Authority.

(Reason: To maintain an appropriate level of amenity for adjoining land uses)

**JOHN MCFADDEN**  
**CONSULTANT PLANNER**

**MIGUEL RIVERA**  
**SENIOR ASSESSMENT OFFICER**

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**STEPHEN BEATTIE**  
**MANAGER DEVELOPMENT SERVICES**

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**NORTH SYDNEY COUNCIL**  
**CONDITIONS OF DEVELOPMENT APPROVAL**  
**45-51 RIDGE STREET, NORTH SYDNEY**  
**DEVELOPMENT APPLICATION NO. 241/22**

**A. Conditions that Identify Approved Plans**

**Development in Accordance with Plans/Documentation**

- A1. The development must be carried out in accordance with the following drawings and documentation and endorsed with Council's approval stamp, except where amended by the following conditions of this consent.

Plan No.	Issue	Description	Prepared by	Dated
DA.000	F	Cover Page/Location Plan	Lucy Jackson (Arch)	14/11/22
DA.101	F	Existing & Demo Ground Floor Plan	Lucy Jackson (Arch)	14/11/22
DA.102	E	Existing & Demo - Level 1 Floor Plan	Lucy Jackson (Arch)	08/07/22
DA.103	D	Existing & Demo - Elevation	Lucy Jackson (Arch)	14/11/22
DA.200	F	Proposed – Ground Floor Plan	Lucy Jackson (Arch)	14/11/22
DA.201	F	Proposed – Level 1 Floor Plan	Lucy Jackson (Arch)	14/11/22
DA.202	D	Proposed – South Elevation	Lucy Jackson (Arch)	14/07/22
DA.203	A	Proposed Site Plan	Lucy Jackson (Arch)	14/11/22
DA.300	C	Proposed – Landscape Plan	Lucy Jackson (Arch)	14/11/22
DA.301	A	Proposed – Lift	Lucy Jackson (Arch)	25/08/22

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information)

**Plans on Site**

- A2. A copy of all stamped approved plans, specifications and documents (including the plans, specifications and documents submitted and approved with the Construction Certificate) must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

All documents kept on site in accordance with this condition must be provided to any officer of the Council or the certifying authority upon their request.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information and to ensure ongoing compliance)

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**No Demolition of Extra Fabric**

- A3. Alterations to, and demolition of the existing building shall be limited to that documented on the approved plans.

(Reason: To ensure compliance with the approved development)

**B. *Matters to be Completed before the lodgement of an Application for a Construction Certificate*****Construction and Traffic Management Plan**

- B1. Prior to issue of any Construction Certificate, a Construction and Traffic Management Plan must be prepared. The following matters must be specifically addressed in this Plan:

- A plan view (min 1:100 scale) of the entire site and frontage roadways indicating:
  - i. Dedicated temporary construction site driveway entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways and footways;
  - ii. The proposed signage for pedestrian management to comply with the relevant Australian Standards, including pram ramps;
  - iii. Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
  - iv. The locations of any proposed Work Zones in the frontage roadways (to be approved by Council's Traffic Committee);
  - v. Locations of hoardings proposed;
  - vi. Location of any proposed crane standing areas;
  - vii. A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
  - viii. Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected; and
  - ix. The provision of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.
  
- b) A Traffic Control Plan(s) for the site incorporating the following:
  - i. Traffic control measures proposed in the road reserve that are in accordance with the RMS publication "Traffic Control Worksite Manual" and designed by a person licensed to do so (minimum RMS 'red card' qualification).
  - ii. The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each.

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- c) A detailed description and map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided detailing light traffic roads and those subject to a load or height limit must be avoided at all times.
- A copy of this route is to be made available to all contractors and must be clearly depicted at a location within the site.
- d) A Waste Management Plan in accordance with the provisions of Part B Section 19 of the North Sydney DCP 2013 must be provided. The Waste Management Plan must include, but not be limited to, the estimated volume of waste and method of disposal for the construction and operation phases of the development, design of on-site waste storage and recycling area and administrative arrangements for waste and recycling management during the construction process
- (e) Evidence of RMS concurrence where construction access is provided directly or within 20 m of an Arterial and/or Classified Road;
- (f) A schedule of site inductions to be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations. These must specify that construction-related vehicles to comply with the approved requirements; and
- (g) For those construction personnel that drive to the site, the Site Manager shall attempt to provide on-site parking so that their personnel's vehicles do not impact on the current parking demand in the area.

A suitably qualified and experienced traffic engineer or consultant must prepare the Construction and Traffic Management Plan.

As this plan has a direct impact on the local road network, it must be submitted to and reviewed by Council prior to the issue of any Construction Certificate. A certificate of compliance with this condition from Council's Development Engineers as to the result of this review must be obtained and must be submitted as part of the supporting documentation lodged with the Certifying Authority for approval of the application for a Construction Certificate.

The construction management measures contained in the approved Construction and Traffic Management Plan must be implemented prior to the commencement of, and during, works on-site.

All works must be undertaken in accordance with the approved Construction and Traffic Management Plan.

- A detailed heavy vehicle access route map through the Council area to Arterial Roads. Provision is to be made to ensure through traffic is maintained at all times.

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- The proposed phases of works on the site, and the expected duration of each phase.
- How access to neighbouring properties will be maintained at all times and the proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of process.
- The road is not to be used as a waiting area for trucks delivering to or awaiting pick up of materials.
- The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed and certified by an appropriately qualified and practising structural engineer and must not involve any permanent or temporary encroachment onto Council's property.
- Proposed protection for Council and adjoining properties. Details are to include site fencing and the provision of "B" class hoardings over footpaths and laneways.
- A Waste Management Plan. The Waste Management Plan must include, but not be limited to, the estimated volume of waste and method of disposal for the construction and operation phases of the development, design of on-site waste storage and recycling area and administrative arrangements for waste and recycling management during the construction process.

All traffic control work and excavation, demolition and construction activities must be undertaken in accordance with the approved Construction Management Program and any conditions attached to the approved Program. A certificate of compliance with this condition must be obtained from Council's development engineers. The certificate and the approved Construction Management Program must be submitted as part of the documentation lodged with the application for approval of a construction certificate.

**A copy of the approved Construction and Traffic Management Plan must be kept on the site at all times and be made available to any officer of the Council on request.**

Notes:

- 1) North Sydney Council's adopted fee for certification of compliance with this condition shall be payable on lodgement, or in any event, prior to the issue of the relevant approval.
- 2) Any use of Council property will require appropriate approvals and demonstration of liability insurances prior to such work commencing.
- 3) Failure to provide complete and detailed information may result in delays. It is recommended that your Construction Management Plan be lodged with Council as early as possible, as a minimum six (6) weeks assessment period is required, including referral to the Traffic Committee.

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- 4) Dependent on the circumstances of the site, Council may request additional information to that detailed above.

(Reason: To ensure appropriate measures have been considered for site access, storage and the operation of the site during all phases of the demolition process in a manner that respects adjoining owner's property rights and residential amenity in the locality, without unreasonable inconvenience to the community)

**C. Prior to the Issue of a Construction Certificate (and ongoing, where indicated)**

**Design Changes – Child Care Facilities**

- C1. The following information must be provided and/or indicated on revised plans prior to approval of the Construction Certificate:

- The internal stair to be noted to be upgraded to comply with BCA D2.13.
- Appropriate signage for the entry of the Child Care Centre with Council approval if required.
- All grassed areas must be covered with artificial turf to ensure there is no contact with the soil.
- An Emergency and Evacuation Plan/diagrams as required by Section 5.3, Provision P2 (a) (b) & (c) be provided prior to approval of a Construction Certificate.
- The 'security buzzer' system proposed for James Place be augmented to provide CCTV functionality, and, this coverage extended to the doors accessing Ridge Street.
- All operational conditions contained in this consent.

(Reason: To comply with the requirements of the North Sydney Development Control Plan 2013, Section 5 'Child Care Facilities' and the associated State and National Guidelines, and to ensure security and safety of the students and staff of the Child Care Centre and its associated uses)

**Design Changes – Heritage**

- C2. The following additional information and design changes must be incorporated into the final set of plans and relevant Construction Certificate to be issued by the Principal Certifying Authority:

- The existing fabric relating to the earlier building and including the nib walls and bulkheads are to remain in situ.
- A conservation schedule for the ongoing care of the building must be prepared including the investigation and implementation of a new colour scheme picking up a traditional colour scheme to enhance its contribution to the streetscape character of Ridge Street.

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- The proposed lift structure must remain clear of the eaves so as not to disrupt the understanding of the traditional roof form. Details are to be submitted to Council for the approval of Council's Conservation Planner.

(Reason: To protect the character and significance of the heritage item and its setting within the vicinity of the nearby heritage items)

**Risk Assessment**

- C3. A risk assessment must be carried out and a risk assessment report must be submitted for approval to Council or the Principal Certifying Authority prior to release of the Construction Certificate. **The risk assessment is to include factors internal and external to the facility including the drop off and pick up of students.**

(Reason:- To comply with the requirements of the North Sydney Development Control Plan 2013, Section 5 'Child Care Facilities' and the associated State and National Guidelines)

**Revised Plan of Management**

- C4. The Plan of Management must be revised to incorporate the following:
- The Centre Based Child Care Facility, Education Facility (Kindergarten) and out of school hours care facility are to comply at all times with staffing requirements of the Education and Care Services National Regulations 2011.

(Reason: To ensure that the minimum staffing requirements of the Education and Care Services National Regulations 2011 are met due to the multiple uses operating at the same time in the centre)

**Structural Adequacy of Existing Building**

- C5. A report prepared by an appropriately qualified and practising structural engineer, certifying the structural adequacy of the property and its ability to withstand the proposed additional, or altered structural loads during all stages of construction shall be submitted to the Certifying Authority for approval prior to issue of any Construction Certificate. The certified report must also include all details of the methodology to be employed in construction phases to achieve the above requirements. The methodology in the certified report must be complied with at all times.

(Reason: To ensure the structural integrity of the building is maintained)

**Sediment Control**

- C6. Where construction or excavation activity requires the disturbance of the soil surface or existing vegetation, erosion and sediment control techniques, as a minimum, are to be in accordance with the publication *Managing Urban Stormwater: Soils and Construction* (4th edition, Landcom, 2004) commonly referred to as the "Blue Book" or a suitable and effective alternative method.

A Sediment Control Plan must be prepared and submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate and prior to any works commencing. The Sediment Control Plan must be consistent with the Blue Book and disclose:

- a) All details of drainage to protect and drain the site during the construction processes;
- b) All sediment control devices, barriers and the like;
- c) Sedimentation tanks, ponds or the like;
- d) Covering materials and methods; and
- e) A schedule and programme of the sequence of the sediment and erosion control works or devices to be installed and maintained.
- f) Methods for the temporary and controlled disposal of stormwater during construction.

All works must be undertaken in accordance with the approved Sediment Control plan.

The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

**Waste Management Plan**

- C7. A Waste Management Plan is to be submitted for approval by the Certifying Authority prior to the issue of any Construction Certificate. The plan must include, but not be limited to:
- a) The estimated volume of waste and method of disposal for the construction and operation phases of the development;
  - b) The design of the on-site waste storage and recycling area; and

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- c) Administrative arrangements for waste and recycling management during the construction process.

The approved Waste Management Plan must be complied with at all times in the carrying out of the development.

(Reason: To encourage the minimisation of waste and recycling of building waste)

**Colours, Finishes and Materials (Heritage Items)**

- C8. A traditional palette of finishes, materials and colour schemes must be selected for the new building works appropriate to the architectural style of the original building and submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted fully satisfy the requirements of this condition prior to the release of the Construction Certificate.

(Reason: To ensure that exterior colours, finishes and materials are sympathetic to the significance of the heritage item.)

**Bond for Damage and Completion of Infrastructure Works - Stormwater, Kerb and Gutter, Footpaths, Vehicular Crossing and Road Pavement**

- C9. Prior to the issue of any Construction Certificate, security deposit or bank guarantee must be provided to Council to the sum of \$5,000.00 to be held by Council for the payment of cost for any/all of the following:
- a) making good any damage caused to any property of the Council as a consequence of the doing of anything to which this consent relates,
  - b) completing any public work (such as road work, kerbing and guttering, footway construction, stormwater drainage and environmental controls) required in connection with this consent.
  - c) remedying any defects in any such public work that arise within six months after the work is completed.

The security required by this condition and in the schedule contained later in these conditions must be provided by way of a deposit with the Council; or other such guarantee that is satisfactory to Council (such as a bank guarantee). Any guarantee provided as security must name North Sydney Council as the nominated beneficiary and must not be subject to an expiry date.

The security will be refundable following the expiration of six months from the issue of any final Occupation Certificate or completion of public work required to be completed (whichever is the latest) but only upon inspection and release by Council's Engineers.



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Council shall have full authority to make use of the bond for such restoration works as deemed necessary by Council in circumstances including the following:

- where the damage constitutes a hazard in which case Council may make use of the security immediately;
- the applicant has not repaired or commenced repairing damage within 48 hours of the issue by Council in writing of instructions to undertake such repairs or works;
- works in the public road associated with the development are to an unacceptable quality; and
- the Certifying Authority must ensure that security is provided to North Sydney Council prior to issue of any Construction Certificate.

(Reason: To ensure appropriate security for works on public land and an appropriate quality for new public infrastructure)

**Upgrade of Existing Building - Fire Spread and Safe Egress**

C10. Pursuant to clause 64 of the EP&A Regulation 2021, aspects of the existing building must be brought into conformity with the Building Code of Australia (BCA).

Work must be carried out as part of the development so as to upgrade the building to bring it into compliance with the following:

- BCA Assessment Report No. 115008-BCA-r1 dated 22 July 2022 prepared by BCA Logic.

Plans and specifications showing the upgrading works which must be carried out under this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate.

Notes:

- 1) The Certifying Authority must be satisfied that the plans and specifications submitted prior to the issue of any Construction Certificate comply with the requirements of this condition.
- 2) The Certifying Authority issuing the Construction Certificate has no power to remove the requirements to upgrade the existing building as required by this condition.
- 3) Where this condition specifies compliance with the performance requirements of the BCA, the Certifying Authority, subject to their level of accreditation, may be satisfied as to such matters.

(Reason: Application of Regulations relating to Fire and Life Safety)

**Cleanliness and Maintenance of Food Preparation Areas**

C11. To ensure that adequate provision is made for the cleanliness and maintenance of all food preparation areas, all building work in connection with the occupation or use of the premises for the preparation and storage of food shall be designed and carried out in accordance with the requirements of:

- a) the Food Act 2003;
- b) the Food Regulation;
- c) the relevant Australian Standards;
- d) Council's Food Premises Code;
- e) Sydney Water Corporation - Trade Waste Section;
- f) the Protection of the Environment Operations Act and associated Regulations; and
- g) the Building Code of Australia.

Plans and specifications which comply with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate.

The Construction Certificate plans and documentation must incorporate details of the following:

- a) construction, materials and finishes;
- b) installation of fixtures, fittings and equipment;
- c) washing facilities, other facilities and special requirements;
- d) mechanical ventilation and exhaust discharges; and
- e) temperature control

The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure compliance with acceptable standards for the construction of food premises established under environmental health and safety legislation)

**Garbage and Recycling Facilities**

C12. An appropriate area must be provided within the premises for the storage of garbage bins and recycling containers and all waste and recyclable material generated by this premises. The following requirements must be met:

- a) all internal walls of the storage area must be rendered to a smooth surface, covered at the floor/wall intersection, graded and appropriately drained with a tap in close proximity to facilitate cleaning;
- b) provision for the separation and storage in appropriate categories of material suitable for recycling;

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- c) the storage area must be adequately screened from the street, with the entrance to the enclosures no more than 2 m from the street boundary of the property;
- d) if a storage facility is to be provided at another suitable location within the building, a complementary garbage bin holding bay must be provided no more than 2 m from the street boundary of the property;
- e) garbage enclosures serving residential units are not to be located within areas designated for non-residential uses; and
- f) garbage enclosures serving non-residential uses are not to be located within areas designated for dining purposes.

Plans and specifications which comply with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate.

The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

Note: The applicant may wish to discuss bin storage requirements and location with Council's Environmental Services prior to finalisation of the required detail, and a copy of Council's Waste Handling Guide should be obtained for reference purposes before the design is finalised.

(Reason: To ensure the provision of appropriate waste facilities for residents and protect community health, and to ensure efficient collection of waste by collection contractors)

**Storage of Hazardous or Toxic Material**

- C13. To ensure hazardous and toxic materials are not a threat to the environment they must be stored in accordance with WorkCover Authority requirements. All tanks, drums and containers of toxic and hazardous materials must be stored in a bunded area. The bund walls and floors must be constructed of impervious materials and are to be of sufficient size to contain 110% of the volume of the largest tank plus the volume displaced by any additional tanks within the bunded area.

Plans and specifications complying with this condition must be submitted to the Certifying Authority for Approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted fully satisfy the requirements of this condition.

(Reason: To ensure the environmental health and safety of the public and workers)

**Noise from Plant and Equipment**

C14. The use of all plant and equipment installed on the premises must not:

- (a) Contribute an LAeq(15min) which will cause the total LAeq(15min) from all plant and equipment operating contemporaneously on the site or in the strata scheme or in the mixed strata schemes to exceed the RBL by more than 5dB when measured at the boundary of any affected receiver. The modifying factor adjustments in Section 4 of the EPA Industrial Noise Policy shall be applied.
- (b) Cause "offensive noise" as defined in the *Protection of the Environment Operations Act 1997*.

"affected receiver" includes residential premises (including any lot in the strata scheme or another strata scheme), premises for short-term accommodation, schools, hospitals, places of worship, commercial premises and parks and such other affected receiver as may be notified by the Council in writing.

"boundary" includes any window or elevated window of an affected receiver.

Terms in this condition have the same meaning as in the Noise Guide for Local Government and the Industrial Noise Policy published by the NSW Environment Protection Authority.

(Reason: To maintain an appropriate level of amenity for adjoining land uses)

**Compliance with Acoustic Report**

C15. All recommendations contained in the acoustic report prepared by Renzo Tonin & Associates, dated 30 July 2022, must be implemented during construction, and use of the development as an on-going requirement.

A statement from an appropriately qualified acoustical consultant eligible for membership of the Association of Australasian Acoustical Consultants, certifying that the acoustic mitigation measures outlined in the above stated report and any further detailed acoustic review of all mechanical plant, have been suitably incorporated into the development, and that relevant noise criteria have been satisfied, must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate.

The Principal Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To maintain an appropriate level of amenity for adjoining land uses)

### Provision of Accessible Paths of Travel

- C16. Access to and throughout the building must be designed and constructed to provide access and facilities in accordance with the Building Code of Australia and Disability (Access to Premises – Buildings) Standards 2010. Plans and specifications complying with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards)

### Section 7.12 Contributions

- C17. A monetary contribution pursuant to the provisions of Section 7.12 of the Environmental Planning and Assessment Act 1979, in accordance with the North Sydney Local Infrastructure Contributions Plan for the public amenities/services detailed in column A below and, for the amount detailed in column B below, must be paid to Council.

The total contribution is **\$4,500.00**.

The contribution MUST BE paid prior issue of any Construction Certificate.

The above amount will be adjusted for inflation by reference to the Consumer Price (All Ordinaries) Index applicable at the time of the payment of the contribution.

A copy of the North Sydney Local Infrastructure Contributions Plan can be viewed at North Sydney Council's Customer Service Centre, 200 Miller Street, North Sydney or downloaded via Council's website at [www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au)

(Reason: To retain a level of service for the existing population and to provide the same level of service to the population resulting from new development)

### Security Deposit/Guarantee Schedule

- C18. All fees and security deposits/guarantees in accordance with the schedule below must be provided to Council prior to the issue of any Construction Certificate:

<b>Security Deposit/Guarantee</b>	<b>Amount (\$)</b>
Infrastructure Damage Bond	\$5,000.00
<b>TOTAL BONDS</b>	<b>\$5,000.00</b>

Note: The following fees applicable

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<b>Fees</b>	
Section 7.12 Contributions	\$4,500.00
<b>TOTAL FEES</b>	<b>\$4,500.00</b>

The security required by the above schedule must be provided by way of a deposit with the Council; or other such guarantee that is satisfactory to Council (such as a bank guarantee). Any guarantee provided as security must name North Sydney Council as the nominated beneficiary and must not be subject to an expiry date.

(Reason: Compliance with the development consent)

**Artificial Turf**

C19. All grassed areas must be covered with artificial turf to ensure there is no contact with the soil.

(Reason: To protect children and users of the development in general from exposed soil)

**D. Prior to the Commencement of any Works (and continuing where indicated)**

**Public Liability Insurance - Works on Public Land**

D1. Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$20 million in relation to the occupation of public land and the undertaking of approved works within Council's road reserve or public land, as approved by this consent. The Policy is to note and provide protection/full indemnification for North Sydney Council, as an interested party. A copy of the Policy must be submitted to Council prior to commencement of any works. The Policy must be valid for the entire period that the works are being undertaken.

Note: Applications for hoarding permits, vehicular crossings etc will require evidence of insurance upon lodgement of the application.

(Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land)

**Asbestos Material Survey**

D2. Prior to the commencement of any works, a report must be prepared by a suitably qualified person in relation to the existing building fabric to be demolished and/or disturbed identifying the presence or otherwise of asbestos contamination and, if asbestos contamination is present, making recommendations as to the work required to safely address the contamination.

Any demolition works or other works identified in the report as having to be carried out must be carried out in accordance with the recommendations of the report and the following:

- a) the removal of asbestos must be undertaken by a WorkCover licensed contractor;
- b) all removal must be in strict accordance with the requirements of the WorkCover Authority in relation to the removal, handling and disposal of material containing asbestos and any Work Safe Australia requirements.
- c) during the removal of any asbestos a sign stating "DANGER ASBESTOS REMOVAL IN PROGRESS" must be erected in a visible position at the boundary of the site; and
- d) Waste disposal receipts must be provided to the Certifying Authority as proof of correct disposal of asbestos laden waste.

The report must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the report, and other plans, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure the long-term health of workers on site and occupants of the building is not put at risk unnecessarily)

### **Commencement of Works' Notice**

- D3. Building work, demolition or excavation in accordance with this development consent must not be commenced until the developer has given at least two days' notice to North Sydney Council of the person's intention to commence building work, demolition or excavation in accordance with this development consent.

(Reason: To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

### ***E. During Demolition and Building Work***

#### **Parking Restrictions**

- E1. Existing public parking provisions in the vicinity of the site must be maintained at all times during works. The placement of any barriers, traffic cones, obstructions or other device in the road shoulder or kerbside lane is prohibited without the prior written consent of Council. Changes to existing public parking facilities/restrictions must be approved by the North Sydney Local Traffic Committee. The Developer will be held responsible for any breaches of this condition and will incur any fines associated with enforcement by Council regulatory officers.

(Reason: To ensure that existing kerbside parking provisions are not compromised during works)

**Road Reserve Safety**

- E2. All public footways and roadways fronting and adjacent to the site must be maintained in a safe condition at all times during the course of the development works, with no obstructions caused to the said footways and roadways. Construction materials and plant must not be stored in the road reserve without approval of Council. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to any public access ways fronting the construction site.

Where public infrastructure is damaged, repair works must be carried out in when and as directed by Council officers (at full Developer cost). Where pedestrian circulation is diverted on to the roadway or verge areas, clear directional signage and protective barricades must be installed in accordance with AS1742-3 (1996) "Traffic Control Devices for Work on Roads". **If pedestrian circulation is not satisfactorily maintained across the site frontage, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.**

(Reason: Public Safety)

**Temporary Disposal of Stormwater Runoff**

- E3. During construction, stormwater runoff must be disposed in a controlled manner that is compatible with the erosion and sediment controls on the site. Immediately upon completion of any impervious areas on the site (including roofs, driveways, paving) and where the final drainage system is incomplete, the necessary temporary drainage systems must be installed to reasonably manage and control runoff as far as the approved point of stormwater discharge. Such ongoing measures must be to the satisfaction of the Certifying Authority.

(Reason: Stormwater control during construction)

**Structures Clear of Drainage Easements**

- E4. It is the full responsibility of the Developer and their contractors to:
- a) Ascertain the exact location of the Council drainage infrastructure traversing the site in the vicinity of the works;
  - b) Take full measures to protect the in-ground Council drainage system; and
  - c) Ensure dedicated overland flow paths are satisfactorily maintained through the site.

Drainage pipes can be damaged through applying excessive loading (such as construction plant, material storage and the like). All proposed structures and construction activities are to be located clear of Council drainage pipes, drainage easements, watercourses and trunk overland flow paths on the site. Trunk or dedicated overland flow paths must not be impeded or diverted by fill or structures unless otherwise approved.



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In the event of a Council drainage pipeline being uncovered during construction, all work is to cease and the Certifying Authority and Council (if it is not the Certifying Authority) must be contacted immediately for advice. Any damage caused to a Council drainage system must be immediately repaired in full as directed, and at no cost to Council.

(Reason: Protection of Public Drainage Assets)

**Removal of Extra Fabric**

E5. Should any portion of the existing building, trees, or curtilage of the site which is indicated on the approved plans to be retained be damaged for whatever reason, all the works in the area of the damaged portion are to cease and written notification of the damage is to be given to Council forthwith. No work is to resume until the written approval of Council to do so is obtained. Failure to comply with the provisions of this condition may result in the Council taking further action including legal proceedings if necessary.

(Reason: To ensure compliance with the terms of this development consent)

**Dust Emission and Air Quality**

E6. The following must be complied with at all times:

- (a) Materials must not be burnt on the site.
- (b) Vehicles entering and leaving the site with soil or fill material must be covered.
- (c) Dust suppression measures must be carried out to minimise wind-borne emissions in accordance with the NSW Department of Housing's 1998 guidelines - Managing Urban Stormwater: Soils and Construction.
- (d) Odour suppression measures must also be carried out where appropriate so as to prevent nuisance occurring at adjoining properties.

(Reason: To ensure residential amenity is maintained in the immediate vicinity)

**Noise and Vibration**

E7. The works must be undertaken in accordance with the "Interim Construction Noise Guideline," published by the NSW Environment Protection Authority, to ensure excessive levels of noise and vibration do not occur so as to minimise adverse effects experienced on any adjoining land.

(Reason: To ensure residential amenity is maintained in the immediate vicinity)

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**No Work on Public Open Space**

- E8. No work can be undertaken within adjoining public lands (i.e., Parks, Reserves, Roads etc) without the prior written consent of Council. In this regard the developer is to liaise with Council prior to the commencement of any design works or preparation of a Construction and Traffic Management Plan.

(Reason: Protection of existing public infrastructure and land and to ensure public safety and proper management of public land)

**Applicant's Cost of Work on Council Property**

- E9. The applicant must bear the cost of all works associated with the development that occurs on Council's property, including the restoration of damaged areas.

(Reason: To ensure the proper management of public land and funds)

**No Removal of Trees on Public Property**

- E10. No trees on public property (footpaths, roads, reserves, etc.) unless specifically approved by this consent shall be removed or damaged during construction including for the erection of any fences, hoardings or other temporary works.

(Reason: Protection of existing environmental infrastructure and community assets)

**Special Permits**

- E11. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development must occur entirely on the property.

The developer, owner or builder may apply for specific permits available from Council's Customer Service Centre for the undermentioned activities on Council's property. In the event that a permit is granted by Council for the carrying out of works, processes, storage of materials, loading and unloading associated with the development on Council's property, the development must be carried out in accordance with the requirements of the permit. A minimum of forty-eight (48) hours' notice is required for any permit:

1) **On-street mobile plant**

E.g., cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation, the area of operation, etc. Separate permits are required for each occasion and each piece of equipment. It is the developer's, owner's and builder's responsibilities to take whatever steps are necessary to ensure that the use of any equipment does not violate adjoining property owner's rights.

(Reason: Proper management of public land)

**2) Hoardings**

Permits are required to erect Class A and Class B hoardings. If an 'A' Class hoarding is to alienate a section of Council's property, that section will require a permit for the occupation of Council's property.

(Reason: Proper management of public land)

**3) Storage of building materials and building waste containers (skips) on Council's property**

Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded by Council with no additional notice being given. Storage of building materials and waste containers on open space reserves and parks is prohibited.

(Reason: Proper management of public land)

**4) Kerbside restrictions, construction zones**

Attention is drawn to the existing kerbside restrictions adjacent to the development. Should alteration of existing kerbside restrictions be required, or the provision of a construction zone, the appropriate application must be made and the fee paid to Council. Alternatives to such restrictions may require referral to Council's Traffic Committee and may take considerable time to be resolved. An earlier application is suggested to avoid delays in construction programs.

(Reason: Proper management of public land)

**Construction Hours (Commercial Core and Mixed-use Zones)**

E12. Construction activities and works approved under this consent must be carried out only within the hours stipulated in the following table:

Location	Standard Construction Hours	
	Day	Hours
<b>B3 Commercial Core Zone B4 Mixed-use Zone</b>	Monday - Friday	7.00 am - 7.00 pm
	Saturday	8.00 am - 1.00 pm
	Sunday, Public holiday	No work permitted

Construction activities for development approved under this consent must be carried out in accordance with the standard construction hours above and any Construction Noise Management Plan required under this consent.

In the event of breach to the approved hours of construction Council take may take enforcement action under Part 9 of the EP&A Act 1979 and in accordance with Council's adopted Compliance and Enforcement Policy.

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

### **Out-of-hours' Work Permits**

E13. Where it is necessary for works to occur outside those hours allowed by these conditions, an application may be made to Council's Customer Services Centre for a permit to carry out works outside of the approved hours. If a permit is issued the works approved must be carried out in accordance with any requirements specified in the permit. Permits will only be approved if **public safety is at risk**. Applications which seek a variation to construction hours solely to benefit the developer will require the lodgement and favourable determination of a modification application pursuant to the provisions of Section 96 of the Environmental Planning and Assessment Act 1979.

#### Notes:

- 1) Failure to obtain a permit for work outside of the approved hours will result in on the spot fines being issued, or Council pursuing any action required (including legal proceedings) to have the out of hours work cease, without prior warning.
- 2) Applications for out of hour's works should be lodged with Council no later than seven (7) calendar days prior to the date of the intended works.
- 3) Examples of activities for which permits may be granted include:
  - the erection of awnings,
  - footpath, road and other infrastructure works which cannot be carried out for public convenience reasons within normal hours,
  - the erection and removal of hoardings and site cranes, and
  - craneage of materials which cannot be done for public convenience reasons within normal working hours.
- 4) Examples of activities for which permits WILL NOT be granted include;
  - extended concrete pours
  - works which are solely to convenience the developer or client, and
  - catch up works required to maintain or catch up with a construction schedule.
- 5) Further information on permits can be obtained from the Council website at [www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au).

(Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community)

**Installation and Maintenance of Sediment Control**

- E14. Erosion and sediment controls must be installed and maintained at all times in accordance with the Sediment and erosion control plan submitted and approved with the Construction Certificate.

Erosion and sediment measures must be maintained in accordance with the publication Managing Urban Stormwater: Soils and Construction (4th edition, Landcom, 2004), commonly referred to as the "Blue Book" and can only be removed when development activities have been completed and the site fully stabilised.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

**Sediment and Erosion Control Signage**

- E15. A durable sign must be erected during building works in a prominent location on site, warning of penalties should appropriate erosion and sedimentation control devices not be maintained. A sign of the type referred to in this condition is available from Council.

(Reason: To protect the environment from the effects of sedimentation and erosion from development sites)

**Site Amenities and Facilities**

- E16. Where work involved in the erection and demolition of a building is being carried out, amenities which satisfy applicable occupational health and safety and construction safety regulations, including any WorkCover Authority requirements, must be provided and maintained at all times. The type of workplace determines the type of amenities required.

Further information and details can be obtained from the Internet at [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au).

(Reason: To ensure the health and safety of the community and workers on the site)

**Health and Safety**

- E17. All work undertaken must satisfy applicable occupational health and safety and construction safety regulations, including any WorkCover Authority requirements to prepare a health and safety plan. Site fencing must be installed sufficient to exclude the public from the site. Safety signs must be erected that warn the public to keep out of the site and provide a contact telephone number for enquiries.

Further information and details regarding occupational health and safety requirements for construction sites can be obtained from the internet at [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au).

(Reason: To ensure the health and safety of the community and workers on the site)

**Prohibition on Use of Pavements**

- E18. Building materials must not be placed on Council's footpaths, roadways, parks or grass verges, (unless a permit is obtained from Council beforehand). A suitable sign to this effect must be erected adjacent to the street alignment.

(Reason: To ensure public safety and amenity on public land)

**Plant and Equipment Kept Within Site**

- E19. All plant and equipment used in the undertaking of the development/ works, including concrete pumps, wagons, lifts, mobile cranes, hoardings etc, must be situated within the boundaries of the site (unless a permit is obtained from Council beforehand) and so placed that all concrete slurry, water, debris and the like must be discharged onto the building site, and is to be contained within the site boundaries.

Details of Council requirements for permits on public land for standing plant, hoardings, storage of materials and construction zones and the like are available on Council's website at [www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au).

(Reason: To ensure public safety and amenity on public land)

**Waste Disposal**

- E20. All records demonstrating the lawful disposal of waste must be retained and kept readily accessible for inspection by regulatory authorities such as North Sydney Council and the Environmental Protection Authority.

(Reason: To ensure the lawful disposal of construction and demolition waste)

**Asbestos Removal**

- E21. All demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with National Occupational Health and Safety Commission.

(Reason: To ensure works are carried out in accordance with relevant WorkCover requirements)

**F. *Prescribed Conditions imposed under EP&A Act and Regulations and other relevant Legislation*****National Construction Code**

- F1. All building work must be carried out in accordance with the provisions of the National Construction Code.

(Reason: Prescribed - Statutory)

**Appointment of a Principal Certifying Authority (PCA)**

- F2. Building work, demolition or excavation in accordance with the development consent must not be commenced until the developer has appointed a Principal Certifying Authority for the building work in accordance with the provisions of the EP&A Act and its Regulations.

(Reason: Statutory: To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

**Construction Certificate**

- F3. Building work, demolition or excavation in accordance with the development consent must not be commenced until a Construction Certificate for the relevant part of the building work has been issued in accordance with the provisions of the EP&A Act and its Regulations.

(Reason: Statutory: To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

**Occupation Certificate**

- F4. A person must not commence occupation or use of the whole or any part of a new building (*new building* includes an altered portion of, or an extension to, an existing building) unless an Occupation Certificate has been issued in relation to the building or part. Only the Principal Certifying Authority appointed for the building work can issue an Occupation Certificate.

(Reason: Statutory)

**Critical Stage Inspections**

- F5. Building work must be inspected by the Principal Certifying Authority on the critical stage occasions prescribed by the EP&A Act and its Regulations, and as directed by the appointed Principal Certifying Authority.

(Reason: Statutory)

**Commencement of Works**

- F6. Building work, demolition or excavation in accordance with this development consent must not be commenced until the developer has given at least two (2) days' notice to North Sydney Council of the person's intention to commence the erection of the building.

(Reason: Statutory: To ensure appropriate safeguarding measures are in place prior to the commencement of any building work, demolition or excavation)

**Excavation/Demolition**

- F7. 1) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
- 2) All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- 3) Demolition work must be undertaken in accordance with the provisions of AS2601- Demolition of Structures.

(Reason: To ensure that work is undertaken in a professional and responsible manner and protect adjoining property and persons from potential damage)

**Protection of Public Places**

- F8. 1) A hoarding and site fencing must be erected between the work site and adjoining public place.
- 2) If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- 3) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- 4) Any such hoarding, fence or awning is to be removed when the work has been completed.
- 5) No access across public reserves or parks is permitted.

Note: Prior to the erection of any temporary fence or hoarding over property owned or managed by Council, written approval must be obtained. Any application needs to be accompanied by plans indicating the type of hoarding and its layout. Fees are assessed and will form part of any approval given. These fees must be paid prior to the approval being given. Approval for hoardings will generally only be given in association with approved building works, maintenance or to ensure protection of the public. An application form for a Hoarding Permit can be downloaded from Council's website.

(Reason: To ensure public safety and the proper management of public land)



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**Site Sign**

- F9. 1) A sign must be erected in a prominent position on the site
- a) stating that unauthorised entry to the work site is prohibited;
  - b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
  - c) showing the name, address and telephone number of the Principal Certifying Authority for the work.
- 2) Any such sign must be maintained while to building work or demolition work is being carried out but must be removed when the work has been completed.

(Reason: Prescribed - Statutory)

**Maximum Capacity Site Sign**

- F10. A sign must be displayed in a prominent position in the building stating the maximum number of persons, as specified in this development consent, that are permitted in the building.

(Reason: Prescribed - Statutory)

**G. *Prior to the Issue of an Occupation Certificate*****Drop Off / Pick Up Zones**

- G1. Prior to the issue of any Occupation Certificate and prior to any operations, the drop off/pick up locations must be established as follows:
- 1) In the first instance, the operator of the facility must formally seek approval from the North Sydney Traffic Committee for the 3 x metered 1P parking spaces directly in front of the building and along Ridge Street to be utilised as drop off/pick up parking spaces during the morning and afternoon peak period when parents are dropping off and collecting their children. The morning and afternoon periods must be clearly defined between specified times. These spaces can then revert to 1P parking at all other times (outside these periods).
  - 2) Should the North Sydney Traffic Committee refuse to approve the above arrangement, the operator of the facility must seek approval from Council's Director – Engineering and Property Services, to extend the current grace period for entry and exit from the Ridge Street car park to at least 15 minutes to allow sufficient time for drop off/pick up.

(Reason: To ensure drop off/pick up zones for the facility are provided and to appropriate mitigate and manage traffic impacts in the vicinity, particularly during peak periods)

### **Infrastructure Repair and Completion of Works**

G2. Prior to the issue of any Occupation Certificate any and all works relating to the development:

- a. in the road reserve must be fully completed; and
- b. to repair and make good any damaged public infrastructure caused as a result of any works relating to the development (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concrete vehicles) must be fully repaired;

to the satisfaction of Council Engineers at no cost to Council.

(Reason: Maintain quality of public assets)

### **Access to Premises**

G3. Prior to the issue of any Occupation Certificate, a certificate must be prepared an appropriately qualified and practising Civil Engineer certifying that access and facilities for persons with a disability in accordance with the Building Code of Australia and AS Disability (Access to Premises - buildings) Standards 2010 (Premises Standards) has been provided. This certificate must be submitted to, and approved by, the Certifying Authority prior to issue of the Occupation Certificate.

(Reason: Equitable access and facilities for people with a disability)

### **Noise Certification**

G4. Prior to issue of the any Occupation Certificate a certificate from an appropriately qualified acoustical consultant eligible for membership of the Association of Australian Acoustic Consultants is to be submitted to, and approved by, the Certifying Authority certifying that the noise and vibration from use of the development complies with the conditions of consent herein.

(Reason: To ensure acoustic amenity)

### **Damage to Adjoining Properties**

G5. All precautions must be taken to prevent any damage likely to be sustained to adjoining properties. Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.

(Reason: To ensure adjoining owner's property rights are protected)

### Utility Services

- G6. All utility services shall be adjusted to the correct levels and/or location/s required by this consent, prior to issue of an occupation certificate. This shall be at no cost to Council.

(Reason: To ensure compliance with the terms of this consent)

### Asbestos Clearance Certificate

- G7. For building works where asbestos based products have been removed or altered, an asbestos clearance certificate signed by an appropriately qualified person (being an Occupational Hygienist or Environmental Consultant) must be submitted to and approved by the Certifying Authority (and a copy forwarded to Council if it is not the Certifying Authority) for the building work prior to the issue of any Occupation Certificate, the asbestos clearance certificate must certify the following:

- a) the building/land is free of asbestos; or
- b) the building/land has asbestos that is presently deemed safe.

The certificate must also be accompanied by tipping receipts, which detail that all asbestos waste has been disposed of at an approved asbestos waste disposal depot. If asbestos is retained on site the certificate must identify the type, location, use, condition and amount of such material.

Note: Further details of licensed asbestos waste disposal facilities can be obtained from [www.epa.nsw.gov.au](http://www.epa.nsw.gov.au).

(Reason: To ensure that building works involving asbestos-based products are safe for occupation and will pose no health risks to occupants)

### *I. Ongoing/Operational Conditions*

#### Plan of Management

- I1. The Plan of Management, as prepared by Cammeraygal Montessori School must be complied with at all times.

Any changes to the Plan of Management must be approved in writing by Council.

(Reason: To ensure the ongoing operation of the childcare centre is in accordance with the terms of this consent)

#### Maximum Capacity of the Facility and Children in Attendance

- I2. Regardless of any approved documentation including the Plan of Management, the maximum capacity of the facility at any given time is as follows:

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	<b>Maximum number of children</b>
Child care centre	41
Playgroup	15
Baby education classes	10
Before/After school care	20 (available to child care attendees only)

	<b>Maximum number of staff</b>
Child care centre	5
Playgroup	1
Baby education classes	1
Before/after school care	2
<b>Total</b>	<b>9</b>

The above maximum capacity must be clearly displayed in the front (reception/lobby) areas of the facility.

The maximum number of children in attendance for the ***child care centre*** at any one time must be limited to 41 children in the following age groups:

<b>Age Group</b>	<b>No. of Places</b>
0-2 years	0
2-3 years	10
3-5+ years	31
<b>Total</b>	<b>41</b>

The above maximum children capacity of the child care centre must be clearly displayed in the front (reception/lobby) areas of the facility.

(Reason: To ensure the childcare centre is operating within capacity, as approved by this consent)

**Before and After Care service**

13. The Before and After Care service provided within the centre shall only be available to children who attend the childcare service within the centre. The before & After Care Service shall not be provided to students who attend another school.

(Reason: To limit the total traffic movements associated with the use of the premises for child care and education purposes)

### **Noise Control (Child Care Centres)**

14. The use of the premises shall comply with the following:

#### Outdoor Play Area

- a) Up to two hours (total) per day - The LAeq(15 min) emitted from the outdoor play area shall not exceed the RBL by more than 10 dB at the boundary of any affected residence.
- b) More than two hours per day - The Leq(15 min) emitted from the outdoor play area shall not exceed the RBL by more than 5 dB at the boundary of any affected residence.

The LAeq(15 min) emitted from the cumulative noise impact of children playing indoors and mechanical plant on the site shall not exceed the RBL by more than 5 dB at the boundary of any affected residence.

#### **No music or amplified sound is to be played in any outdoor area at any time.**

“affected residence” includes residential premises (including any lot in the strata scheme or another strata scheme), premises for short-term accommodation and hospitals.

“boundary” includes any window or elevated window of an affected residence.

#### Ambient Noise Levels in Outdoor Play Areas

The LAeq(1hr) from road, rail traffic, commerce and industry at any location within the outdoor play or activity area during the hours when the Childcare Centre is operating shall not exceed 55 dB.

Terms in this condition have the same meaning as in the Noise Guide for Local Government and the Industrial Noise Policy published by the NSW Environment Protection Authority.

(Reason: To maintain an appropriate level of amenity for adjoining land uses)

#### **No music or amplified sound**

15. No music or amplified sound is to be played in any outdoor area at any time.

(Reason: To maintain an appropriate level of amenity for adjoining land uses)

#### **Hours of Operation**

16. The hours of operation are restricted to:

Child care centre/kindergarten

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8.30am – 3:00pm, Monday to Friday only.

Playgroup use

9.30am – 11.30am and 1pm -3pm, Monday to Friday only.

Baby Education Classes

1pm -2.30pm, Monday to Friday only.

Out of School Hours Care Use

- Before School
  - 7am – 8.30am, Monday to Friday only.
- After School
  - 3pm – 6.00pm, Monday to Friday and 10am to 5pm, Saturdays (for any weekend associated programs)

The facility must be closed on Sundays and public holidays.

Upon expiry of the permitted hours:

- a) no person shall be permitted entry; and
- b) all customers on the premises must be required to leave within the following half hour.

(Reason: To ensure that amenity of the surrounding locality is maintained and hours of operation are consistent with those in surrounding locality)

**Trade Waste**

17. Trade wastewater must be disposed of in accordance with the permit requirements of Sydney Water Corporation Ltd, Wastewater Source Control Branch.

(Reason: To ensure compliance with Sydney Water's requirements and protect the environment)

**Noise and Vibration Impact**

18. The ongoing use of the premises approved under this consent must comply with all conditions pertaining to noise and vibration specified in this consent.

(Reason: To ensure compliance with the specified levels of noise and vibration and to maintain the amenity of surrounding land uses)

**Noise and Vibration Impact (Compliance)**

19. Within 60 days of commencement of operation of the premises, further acoustic testing must be undertaken and a report from an appropriately qualified acoustical consultant eligible for membership of the Association of Australian Acoustic Consultants, prepared to demonstrate that the use of the premises complies with the conditions of this consent and/or the Acoustic Report prepared by Renzo Tonin and Associates, dated 30 July 2022.

The testing must be carried out when the premises is operating at full capacity. A copy of the report must be submitted to Council within 14 days of its completion.

If the use is found not to comply with the noise conditions, the use must cease immediately until appropriate measures to remedy the breach are implemented to the satisfaction of Council.

(Reason: To ensure compliance with acceptable noise levels to maintain the amenity of adjoining land uses)

**Commercial Waste and Recycling Storage**

110. Commercial waste and recycling material/storage bins must be stored in a separate area to the residential waste and recycling material/storage bins.

(Reason: To ensure that commercial waste and residential waste is not mixed and is properly managed)

**Waste Collection**

111. Waste and recyclable material, generated by this premises, must not be collected between the hours of 10.00 pm and 6.00 am on any day.

(Reason: To ensure the amenity of surrounding properties)

**Delivery Hours**

112. No deliveries, loading or unloading associated with the premises are to take place between the hours of 10.00 pm and 6.00 am on any day.

(Reason: To ensure the acoustic amenity of surrounding properties)

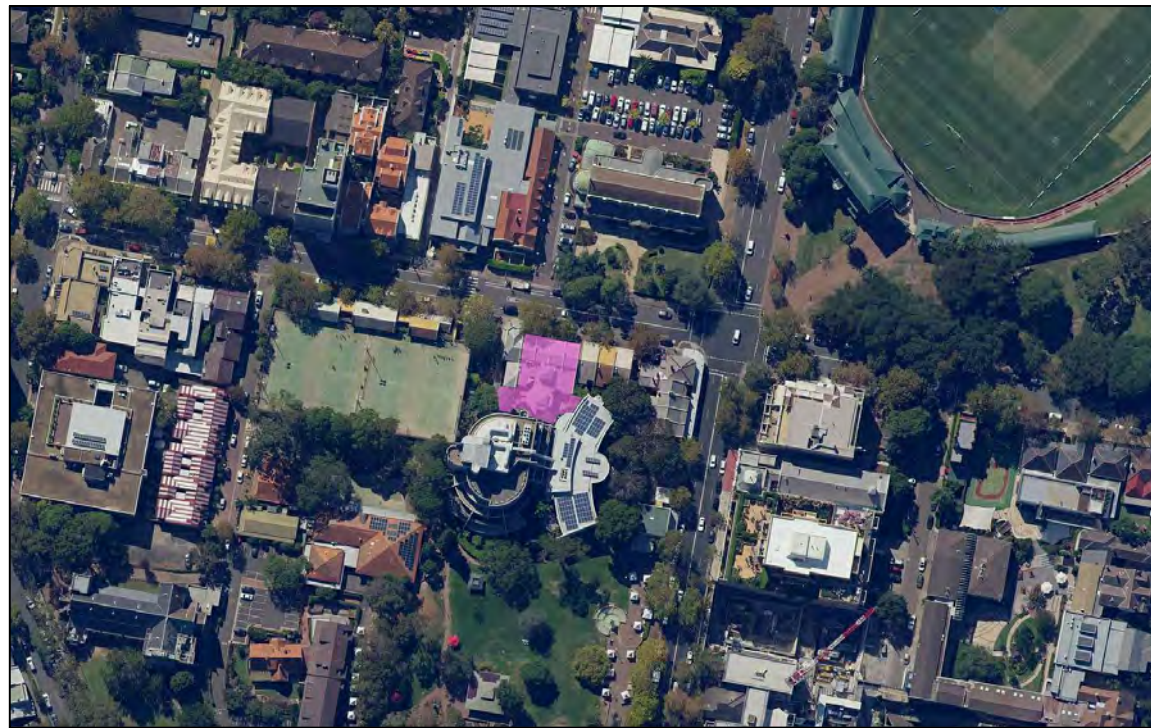


**North Sydney Council**

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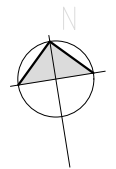


- Notes
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**01** LOCATION PLAN  
NTS

45 - 51 RIDGE STREET  
North Sydney

**01** FRONT FACADE  
NTS



Revision/Issue

No.	Amendment	Date
B	Issued for Information	04/03/22
C	Issued for DA review	04/05/22
D	Issued for Information	28/06/22
E	Issued for Information	08/07/22
F	Issued in response to council RFI	14/11/22

**DRAWING INDEX**

DA.000	COVER PAGE	
DA.101	EXISTING AND DEMOLITION - GROUND FLOOR PLAN	1:100 @ A3
DA.102	EXISTING AND DEMOLITION - LEVEL 1 FLOOR PLAN	1:100 @ A3
DA.103	EXISTING AND DEMOLITION ELEVATION	1:100 @ A3
DA.200	PROPOSED - GROUND FLOOR PLAN	1:100 @ A3
DA.201	PROPOSED - LEVEL 1 FLOOR PLAN	1:100 @ A3
DA.202	PROPOSED ELEVATION	1:100 @ A3
DA.203	PROPOSED SITE PLAN	1:200 @ A3
DA.300	PROPOSED LANDSCAPE PLAN	1:100 @ A3
DA.301	PROPOSED LIFT DETAIL	1:50 @ A3
DA.400	SUN SHADOW DIAGRAMS	NTS @ A3

Project **Cameragal Montessori Preschool**

Address **45-51 Ridge Street, North Sydney**

Title **Cover Page**

Job no 1008


Drawn Scale Date  
LJ


Drawing no **DA.000**

Issue **F**

**DEVELOPMENT APPLICATION ONLY. NOT FOR CONSTRUCTION**



 Demolition

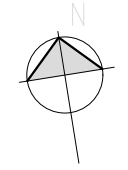
 Proposed new work

- Notes
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Existing fabric related to earlier building including nib walls and bulkheads to remain in situ

**Lucy Jackson**

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Revision/Issue

No.	Amendment	Date
A	Issued for Information	31/01/22
B	Issued for Information	07/06/22
C	Issued for Information	28/06/22
D	Issued for Information	08/07/22
E	Issued for Information	14/07/22
F	Issued in response to Council RFI	14/11/22

Project **Cameragal Montessori Preschool**

Address **45-51 Ridge Street, North Sydney**

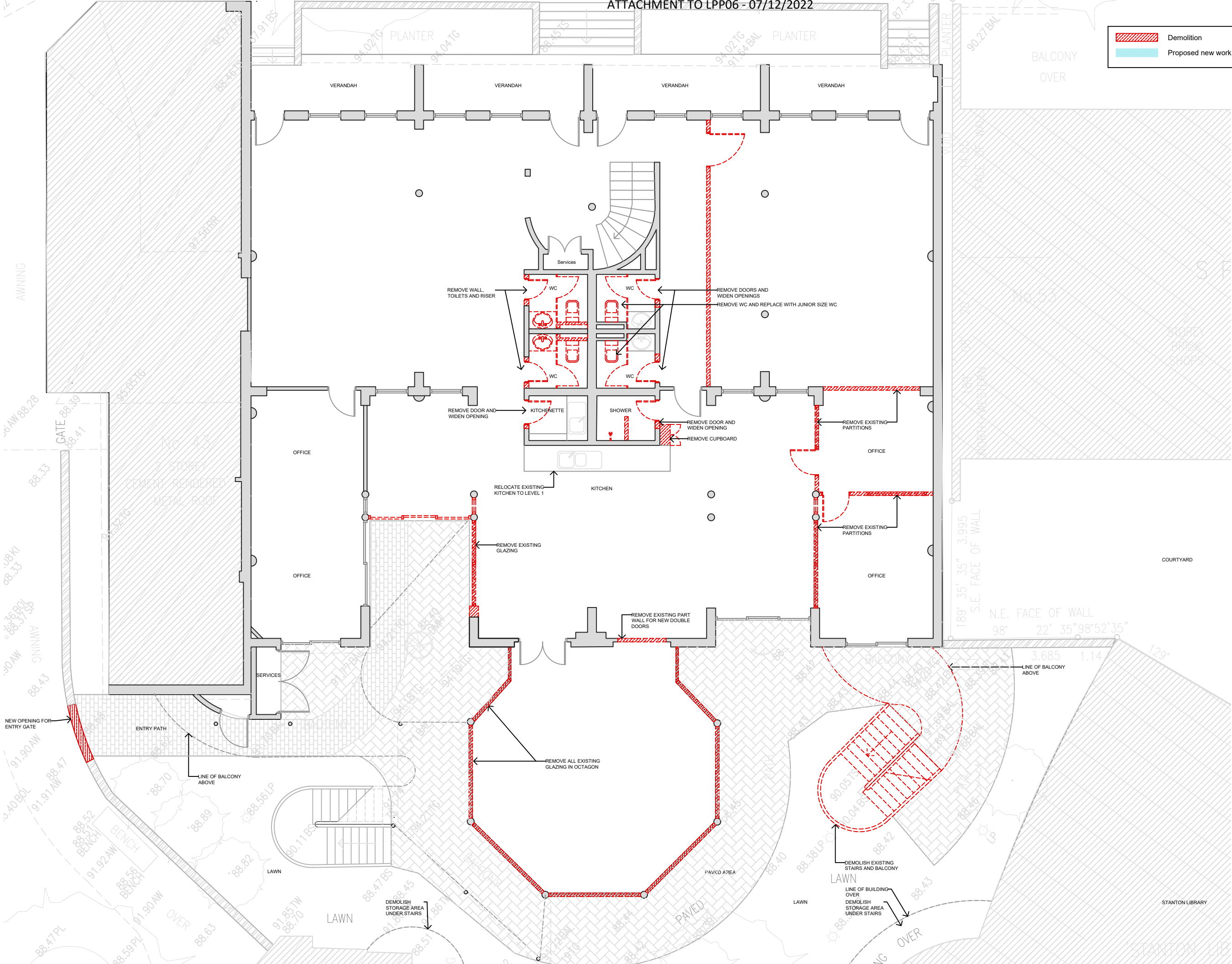
Title **Existing & Demo - Ground Floor Plan**



Job no 1008

Drawn LJ Scale Date 10/01/22

Drawing no **DA.101**

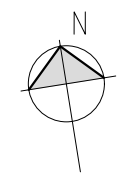
Issue **F**



 Demolition  
 Proposed new work

- Notes
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Revision/Issue

No.	Amendment	Date
A	Issued for information	31/01/22
B	Issued for information	04/03/22
C	Issued for information	07/06/22
D	Issued for information	28/06/22
E	Issued for information	08/07/22

Project **Cameragal Montessori Preschool**

Address **45-51 Ridge Street, North Sydney**

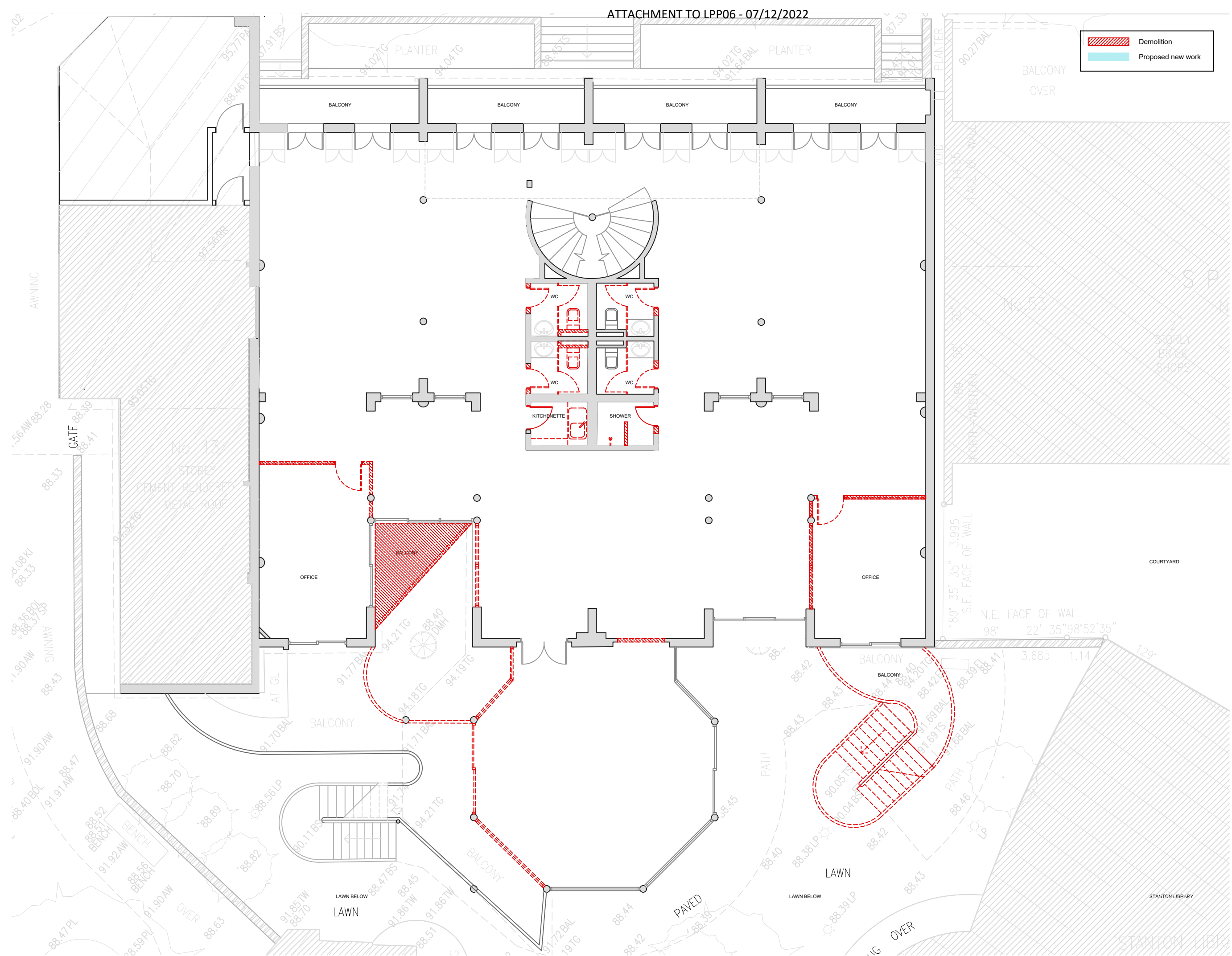
Title **Existing & Demo - Level 1 Floor Plan**

Job no 1008

Drawn LJ Scale Date 10/01/22



Drawing no **DA.102**

Issue **E**

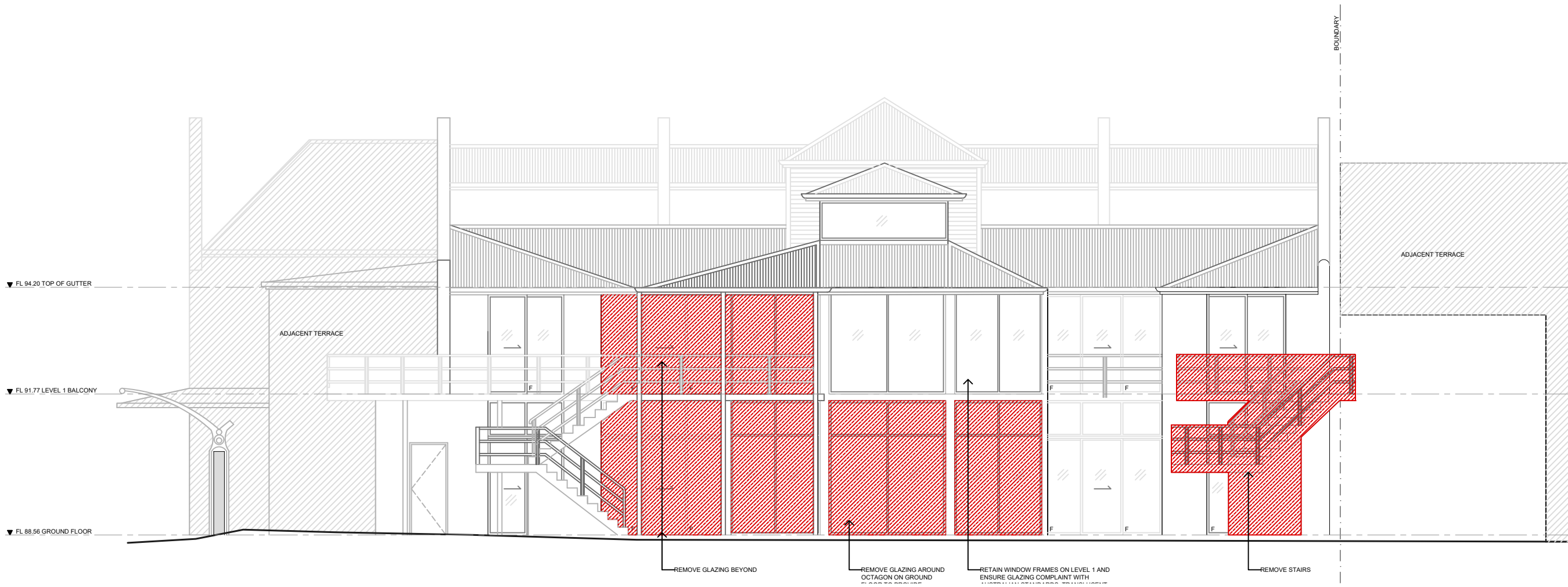


01 EXISTING LEVEL 1 FLOOR PLAN  
 1:100

**DEVELOPMENT APPLICATION ONLY. NOT FOR CONSTRUCTION**

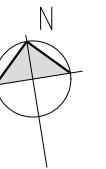
	Demolition
	Proposed new work

- Notes
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01 EXISTING SOUTH ELEVATION  
1:100

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Revision/Issue		
No.	Amendment	Date
A	Issued for Information	31/01/22
B	Issued for Information	28/06/22
C	Issued for Information	08/07/22
D	Issued in response to Council RFI	14/11/22

Project **Cameragal Montessori Preschool**

Address **45-51 Ridge Street, North Sydney**

Title **Existing & Demo - Elevation**

Job no 1008

Drawn Scale Date  
LJ

Drawing no **DA.103**

Issue **D**



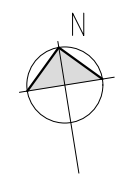
**LEGEND**

- DEMOLITION
- PROPOSED NEW WORK
- INTERNAL CLASSROOM AREAS
- FLEXIBLE AREA
- EXTERNAL PLAY AREAS

- Notes
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Existing fabric related to earlier building including nib walls and bulkheads to remain in situ

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Revision/Issue

No.	Amendment	Date
B	Issued for Information	07/06/22
C	Issued for DA review	22/06/22
D	Issued for Information	08/07/22
E	Issued for Information	14/07/22
F	Issued in reponse to council RFI	14/11/22

Project **Cameragal Montessori Preschool**

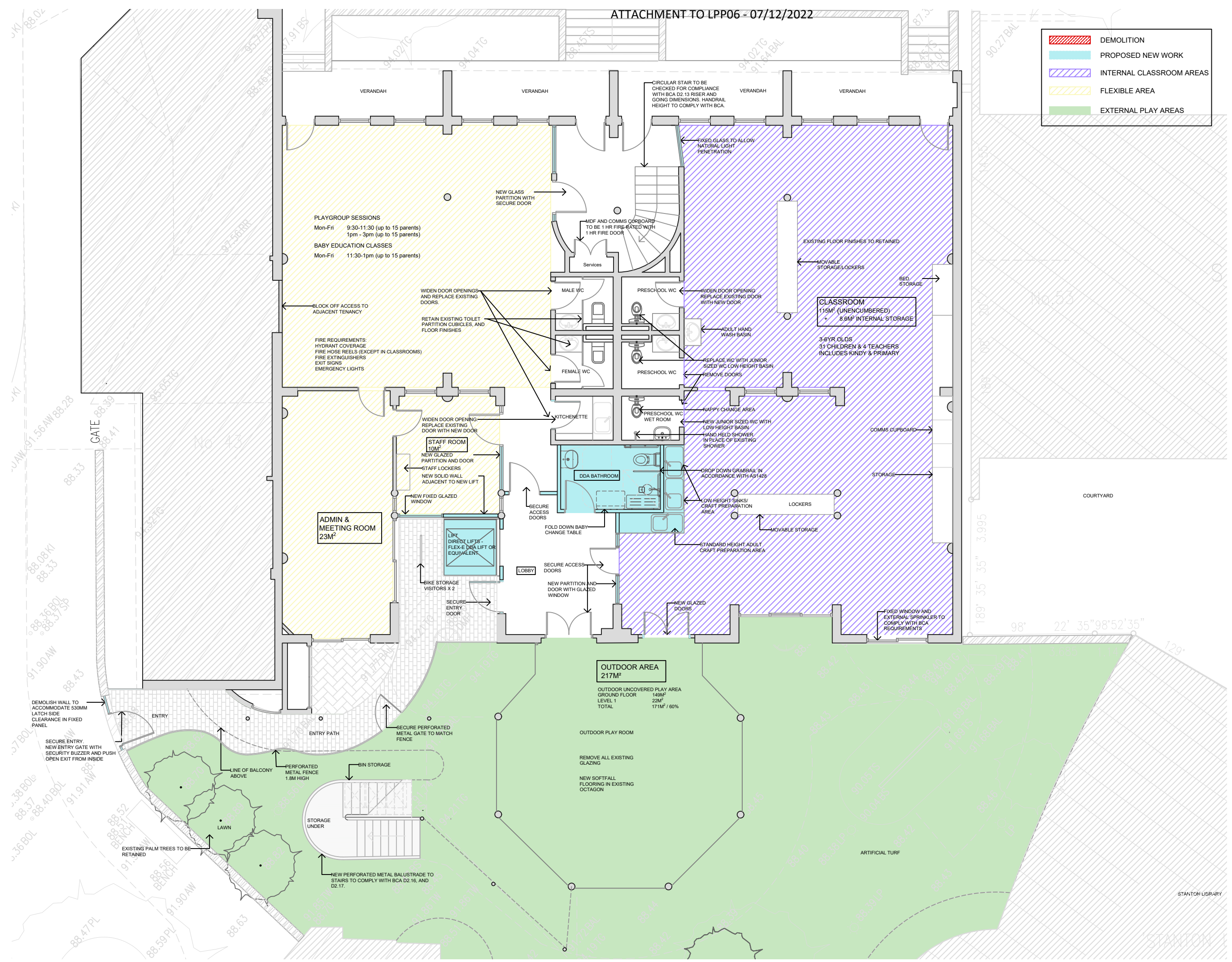
Address **45-51 Ridge Street, North Sydney**

Title **Proposed - Ground Floor Plan**

Job no 1008  
 Drawn Scale Date  
 LJ 10/01/22

Drawing no **DA.200**

Issue **F**



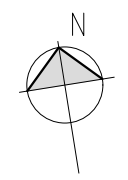
**Legend:**

- DEMOLITION
- PROPOSED NEW WORK
- INTERNAL CLASSROOM AREAS
- FLEXIBLE AREA
- EXTERNAL PLAY AREAS

- Notes
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Revision/Issue

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A	Issued for information	31/01/22
B	Issued for information	07/06/22
C	Issued for information	22/06/22
D	Issued for information	08/07/22
E	Issued for information	14/07/22
F	Issued in response to Council FRI	14/11/22

Project **Cameragal Montessori Preschool**

Address **45-51 Ridge Street, North Sydney**

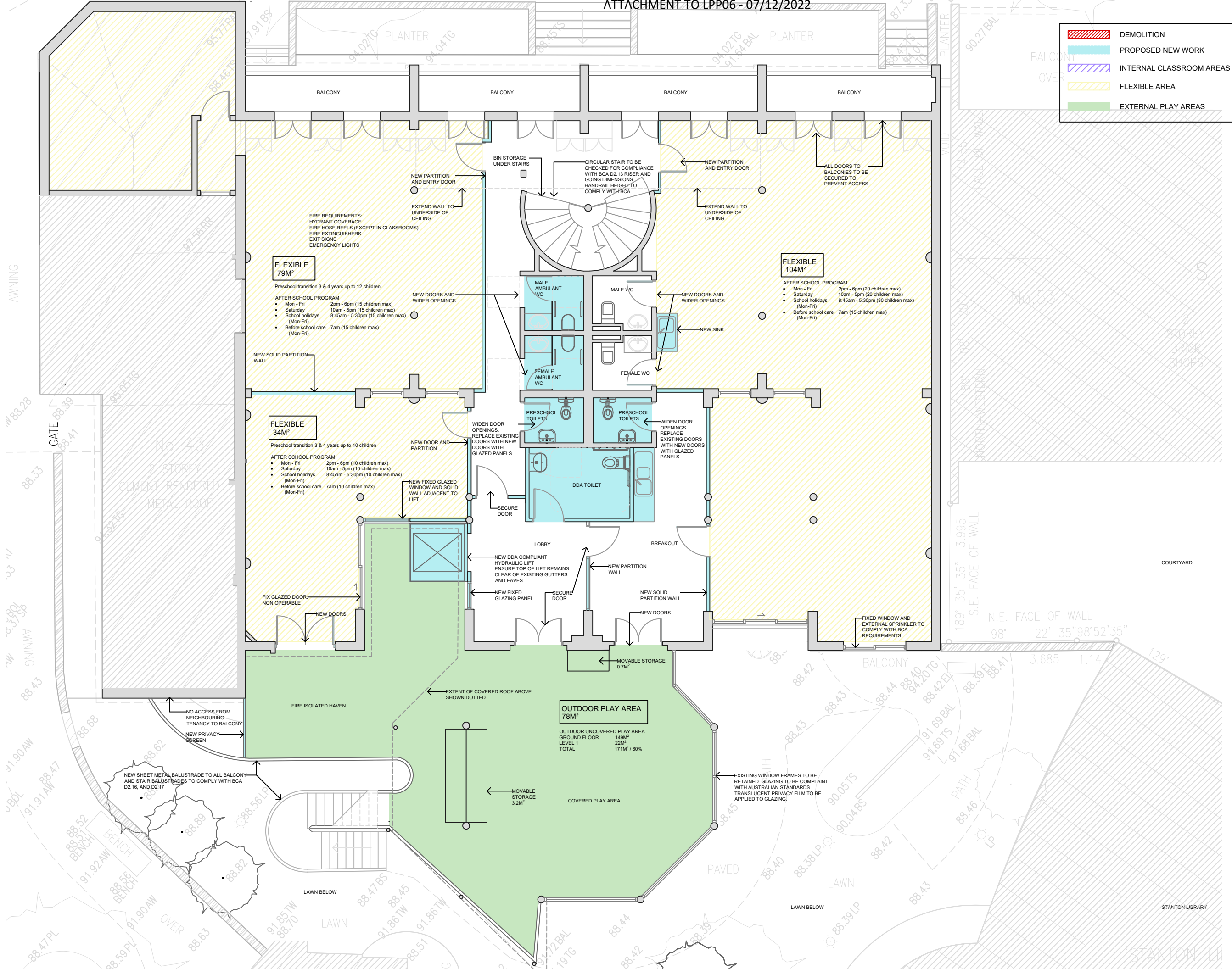
Title **Proposed - Level 1 Floor Plan**

Job no 1008



Drawn Scale Date  
 LJ Scale 10/01/22

Drawing no **DA.201**

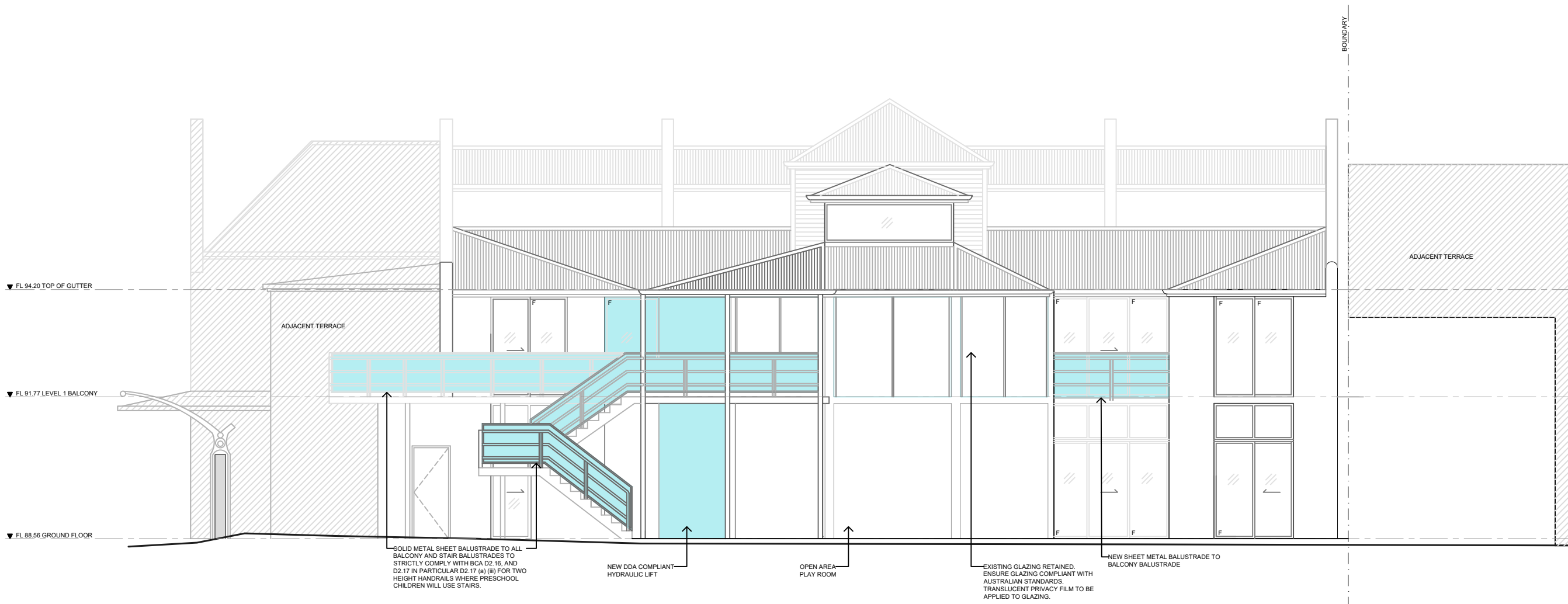
Issue **F**





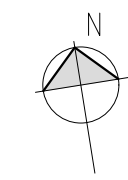
 Demolition  
 Proposed new work

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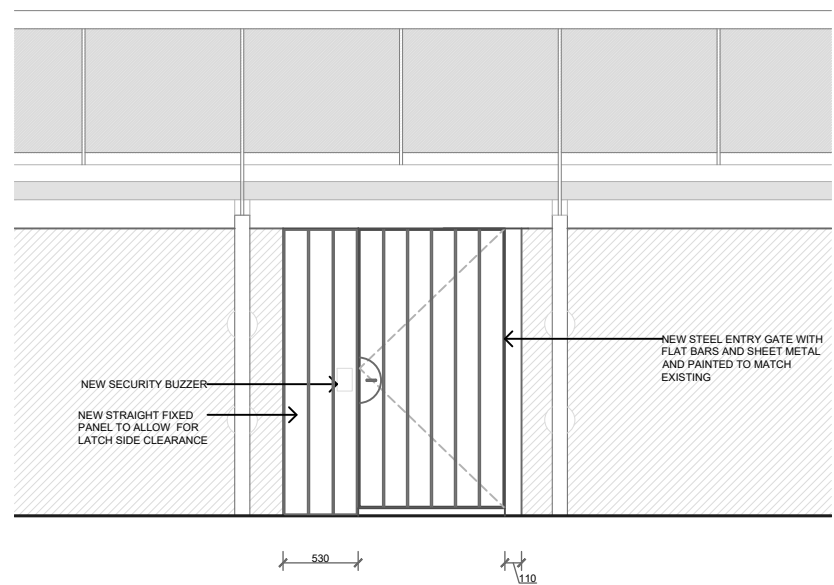


**01** PROPOSED SOUTH ELEVATION  
 1:100 @ A3

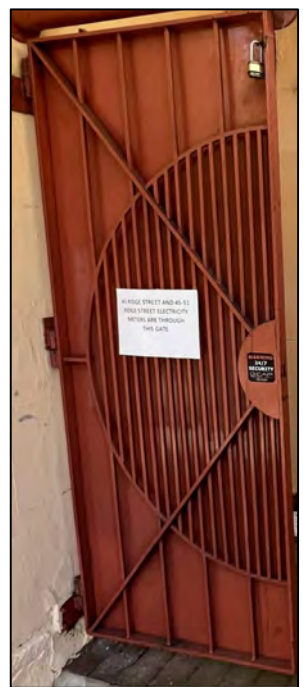
**Lucy Jackson**  
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 lucy@shiftmedia.co.nz  
 0405922114



Revision/Issue		
No.	Amendment	Date
A	Issued for Information	31/01/22
B	Issued for Information	28/06/22
C	Issued for Information	08/07/22
D	Issued for Information	14/07/22



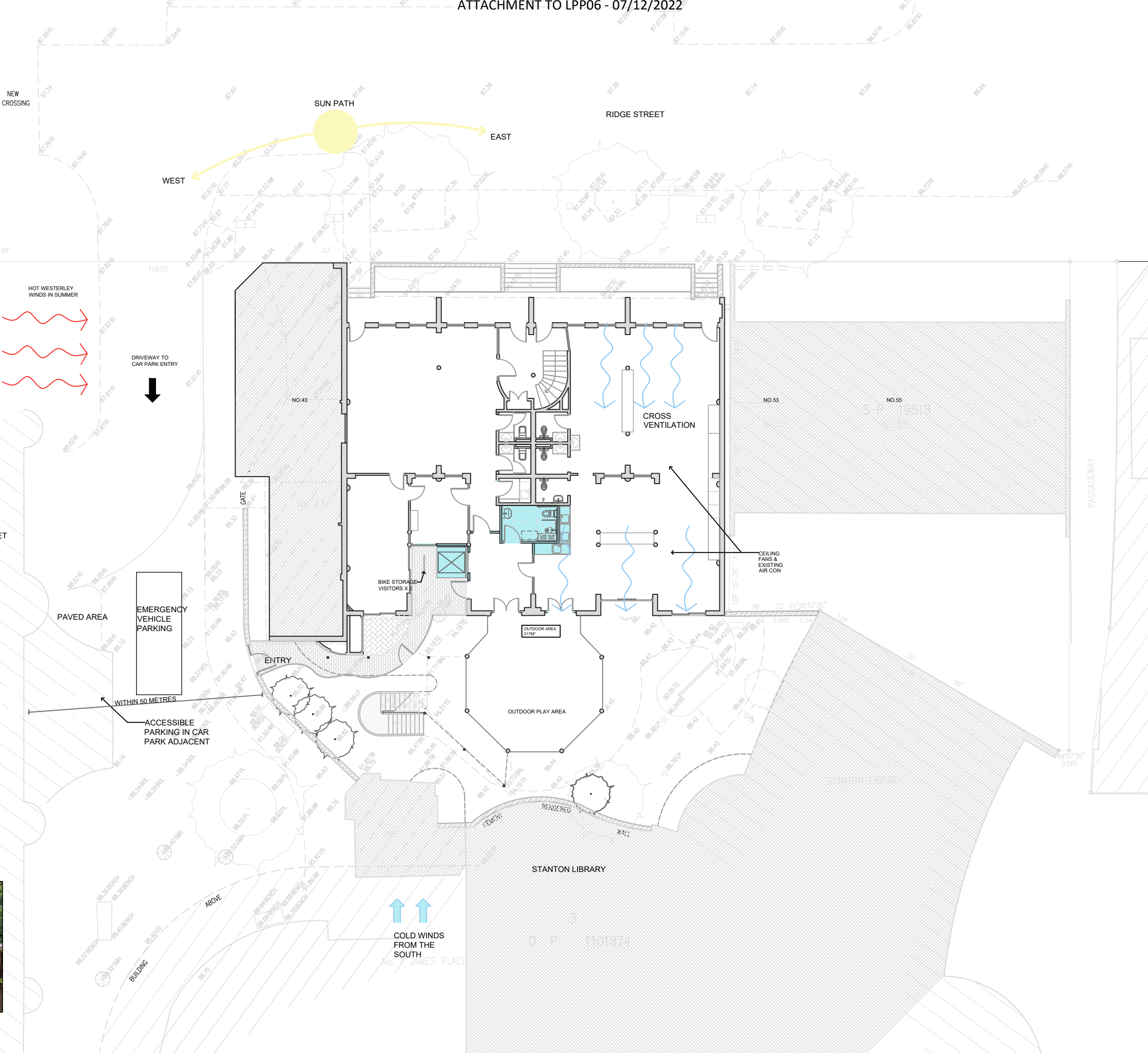
**02** PROPOSED GATE ELEVATION  
 1:50 @ A3



EXISTING GATE

**DEVELOPMENT APPLICATION ONLY. NOT FOR CONSTRUCTION**

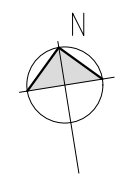
Project **Cameragal Montessori Preschool**  
 Address **45-51 Ridge Street, North Sydney**  
 Title **Proposed - South Elevation**  
 Job no 1008  
 Drawn Scale Date  
 LJ  
 Drawing no **DA.202**  
 Issue **D**



- Notes
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 lucy@shiftmedia.co.nz  
 0405922114



No.	Amendment	Date
A	Issued in response to Council RFI	14/11/22

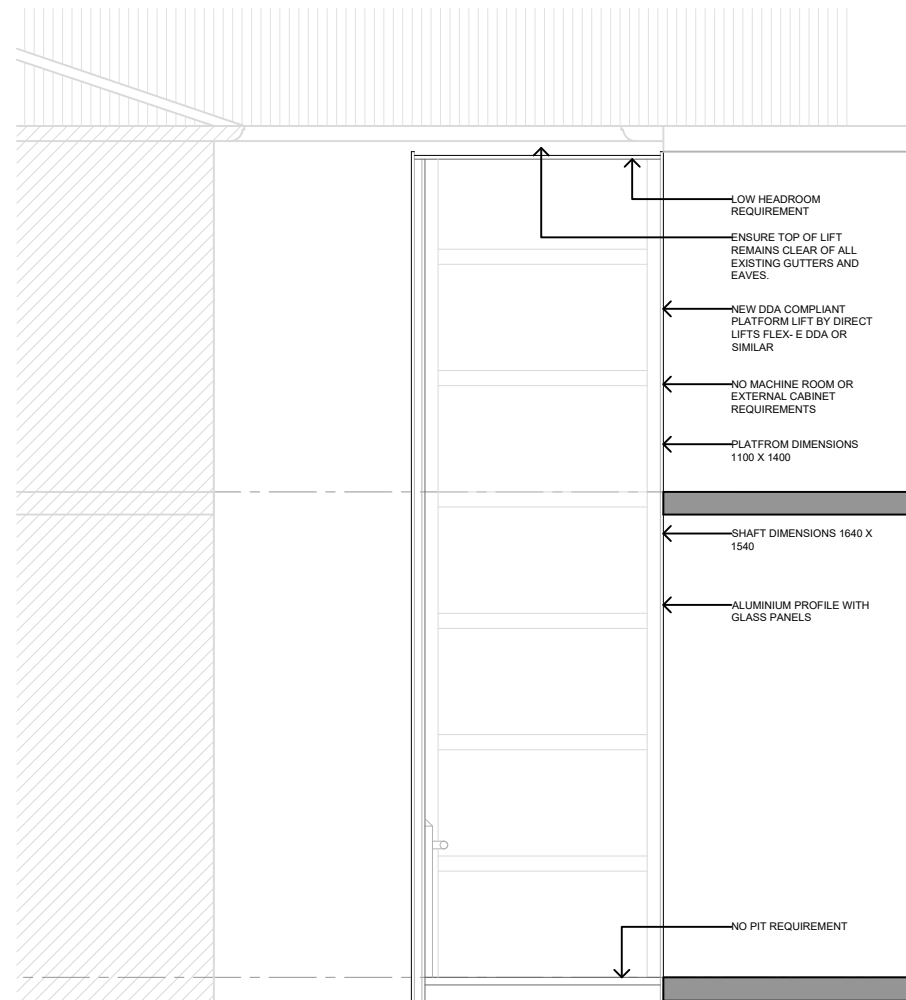
Project **Cameragal Montessori Preschool**  
 Address **45-51 Ridge Street, North Sydney**

Title **Proposed - Site Plan**  
 Job no 1008  
 Drawn LJ Scale Date 10/01/22

Drawing no **DA.203**  
 Issue **A**







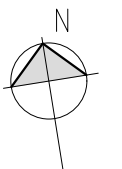
01 PROPOSED LIFT SECTION  
1:50 @ A3



02 DIRECT LIFT - FLEX-E DDA  
NTS @ A3

- Notes
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Revision/Issue		
No.	Amendment	Date
A	Issued in response to Council RFI	25/08/22

Project **Cameragal Montessori Preschool**

Address **45-51 Ridge Street, North Sydney**

Title **Proposed - Lift**

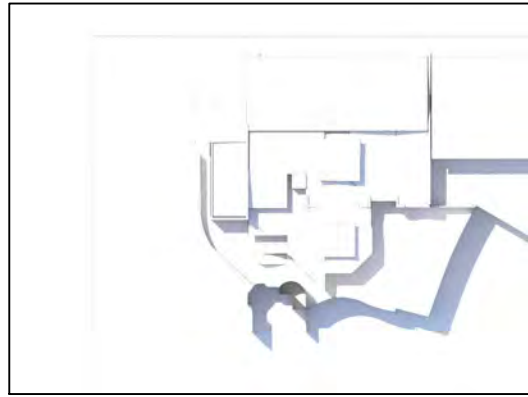
Job no 1008

Drawn LJ Scale Date 10/01/22

Drawing no **DA.301**

Issue **A**





January 1pm



January 11am



March 1pm



March 11am



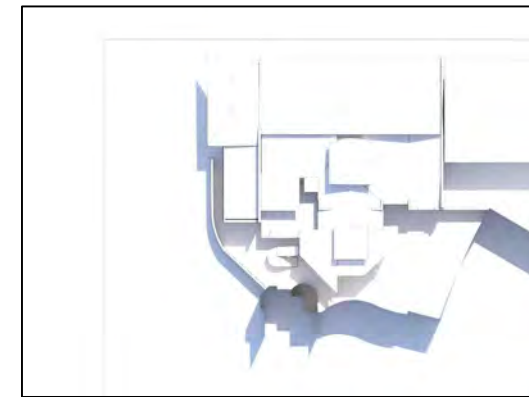
August 1pm



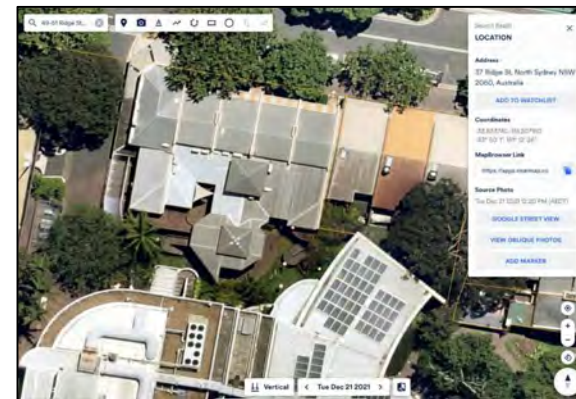
August 11am



October 1pm



October 11am



August  
NearMaps aerial photos  
supporting sun diagrams



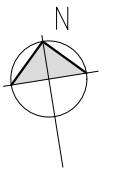
October

- Notes
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Revision/Issue

No.	Amendment	Date
A	Issued in response to Council FRI	14/11/22

Project **Cameragal Montessori Preschool**

Address **45-51 Ridge Street, North Sydney**

Title **Sun Diagrams**

Job no 1008

Drawn Scale Date  
LJ

Drawing no **DA.400**

Issue **A**



## PLAN OF MANAGEMENT

200 Miller Street, North Sydney, NSW 2060  
(45-51 Ridge Street North Sydney)

PO Box 1742  
North Sydney NSW 2059  
(02) 9954 0344  
A.B.N. 73 001 384 345  
[www.cameragal.nsw.edu.au](http://www.cameragal.nsw.edu.au)

**CONTENTS**

<b>1.0</b>	<b>Introduction</b>
1.1	Proposal description
1.2	Additional documents
<b>2.0</b>	<b>Program Enrolments</b>
<b>3.0</b>	<b>Pick-up/Drop-off arrangements</b>
<b>4.0</b>	<b>Teachers/operational staff</b>
<b>5.0</b>	<b>Waste disposal plan</b>
<b>6.0</b>	<b>Daily activities schedule</b>





## 1.2 Additional documents

This statement should be read in conjunction with a number of technical and design documents which accompany the DA and are identified in Table 1 below.

Document Name	Prepared by
Architectural Drawing Package	Lucy Jackson
Traffic and Parking Assessment	Mclaren Traffic
Acoustic Assessment	Renzo Tonin Associates
Soil assessment	RARE Environmental
BCA assessment	BCA Logic
Accessibility assessment	BCA Access
Heritage Impact Statement	John Oultram Heritage and Design

Table 1: Plans and documents prepared to accompany the DA.

## 2.0 Program Enrolments

The playgroup and baby education sessions will operate two sessions each day each for a two hour period, one in the morning and one in the afternoon. For 2023, we anticipate a maximum of 10 parents and 10 children per class. This is anticipated to increase to 15 parents and 15 children as the program grows going forward. As parents attend with their children and there is one teacher in the classroom.

The school will be relocating one mixed preschool and Kindergarten class licenced for 31 students from Lavendar Bay to Ridge Street in early 2023. The children, ages 3 to 6, will attend from 8:30am to 12:00pm with some students staying until 3:00pm. For this classroom the ratio is 1 teacher to every 3 students. In 2024, the school plans to open a transition program for children ages 2-3 on the first floor. This program would have a maximum of 10 students each day and would be a half day program for children to attend prior to joining the preschool class. The transition program will have two teachers in the classroom.

For the mixed preschool and Kindergarten class, the school will be offering an out of school hours program, including both before (starting at 7:00am) and after (ending at 6:00pm) school care. This program will provide additional support for those families by providing

flexibility for drop off and pick up times as required. Traditionally these programs have had less than 20 students and there will be two teachers assigned to this program.

The after school programs operating in the first floor will be for primary students and will be in operation between 3:00pm and 6:00pm with associated programs on Saturdays between 10:00am and 5:00pm. For 2023, we expect up to 25 students participating each day in these programs.

### **3.0 Pick-up/Drop-off arrangements**

As described in the *Traffic And Parking Assessment Report* provided by McLaren Traffic Engineering & Road Safety Consultants, the development is fully supportable in terms of its traffic and parking impacts. The site has a high level of public transport accessibility and for those who drive there is available public on-street and off-street parking surrounding the site.

Please refer to the *Traffic And Parking Assessment Report* submitted with the Development Application for more information.

### **4.0 Teachers/operational staff**

Cameragal Montessori School currently operates across 3 campuses in North Sydney, Neutral Bay and Lavender Bay. When the Lavender Bay classroom, the playgroup and the administration team move to Ridge Street this will bring an additional seven staff members. Those staff members will all be using public transport, cycling, or walking to and from the site.

### **5.0 Waste disposal plan**

Cameragal Montessori School privately contracts waste disposal from United Resource Management (URM) for the school's other locations and currently has already established this service at Ridge Street for the administration team. This includes a weekly pick-up for waste and recycling, and requests for green waste pick-up as required.

Additional waste pick-ups will be privately contracted through URM if required as the school grows.



## **6.0 Daily activities schedule**

The school will be in operation, including before and after school care, from Monday to Friday from 7:00am to 6:00pm. The children are primarily in the classroom until 11:30am when their work cycle is complete and there is scheduled time for recess and lunch. If the children are outside, prior to this time it would either be for arrival or in the outdoor learning space where they “work” individually or in small groups.

In the afternoon, the children are divided into preschool and kindergarten groups with the older children going back inside for a second work cycle. In the afternoon there would be less than 15 students remaining outside with the remaining student returning to the classroom.

The after school programs operating in the first floor on weekdays between 3:00pm and on Saturdays will remaining indoors for the duration of the programs.

### **6.1 Noise mitigation strategy**

Strategies are used to mitigate noise impacts at our current school locations in North Sydney, Neutral Bay and Lavender Bay and these strategies will be put in place at Ridge Street as well. Strategies include only using the outdoor area for free play during allocated times of the day and limiting the number of children in the outdoor area as needed. As such, the noise produced in the outdoor area will be comparable to the existing noise produced by the neighbouring schools and sporting facilities.

The Acoustic Assessment provided by Renzo Tonin & Associates as submitted with the DA supports the proposal taking into account Australian Standard AS2107, AAC’s Guideline for Education Facilities, North Sydney Council DCP2013 and AAC’s Guidelines for Childcare Centre Assessment 2010.



15 November 2022

Reference: 220288.02FA

Cameragal Montessori School  
 C/o - Luchetti Krelle  
 sent via email  
[rachel@luchettikrelle.com.au](mailto:rachel@luchettikrelle.com.au)  
 Attention: Rachel Luchetti

**LETTER OF RESPONSE TO COUNCIL COMMENTS FOR  
 THE PROPOSED PRESCHOOL, KINDERGARTEN, AND PLAY GROUP FACILITY  
 AT 45 - 51 RIDGE STREET, NORTH SYDNEY**

Dear Rachel,

Reference is made to your request to provide letter of response to council comments for the proposed preschool, kindergarten, play group and before and after school care facility for Cameragal Montessori School, located at 45 - 51 Ridge Street, North Sydney, with proposed plans depicted in **Annexure A**. Reference is made to the initial Traffic and Parking Impact Assessment by McLaren Traffic Engineering, which was provided in support of this DA and dated 28 July 2022 (Ref: 220288.01FA). This letter is in response to North Sydney Council's comments for DA Number DA241/22. The comments made by Council relevant to traffic and parking are shown below (italicised) with *M<sup>C</sup>Laren Traffic Engineering's* (MTE) response thereafter.

*3. Traffic and Parking*

*Council's Traffic Engineer provided the following comments:*

*It is recommended that the proposed development is not supported until further information and changes to the proposal have addressed the following:*

*The amended report incorporates the cumulative traffic impact of St Marys Primary School, located on the northern side of Ridge Street, during school drop off / pick up times in the SIDRA modelling and resubmit to Council for review.*

**MTE Response:** The traffic and parking surveys were conducted between 2:30pm – 6:00pm on Thursday 16 June 2022 and 7:00am – 9:00am on Friday 17 June representing a typical operating weekday during the school term and would have captured the cumulative traffic impact of school operations in the local area including St Marys Primary School. A copy of this survey data is provided in **Annexure B** for reference. These surveys also captured the pedestrians flows across the Ridge Street pedestrian crossing, which peaked at 293 pedestrians per hour between 7:45 AM – 8:45 AM, and 257 pedestrians per hour between 2:30PM – 3:30PM.

Furthermore, the traffic generation applied to the SIDRA models was highly conservative, with no reduction applied due to the expected high-level of alternative travel modes used within the North Sydney CBD.

Revised SIDRA analysis has been undertaken to clearly identify the hours modelled and to include the pedestrian movements across the Ridge Street pedestrian crossing and the peak pedestrian flows across this pedestrian crossing. Three periods were modelled to consider both the School and Network peaks as follows:

- AM Network Peak (7:30 AM – 8:30 AM);
- AM School Peak (8:00 AM – 9:00 AM);
- PM School & Network Peak (2:30 PM – 3:30 PM):
  - It is noted that the PM network peak aligned with the school PM peak both occurring at 2:30 PM – 3:30PM).

The results of the revised SIDRA assessment are shown below in **Table 1**, with the results provided in **Annexure B** for reference.

**TABLE 1: INTERSECTION PERFORMANCE (SIDRA INTERSECTION 9.0)**

Intersection	Peak Hour	Degree of Saturation <sup>(1)</sup>	Average Delay <sup>(2)</sup> (sec/veh)	Level of Service <sup>(3)(4)</sup>	Control Type	Worst Movement
<b>EXISTING PERFORMANCE</b>						
James Place / Ridge Street	<b>AM</b> Network Peak (7:30-8:30am)	0.55	3.6 (Worst: 7.5)	<b>NA</b> (Worst: A)	Give Way	RT from Ridge Street
	<b>AM</b> School Peak (8-9am)	0.47	4 (Worst: 7.7)	<b>NA</b> (Worst: A)		RT from Ridge Street
	<b>PM</b> School & Network Peak (2:30-3:30pm)	0.27	4.2 (Worst: 5.5)	<b>NA</b> (Worst: A)		LT from Ridge Street
<b>FUTURE (POST DEVELOPEMNT) PERFORMANCE</b>						
James Place / Ridge Street	<b>AM</b> Network Peak (7:30-8:30am)	0.56	3.9 (Worst: 7.9)	<b>NA</b> (Worst: A)	Give Way	RT from Ridge Street
	<b>AM</b> School Peak (8-9am)	0.49	4.3 (Worst: 8.1)	<b>NA</b> (Worst: A)		RT from Ridge Street
	<b>PM</b> School & Network Peak (2:30-3:30pm)	0.28	4.1 (Worst: 5.5)	<b>NA</b> (Worst: A)		LT from Ridge Street

**NOTES:**

- (1) The Degree of Saturation is the ratio of demand to capacity for the most disadvantaged movement.
- (2) The average delay is the delay experienced on average by all vehicles. The value in brackets represents the delay to the most disadvantaged movement.
- (3) The Level of Service is a qualitative measure of performance describing operational conditions. There are six levels of service, designated from A to F, with A representing the best operational condition and level of service F the worst. The LoS of the intersection is shown in bold, and the LoS of the most disadvantaged movement is shown in brackets.
- (4) No overall Level of Service is provided for Give Way and Stop controlled intersections as the low delays associated with the dominant movements skew the average delay of the intersection. The Level of Service of the worst approach is an indicator of the operation of the intersection, with a worse Level of Service corresponding to long delays and reduced safety outcomes for that approach.

As can be seen above the intersection of Ridge Street / James Place retains the same overall level of service under future (post-development) conditions with minimal delays and additional spare capacity, indicating that there will be no adverse impact on the existing road network as a result of the proposed development. It is again noted that this assessment is conservative, considering the subject traffic generation is likely to be significantly lower than what has been modelled, due to a high level of alternative transport mode usage within the North Sydney CBD that has not been accounted for within the modelling.

*The proposed development to provide one designated disabled access space within the site boundaries to comply with Council's DCP, Section 5 "Child Care Facilities".*

**MTE Response:** Reference is made to *North Sydney Development Control Plan (NSDCP) 2013 Section 5.9* which states the following:

*P2. In addition to P1 above, one designated disabled access and one designated emergency vehicle space must be provided on site in the R2 Low Density Residential, R3 Medium Residential, R4 High Density Residential, SP2 Infrastructure (Educational Establishment) and E4 Environmental Living zones, and within close proximity [Added for emphasis] in the B1 Neighbourhood Centre, B3 Commercial Core, B4 Mixed Use and IN2 Light Industrial zones (e.g. on-street directly adjacent to the centre)*

As the site is zoned B4 – Mixed Use, and therefore it is deemed sufficient to rely upon the accessible spaces within close proximity to the subject site. There are four (4) accessible car parking spaces located within the Ridge Street multi-storey car park, which is located directly adjacent to the site. Furthermore, the NSDCP has a provision of a maximum parking rate, such that as no on-site parking is provided (complying with the NSDCP), there is no requirement under the BCA to provide a dedicated accessible parking space on-site. There is no requirement either under the BCA or NSDCP for the provision of a dedicated on-site accessible space, with multiple accessible parking spaces provided within close proximity to the site.

*The proposed development to provide one designated emergency vehicles space within the site boundaries to comply with Council's DCP, Section 5 "Child Care Facilities".*

**MTE Response:** Similar to the above, as the site is zoned B4 – Mixed Use, the provision of an emergency parking space can be located 'within close proximity'. It is noted that "emergency vehicles" is not defined within the DCP, but it is assumed to refer to Police, Ambulance and Fire & Rescue vehicles. If these vehicles require parking to attend to an emergency, they will do so as required depending on the level of urgency required, irrespective of the provision of any dedicated parking space.

Nonetheless, the end of James Place which is directly adjacent to the site, provides a "No Parking" zone, as identified below in **Figure 1**, in which emergency vehicles can park when required, as emergency vehicles have the ability to park in "No Parking" zones to attend to an emergency. As the site provides no on-site parking, in line with NSDCP objectives, the addition of an emergency vehicle space within the site boundaries would be contradictory to the NSDCP objectives with respect to maximum parking provisions. The use of the adjacent "No-Parking" zone is considered more than satisfactory for emergency vehicle parking, achieving the requirements of *Section 5.9, Provision 2*, of the NSDCP.



**FIGURE 1: NO-PARKING ZONE AT THE END OF JAMES PLACE**

*Detailed design and location of proposed bicycle spaces be shown on final plans and be submitted to Council for review.*

**MTE Response:** Bicycle parking spaces have been provided on site, as requested by Council. These bicycle parking spaces are provided on the revised plans (**Annexure A**) and design in accordance with the relevant requirements of AS2890.3:2015. Further, there is ample on-street bicycle parking surrounding the site that can also be used by parents and staff including the seven (7) bicycle rails located opposite the site on Ridge Street which can accommodate 14 bicycles. There is ample availability of bicycle parking spaces both on-site and within the immediate vicinity of the site.

Please contact the undersigned on 9521 7199 should you require further information or assistance.

Yours faithfully,

**McLaren Traffic Engineering**



**Aaron Tomlins**  
**Traffic Engineer**

BE(Hon)(Civil Engineering)/BCom  
 AMAITPM GradIIEAust  
 Accredited Level 1 Road Safety Auditor





**ANNEXURE A: UPDATED PLANS  
(2 SHEETS)**

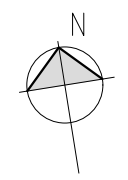
**LEGEND**

- DEMOLITION
- PROPOSED NEW WORK
- INTERNAL CLASSROOM AREAS
- FLEXIBLE AREA
- EXTERNAL PLAY AREAS

- Notes
1. Builder to examine site and verify conditions and dimensions before commencing work shown on drawings.
  2. Use marked dimensions only. Do not scale off drawing. Any discrepancies to be brought to the attention of the Architect before proceeding.
  3. All work is to be carried out in accordance with BCA and relevant Australian Standards.
  4. Provide 50mm floor recess in all wet areas
  5. Provide termite barrier to manufacturers specifications.
  6. Provide smoke detectors in accordance with BCA and Australian Standards.
  7. Any modified walls, including re-cladding, that are within 900mm of boundary are to achieve FRL 60/60/60.
  8. All structural elements (including but not limited to all steel, timber, concrete piers, beams and lintels) are to be detailed and signed off by a qualified structural engineer.
  9. This drawing remains the property of the Architect
  10. Client is granted conditional licence to the drawings.
  11. Architect reserves the right to terminate the licence.
  12. Reproduction of the drawing in whole or part is prohibited.
  13. Electronic data should be scanned for viruses before use.
  14. Any loss or damage (inc consequential damage) caused to the recipient of electronic data is not the liability of the Architect.
  15. Refer to hard copies for accuracy of electronic data.
  16. Copyright reserved by the Architect.

Existing fabric related to earlier building including nib walls and bulkheads to remain in situ

**Lucy Jackson**  
 B.arch  
 lucy@shiftmedia.co.nz  
 0405922114



Revision/Issue

No.	Amendment	Date
B	Issued for Information	07/06/22
C	Issued for DA review	22/06/22
D	Issued for Information	08/07/22
E	Issued for Information	14/07/22
F	Issued in response to council RFI	14/11/22

Project **Cameragal Montessori Preschool**

Address **45-51 Ridge Street, North Sydney**

Title **Proposed - Ground Floor Plan**

Job no 1008  
 Drawn Scale Date  
 LJ 10/01/22

Drawing no **DA.200**

Issue **F**

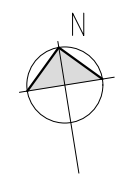


	DEMOLITION
	PROPOSED NEW WORK
	INTERNAL CLASSROOM AREAS
	FLEXIBLE AREA
	EXTERNAL PLAY AREAS

- Notes
1. Builder to examine site and verify conditions and dimensions before commencing work shown on drawings.
  2. Use marked dimensions only. Do not scale off drawing. Any discrepancies to be brought to the attention of the Architect before proceeding.
  3. All work is to be carried out in accordance with BCA and relevant Australian Standards.
  4. Provide 50mm floor recess in all wet areas
  5. Provide termite barrier to manufacturers specifications.
  6. Provide smoke detectors in accordance with BCA and Australian Standards.
  7. Any modified walls, including re-cladding, that are within 900mm of boundary are to achieve FRL 60/60/60.
  8. All structural elements (including but not limited to all steel, timber, concrete piers, beams and lintels) are to be detailed and signed off by a qualified structural engineer.
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  16. Copyright reserved by the Architect.

Existing fabric related to earlier building including nib walls and bulkheads to remain in situ

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Revision/Issue

No.	Amendment	Date
A	Issued for information	31/01/22
B	Issued for information	07/06/22
C	Issued for information	22/06/22
D	Issued for information	08/07/22
E	Issued for information	14/07/22
F	Issued in response to Council FRI	14/11/22

Project **Cameragal Montessori Preschool**

Address **45-51 Ridge Street, North Sydney**

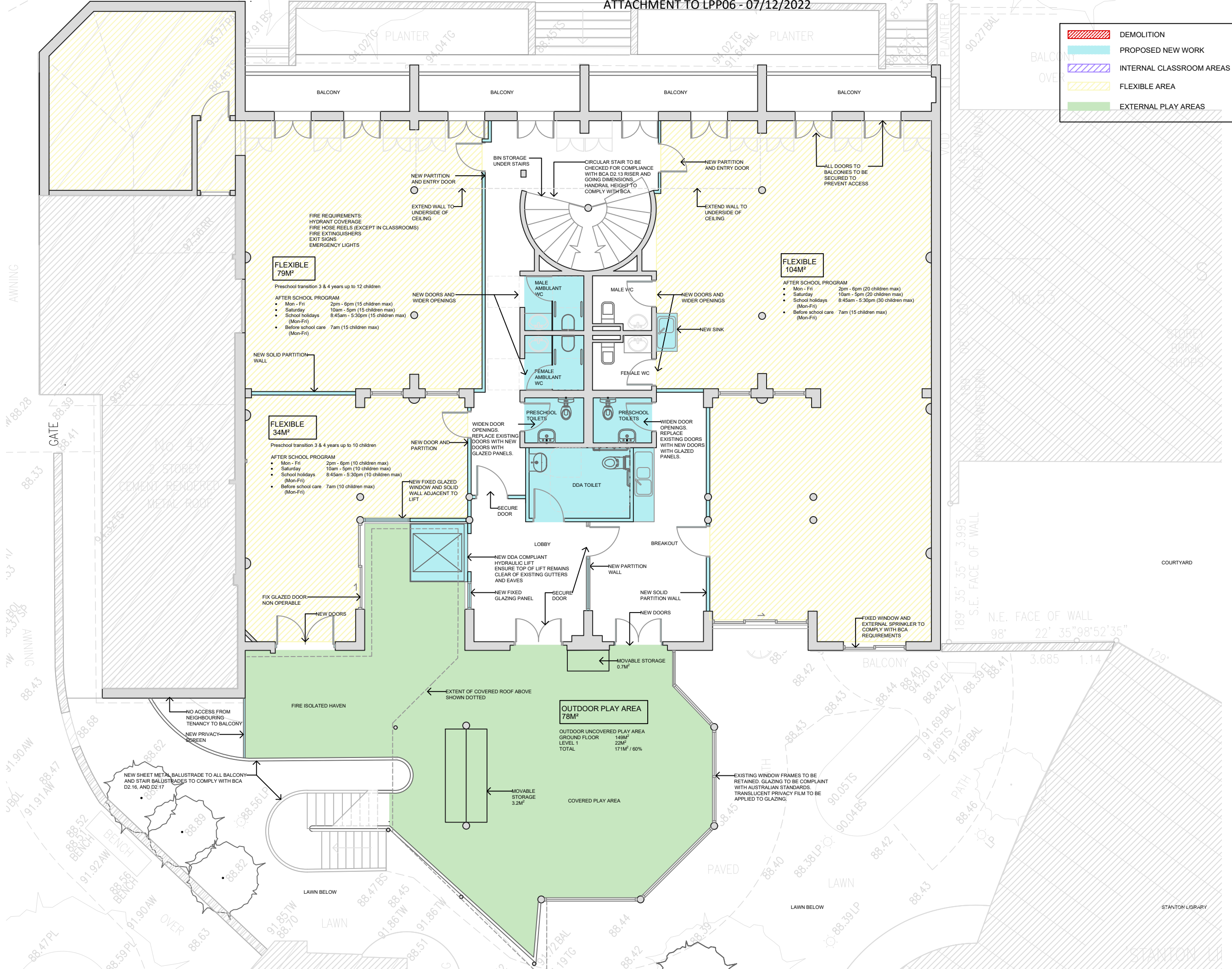
Title **Proposed - Level 1 Floor Plan**

Job no 1008

Drawn Scale Date  
 LJ Scale 10/01/22

Drawing no **DA.201**

Issue **F**



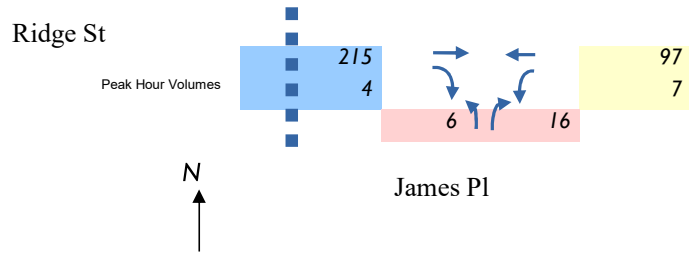




**ANNEXURE B: TRAFFIC SURVEY DATA  
(2 SHEETS)**

**Curtis Traffic Surveys**

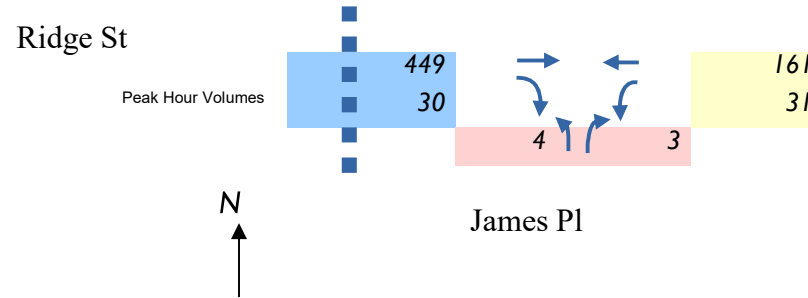
**Turning movement count**  
 Job: 220504mcl (22\_0352)  
 Day, date: 16/06/22  
 Location: Ridge St & James Place  
 Weather: Fine  
 Client: McLaren Traffic Engineering  
 Lollypop lady present 14:30-15:30



Time Period	From Ridge St west		From James Place		From Ridge St east		Total vehicles	Peak	Pedestrians on m.f.c.	
	through	right	left	right	left	through			Adults	Children
14:30 to 14:45	25	1	1	1	4	1	24	56	7	28
14:45 to 15:00	54	2	0	0	3	5	30	94	31	60
15:00 to 15:15	119	0	4	4	4	1	29	157 peak	27	86
15:15 to 15:30	17	1	1	1	5	0	14	38	9	9
15:30 to 15:45	15	1	2	2	4	0	13	35	10	8
15:45 to 16:00	14	0	3	3	5	0	14	36	11	6
16:00 to 16:15	21	0	0	0	2	1	17	41	15	6
16:15 to 16:30	30	0	1	1	4	1	18	54	11	10
16:30 to 16:45	34	0	1	1	4	1	23	63	13	5
16:45 to 17:00	31	2	0	0	5	1	22	61	7	3
17:00 to 17:15	39	0	5	5	10	0	30	84	12	5
17:15 to 17:30	35	0	3	3	9	1	26	74	11	0
17:30 to 17:45	19	0	4	4	3	0	20	46	8	1
17:45 to 18:00	20	0	4	4	2	1	24	51	5	0
<b>Total</b>	<b>473</b>	<b>7</b>	<b>29</b>	<b>29</b>	<b>64</b>	<b>13</b>	<b>304</b>			
<b>Hourly summary</b>										
14:30 to 15:30	215	4	6	6	16	7	97	345 peak hour	74	183
14:45 to 15:45	205	4	7	7	16	6	86	324	77	163
15:00 to 16:00	165	2	10	10	18	1	70	266	57	109
15:15 to 16:15	67	2	6	6	16	1	58	150	45	29
15:30 to 16:30	80	1	6	6	15	2	62	166	47	30
15:45 to 16:45	99	0	5	5	15	3	72	194	50	27
16:00 to 17:00	116	2	2	2	15	4	80	219	46	24
16:15 to 17:15	134	2	7	7	23	3	93	262	43	23
16:30 to 17:30	139	2	9	9	28	3	101	282	43	13
16:45 to 17:45	124	2	12	12	27	2	98	265	38	9
16:00 to 18:00	113	0	16	16	24	2	100	255	36	6

**Curtis Traffic Surveys**

**Turning movement count**  
 Job: 220504mcl (22\_0352)  
 Day, date: 17/06/22  
 Location: Ridge St & James Place  
 Weather: Fine  
 Client: McLaren Traffic Engineering  
 Lollypop lady present 8:00-9:00



Time Period	From Ridge St west		From James Place		From Ridge St east		Total vehicles	Peak	Pedestrians on m.f.c.	
	through	right	left	right	left	through			Adults	Children
07:00 to 07:15	24	1	0	0	3	21	49	6	2	
07:15 to 07:30	35	6	0	0	11	21	73	9	3	
07:30 to 07:45	54	5	1	0	10	37	107	16	2	
07:45 to 08:00	97	12	1	1	8	41	160	18	14	
08:00 to 08:15	162	6	0	1	3	44	216 peak	32	39	
08:15 to 08:30	136	7	2	1	10	39	195	48	38	
08:30 to 08:45	11	7	7	2	8	44	79	53	51	
08:45 to 09:00	32	5	0	1	2	51	91	15	7	
09:00 to 09:15	31	5	0	2	5	26	69	13	4	
09:15 to 09:30	15	0	0	2	4	23	44	8	7	
<b>Total</b>	<b>597</b>	<b>54</b>	<b>11</b>	<b>10</b>	<b>64</b>	<b>347</b>				
<b>Hourly summary</b>										
07:00 to 08:00	210	24	2	1	32	120	389	49	21	
07:15 to 08:15	348	29	2	2	32	143	556	75	58	
07:30 to 08:30	449	30	4	3	31	161	678 peak hour	114	93	
07:45 to 08:45	406	32	10	5	29	168	650	151	142	
08:00 to 09:00	341	25	9	5	23	178	581	148	135	
08:15 to 09:15	210	24	9	6	25	160	434	129	100	
08:30 to 09:30	89	17	7	7	19	144	283	89	69	



**ANNEXURE C: SIDRA RESULTS  
(6 SHEETS)**

## MOVEMENT SUMMARY

▽ Site: 101 [EX AM Network Peak (7:30-8:30am) - Ridge St / James Pl (Site Folder: Existing w/ Ped Crossing)]

Ridge Street / James Place

Existing Conditions

AM Network Period (7:30am - 8:30am)

Site Category: (None)

Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	INPUT VOLUMES		DEMAND FLOWS		Deg. Satn v/c	Aver. Delay sec	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
		[ Total veh/h	HV %	[ Total veh/h	HV %				[ Veh. veh	Dist ] m				
South: James Place (S)														
1	L2	4	0.0	4	0.0	0.009	1.3	LOS A	0.0	0.2	0.44	0.33	0.44	36.2
3	R2	3	0.0	3	0.0	0.009	3.9	LOS A	0.0	0.2	0.44	0.33	0.44	35.7
Approach		7	0.0	7	0.0	0.009	2.4	LOS A	0.0	0.2	0.44	0.33	0.44	35.9
East: Ridge Street (E)														
4	L2	31	0.0	33	0.0	0.203	5.2	LOS A	1.1	7.8	0.43	0.29	0.43	36.8
5	T1	161	0.0	169	0.0	0.203	1.8	LOS A	1.1	7.8	0.43	0.29	0.43	39.0
Approach		192	0.0	202	0.0	0.203	2.3	NA	1.1	7.8	0.43	0.29	0.43	38.8
West: Ridge Street (W)														
11	T1	449	0.0	473	0.0	0.546	3.9	LOS A	5.6	39.2	0.59	0.58	0.77	38.3
12	R2	30	0.0	32	0.0	0.546	7.5	LOS A	5.6	39.2	0.59	0.58	0.77	36.8
Approach		479	0.0	504	0.0	0.546	4.1	NA	5.6	39.2	0.59	0.58	0.77	38.2
All Vehicles		678	0.0	714	0.0	0.546	3.6	NA	5.6	39.2	0.54	0.50	0.67	38.4

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

Delay Model: SIDRA Standard (Geometric Delay is included).

Queue Model: SIDRA Standard.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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Organisation: MCLAREN TRAFFIC ENGINEERING | Licence: PLUS / 1PC | Processed: Monday, 14 November 2022 2:15:41 PM

Project: \\mte\_nas1\mte storage\Jobs\2022\220288\MTE SIDRA\22 06 17.sip9

## MOVEMENT SUMMARY

▽ Site: 101 [EX AM School Peak (8am-9am) - Ridge St / James  
PI (Site Folder: Existing w/ Ped Crossing)]

Ridge Street / James Place

Existing Conditions

AM School Peak Period (8am - 9am)

Site Category: (None)

Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	INPUT VOLUMES		DEMAND FLOWS		Deg. Satn v/c	Aver. Delay sec	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
		[ Total veh/h ]	[ HV % ]	[ Total veh/h ]	[ HV % ]				[ Veh. veh ]	[ Dist m ]				
South: James Place (S)														
1	L2	9	0.0	9	0.0	0.017	1.8	LOS A	0.1	0.4	0.46	0.36	0.46	36.2
3	R2	5	0.0	5	0.0	0.017	3.2	LOS A	0.1	0.4	0.46	0.36	0.46	35.7
Approach		14	0.0	15	0.0	0.017	2.3	LOS A	0.1	0.4	0.46	0.36	0.46	36.0
East: Ridge Street (E)														
4	L2	23	0.0	24	0.0	0.244	6.1	LOS A	1.3	9.2	0.52	0.39	0.52	36.3
5	T1	178	0.0	187	0.0	0.244	2.7	LOS A	1.3	9.2	0.52	0.39	0.52	38.7
Approach		201	0.0	212	0.0	0.244	3.1	NA	1.3	9.2	0.52	0.39	0.52	38.5
West: Ridge Street (W)														
11	T1	341	0.0	359	0.0	0.468	4.4	LOS A	3.8	26.4	0.61	0.64	0.79	38.1
12	R2	25	0.0	26	0.0	0.468	7.7	LOS A	3.8	26.4	0.61	0.64	0.79	36.5
Approach		366	0.0	385	0.0	0.468	4.6	NA	3.8	26.4	0.61	0.64	0.79	38.0
All Vehicles		581	0.0	612	0.0	0.468	4.0	NA	3.8	26.4	0.58	0.55	0.69	38.2

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

Delay Model: SIDRA Standard (Geometric Delay is included).

Queue Model: SIDRA Standard.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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## MOVEMENT SUMMARY

Site: 101 [EX PM Network & School Peak (2:30-3:30pm) Ridge St / James Pl (Site Folder: Existing w/ Ped Crossing)]

Ridge Street / James Place

Existing Conditions

PM Network and School Peak Period (2:30pm - 3:30pm)

Site Category: (None)

Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	INPUT VOLUMES		DEMAND FLOWS		Deg. Satn v/c	Aver. Delay sec	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
		[ Total veh/h ]	[ HV ] %	[ Total veh/h ]	[ HV ] %				[ Veh. veh ]	[ Dist ] m				
South: James Place (S)														
1	L2	6	0.0	6	0.0	0.023	1.2	LOS A	0.1	0.5	0.36	0.30	0.36	36.7
3	R2	16	0.0	17	0.0	0.023	1.8	LOS A	0.1	0.5	0.36	0.30	0.36	36.2
Approach		22	0.0	23	0.0	0.023	1.7	LOS A	0.1	0.5	0.36	0.30	0.36	36.3
East: Ridge Street (E)														
4	L2	7	0.0	7	0.0	0.124	5.5	LOS A	0.6	4.2	0.45	0.31	0.45	36.8
5	T1	97	0.0	102	0.0	0.124	2.1	LOS A	0.6	4.2	0.45	0.31	0.45	39.0
Approach		104	0.0	109	0.0	0.124	2.3	NA	0.6	4.2	0.45	0.31	0.45	38.9
West: Ridge Street (W)														
11	T1	215	0.0	226	0.0	0.269	5.3	LOS A	1.4	9.8	0.50	0.60	0.50	25.7
12	R2	4	0.0	4	0.0	0.269	5.2	LOS A	1.4	9.8	0.50	0.60	0.50	36.0
Approach		219	0.0	231	0.0	0.269	5.3	NA	1.4	9.8	0.50	0.60	0.50	25.8
All Vehicles		345	0.0	363	0.0	0.269	4.2	NA	1.4	9.8	0.47	0.50	0.47	29.1

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

Delay Model: SIDRA Standard (Geometric Delay is included).

Queue Model: SIDRA Standard.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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## MOVEMENT SUMMARY

▽ Site: 101 [FU AM Network Peak (7:30-8:30am) - Ridge St / James Pl (Site Folder: Future w/ Ped Crossing)]

Ridge Street / James Place  
 Future (Post-Development) Conditions  
 AM Network Period (7:30am - 8:30am)  
 Site Category: (None)  
 Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	INPUT VOLUMES		DEMAND FLOWS		Deg. Satn	Aver. Delay	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed
		[ Total veh/h ]	[ HV % ]	[ Total veh/h ]	[ HV % ]				[ Veh. veh ]	[ Dist m ]				
South: James Place (S)														
1	L2	23	0.0	24	0.0	0.059	1.4	LOS A	0.2	1.4	0.46	0.42	0.46	35.9
3	R2	22	0.0	23	0.0	0.059	4.4	LOS A	0.2	1.4	0.46	0.42	0.46	35.4
Approach		45	0.0	47	0.0	0.059	2.8	LOS A	0.2	1.4	0.46	0.42	0.46	35.6
East: Ridge Street (E)														
4	L2	50	0.0	53	0.0	0.213	5.2	LOS A	1.2	8.7	0.43	0.29	0.43	36.6
5	T1	161	0.0	169	0.0	0.213	1.8	LOS A	1.2	8.7	0.43	0.29	0.43	38.9
Approach		211	0.0	222	0.0	0.213	2.6	NA	1.2	8.7	0.43	0.29	0.43	38.6
West: Ridge Street (W)														
11	T1	449	0.0	473	0.0	0.564	4.1	LOS A	6.1	42.4	0.60	0.62	0.80	38.1
12	R2	49	0.0	52	0.0	0.564	7.9	LOS A	6.1	42.4	0.60	0.62	0.80	36.6
Approach		498	0.0	524	0.0	0.564	4.5	NA	6.1	42.4	0.60	0.62	0.80	38.0
All Vehicles		754	0.0	794	0.0	0.564	3.9	NA	6.1	42.4	0.55	0.52	0.68	38.1

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

Delay Model: SIDRA Standard (Geometric Delay is included).

Queue Model: SIDRA Standard.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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## MOVEMENT SUMMARY

▽ Site: 101 [FU AM School Peak (8am-9am) - Ridge St / James  
PI (Site Folder: Future w/ Ped Crossing)]

Ridge Street / James Place  
Future (Post-Development) Conditions  
AM School Peak Period (8am - 9am)  
Site Category: (None)  
Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	INPUT VOLUMES		DEMAND FLOWS		Deg. Satn v/c	Aver. Delay sec	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
		[ Total veh/h ]	[ HV ] %	[ Total veh/h ]	[ HV ] %				[ Veh. veh ]	[ Dist ] m				
South: James Place (S)														
1	L2	28	0.0	29	0.0	0.065	1.9	LOS A	0.2	1.6	0.48	0.44	0.48	36.0
3	R2	24	0.0	25	0.0	0.065	3.5	LOS A	0.2	1.6	0.48	0.44	0.48	35.5
Approach		52	0.0	55	0.0	0.065	2.7	LOS A	0.2	1.6	0.48	0.44	0.48	35.8
East: Ridge Street (E)														
4	L2	42	0.0	44	0.0	0.254	6.1	LOS A	1.4	10.1	0.52	0.38	0.52	36.1
5	T1	178	0.0	187	0.0	0.254	2.7	LOS A	1.4	10.1	0.52	0.38	0.52	38.6
Approach		220	0.0	232	0.0	0.254	3.4	NA	1.4	10.1	0.52	0.38	0.52	38.3
West: Ridge Street (W)														
11	T1	341	0.0	359	0.0	0.488	4.6	LOS A	4.1	28.7	0.62	0.68	0.83	37.9
12	R2	44	0.0	46	0.0	0.488	8.1	LOS A	4.1	28.7	0.62	0.68	0.83	36.2
Approach		385	0.0	405	0.0	0.488	5.0	NA	4.1	28.7	0.62	0.68	0.83	37.8
All Vehicles		657	0.0	692	0.0	0.488	4.3	NA	4.1	28.7	0.58	0.56	0.70	37.9

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

Delay Model: SIDRA Standard (Geometric Delay is included).

Queue Model: SIDRA Standard.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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## MOVEMENT SUMMARY

Site: 101 [FU PM Network & School Peak (2:30-3:30pm) Ridge St / James PI (Site Folder: Future w/ Ped Crossing)]

Ridge Street / James Place

Future (Post-Development) Conditions

PM Network and School Peak Period (2:30pm - 3:30pm)

Site Category: (None)

Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	INPUT VOLUMES		DEMAND FLOWS		Deg. Satn v/c	Aver. Delay sec	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
		[ Total veh/h	HV %	[ Total veh/h	HV %				[ Veh. veh	Dist ] m				
South: James Place (S)														
1	L2	12	0.0	13	0.0	0.046	1.3	LOS A	0.2	1.1	0.37	0.32	0.37	36.7
3	R2	31	0.0	33	0.0	0.046	2.0	LOS A	0.2	1.1	0.37	0.32	0.37	36.1
Approach		43	0.0	45	0.0	0.046	1.8	LOS A	0.2	1.1	0.37	0.32	0.37	36.3
East: Ridge Street (E)														
4	L2	22	0.0	23	0.0	0.132	5.5	LOS A	0.7	4.8	0.45	0.31	0.45	36.5
5	T1	97	0.0	102	0.0	0.132	2.1	LOS A	0.7	4.8	0.45	0.31	0.45	38.8
Approach		119	0.0	125	0.0	0.132	2.7	NA	0.7	4.8	0.45	0.31	0.45	38.6
West: Ridge Street (W)														
11	T1	215	0.0	226	0.0	0.275	5.3	LOS A	1.4	10.0	0.50	0.60	0.50	25.7
12	R2	10	0.0	11	0.0	0.275	5.3	LOS A	1.4	10.0	0.50	0.60	0.50	36.0
Approach		225	0.0	237	0.0	0.275	5.3	NA	1.4	10.0	0.50	0.60	0.50	25.9
All Vehicles		387	0.0	407	0.0	0.275	4.1	NA	1.4	10.0	0.47	0.48	0.47	29.5

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

Delay Model: SIDRA Standard (Geometric Delay is included).

Queue Model: SIDRA Standard.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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**TRAFFIC AND PARKING IMPACT ASSESSMENT OF  
THE PROPOSED PRESCHOOL TENANT  
AT 45 - 51 RIDGE STREET, NORTH SYDNEY**



**Address: Shop 7, 720 Old Princes Highway Sutherland NSW 2232  
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Web: [www.mclarentraffic.com.au](http://www.mclarentraffic.com.au)  
Email: [admin@mclarentraffic.com.au](mailto:admin@mclarentraffic.com.au)**

**Division of RAMTRANS Australia ABN: 45067491678 RPEQ: 19457**

**Transport Planning, Traffic Impact Assessments, Road Safety Audits, Expert Witness**



**Development Type:**           **Preschool**

**Site Address:**               **45 - 51 Ridge Street, North Sydney**

**Prepared for:**               **Luchetti Krelle**

**Document reference:**       **220288.01FA**

<b>Status</b>	<b>Issue</b>	<b>Prepared By</b>	<b>Checked By</b>	<b>Date</b>
<b>Draft</b>	<b>A</b>	<b>JC / SI</b>	<b>AT / MM</b>	<b>8 July 2022</b>
<b>Final</b>	<b>A</b>	<b>AT</b>		<b>28 July 2022</b>

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## 1 INTRODUCTION

*McLaren Traffic Engineering* was commissioned by *Luchetti Krelle* to provide a traffic and parking impact assessment of the proposed preschool tenant at 45 - 51 Ridge Street, North Sydney as depicted in **Annexure A**.

### 1.1 **Description and Scale of Development**

The proposed tenant has the following characteristics relevant to traffic and parking:

- A preschool accommodating 47 children between 3 – 6 years old (staff assigned at 1 per 10 children, or 5 staff), operating between 8:30am – 3:00pm;
- Before school care accommodating 20 children, operating between 7:00am – 8:30am with 2 staff members;
- After school care accommodating 20 children, operating between 3:00pm – 6:00pm with 8 staff members;
- A playgroup accommodating 15 children (which also involves parents), operating between 9:30am – 11:30am and 1pm – 3pm on weekdays;
- A baby / parent education class accommodating 10 parents, operating from 1:00pm – 2:30pm on weekdays;
- Educational workshop classes accommodating 35 children with operation hours as per the following;
  - Monday – Friday: 2:00pm – 6:00pm;
  - Saturday: 10:00am – 5:00pm;
  - School Holidays: 8:45am – 5:30pm (45 children during school holidays);
- No on-site parking has been proposed. The site is highly accessible by public transport and those who do drive to the centre can park in the available public on-street and off-street parking surrounding the site.

### 1.2 **State Environmental Planning Policy (Transport and Infrastructure) 2021**

The proposed development does not qualify as a traffic generating development with relevant size and/or capacity under *Clause 2.121* of the *SEPP (Transport and Infrastructure) 2021*. Accordingly, formal referral to Transport for NSW (TfNSW) is unnecessary and the application can be assessed by North Sydney Council officers accordingly.

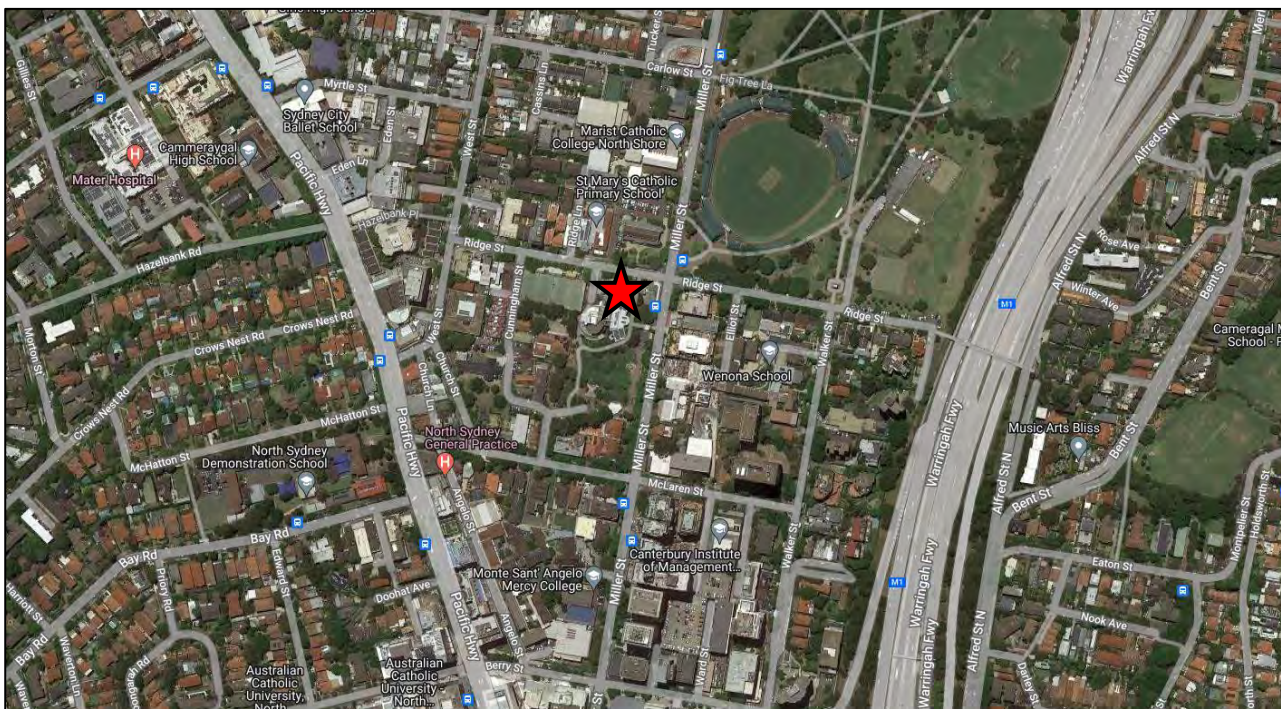
### 1.3 **Site Description**

The subject development is currently zoned *B4 – Mixed Use* under the North Sydney Council LEP 2013 and is currently occupied by low-density residential dwellings. The site has frontages to James Place to the west and Ridge Street to the north.

The site is generally surrounded by a combination of commercial, retail developments and residential developments, with North Sydney Oval located approximately 150m to the north-east and St Mary's Catholic Primary School located opposite the site on the northern side of Ridge Street.

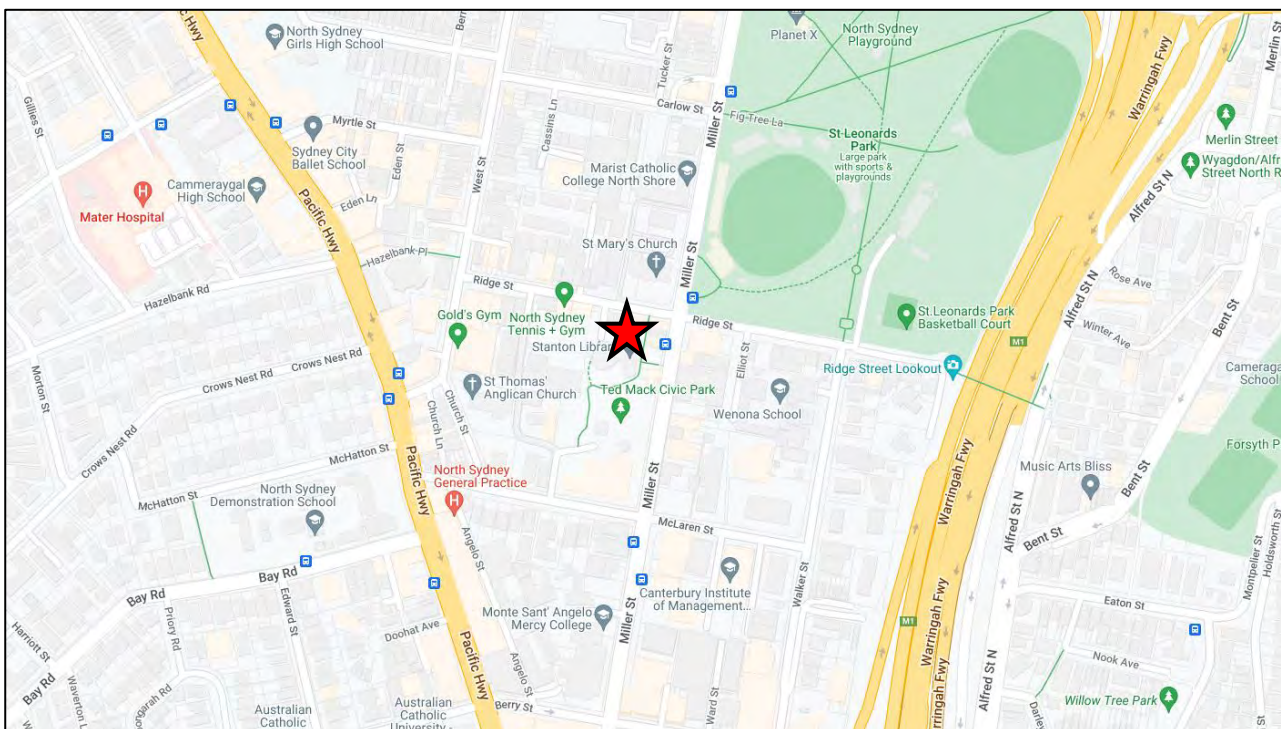
### 1.4 Site Context

The location of the site is shown on an aerial photo and a street map in **Figure 1** and **Figure 2** respectively.



 Site Location

**FIGURE 1: SITE CONTEXT – AERIAL PHOTO**



 Site Location

**FIGURE 2: SITE CONTEXT – STREET MAP**



## **2 EXISTING TRAFFIC AND PARKING CONDITIONS**

### ***2.1 Road Hierarchy***

The road network servicing the site has characteristics as described in the following sub-sections.

#### **2.1.1 Ridge Street**

- Unclassified LOCAL Road;
- Approximately 14m wide two-way carriageway facilitating one (1) traffic flow lane in each direction, a bicycle lane on the northern side of the road and kerbside parking on both sides of the road;
- Signposted 50km/h speed limit, with 40km/h School Zone speed limit applying between 8:00am – 9:30am and 2:30am – 4:00pm on school days;
- Signposted ‘1P Meter 8:30am – 6:00pm Mon – Fri’ restricted kerbside parking along both sides of the road within the near vicinity of the site;
- One (1) space signposted ‘P 5 minutes 8:30am – 9:00pm Mon – Fri, 10:00am – 5:00pm Sat – Sun’ located on the southern side of Ridge Street;
- Signposted ‘Loading Zone 8:30am – 6:00pm Mon – Fri’ located on the southern side of Ridge Street.

#### **2.1.2 James Place**

- Unclassified LOCAL Laneway;
- Approximately 7m wide two-way carriageway facilitating two-way traffic flow;
- Provides access to Ridge Street Car Park;
- Default 50km/h speed limit applies;
- ‘No Stopping’ restrictions on both sides of the road.

#### **2.1.3 Miller Street**

- TfNSW Classified STATE MAIN Road (No.599);
- Approximately 15m wide two-way carriageway facilitating two (2) traffic flow lanes in each direction and kerbside parking outside of clearway hours, south of Ridge Street;
- Approximately 17m wide two-way carriageway facilitating two (2) traffic flow lanes northbound and three (3) traffic flow lanes southbound, and kerbside parking outside of clearway hours, north of Ridge Street;
- Default 50km/h speed limit applies;
- 40km/h School Zone speed limit applying between 8:00am – 9:30am and 2:30pm – 4:00pm on school days;
- Various signposted time restricted kerbside parking along both sides of the road outside of clearway hours.



## 2.2 Existing Traffic Management

- GIVE-WAY linemarked controlled intersection of Ridge Street / James Place;
- Signalised intersection of Miller Street / Ridge Street;
- Raised wombat pedestrian crossing across Ridge Street west of James Place.

## 2.3 Existing Parking Environment

Parking surveys were undertaken on Friday 17 June 2022 at 15-minute intervals within close proximity of the proposed preschool development between the hours of 7:00 AM – 9:30 AM and 2:30 PM – 6:00 PM, representing a typical weekday. **Figure 3** outlines the extent of the survey area, with the survey results summarised in **Table 1**. The full results are reproduced within **Annexure B** for reference.



**FIGURE 3: PARKING SURVEY – MARKUP**



Site Location



Within 100m of the site



Ridge Street Carpark

**TABLE 1: EXISTING WEEKDAY PARKING SUPPLY & SPARE CAPACITY  
(WITHIN 100M OF THE PROPOSED DEVELOPMENT)**

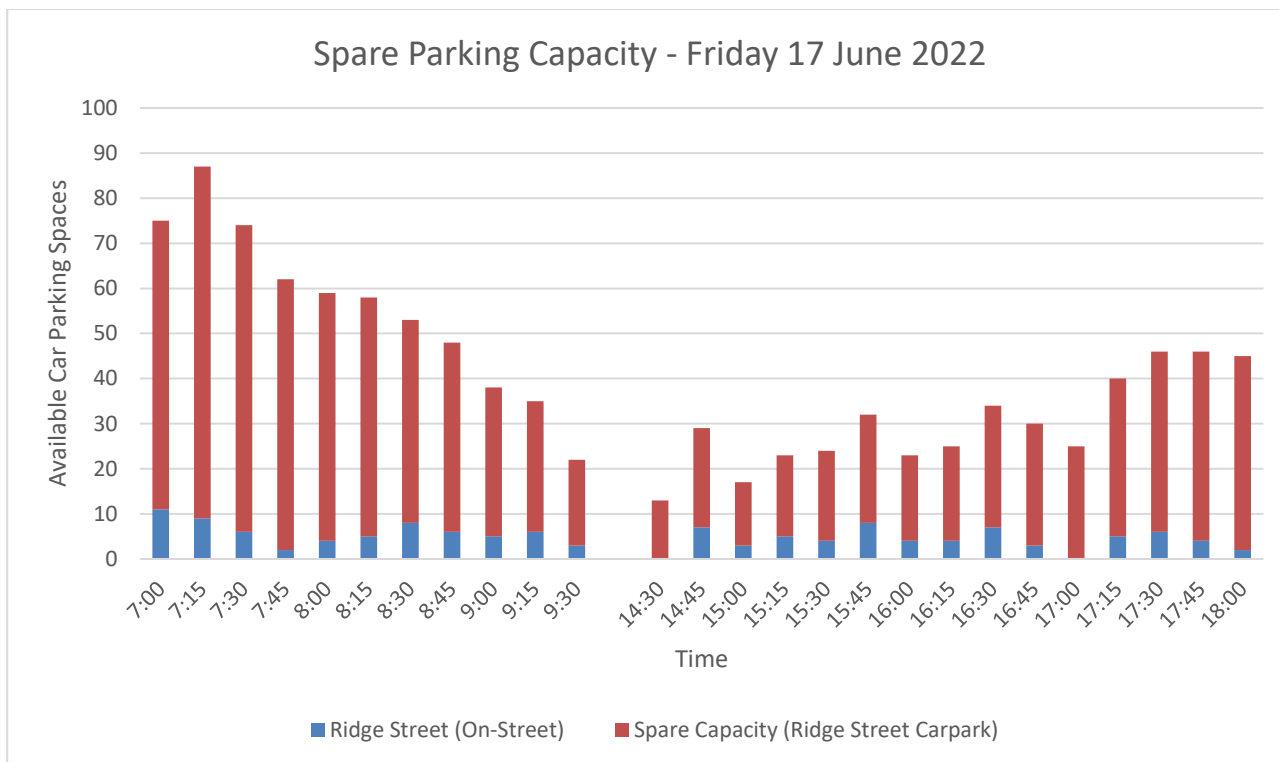
Parking Zone	Total Capacity	7:00am – 9:30am Minimum Spare Capacity <sup>(1)</sup>	2:30pm – 6:00pm Minimum Spare Capacity <sup>(1)</sup>
On-Street Parking within 0-100m	20	2 <sup>(2)</sup> (10%)	0 <sup>(3)</sup> (0%)
Ridge Street Carpark <sup>(4)</sup>	-	16 <sup>(5)</sup>	11 <sup>(6)</sup>
<b>Total</b>	-	<b>19</b>	<b>13</b>

**Notes:**

- (1) The spare capacity for each survey area is the minimum recorded parking available within that area at any given time within the survey period. It is important to note that the table is not designed to sum together.
- (2) The minimum spare on-street parking capacity within 100m of the site during the AM period occurred during the 7:45 AM period.
- (3) The minimum spare on-street parking capacity within 100m of the site during the PM period occurred during the 2:30 PM and 5:00 PM periods.
- (4) The spare capacity of the Ridge Street Carpark was recorded from the spare capacity number provided on the public digital signage along Ridge Street. The total capacity of the Ridge Street carpark is unknown.
- (5) The advertised minimum spare parking capacity within the Ridge Street carpark during the AM period occurred during the 9:30 AM period.
- (6) The advertised minimum spare parking capacity within the Ridge Street carpark during the PM period occurred during the 3:00 PM period.

As shown above, of the **20** kerbside car parking spaces within 100m of the subject development, a minimum of **2** and **0** spaces are available during the AM and PM drop-off / pick-up peak periods respectively. It should be noted that there is an advertised minimum of **16** and **11** casual car parking spaces available within the Ridge Street carpark during the AM and PM drop-off / pick-up peak periods respectively, representing capacity for car parking for use by either staff or parents accessing the development.

Further, the parking supply over the survey day has been graphed, as seen in **Figure 4**, showing that there is more car parking spaces available earlier in the AM peak and later in the PM peak.



**FIGURE 4: SPARE PARKING CAPACITY**

## 2.4 Existing Traffic Environment

Intersection traffic surveys were conducted at the intersection of Ridge Street / James Place from 7:00am to 9:30am and 2:30pm to 6:00pm on Monday 10 January 2021 representing a typical operating weekday. The full survey results are shown in **Annexure B** for reference.

### 2.4.1 Existing Road Performance

The performance of the surrounding intersections under the existing traffic conditions has been assessed using SIDRA INTERSECTION 9.0. **Table 2** summarises the resultant intersection performance data, with full SIDRA results reproduced in **Annexure C**.

**TABLE 2: EXISTING INTERSECTION PERFORMANCES (SIDRA INTERSECTION 9.0)**

Intersection	Peak Hour	Degree of Saturation <sup>(1)</sup>	Average Delay <sup>(2)</sup> (sec/veh)	Level of Service <sup>(3)(4)</sup>	Control Type	Worst Movement
<b>EXISTING PERFORMANCE</b>						
James Place /Ridge Street	AM	0.26	0.6 (Worst: 5.7)	<b>NA</b> (Worst: A)	Give Way	RT from James Place
	PM	0.12	0.4 (Worst: 4.9)	<b>NA</b> (Worst: A)		RT from Ridge Street

**Notes:**

- (1) The Degree of Saturation is the ratio of demand to capacity for the most disadvantaged movement.
- (2) The average delay is the delay experienced on average by all vehicles. The value in brackets represents the delay to the most disadvantaged movement.
- (3) The Level of Service is a qualitative measure of performance describing operational conditions. There are six levels of service, designated from A to F, with A representing the best operational condition and level of service F the worst. The LoS of the intersection is shown in bold, and the LoS of the most disadvantaged movement is shown in brackets.
- (4) No overall Level of Service is provided for Give Way and Stop controlled intersections as the low delays associated with the dominant movements skew the average delay of the intersection. The Level of Service of the worst approach is an indicator of the operation of the intersection, with a worse Level of Service corresponding to long delays and reduced safety outcomes for that approach.

As shown, the relevant intersections are currently performing at a high level of efficiency, with a level of service “A” conditions in both the AM & PM peak hour periods. The level of service “A” performance is characterised by low approach delays and spare capacity.

## 2.5 Public Transport

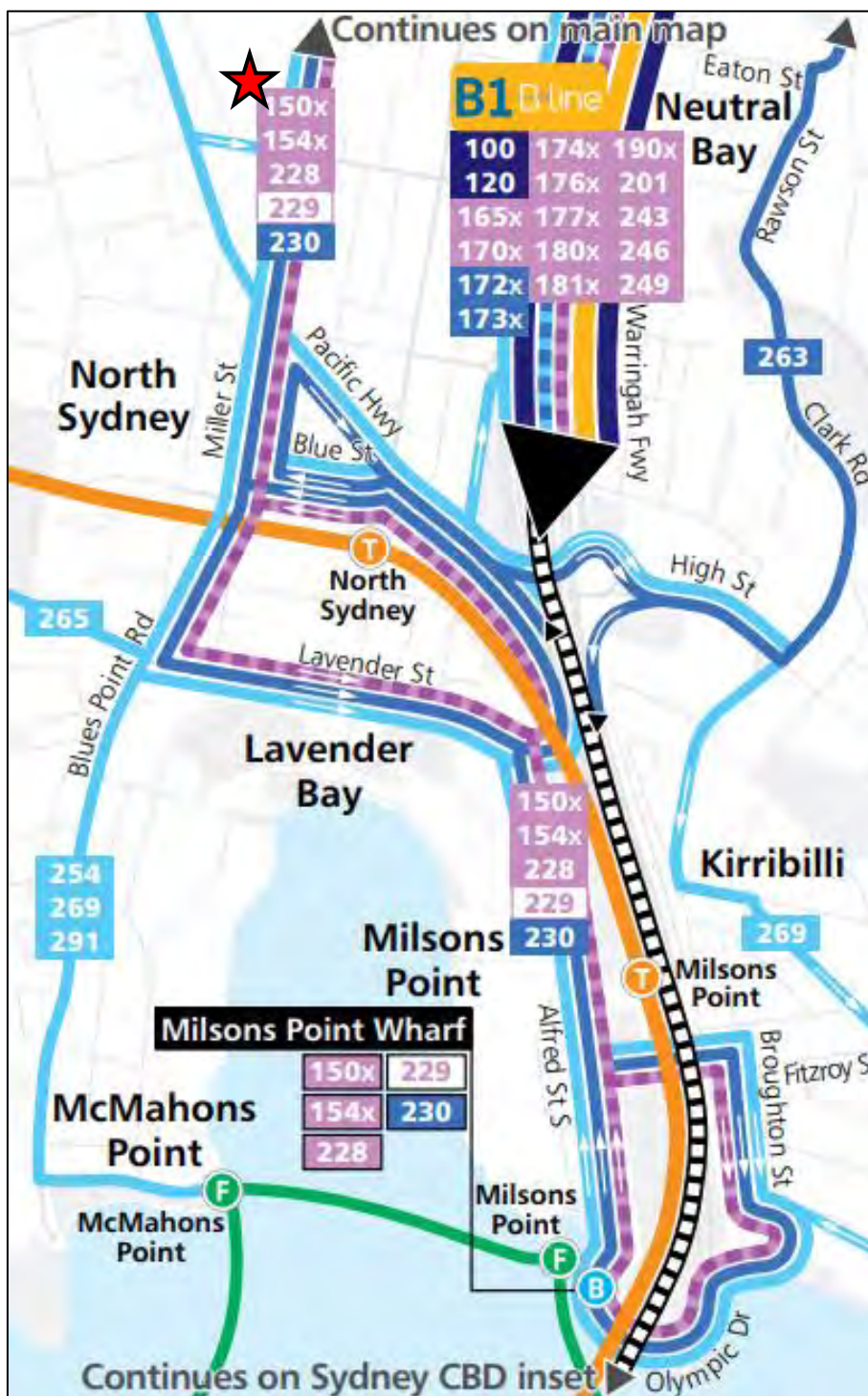
The subject site has access to existing bus stops (ID: 206048 and 206018) located approximately 75-100m walking distance to the east of site on Miller Street. The bus stop services existing bus routes provided by Busway North West and Keolis Downer Northern Beaches, including:

- 144N – Manly to North Sydney (Night Service);
- 150X – Manly to Milsons Point (Express Service);
- 154X – Dee Why to Milsons Point (Express Service);
- 202 – Northbridge to City Bridge St via North Sydney;
- 203 – Castlecrag to North Sydney;
- 207 – East Lindfield to City Bridge St via North Sydney;
- 208 – East Lindfield to City Bridge St via Northbridge & North Sydney;
- 209 – East Lindfield to Milsons Point via North Sydney;
- 228 – Clifton Gardens to Milsons Point;
- 229 – Beauty Point to Milsons Point via Balmoral Heights;
- 230 – Mosman Wharf to Milsons Point via North Sydney.

A Level of Service (LoS) assessment has been undertaken of the public transport services within easy walking distance of the site, with the details of this assessment provided in **Annexure D**. The assessment found that multiple bus routes operate at an overall LoS 'C' or greater which is considered acceptable and attractive to users and multiple buses including the 150X, 154X, 209 and 230 operate at a LoS "A" during the AM peak hour, indicating frequent services where passengers don't have to consult timetables and indicates that the subject site has access to frequent public transport infrastructure.



The location of the site subject to the surrounding public transport network is shown in **Figure 5**.

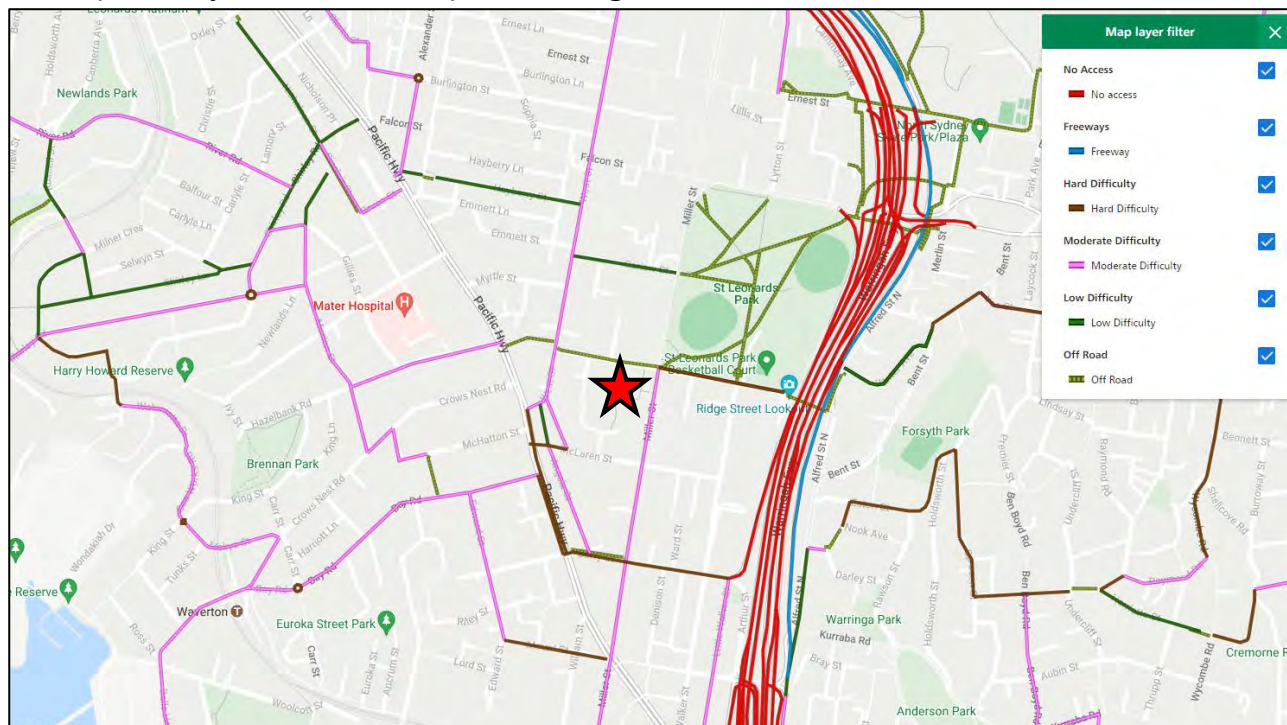


Site Location

**FIGURE 5: PUBLIC TRANSPORT NETWORK MAP**

## 2.6 Active Travel Modes

The subject site is serviced by low – moderate difficulty cycle routes in its vicinity. Cycle paths encourage individuals to utilise bicycles as a mode of travel, reducing motor vehicle congestion and overall motor vehicle usage. The location and nature of the cycle facilities within proximity of the site is depicted in **Figure 6**:



Site Location

**FIGURE 6: NORTH SYDNEY CYCLING MAP**

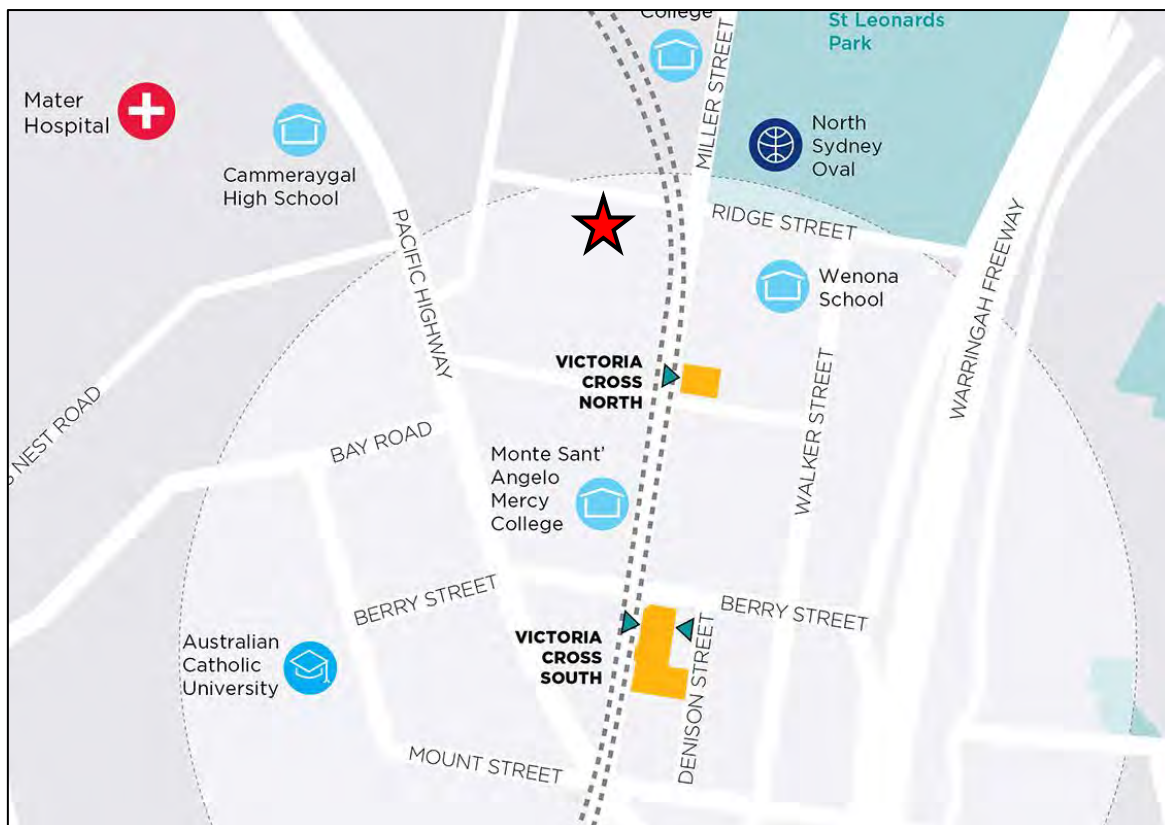
## 2.7 Future Infrastructure Upgrades

### 2.7.1 Sydney Metro City & Southwest– Victoria Cross Station

As part of the NSW Government Sydney Metro – City & Southwest Project, a new metro railway station (Victoria Cross) is currently under construction in North Sydney. The Victoria Cross Northern entrance will be located within 300m of the subject development on the corner of Miller Street and McLaren Street, as seen in **Figure 7**.

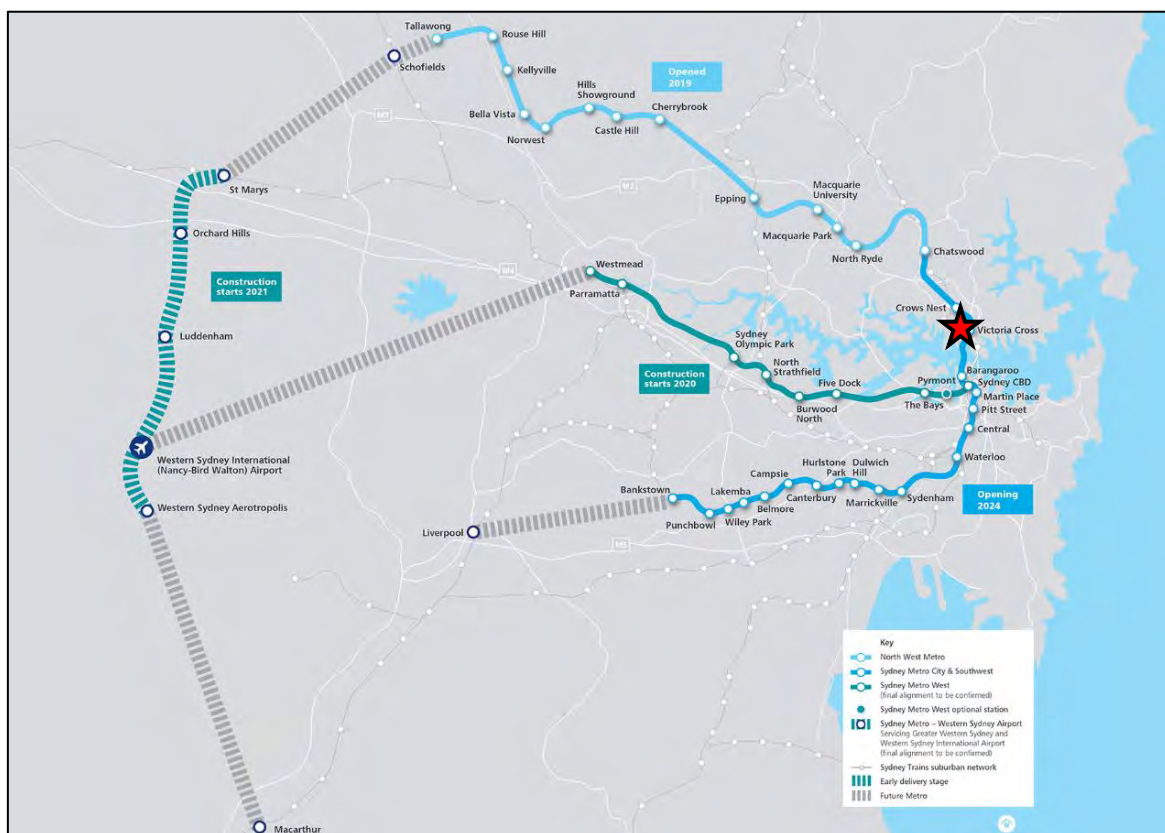
Once open, the Metro line will provide a connection between Rouse Hill and Bankstown via Castle Hill, Epping, Chatswood, North Sydney, Sydney CBD and Sydenham and the services will be high frequency. The extent of the Sydney Metro network upon completion is shown in **Figure 8**. It is expected that the Sydney Metro will continue to reduce car dependency to North Sydney and provide alternative transport for commuters.





★ Site Location

**FIGURE 7: VICTORIA CROSS METRO STATION LOCATION**



★ Site Location

**FIGURE 8: SYDNEY METRO NETWORK**



### 3 PARKING ASSESSMENT

#### 3.1 Council Parking Requirement

Reference is made to the *North Sydney Development Control Plan 2013 Section 10 – Car Parking and Transport* which designates the following parking rates applicable to child care centres, which have been adopted for a conservative assessment:

#### **Table B-10.2: Non-residential Parking Rates in Specific Locations**

*All uses not listed in Table B-10.3 – Specific Uses*

*Maximum Parking Rates*

*B4 – Mixed Use*

*North Sydney Centre*

*1 space / 400m<sup>2</sup> non-residential GFA*

#### **Table B-10.3 – Parking rate for specific non-residential uses**

*Child care centres*

*Maximum Parking Rates*

*Staff - 1 space per 2 employees with a maximum of 3 spaces*

*Parents - 2 spaces for less than 24 places, 3 spaces for 24 or more spaces*

For the purposes of this assessment, the pre-school has been assessed as a child care centre and all other non-residential uses within the site have been assessed in accordance with the maximum parking rates provided in Table B-10.2 of the North Sydney DCP.

**Table 3** presents the parking requirements of the proposal according to the Council's above car parking rates.

**TABLE 3: MAXIMUM COUNCIL PARKING RATES**

Land Use	Scale	Rate	Maximum Spaces Required	Spaces Provided
Child Care Centre	47 Children	3 for 24 or more children	3	0
	5 Staff	1 per 2 staff with a maximum of 3	3	
Non-Residential Land uses	303m <sup>2</sup> GFA	1 space / 400m <sup>2</sup> GFA (Maximum)	0.75 (0)	
<b>TOTAL</b>			<b>6</b>	<b>0</b>

As shown, strict application of the DCP requires the provision of a maximum of six (6) car parking spaces, (with 3 for parent use and 3 for staff use) the DCP does not provide a minimum parking rate and hence does not require any on-site parking. The proposed plans do not detail the provision of any on-site car parking spaces, complying with Council's maximum DCP parking rate.

The subject development is well serviced by alternative transport modes as outlines within **Section 2.5** and **Section 2.6**. The public transport level of service assessment (reproduced in **Annexure D**) indicates that multiple bus routes operate at a Level of Service 'C' or greater which is considered an acceptable and attractive mode of transport for commuters.

Further, the addition of the Victoria Cross Metro Station as part of the Sydney Metro will facilitate further alternative transport options.

### **3.2 Parking for People with Disabilities**

North Sydney Council DCP does not outline accessible car parking rates for people with disabilities applicable to child care centre developments. As such, reference is made to *Table D3.5* of the *Building Code of Australia* (BCA) as part of the *National Construction Code 2019* (NCC) which categorises a child care centre as a Class 9b building and therefore requires car parking for people with disabilities at a rate of:

*Class 9b*                      *1 space for every 50 carparking spaces or part thereof.*

The proposed child care centre will not provide any on-site car parking spaces. Therefore, in accordance with the BCA requirements, nil (0) accessible car parking spaces for people with disabilities can be provided. The proposed plans do not provide any accessible car parking spaces, complying with BCA requirements.

### **3.3 Bicycle Parking Requirements**

The North Sydney DCP requires that child care centres provide one (1) bicycle storage space per 10 staff and two (2) per centre for visitors, resulting in a total requirement of three (3) bicycle parking spaces. There is sufficient room on-site for the informal storage of staff bicycles when required. There are seven (7) bicycle rails supporting up to 16 bikes located opposite the site across the pedestrian crossing, which can be relied upon to support visitor bicycle storage. If required, dedicated on-site bicycle parking can be provided.

### **3.4 Motorcycle Parking Requirements**

The North Sydney DCP does not require the provision of motorcycle parking. No motorcycle parking has been provided, satisfying Council requirements.

### **3.5 Servicing & Loading**

The North Sydney DCP does not specifically require the provision of servicing and loading facilities for child care centres. It is expected that waste collection will occur from either Ridge Street or James Place in line with existing waste collection operations for the building. Loading facilities for child care centres and preschools typically required parking for a courier vehicles (vans) of up to a B99 design vehicle. Loading operations for the proposal are likely to take place in the existing Loading Zone along Ridge Street.

## 4 TRAFFIC ASSESSMENT

The impact of the expected traffic generation levels associated with the subject proposal is discussed in the following sub-sections.

### 4.1 *Traffic Generation*

Traffic generation rates for the relevant land uses are provided in the *RTA Guide to Traffic Generating Developments (2002)* and recent supplements as adopted by Transport for NSW (TfNSW) and are as follows:

#### 3.11.3 *Child care centres*

##### *Pre-school*

7.00-9.00am 1.4 peak vehicle trips per child

2.30-4.00pm 0.8 peak vehicle trips per child

##### *Before/after care*

7.00-9.00am 0.5 peak vehicle trips per child

2.30-4.00pm 0.2 peak vehicle trips per child

4.00-6.00pm 0.7 peak vehicle trips per child

The resulting AM and PM peak hourly traffic generation is summarised in **Table 4**.

**TABLE 4: ESTIMATED TRAFFIC GENERATION**

Use	Scale	Peak	Generation Rate	Trips <sup>(1)</sup>
Pre-school	47 Children	AM	1.4 per child	66 (33 in, 33 out)
		PM (2:30 – 4:00)	0.8 per child	38 (19 in, 19 out)
Before/after care	20 Children	AM	0.5 per child	10 (5 in, 5 out)
		PM (2:30 – 4:00)	0.2 per child	4 (2 in, 2 out)
		PM (4:00 – 6:00)	0.7 per child	14 (7 in, 7 out)
<b>TOTAL</b>	-	<b>AM</b>	-	<b>76</b> <b>(38 in, 38 out)</b>
		<b>PM (2:30 – 4:00)</b>	-	<b>42</b> <b>(21 in, 21 out)</b>
		<b>PM (4:00 – 6:00)</b>	-	<b>14</b> <b>(7 in, 7 out)</b>

Notes:

(1) 50/50 inbound/outbound split.

As shown, the expected traffic generation associated with the proposed development is in the order of **76** vehicle trips in the AM peak period (38 in, 38 out), **42** vehicle trips in the 2:30 – 4:00PM peak period (21 in, 21 out) and **14** vehicle trips in the 4:00 – 6:00PM peak period (7 in, 7 out).

Further the other land uses associated with the sites being the Play Group, Baby Education Classes occur outside of the AM and PM peak hours, such that their peak traffic generation will occur during the middle of the day which will not have any adverse traffic implications.

It should be noted that the RTA Guide traffic generation rates are based upon surveys with a high level of car dependency for travel to / from the centre. The average across all centres surveyed in the RTA guide was 94% drivers for pre-schools, and 75% drivers for before/after school care. Given the CBD nature of the subject site, the high level of public transport accessibility, vehicle driver rates will be much lower for this site, such that the traffic generation outlined above is considered a highly conservative approach.

The Educational Workshops occur after school hours, there is a potential minor overlap with during the PM peak hour period. The above assessment has been highly conservative, such that it can be concluded there the is no additional adverse impact caused by the education workshops.

Weekend and school holiday operations of the site will generated less traffic than during the AM and PM peaks during the school term and hence there will no adverse impact during the weekends and school holiday periods.

#### **4.2 Traffic Assignment**

The road network, traffic surveys and locations of residential areas surrounding the site have been assessed and the following traffic assignment has been assumed for all traffic to and from the site:

AM Peak Period:

- 50% to/from the west (via West Street);
- 50% to/from the east (via Miller Street).

PM Peak Period:

- 30% to/from the west (via West Street);
- 70% to/from the east (via Miller Street).

### 4.3 Traffic Impact

The traffic generation outlined in **Section 4.1 & 4.2** above has been added to the existing traffic volumes recorded. SIDRA INTERSECTION 9.0 was used to assess the intersections performance. The purpose of this assessment is to compare the existing intersection operations to the future scenario under the increased traffic load. The results of this assessment are shown in **Table 5**.

It should be noted that the estimated traffic impact is conservative for the subject site as it is expected that there will be less private vehicle usage compared to that of a typical pre-school or before/after school care due to the site location and constraints within a CBD Centre with a high level of public transport accessibility. While drivers are likely to park in numerous places surrounding the site, a worst case scenarios has been assessed whereby all visitors park within the Ridge Street Carpark accessed off James Place. This scenario is expected to test the worst case impact of the proposal.

**TABLE 5: INTERSECTION PERFORMANCE (SIDRA INTERSECTION 9.0)**

Intersection	Peak Hour	Degree of Saturation <sup>(1)</sup>	Average Delay <sup>(2)</sup> (sec/veh)	Level of Service <sup>(3)(4)</sup>	Control Type	Worst Movement
<b>EXISTING PERFORMANCE</b>						
James Place / Ridge Street	AM	0.26	0.6	<b>NA</b>	Give Way	RT from James Place
			(Worst: 5.7)	(Worst: A)		
	PM	0.12	0.4	<b>NA</b>		RT from Ridge Street
			(Worst: 4.9)	(Worst: A)		
<b>FUTURE (POST DEVELOPMENT) PERFORMANCE</b>						
James Place / Ridge Street	AM	0.28	1	<b>NA</b>	Give Way	RT from James Place
			(Worst: 6.2)	(Worst: A)		
	PM	0.13	0.8	<b>NA</b>		RT from Ridge Street
			(Worst: 5)	(Worst: A)		

Notes: Refer to Table 2.

It is again reiterated that the assessment undertaken above is highly conservative due to the proposed development not providing any on-site parking and the expectation that a majority of parents and staff will utilise alternative transport modes. In any case, the intersection of Ridge Street / James Place retains the same overall level of service under future conditions with minimal delays and additional capacity, indicating that there will be no adverse impact on the existing road network as a result of the proposed development.

## 5 CONCLUSION

In view of the foregoing, the subject preschool tenant proposal at 45 - 51 Ridge Street, North Sydney (as depicted in **Annexure A**) is fully supportable in terms of its traffic and parking impacts. The following outcomes of this traffic impact assessment are relevant to note:

- The proposal includes the provision of nil **(0)** car parking spaces, satisfying the relevant controls applicable to the development, including Council's DCP requirements.
- Council's DCP requires the provision of three **(3)** bicycle parking spaces which can be stored informally onsite resulting in compliance with Council's requirements.
- The traffic generation of the proposed development has been estimated to be some **76** trips in the AM peak period (31 in, 31 out), **42** trips in the 2:30 – 4:00PM peak period (17 in, 17 out) and **14** trips in the 4:00 – 6:00PM peak period (7 in, 7 out). The impacts of the traffic generation have been modelled using SIDRA INTERSECTION 9.0, indicating that there will be no detrimental impact to the performance of the intersections as a result of the generated traffic. It is noted that these traffic generation rates are conservative and based upon a 75% - 93% driver rate for parents, which is not expected to be the case for this site due to the sites CBD nature and high level of public transport accessibility.





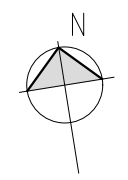
**ANNEXURE A: PROPOSED PLANS  
(2 SHEETS)**

	DEMOLITION
	PROPOSED NEW WORK
	INTERNAL CLASSROOM AREAS
	FLEXIBLE AREA
	EXTERNAL PLAY AREAS

- Notes
1. Builder to examine site and verify conditions and dimensions before commencing work shown on drawings.
  2. Use marked dimensions only. Do not scale off drawing. Any discrepancies to be brought to the attention of the Architect before proceeding.
  3. All work is to be carried out in accordance with BCA and relevant Australian Standards.
  4. Provide 50mm floor recess in all wet areas
  5. Provide termite barrier to manufacturers specifications.
  6. Provide smoke detectors in accordance with BCA and Australian Standards.
  7. Any modified walls, including re-cladding, that are within 900mm of boundary are to achieve FRL 60/60/60.
  8. All structural elements (including but not limited to all steel, timber, concrete piers, beams and lintels) are to be detailed and signed off by a qualified structural engineer.
  9. This drawing remains the property of the Architect.
  10. Client is granted conditional licence to the drawings.
  11. Architect reserves the right to terminate the licence.
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Revision/Issue

No.	Amendment	Date
A	Issued for Information	31/01/22
B	Issued for Information	07/06/22
C	Issued for Information	22/06/22
D	Issued for Information	08/07/22
E	Issued for Information	14/07/22
F	Issued for Information	19/07/22
G	Issued for Information	20/07/22

Project **Cameragal Montessori Preschool**

Address **45-51 Ridge Street, North Sydney**

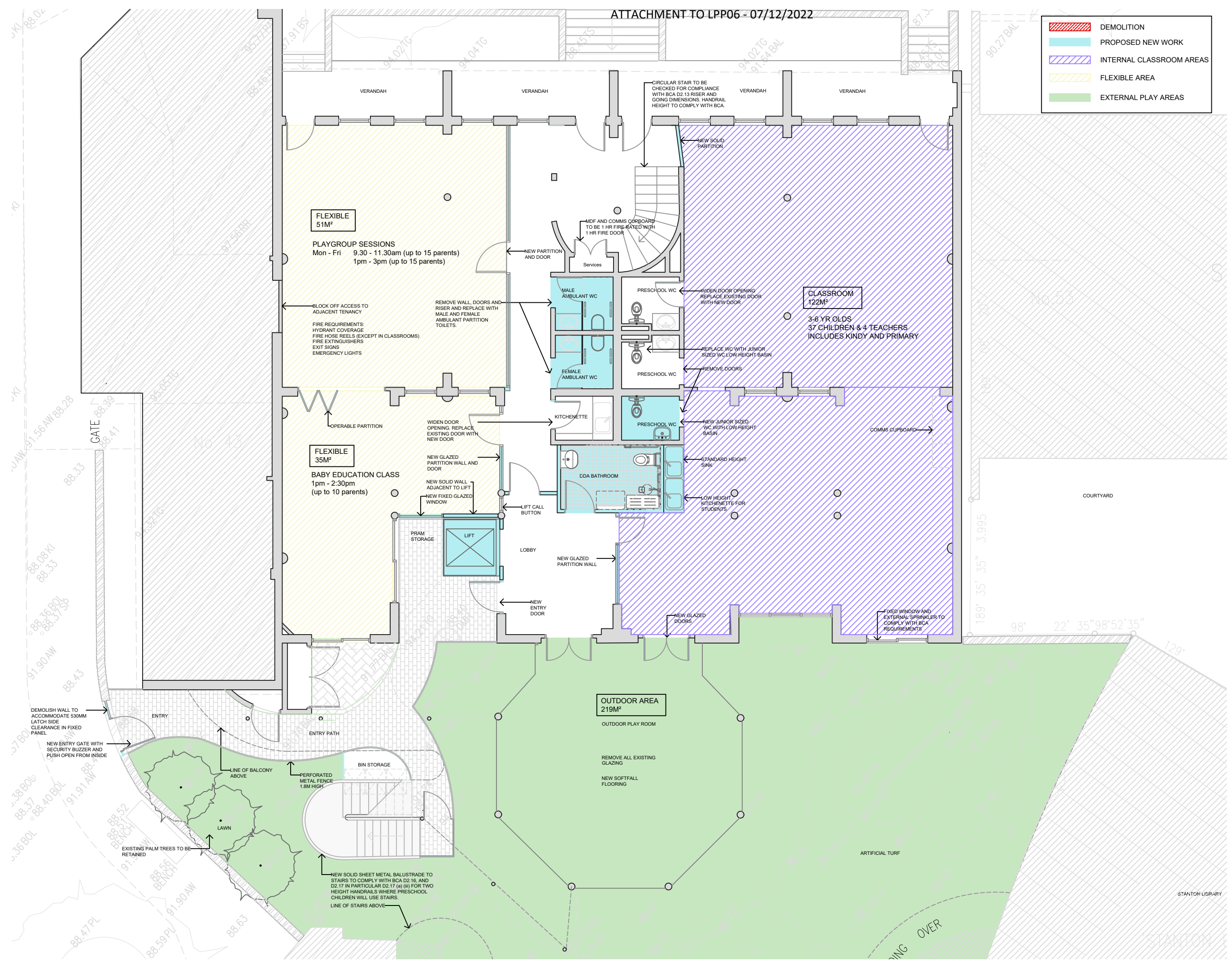
Title **Proposed - Ground Floor Plan**

Job no 1008

Drawn Scale Date  
 LJ 1:100 @A3 10/01/22

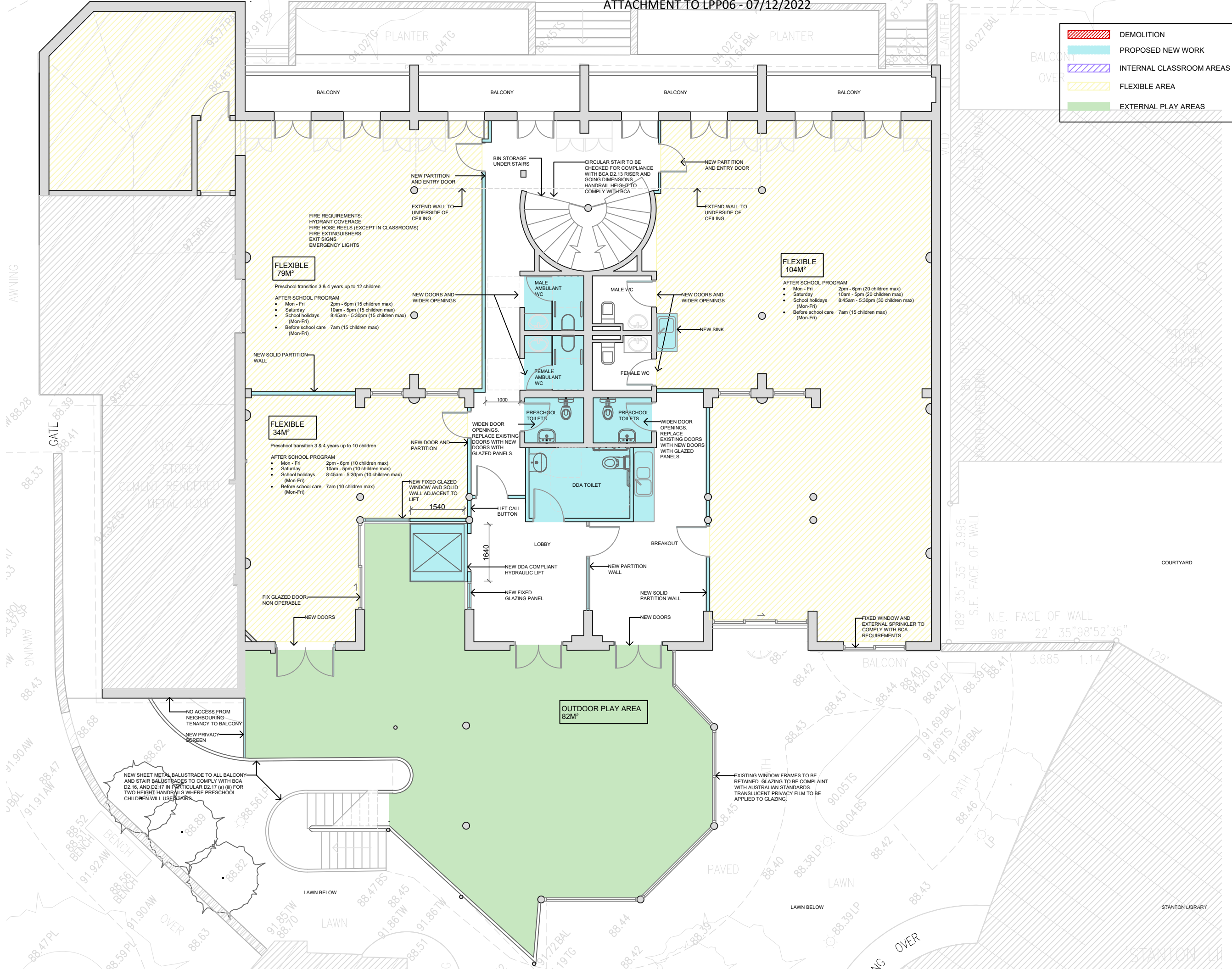
Drawing no **DA.200**

Issue **G**

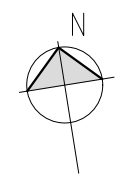


	DEMOLITION
	PROPOSED NEW WORK
	INTERNAL CLASSROOM AREAS
	FLEXIBLE AREA
	EXTERNAL PLAY AREAS

- Notes
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D	Issued for information	08/07/22
E	Issued for information	14/07/22
F	Issued for information	19/07/22
G	Issued for information	20/07/22

Project **Cameragal Montessori Preschool**

Address **45-51 Ridge Street, North Sydney**

Title **Proposed - Level 1 Floor Plan**

Job no 1008

Drawn Scale Date  
 LJ 1:100 @A3 10/01/22

Drawing no **DA.201**

Issue **G**



**ANNEXURE B: TRAFFIC SURVEY DATA  
(3 SHEETS)**



Curtis Traffic Surveys		Turning movement count		Ridge St		Peak Hour Volumes		James Pl		
Job:	220504mcl (22_0352)					449		161		
Day, date:	17/06/22					30		31		
Location:	Ridge St & James Place					4		3		
Weather:	Fine									
Client:	McLaren Traffic Engineering									
<i>Lollypop lady present 8:00-9:00</i>										
	From Ridge St west	From James Place		From Ridge St east				Pedestrians on m.f.c.		
Time Period	through	right	left	right	left	through	vehicles	Peak	Adults	Children
07:00 to 07:15	24	1	0	0	0	3	21	49	6	2
07:15 to 07:30	35	6	0	0	0	11	21	73	9	3
07:30 to 07:45	54	5	1	0	0	10	37	107	16	2
07:45 to 08:00	97	12	1	1	1	8	41	160	18	14
08:00 to 08:15	162	6	0	0	1	3	44	216 peak	32	39
08:15 to 08:30	136	7	2	1	1	10	39	195	48	38
08:30 to 08:45	11	7	7	2	2	8	44	79	53	51
08:45 to 09:00	32	5	0	1	1	2	51	91	15	7
09:00 to 09:15	31	5	0	2	2	5	26	69	13	4
09:15 to 09:30	15	0	0	2	2	4	23	44	8	7
<b>Total</b>	<b>597</b>	<b>54</b>	<b>11</b>	<b>10</b>	<b>64</b>	<b>347</b>				
Hourly summary										
07:00 to 08:00	210	24	2	1	32	120	389		49	21
07:15 to 08:15	348	29	2	2	32	143	556		75	58
07:30 to 08:30	449	30	4	3	31	161	678 peak hour		114	93
07:45 to 08:45	406	32	10	5	29	168	650		151	142
08:00 to 09:00	341	25	9	5	23	178	581		148	135
08:15 to 09:15	210	24	9	6	25	160	434		129	100
08:30 to 09:30	89	17	7	7	19	144	283		89	69





Curtis Traffic Surveys																			
Job:	220605mcl (22_0288)																		
Client:	McLaren Traffic Engineering																		
Day, date:	17/06/22																		
Location:	Ridge St North Sydney																		
Weather:	Fine																		
Surveyor:	MC																		
<b>Parking round commencing...</b>																			
Zone	Street	From	To	Side of street	Capacity	Restriction	7:00	7:15	7:30	7:45	8:00	8:15	8:30	8:45	9:00	9:15	9:30		
a	Ridge St	Cunningham St	MFC	north	6	m <sup>4</sup>	3	3	4	4	4	4	1	4	3	4	4		
b	Ridge St	MFC	Miller St	north	2	1*1m+1*1m <sup>2</sup>	1	3	3	2	2	3	0	0	0	0	1		
c	Ridge St	Miller St	MFC	south	4	min <sup>5</sup>	1	1	3	4	2	3	4	2	4	4	4		
d	Ridge St	MFC	Cunningham St	south	8	1m <sup>2</sup>	4	5	5	8	8	6	7	8	8	6	8		
Advertised casual spaces							53	69	62	58	51	48	37	36	28	23	16		
Advertised early bird spaces							34	33	32	29	28	28	23	22	19	17	17		

Curtis Traffic Surveys																					
Job:	220605mcl (22_0288)																				
Client:	McLaren Traffic Engineering																				
Day, date:	16/06/22																				
Location:	Ridge St North Sydney																				
Weather:	Fine																				
Surveyor:	MC																				
<b>Parking round commencing...</b>																					
Zone	Street	From	To	Side of street	Capacity	Restriction	14:30	14:45	15:00	15:15	15:30	15:45	16:00	16:15	16:30	16:45	17:00	17:15	17:30	17:45	18:00
a	Ridge St	Cunningham St	MFC	north	6	m <sup>4</sup>	6	3	9	3	4	3	4	5	3	5	6	4	4	4	4
b	Ridge St	MFC	Miller St	north	2	1*1m+1*1m <sup>2</sup>	2	1	1	1	1	1	2	2	1	2	3	2	2	2	2
c	Ridge St	Miller St	MFC	south	4	min <sup>5</sup>	4	2	3	3	3	2	5	3	2	3	4	3	3	3	4
d	Ridge St	MFC	Cunningham St	south	8	1m <sup>2</sup>	8	7	7	8	8	6	6	6	7	7	8	6	5	7	8
Advertised casual spaces							13	15	11	13	16	16	15	17	20	24	25	30	34	38	41
Advertised early bird spaces							not used in PM														



**ANNEXURE C: SIDRA RESULTS  
(4 SHEETS)**

## MOVEMENT SUMMARY

▼ Site: 101 [EX AM Ridge St / James Pl (Site Folder: General)]

Ridge Street / James Place

Existing Conditions

AM Peak Period

Site Category: (None)

Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	INPUT VOLUMES		DEMAND FLOWS		Deg. Satn v/c	Aver. Delay sec	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
		[ Total veh/h ]	[ HV ] %	[ Total veh/h ]	[ HV ] %				[ Veh. veh ]	[ Dist ] m				
South: James Place (S)														
1	L2	4	0.0	4	0.0	0.008	3.0	LOS A	0.0	0.2	0.29	0.51	0.29	44.4
3	R2	3	0.0	3	0.0	0.008	5.7	LOS A	0.0	0.2	0.29	0.51	0.29	43.6
Approach		7	0.0	7	0.0	0.008	4.2	LOS A	0.0	0.2	0.29	0.51	0.29	44.0
East: Ridge Street (E)														
4	L2	31	0.0	33	0.0	0.104	4.6	LOS A	0.0	0.0	0.00	0.09	0.00	47.5
5	T1	161	0.0	169	0.0	0.104	0.0	LOS A	0.0	0.0	0.00	0.09	0.00	49.5
Approach		192	0.0	202	0.0	0.104	0.8	NA	0.0	0.0	0.00	0.09	0.00	49.3
West: Ridge Street (W)														
11	T1	449	0.0	473	0.0	0.264	0.1	LOS A	0.3	1.9	0.06	0.04	0.06	49.6
12	R2	30	0.0	32	0.0	0.264	5.4	LOS A	0.3	1.9	0.06	0.04	0.06	47.5
Approach		479	0.0	504	0.0	0.264	0.4	NA	0.3	1.9	0.06	0.04	0.06	49.6
All Vehicles		678	0.0	714	0.0	0.264	0.6	NA	0.3	1.9	0.04	0.06	0.04	49.5

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

Delay Model: SIDRA Standard (Geometric Delay is included).

Queue Model: SIDRA Standard.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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## MOVEMENT SUMMARY

▼ Site: 101 [EX PM Ridge St / James Pl (Site Folder: General)]

Ridge Street / James Place

Existing Conditions

PM Peak Period

Site Category: (None)

Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	INPUT VOLUMES		DEMAND FLOWS		Deg. Satn v/c	Aver. Delay sec	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
		[ Total veh/h	HV ] %	[ Total veh/h	HV ] %				[ Veh. veh	Dist ] m				
South: James Place (S)														
1	L2	6	0.0	6	0.0	0.022	2.8	LOS A	0.1	0.5	0.25	0.52	0.25	45.1
3	R2	16	0.0	17	0.0	0.022	3.6	LOS A	0.1	0.5	0.25	0.52	0.25	44.4
Approach		22	0.0	23	0.0	0.022	3.4	LOS A	0.1	0.5	0.25	0.52	0.25	44.6
East: Ridge Street (E)														
4	L2	7	0.0	7	0.0	0.056	4.6	LOS A	0.0	0.0	0.00	0.04	0.00	48.0
5	T1	97	0.0	102	0.0	0.056	0.0	LOS A	0.0	0.0	0.00	0.04	0.00	49.8
Approach		104	0.0	109	0.0	0.056	0.3	NA	0.0	0.0	0.00	0.04	0.00	49.7
West: Ridge Street (W)														
11	T1	215	0.0	226	0.0	0.119	0.0	LOS A	0.0	0.2	0.01	0.01	0.01	49.9
12	R2	4	0.0	4	0.0	0.119	4.9	LOS A	0.0	0.2	0.01	0.01	0.01	47.9
Approach		219	0.0	231	0.0	0.119	0.1	NA	0.0	0.2	0.01	0.01	0.01	49.9
All Vehicles		345	0.0	363	0.0	0.119	0.4	NA	0.1	0.5	0.02	0.05	0.02	49.6

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

Delay Model: SIDRA Standard (Geometric Delay is included).

Queue Model: SIDRA Standard.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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## MOVEMENT SUMMARY

Site: 101 [FU AM Ridge St / James PI (Site Folder: General - Copy)]

Ridge Street / James Place  
 Future Conditions  
 AM Peak Period  
 Site Category: (None)  
 Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	INPUT VOLUMES		DEMAND FLOWS		Deg. Satn v/c	Aver. Delay sec	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
		[ Total veh/h ]	[ HV ] %	[ Total veh/h ]	[ HV ] %				[ Veh. veh ]	[ Dist ] m				
South: James Place (S)														
1	L2	23	0.0	24	0.0	0.055	3.0	LOS A	0.2	1.3	0.32	0.56	0.32	43.9
3	R2	22	0.0	23	0.0	0.055	6.2	LOS A	0.2	1.3	0.32	0.56	0.32	43.2
Approach		45	0.0	47	0.0	0.055	4.6	LOS A	0.2	1.3	0.32	0.56	0.32	43.6
East: Ridge Street (E)														
4	L2	50	0.0	53	0.0	0.115	4.6	LOS A	0.0	0.0	0.00	0.13	0.00	47.1
5	T1	161	0.0	169	0.0	0.115	0.0	LOS A	0.0	0.0	0.00	0.13	0.00	49.2
Approach		211	0.0	222	0.0	0.115	1.1	NA	0.0	0.0	0.00	0.13	0.00	48.9
West: Ridge Street (W)														
11	T1	449	0.0	473	0.0	0.279	0.1	LOS A	0.5	3.2	0.09	0.06	0.09	49.4
12	R2	49	0.0	52	0.0	0.279	5.5	LOS A	0.5	3.2	0.09	0.06	0.09	47.1
Approach		498	0.0	524	0.0	0.279	0.7	NA	0.5	3.2	0.09	0.06	0.09	49.3
All Vehicles		754	0.0	794	0.0	0.279	1.0	NA	0.5	3.2	0.08	0.11	0.08	49.0

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

Delay Model: SIDRA Standard (Geometric Delay is included).

Queue Model: SIDRA Standard.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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## MOVEMENT SUMMARY

▽ Site: 101 [FU PM Ridge St / James Pl (Site Folder: General - Copy)]

Ridge Street / James Place  
 Future Conditions  
 PM Peak Period  
 Site Category: (None)  
 Give-Way (Two-Way)

Vehicle Movement Performance														
Mov ID	Turn	INPUT VOLUMES		DEMAND FLOWS		Deg. Satn v/c	Aver. Delay sec	Level of Service	95% BACK OF QUEUE		Prop. Que	Effective Stop Rate	Aver. No. Cycles	Aver. Speed km/h
		[ Total veh/h ]	[ HV ] %	[ Total veh/h ]	[ HV ] %				[ Veh. veh ]	[ Dist ] m				
South: James Place (S)														
1	L2	16	0.0	17	0.0	0.042	2.8	LOS A	0.1	1.0	0.24	0.52	0.24	45.1
3	R2	27	0.0	28	0.0	0.042	3.8	LOS A	0.1	1.0	0.24	0.52	0.24	44.4
Approach		43	0.0	45	0.0	0.042	3.4	LOS A	0.1	1.0	0.24	0.52	0.24	44.7
East: Ridge Street (E)														
4	L2	18	0.0	19	0.0	0.063	4.6	LOS A	0.0	0.0	0.00	0.09	0.00	47.5
5	T1	97	0.0	102	0.0	0.063	0.0	LOS A	0.0	0.0	0.00	0.09	0.00	49.5
Approach		115	0.0	121	0.0	0.063	0.7	NA	0.0	0.0	0.00	0.09	0.00	49.3
West: Ridge Street (W)														
11	T1	215	0.0	226	0.0	0.126	0.0	LOS A	0.1	0.7	0.03	0.03	0.03	49.7
12	R2	14	0.0	15	0.0	0.126	5.0	LOS A	0.1	0.7	0.03	0.03	0.03	47.6
Approach		229	0.0	241	0.0	0.126	0.3	NA	0.1	0.7	0.03	0.03	0.03	49.6
All Vehicles		387	0.0	407	0.0	0.126	0.8	NA	0.1	1.0	0.05	0.10	0.05	49.2

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

Delay Model: SIDRA Standard (Geometric Delay is included).

Queue Model: SIDRA Standard.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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**ANNEXURE D: PUBLIC TRANSPORT  
(2 SHEETS)**

The Transport Research Board's *Transit Capacity and Quality of Service Manual 2003* outlines a means of determining the Level of Service of bus routes. Based on an assessment of bus frequency, hours, and coverage and indicative Level of Service can be determined.

The Level of Service is determined using the frequency and hours according to the criteria given in **Table 6** and **Table 7** respectively. Level "C" or above is considered acceptable and attractive to users.

**TABLE 6: LOS CRITERIA – BUS ROUTE FREQUENCY**

Level of Service (LoS)	Minutes per Service	Buses per hour	Comments
A	<10	>6	Passengers do not need schedules
B	10-14	5-6	Frequent service, passengers consult schedules
C	15-20	3-4	Maximum desirable wait time to wait if bus missed
D	21-30	2	Service unattractive to choice riders
E	31-60	1	Service available during the hour
F	>60	<1	Service unattractive to all riders

**TABLE 7: LOS CRITERIA – SERVICE HOURS**

Level of Service (LoS)	Hours of Service	Comments
A	19-24	Passengers do not need schedules
B	17-18	Frequent service, passengers consult schedules
C	14-16	Maximum desirable wait time to wait if bus missed
D	12-13	Service unattractive to choice riders
E	4-11	Service available during the hour
F	0-3	Service unattractive to all riders

The Level of Service of each bus route within 400m walking distance of the site and close proximity to the train station is shown in **Table 8** below.

**TABLE 8: LEVEL OF SERVICE OF SURROUNDING BUS ROUTES**

Route	AM Peak <sup>(1)</sup>		Interpeak <sup>(1)</sup>		PM Peak <sup>(1)</sup>		Overall Service Hours	LoS
	Frequency	LoS	Frequency	LoS	Frequency	LoS		
<b>144N<sup>(2)</sup></b>	-	-	30	D	-	-	5	E
<b>150X</b>	9	A	-	-	10	B	9	E
<b>154X</b>	6	A	-	-	8	A	9	E
<b>202</b>	10	B	15	C	15	C	14	C
<b>203</b>	60	E	-	-	10	B	8	E
<b>207</b>	20	C	15	C	20	C	15	C
<b>208<sup>(2)</sup></b>	-	-	15	C	-	-	6	E
<b>209</b>	6	A	-	-	20	C	6	E
<b>228</b>	30	D	-	-	60	E	5	E
<b>229</b>	60	E	60	E	-	-	5	E
<b>230</b>	4	A	9	A	5	A	19	A

## Notes:

- (1) AM Commuter Peak assumed as 7:30AM – 8:30AM, PM as 5:00PM – 6:00PM, inter-peak 12pm-1pm.
- (2) These buses operate during night hours. Their frequency is listed in the inter-peak column.
- (3) Thursday and Friday services only.

As shown above, multiple bus routes operate at LoS 'C' or greater which is considered acceptable and attractive to users. This indicates that the subject site has access to frequent public transport infrastructure.



# Access Assessment Report

## Cameragal Montessori Preschool



**Project:** Cameragal Montessori Preschool

**Reference No:** 115008-Access-r 1

**Date:** 22 July 2022

**Client:** Cameragal Montessori Preschool

**Client Contact:** Janae Goodall













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**BCA Logic Project:** Matthew McNamara

**Direct:** 8484 4050

**Email:** [matthew.mcnamara@jensenhughes.com](mailto:matthew.mcnamara@jensenhughes.com)

## Document Control

Revision	Date	Description										
115008-Access-r1	22 July 2022	Access Assessment Report										
		<table border="1"> <tr> <td>Prepared by</td> <td>Verified by</td> </tr> <tr> <td>Matthew McNamara</td> <td>Benjamin Long</td> </tr> <tr> <td>Registered Certifier Unrestricted, No. BDC 0263</td> <td>Registered Certifier Unrestricted, No. BDC 3380</td> </tr> <tr> <td>  <b>Access Institute</b>            Qualified Access Consultant            Manager of Building Regulations         </td> <td>  <b>Access Institute</b>            Qualified Access Consultant            Senior Building Regulations Consultant         </td> </tr> <tr> <td></td> <td></td> </tr> </table>	Prepared by	Verified by	Matthew McNamara	Benjamin Long	Registered Certifier Unrestricted, No. BDC 0263	Registered Certifier Unrestricted, No. BDC 3380	 <b>Access Institute</b> Qualified Access Consultant Manager of Building Regulations	 <b>Access Institute</b> Qualified Access Consultant Senior Building Regulations Consultant		
Prepared by	Verified by											
Matthew McNamara	Benjamin Long											
Registered Certifier Unrestricted, No. BDC 0263	Registered Certifier Unrestricted, No. BDC 3380											
 <b>Access Institute</b> Qualified Access Consultant Manager of Building Regulations	 <b>Access Institute</b> Qualified Access Consultant Senior Building Regulations Consultant											
												

## BCA Logic Acquired by Jensen Hughes

BCA Logic was acquired by Jensen Hughes, the largest specialist fire and safety engineering firm in the world, in September 2021.

A respected global leader in safety, security and risk-based engineering and consulting, Jensen Hughes employs more than 1,400 people across 100 countries. This acquisition marks the company's entry into the Australian market and speaks to BCA Logic's experience and expertise in building legislation and regulations, fire, accessibility, and energy consulting.

Partnering with Jensen Hughes allows BCA Logic to further advance our capabilities in all aspects of fire safety engineering and support our clients with an expanded range of complementary services. Both companies share a commitment to technical excellence and exceptional client service.

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## EXECUTIVE SUMMARY

This document provides an assessment of the architectural design drawings for the proposed mixed use early childhood centre, preschool, playgroup and after hour care development for Cameragal Montessori Preschool, against the Deemed-to-Satisfy provisions of the provisions relating to Access for Persons with a Disability.

Part 2 'Matters for Further Consideration' of this report outlines the identified compliance issues that require further information or consideration and/or assessment as Performance Solutions.

Any Performance Solution will need to be detailed in a separate report and must clearly indicate methodologies for achieving compliance with the relevant Performance Requirements.

Item	Description	BCA Provision
<b>Compliance Matters to be Addressed</b>		
1.	The entry to the rear courtyard to the tenancy off James Place to the west is proposed to be the principal pedestrian entry. The other non-accessible entry to the tenancy, being the former terrace entry doors off Ridge Street, are within 50m of the proposed principal pedestrian entrance and therefore not required to be accessible as permitted by subclause (b)(ii).	D3.2
2.	<b>Ensure that the lift landing call buttons are located at least 500mm from the internal corner formed by the adjacent lobby to corridor separating doorway at both levels.</b>	D3.3
3.	<b>Ensure that the floor landings of the curved stairway provide sufficient area for a 180° accessible turn to serve the corridor in accordance with Clause 6.5.3 of AS 1428.1-2009.</b>	D3.3
4.	<b>Ensure that the 'flexible' floor space at the front of the first floor of the No.43 terrace is accessible in terms of circulation and floor levels into the space.</b>	D3.3

The Annexures of this Report provide detailed assessments of the proposal against all compliance requirements.

## 1 BASIS OF ASSESSMENT

### 1.1. Location

The building development, the subject of this report, is located at Cameragal Montessori Preschool.

### 1.2. Purpose

The purpose of this report is to assess the proposed mixed use early childhood centre, preschool, playgroup and after hour care development within the existing building against the relevant Deemed to Satisfy requirements. The report is intended to clearly outline those areas where compliance is not achieved and provide recommendations to achieve compliance:

- > Disability Discrimination Act 1992 (DDA);
- > Disability Access to Premises Standards 2010 (Premises Standards);
- > Building Code of Australia 2019 (BCA2019) Volume 1 Amendment 1 – Part D3 and Clauses E3.6 and F2.4;
- > North Sydney Council's Development Control Plan (DCP);
- > Applicable Australian Standards AS1428.1:2009 and AS1428.4.1:2009.

### 1.3. Limitations

This report is limited to an assessment of the access and amenity provisions for people with a disability against the documents as outlined in 1.2 above. It is not an assessment of the proposal against all provisions of the BCA2019 and if this is required, a separate report will be necessary.

This report does not include nor imply any detailed assessment for design, compliance or upgrading for:

- > The structural adequacy or design of the building;
- > The inherent derived fire-resistance ratings of any existing or proposed structural elements of the building (unless specifically referred to); and
- > The design basis and/or operating capabilities of any existing or proposed electrical, mechanical or hydraulic fire protection services.

This report does not include, or imply compliance with:

- > The Disability Discrimination Act (it cannot be guaranteed that that a complaint under the DDA will not be made, however should the building comply with BCA2019 and the Premises Standard then those responsible for the building cannot be subject to a successful complaint);
- > BCA2019 Sections B, C, E, F, G, H, I, J, and Parts D1 and D2;
- > Demolition Standards not referred to by the BCA2019;
- > Work Health and Safety Act;
- > Construction Safety Act;
- > Requirements of other Regulatory Authorities including, but not limited to, Telecommunications Supply Authority, Water Supply Authority, Electricity Supply Authority, Work Cover, Roads and Maritime Services (RMS), Local Council, ARTC, Department of Planning and the like;
- > Conditions of Development Consent issued by the Local Consent Authority; and
- > This report does not assess the safety of the particular aspects of the building but merely the minimum standards called up by the documents outlined in Part 1.2 of this report.

#### 1.4. Federal Disability Discrimination Act (DDA)

Disability is broadly defined and includes disabilities which are physical, intellectual, psychiatric, neurological, cognitive or sensory (a hearing or vision impairment), learning difficulties, physical disfigurement and the presence in the body of disease causing organisms.

All organisations have a responsibility, under the DDA, to provide equitable, dignified access to goods and services and to premises used by the public. Premises are broadly defined and would include all areas included within the subject development.

The DDA applies nationally and is complaint based. While the Disability (Access to Premises – Buildings) Standards 2010 and the BC2019 are recognised as a design standard to satisfy certain aspects of the DDA, compliance with the BCA2019 and the referenced standards does not guarantee that a complaint will not be lodged.

#### 1.5. Disability Access to Premises Standards (Premises Standards)

The aim of the Premises Standards is to provide the building and design industry with detailed information regarding the required access provisions associated with the design and construction of new buildings and upgrade to existing buildings.

The Premises Standards intend to provide certainty for the building industry in relation to meeting the requirements for access in new and upgraded buildings. They only apply to elements addressed within the Standards. All other elements related to premises will still be subject to the existing provisions of the DDA.

The Premises Standards generally align with the BCA2019 and reference a range of Australian Standards relating to access and other associated matters.

They do not apply to existing buildings that are not undergoing upgrade, however they introduce the concept of the “Affected Part”. This means that new works need to be connected to the building’s Principal Pedestrian Entrance by an accessible path of travel. This can mean that upgrade to the building may be necessary even where none is proposed.

#### 1.6. Design Documentation

This report has been based on the Design plans and Specifications listed in Annexure A of this Report.

#### 1.7. Definitions

##### Accessible

Having features to enable use by people with a disability.

##### Accessway

A continuous accessible path of travel (as defined in AS 1428.1) to, into or within a building.

##### Affected Part

The affected part is;

1. The principal pedestrian of an existing building that contains a new part; and
  - (a) Any part of an existing, that contains a new part, that is necessary to provide a continuous accessible path of travel from the entrance to the new part.
  - (b) Continuous Accessible Path of Travel

An uninterrupted path of travel to, into or within a building providing access to all access facilities.

Luminance Contrast

The light reflected from one surface or component, compared to the light reflected from another surface or component.

Ramp

An inclined surface on a continuous accessible path of travel between two landings with a gradient steeper than 1 in 20 but not steeper than 1 in 14.

Tactile Indicators

Tactile Ground Surface Indicators (TGSIs)

Truncated cones and/or bars installed on the ground or floor surface, designed to provide pedestrians who are blind or vision-impaired with warning or directional orientation information.

## 2 KEY COMPLIANCE CONSIDERATION

### 2.1. General

The following is a summary of all the individual elements that relate directly to the ability of a person with a disability to access all the portions of the building required to be accessible.

Accessibility has been assessed against the documents outlined in Part 1.2 of this Report. The Annexures to this report provides a detailed assessments of the proposal against ALL relevant Deemed-to-Satisfy Provisions and prescriptive requirements.

Note: It is important that the Annexures are read in conjunction with the items below, as some matters may not have had sufficient information provided to allow a detailed assessment to be undertaken.

The abbreviations outlined below have been used in the following tables.

<b>N/A</b>	Not Applicable. The Deemed-to-Satisfy clause is not applicable to the proposed design.
<b>Complies</b>	The relevant provisions of the Deemed-to-Satisfy clause have been satisfied by the proposed design.
<b>CRA – Refer Annexure B</b>	'COMPLIANCE READILY ACHIEVABLE'. It is considered that there is not enough information included in the documentation to accurately determine strict compliance with the individual clause requirements. However, with further design development, compliance can readily be achievable. This item is to be read in conjunction with the BCA Specification included within Annexure B of this report.
<b>FI</b>	Further Information is necessary to determine the compliance potential of the building design.
<b>PS</b>	Performance Solution with respect to this Deemed-to-Satisfy Provision is necessary to satisfy the relevant Performance Requirements.
<b>DNC</b>	Does Not Comply.
<b>Noted</b>	BCA Clause simply provides a statement not requiring specific design comment or confirmation.

### 2.2. Classification

Under the provisions of Parts A6 of BCA2019 and Part A4 of the Access Code, the building has been classified as follows:

Table 1. Building Classification

Subject 45-51 Ridge Street Tenancy			Other 43 Ridge Street Tenancy	
Class	Description	Level	Class	Description
9b – Assembly Educational	Early Childhood Centre, Preschool and Playgroup	Ground floor	5	Office
9b – Assembly Educational	Early Childhood Centre, Preschool and After School learning	First Floor	5	Office
9b – Assembly Educational	Future school uses	Second floor	-	-

### 2.3. Dimensions and Tolerances

The Premises Standards and BCA contains the minimum standards for building construction and safety, and therefore generally stipulates minimum dimensions which must be met. BCA Logic's assessment of the plans and specifications has been undertaken to ensure the minimal dimensions have been met.

The designer and builder should ensure that the minimum dimensions are met onsite and consideration needs to be given to construction tolerances for wall set outs, applied finishes and skirtings to corridors and bathrooms for example, tiling bed thicknesses and the like which can adversely impact on critical matters such as access for people with disabilities, stair and corridor widths and balustrade heights.

### 2.4. Performance Based Design – Performance Solutions

There are no specific areas throughout the development where strict Deemed-to-Satisfy Premises Standards and BCA Compliance will not be achieved by the proposed design and site constraints.:

### 2.5. Council's Development Control Plan Requirements (DCP)

The North Sydney Development Control Plan 2013 (the DCP) provides Council's planning controls on the provision of Accessibility under Section 12 Access of that Plan.

The relevant controls for Accessibility under Section 12 Access of the DCP that relate to the proposed mixed use early childhood centre, preschool, playgroup and after hour care development are as follows:

Table 2. Controls for Accessibility

Item No	Control	Comment	Compliance
12.2.2	Disability (access to Premises – Building) Standards	Compliance with the mandatory accessibility requirements of the BCA and AS 1428 is proposed.	CRA
12.2.3	Building Code of Australia (BCA)		
12.2.4	Australian Standards		
12.4.1	Continuous Accessible Path of Travel		
12.4.2	Parts of a Building Required to be Accessible		
12.4.3	Accessible Room Requirements		
12.4.4	Walkways, Ramps and Landings		
12.4.5	Doorways and Doors		
12.4.6	Circulation Spaces		
12.4.7	Lifts		
12.4.8	Sanitary Facilities		
12.4.13	Signage and Audio Cues		

## 2.6. Areas Required to be Accessible

The following areas of the building are required to be accessible:

Table 3. Areas Required to be Accessible

Area / Room	Description
9b – Assembly Educational	To and within all areas normally used by the occupants at the Early Childhood Centre, Preschool, Playgroup and After School learning.

Note: The limitations and exemptions of Clauses D3.2, D3.3 and D3.4 of the BCA2019 and Access Code been considered where applicable in the process of developing the above table.

## 2.7. Affected Part Requirements (Premises Standards)

The “affected part” is the accessway from the principal pedestrian entrance to the area of the new works including the entry door at principal pedestrian entrance. The relevant provisions of the Premises Standards will apply to a new part of a building, and any “affected part” of the building for the current development.

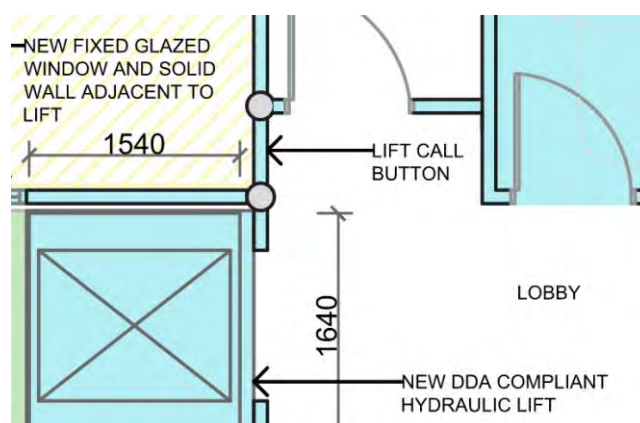
All parts of the 45-51 Ridge Street tenancy are to be accessible, except for the topmost second floor level which is an exclusion from the project.

Nevertheless, the other 43 Ridge Street tenancy of the same building enables the concessionary provisions of multiple tenancies negating the need for an affected part upgrade requirement of the Premises Standards, to be utilised.

## 2.8. Design Items Requiring Attention

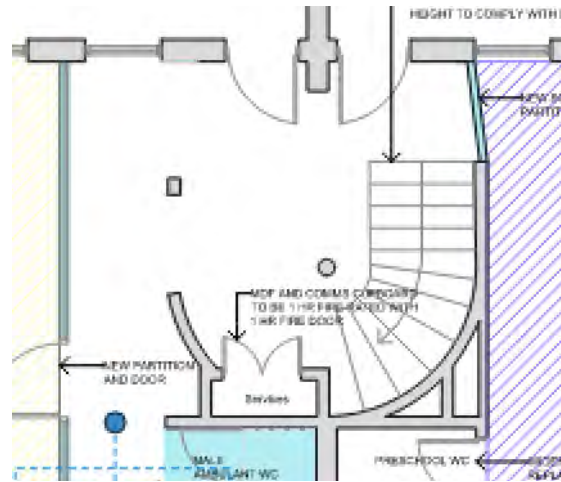
The entry to the rear courtyard to the tenancy off James Place to the west is proposed to be the principal pedestrian entry. The other non-accessible entry to the tenancy, being the former terrace entry doors off Ridge Street, are within 50m of the proposed principal pedestrian entrance and therefore not required to be accessible as permitted by subclause (b)(ii).

**Ensure that the lift landing call buttons are located at least 500mm from the internal corner formed by the adjacent lobby to corridor separating doorway at both levels.**

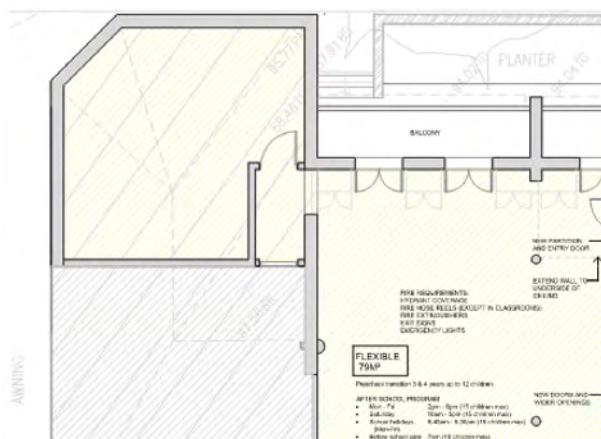




Ensure that the floor landings of the curved stairway provide sufficient area for a 180° accessible turn to serve the corridor in accordance with Clause 6.5.3 of AS 1428.1-2009.



Ensure that the 'flexible' floor space at the front of the first floor of the No.43 terrace is accessible in terms of circulation and floor levels into the space.



### **3 STATEMENT OF COMPLIANCE**

The design documentation as referred to in this report has been assessed against the applicable provisions for Accessibility as outlined in Part 1.2 of this report. It is considered that such documentation complies or is capable of complying (as outlined in Part 2 of this Report) with those documents.

## ANNEXURE A – DESIGN DOCUMENTATION

This report has been based on the following design documentation.

Table 4. Architectural Plans

Architectural Plans Prepared by			
Drawing Number	Revision	Date	Title
DA.000	E	08.07.2022	Cover Page
DA.101	F	19.07.2022	Existing and Demo – Ground Floor Plan
DA.102	F	19.07.2022	Existing and Demo – Level 1 Floor Plan
DA.103	C	08.07.2022	Existing and Demo – Elevation
DA.200	G	20.07.2022	Proposed – Ground Floor Plan
DA.201	G	20.07.2022	Proposed – Level 1 Floor Plan
DA.202	D	14.07.2022	Proposed – South Elevation
DA.300	B	14.07.2022	Proposed – Landscape Plan

## ANNEXURE B - PREMISES STANDARDS & BCA ASSESSMENT

<b>N/A</b>	Not Applicable. The Deemed-to-Satisfy clause is not applicable to the proposed design.
<b>Complies</b>	The relevant provisions of the Deemed-to-Satisfy clause have been satisfied by the proposed design.
<b>CRA – Refer Annexure C</b>	‘COMPLIANCE READILY ACHIEVABLE’. It is considered that there is not enough information included in the documentation to accurately determine strict compliance with the individual clause requirements. However, with further design development, compliance can readily be achievable. This item is to be read in conjunction with the BCA Specification included within Annexure C of this report.
<b>FI</b>	Further Information is necessary to determine the compliance potential of the building design.
<b>PS</b>	Performance Solution with respect to this Deemed-to-Satisfy Provision is necessary to satisfy the relevant Performance Requirements.
<b>DNC</b>	Does Not Comply.
<b>Noted</b>	BCA Clause simply provides a statement not requiring specific design comment or confirmation.

## Building Code of Australia 2019 Assessment Summary (BCA2019) / Premises Standards (Access Code)

Table 5. BCA 2019 Summary

Clause	Clause Requirements	Comment	Status
<b>Section D: Access and Egress</b>			
<b>Part D2 – Construction of Exits</b>			
D2.15: Thresholds	<p>The threshold of a doorway must not incorporate a step or ramp at any point closer to the doorway than the width of the door leaf unless –</p> <ul style="list-style-type: none"> <li>(a) in patient care areas in a Class 9a health-care building, the door sill is not more than 25 mm above the finished floor level to which the doorway opens; or</li> <li>(b) in a Class 9c building, a ramp is provided with a maximum gradient of 1:8 for a maximum height of 25 mm over the threshold; or</li> <li>(c) in a building required to be accessible by Part D3, the doorway – <ul style="list-style-type: none"> <li>(i) opens to a road or open space; and</li> <li>(ii) is provided with a threshold ramp or step ramp in accordance with AS 1428.1; or</li> </ul> </li> <li>(d) in other cases – <ul style="list-style-type: none"> <li>(i) the doorway opens to a road or open space, external stair landing or external balcony; and</li> <li>(ii) the door sill is not more than 190 mm above the finished surface of the ground, balcony, or the like, to which the doorway open.</li> </ul> </li> </ul>	To comply	CRA

Section D: Access and Egress			
D2.17: Handrails	<ul style="list-style-type: none"> <li>(a) Except for handrails referred to in D2.18, handrails must be –                             <ul style="list-style-type: none"> <li>(i) located along at least one side of the ramp or flight; and</li> <li>(ii) located along each side if the total width of the stairway or ramp is 2 m or more; and</li> <li>(iii) in a Class 9b building used as a primary school –                                     <ul style="list-style-type: none"> <li>(A) have one handrail fixed at a height of not less than 865 mm; and</li> <li>(B) have a second handrail fixed at a height between 665 mm and 750 mm,</li> </ul> </li> <li>(iv) measured above the nosings of stair treads and the floor surface of the ramp, landing or the like; and</li> <li>(v) in any other case, fixed at a height of not less than 865 mm measured above the nosings of stair treads and the floor surface of the ramp, landing, or the like; and</li> <li>(vi) continuous between stair flight landings and have no obstruction on or above them that will tend to break a hand-hold; and</li> <li>(vii) in a required exit serving an area required to be accessible, designed and constructed to comply with clause 12 of AS 1428.1, except that clause 12(d) does not apply to a handrail required by (a)(iii)(B).</li> </ul> </li> <li>(b) Handrails –                             <ul style="list-style-type: none"> <li>(i) in a Class 9a health-care building must be provided along at least one side of every passageway or corridor used by patients, and must be –</li> </ul> </li> </ul>	<p>To comply and note that primary school uses require a second handrail at a lower height</p>	CRA

### Section D: Access and Egress

- |  |  |  |  |
|--|--|--|--|
|  | <ul style="list-style-type: none"> <li>(A) fixed not less than 50 mm clear of the wall; and</li> <li>(B) where practicable, continuous for their full length.</li> </ul> <ul style="list-style-type: none"> <li>(ii) In a Class 9c aged care building must be provided along both sides of every passageway or corridor used by residents, and must be –           <ul style="list-style-type: none"> <li>(A) fixed not less than 50 mm clear of the wall; and</li> <li>(B) where practicable, continuous for their full length.</li> </ul> </li> </ul> <ul style="list-style-type: none"> <li>(c) Handrails required to assist people with a disability must be provided in accordance with D3.3</li> <li>(d) Handrails to a stairway or ramp within a sole-occupancy unit in a Class 2 or 3 buildings or Class 4 part of a building must –           <ul style="list-style-type: none"> <li>(i) be located along at least one side of the flight or ramp; and</li> <li>(ii) be located along the full length of the flight or ramp, except in the case where a handrail is associated with a barrier, the handrail may terminate where the barrier terminates; and</li> <li>(iii) have the top surface of the handrail not less than 865 mm vertically above the nosings of the stair treads of the floor surface of the ramp; and</li> <li>(iv) have no obstruction on or above them that will tend to break a handhold, except for newel posts, ball type stanchions, or the like.</li> </ul> </li> <li>(e) The requirements of (d) do not apply to –</li> </ul> |  |  |
|--|--|--|--|



Section D: Access and Egress			
	<ul style="list-style-type: none"> <li>(i) handrails referred to in D2.18; or</li> <li>(ii) a stairway or ramp providing a change in elevation of less than 1m; or</li> <li>(iii) a landing; or</li> <li>(iv) a winder where a newel post is installed to provide a handhold.</li> </ul>		
D2.21: Operation of latch	<ul style="list-style-type: none"> <li>(a) A door in a required exit, forming part of a required exit or in the path of travel to a required exit must be readily openable without a key from the side that faces a person seeking egress, by –               <ul style="list-style-type: none"> <li>(i) a single hand downward action on a single device which is located between 900 mm and 1.1 m from the floor and if serving an area required to be accessible by Part D3 –                   <ul style="list-style-type: none"> <li>(A) be such that the hand of a person who cannot grip will not slip from the handle during the operation of the latch; and</li> <li>(B) have a clearance between the handle and the back plate or door face at the centre grip section of the handle of not less than 35 mm and not more than 45 mm; or</li> </ul> </li> <li>(ii) a single hand pushing action on a single device which is located between 900 mm and 1.2 mm from the floor; ad</li> <li>(iii) where the latch operation device referred to in (ii) is not located on the door leaf itself –                   <ul style="list-style-type: none"> <li>(A) manual controls to power-operated doors must be at least 25 mm wide, proud of the surrounding surface and located –</li> </ul> </li> </ul> </li> </ul>	To comply and note that the secure parts of an early childhood centre need not comply	CRA

### Section D: Access and Egress

- (aa) not less than 500 mm from an internal corner; and
- (bb) for a hinged door, between 1 m and 2 m from the door leaf
- (cc) for a sliding door, within 2 m of the doorway and clear of a surface mounted door in the open position.
- (B) braille and tactile signage complying with Clause 3 and 6 of Specification D3.6 must identify the latch operation device.
- (b) The requirements of (a) do not apply to a door that –
  - (i) serves a vault, strong-room, sanitary compartment, or the like; or
  - (ii) serves only, or is within –
    - (A) a sole-occupancy unit in a Class 2 building or a Class 4 part of a building; or
    - (B) a sole-occupancy unit in a Class 3 building (other than an entry door to a sole-occupancy unit of a boarding house, guest house, hostel, lodging house or backpacker accommodation); or
    - (C) a sole-occupancy unit with a floor area not more than 200 m<sup>2</sup> in a Class 5, 6, 7 or 8 building; or
    - (D) a space which is otherwise inaccessible to persons at all times when the door is locked; or
  - (iii) serves –

Section D: Access and Egress			
	<p>(A) Australian Government Security Zones 4 or 5; or</p> <p>(B) the secure parts of a bank, detention centre, mental health facility, early childhood centre or the like; and</p> <p>it can be immediately unlocked –</p> <p>(C) by operating a fail-safe control switch, not contained within a protective enclosure, to actuate a device to unlock the door; or</p> <p>(D) by hand by a person or persons, specifically nominated by the owner, properly instructed as to the duties and responsibilities involved and available at all times when the building is lawfully occupied so that persons in the building or part may immediately escape if there is a fire; or</p> <p>(iv) is fitted with a fail-safe device which automatically unlocks the door upon the activation of any sprinkler system (other than a FPAA101D system) complying with Specification E1.5 or smoke, or any other detector system deemed suitable in accordance with AS 1670.1 installed throughout the building, and is readily openable when unlocked; or</p> <p>(v) is in a Class 9a or 9c building and –</p> <p>(A) is one leaf of a two-leaf door complying with D1.6(f)(i) or D1.6(f)(iv) provided that it is not held closed by a locking mechanism and is readily openable; and</p>		

Section D: Access and Egress			
	<p>(B) the door is not required to be a fire door or smoke door.</p> <p>(c) The requirements of (a) do not apply in a class 9b building (other than a school, an early childhood centre or a building used for religious purposes) to a door in a required exit, forming part of a required exit or in the path of travel to a required exit serving a storey or room accommodating more than 100 persons, determined in accordance with D1.13, in which case it must be readily openable –</p> <p>(i) without a key from the side that faces a person seeking egress; and</p> <p>(ii) by a single hand pushing action on a single device such as a panic bar located between 900 mm and 1.2 m from the floor; and</p> <p>(iii) where a two-leaf door is fitted, the provisions of (i) and (ii) need only apply to one door leaf if the appropriate requirements of D1.6 are satisfied by the opening of that one leaf.</p>		
Part D3 – Access for People with a Disability			
D3.0: Deemed-to-Satisfy Provisions	Informational		Noted
D3.1: General Building Access Requirements	<p>An accessway complying with AS1428.1 is required to the following:</p> <p><b>Class 9b –</b></p> <p>To and within all areas normally used by the occupants.</p>	To comply, noting that the topmost second storey of the tenancy is outside of the scope of the project.	CRA
D3.2: Access to Buildings	<p>(a) An accessway must be provided to a building required to accessible –</p>	To comply, noting that the entry to the rear courtyard to the tenancy off James Place to the west is proposed to be the principal pedestrian entry. The other non-	CRA

Section D: Access and Egress		
	<ul style="list-style-type: none"> <li>(i) from the main points of a pedestrian entry at the allotment boundary; and</li> <li>(ii) from another accessible building connected by a pedestrian link; and</li> <li>(iii) from any required accessible carparking space on the allotment.</li> </ul> <p>(b) In a building required to be accessible, an accessway must be provided through the principal pedestrian entrance, and –</p> <ul style="list-style-type: none"> <li>(i) through not less than 50% of all pedestrian entrances including the principal pedestrian entrance; and</li> <li>(ii) in a building with a total floor area more than 500 m<sup>2</sup>, a pedestrian entrance which is not accessible must not be located more than 50 m from an accessible pedestrian entrance, except for pedestrian entrances serving only areas exempted by D3.4.</li> </ul> <p>(c) Where a pedestrian entrance required to be accessible has multiple doorways—</p> <ul style="list-style-type: none"> <li>(i) if the pedestrian entrance consists of not more than 3 doorways — not less than 1 of those doorways must be accessible; and</li> <li>(ii) if a pedestrian entrance consists of more than 3 doorways — not less than 50% of those doorways must be accessible.</li> </ul> <p>(d) For the purposes of (c)—</p> <ul style="list-style-type: none"> <li>(i) an accessible pedestrian entrance with multiple doorways is considered to be one pedestrian entrance where— <ul style="list-style-type: none"> <li>(A) all doorways serve the same part or parts of the building; and</li> </ul> </li> </ul>	<p>accessible entry to the tenancy, being the former terrace entry doors off Ridge Street, are within 50m of the proposed principal pedestrian entrance and therefore not required to be accessible as permitted by subclause (b)(ii).</p>

Section D: Access and Egress			
	<p>(B) the distance between each doorway is not more than the width of the widest doorway at that pedestrian entrance (see Figure D3.2); and</p> <p>(ii) a doorway is considered to be the clear, unobstructed opening created by the opening of one or more door leaves (see Figure D3.2).</p> <p>(e) Where a doorway on an accessway has multiple leaves, (except an automatic opening door) one of those leaves must have a clear opening width of not less than 850 mm in accordance with AS 1428.1.</p>		
D3.3: Parts of Buildings to be Accessible	<ul style="list-style-type: none"> <li>&gt; Walkways and ramps must comply with clause 10 of AS 1428.1-2009.</li> <li>&gt; Non-fire-isolated stairways must comply with Clause 11 of AS 1428.1-2009.</li> <li>&gt; Fire-isolated stairways must comply with clause 11 (f) &amp; (g) of AS 1428.1-2009.</li> </ul> <p>The accessways must be provided with:</p> <ul style="list-style-type: none"> <li>&gt; Passing spaces (1800x2000mm) complying with AS1428.1 at 20m max. intervals where direct line of sight is not available.</li> <li>&gt; Turning spaces (1540x2070mm) complying with AS1428.1 within 2m of the end of accessways (including corridors or the like); and at 20m max. intervals along an accessway.</li> <li>&gt; An intersection of accessways satisfies the spatial requirements for a passing and turning space.</li> </ul> <p>Note: The Access to Premises Standards do not provide the concessions provided in sub-clauses (g) and (h) in this clause, hence compliance with the Access to Premises Standards will require the floor covering in the accessible</p>	<p>To comply, noting that the topmost second storey of the tenancy is outside of the scope of the project and no lift is currently proposed to access to this storey.</p>	CRA

Section D: Access and Egress			
	<p>areas to strictly comply with Clause 7.4.1(a) of AS1428.1-2009.</p> <p>An accessible ramp or a passenger lift are not required to serve the upper storey/levels in a Class 5, 6, 7b or 8 building if it has —</p> <ul style="list-style-type: none"> <li>&gt; 3 storeys max.</li> </ul> <p>The floor area for each storey (excluding entrance storey) is 200m<sup>2</sup> max.</p>		
D3.4: Exemptions	<p>Certain areas can be exempted under this clause if pose a health and safety risk for people with disability and /or access would be inappropriate because the particular purpose for which this area is used (e.g. plant rooms, service areas, heavy / toxic item storage, etc.)</p>	Not applicable	N/A
D3.4: Accessible Car Parking	<p>Accessible carparking spaces to be in compliance with this Clause, AS2890.6 and AS1428.1 in the proportion required by BCA2019 and Council DCP.</p> <p>Generally, accessible carparking spaces compliant with AS2890.6 will require 2400x5400mm plus an adjacent shared zone of 2400x5400mm. Bollard, demarcation and accessible signage to comply with AS2890.6. Vertical clearance to be 2500mm min over the carparking and 2200mm over the accessway, compliant with AS2890.6.</p> <p>Note: Adaptable parking spaces will require to comply with AS4299 (or AS2890.6 if described in DCP).</p> <p>Note: Livable housing parking spaces will require to comply with LHDG only when forming part of the SOU's access.</p>	Carparking is not proposed	N/A
D3.6: Signage	<ul style="list-style-type: none"> <li>&gt; Braille and tactile signage complying with Specification D3.6 and incorporating the</li> </ul>	<p>To comply for sanitary facilities and exits.</p> <p>Inbuilt amplification requiring hearing augmentation is not proposed.</p>	CRA



Section D: Access and Egress			
	<p>international symbol of access, or deafness as appropriate, must identify each:</p> <ul style="list-style-type: none"> <li>○ sanitary facility; and</li> <li>○ any space with a hearing augmentation system; and</li> <li>○ identify each door required by E4.5 to be provided with an exit sign and state "Exit" and "Level" and either:                             <ul style="list-style-type: none"> <li>(aa) the floor level number; or</li> <li>(bb) a floor level descriptor; or</li> <li>(cc) a combination of (aa) and (bb)</li> </ul> </li> </ul> <p>&gt; Signage including the international symbol for deafness in accordance with AS 1428.1 must be provided within a room containing a hearing augmentation system identifying –</p> <ul style="list-style-type: none"> <li>&gt; the type of hearing augmentation; and</li> <li>&gt; the area covered within the room; and</li> <li>&gt; if receivers are being used and where the receivers can be obtained.</li> </ul> <p>&gt; Signage to accessible sanitary facilities must identify if the facility is suitable for left or right handed use; and</p> <p>&gt; Signage to identify an ambulant accessible facility in accordance with AS 1428.1 must be located on the door of the facility.</p> <p>&gt; Where a pedestrian entrance is not accessible, directional signage incorporating the international symbol of access, in accordance with AS 1428.1 must be provided to direct a person to the location of the nearest accessible pedestrian entrance;</p>		

Section D: Access and Egress			
	<p>Where a bank of facilities is not provided with an accessible unisex sanitary facility, directional signage incorporating the international symbol of access in accordance with AS 1428.1 must be placed at the location of the sanitary facilities that are not accessible, to direct a person to the location of the nearest accessible unisex facility.</p>		
<p>D3.7: Hearing Augmentation</p>	<p>(a) A hearing augmentation system must be provided where an inbuilt amplification system, other than one used only for emergency warning, is installed—</p> <ul style="list-style-type: none"> <li>(i) in a room in a Class 9b building; or</li> <li>(ii) in an auditorium, conference room, meeting room or room for judicatory purposes;</li> </ul> <p style="text-align: center;">or</p> <ul style="list-style-type: none"> <li>(iii) at any ticket office, teller's booth, reception area or the like, where the public is screened from the service provider.</li> </ul> <p>(b) If a hearing augmentation system required by (a) is—</p> <ul style="list-style-type: none"> <li>(i) an induction loop, it must be provided to not less than 80% of the floor area of the room or space served by the inbuilt amplification system; or</li> <li>(ii) a system requiring the use of receivers or the like, it must be available to not less than 95% of the floor area of the room or space served by the inbuilt amplification system, and the number of receivers provided must not be less than—                             <ul style="list-style-type: none"> <li>(A) if the room or space accommodates up to 500 persons, 1 receiver for every 25</li> </ul> </li> </ul>	<p>An inbuilt amplification system is not proposed.</p>	<p>N/A</p>

Section D: Access and Egress			
	<p>persons or part thereof, or 2 receivers, whichever is the greater; and</p> <p>(B) if the room or space accommodates more than 500 persons but not more than 1000 persons, 20 receivers plus 1 receiver for every 33 persons or part thereof in excess of 500 persons; and</p> <p>(C) if the room or space accommodates more than 1000 persons but not more than 2000 persons, 35 receivers plus 1 receiver for every 50 persons or part thereof in excess of 1000 persons; and</p> <p>(D) if the room or space accommodates more than 2000 persons, 55 receivers plus 1 receiver for every 100 persons or part thereof in excess of 2000 persons.</p> <p>(c) The number of persons accommodated in the room or space served by an inbuilt amplification system must be calculated according to D1.13.</p> <p>(d) Any screen or scoreboard associated with a Class 9b building and capable of displaying public announcements must be capable of supplementing any public address system,</p> <p>(e) other than a public address system used for emergency warning purposes only.</p>		
D3.8: Tactile Indicators	<p>(a) For a building required to be accessible, tactile ground surface indicators must be provided to warn people who are blind or have a vision impairment that they are approaching—</p> <p>(i) stairway, other than a fire-isolated stairway; and</p> <p>(ii) an escalator; and</p> <p>(iii) a passenger conveyor or moving walk; and</p>	To comply	CRA

Section D: Access and Egress			
	<p>(iv) a ramp other than a fire-isolated ramp, step ramp, kerb ramp or swimming pool ramp; and</p> <p>(v) in the absence of a suitable barrier—</p> <p>(A) an overhead obstruction less than 2 m above floor level, other than a doorway; and</p> <p>(B) an accessway meeting a vehicular way adjacent to any pedestrian entrance to a building, excluding a pedestrian entrance serving an area referred to in D3.4, if there is no kerb or kerb ramp at that point,</p> <p>except for areas exempted by D3.4. (b)</p> <p>(b) Tactile ground surface indicators required by (a) must comply with sections 1 and 2 of AS/NZS 1428.4.1.</p> <p>Class 3 aged care, Class 9a &amp; 9c not listed above</p> <p>TGSI's to be provided in compliance with this Clause, AS1428.1, AS1428.4.1 and AS4586/HB198 at bottom and top of stairs / ramps (except fire-isolated).</p> <p>Ensure installed full tread width, colour contrasting with adjacent surface, slip resistance and 300mm from the ramp edge of stair riser.</p>		
D3.9: Wheelchair seating spaces in Class 9b Assembly Buildings	Wheelchair seating spaces are required in Class 9b assembly buildings (e.g. cinemas, theatres, etc.) spread evenly throughout with an accessway to / from them, compliant with AS1428.1.	Fixed seating is not proposed.	N/A
D3.10: Swimming Pools	At least one accessway to / from the swimming pool to be provided according to this Clause and Table D3.1 and AS1428.1.	A swimming pool is not proposed.	N/A

Section D: Access and Egress			
D3.11: Ramps	On an accessway a series of connected ramps must not have a combined vertical rise of 3.6m and a landing for a step ramp must no overlap a landing for another step ramp or ramp.	A lift is proposed. No ramps are proposed	N/A
D3.12: Glazing on an Accessway	On an accessway, where there is no chair rail, handrail or transom, all frameless or fully glazed doors, sidelights and any glazing capable of being mistaken for a doorway or opening, must be clearly marked in accordance with AS 1428.1.	To comply	CRA
Specification D3.6 – Braille and Tactile Signs			
1. Scope	Informational		Noted
2. Location of Braille and Tactile Signs	The location of braille and tactile signs shall be in accordance with AS1428.1 and Specification D3.6.	To comply for sanitary facilities and exits.	CRA
3. Braille and Tactile Sign Specification	All accessible signage to comply with this clause and AS1428.1. Tactile characters to be raised in sentence case with matt finish.	To comply for sanitary facilities and exits.	CRA
4. Luminance-contrast	All accessible signage to comply with this clause and As1428.1. The sign background to have at least 30% luminance contrast with the 5mm width border, tactile characters and braille. Luminance contrast to be measured on the location once installed.	To comply for sanitary facilities and exits.	CRA
5. Lighting	Braille and tactile signs to be appropriate illuminated, in complaint with this Clause and AS1428.1. The access pathway must have a minimum luminance contrast of 30%, in accordance with AS1428.1.	To comply for sanitary facilities and exits.	CRA
6. Braille	Braille must be in accordance with the criteria set out by the Australian Braille Authority.	To comply for sanitary facilities and exits.	CRA

Section D: Access and Egress			
Specification D3.10 – Accessible Water Entry/Exit for Swimming Pools			
1.	Scope	Informational	A swimming pool is not proposed and hence Specification D3.10 is not applicable.
N/A			
Section E: Services and Equipment			
Part E3 – Lift Installations			
E3.0:	Deemed-to-Satisfy Provisions	Informational	Noted
E3.6:	Passenger Lifts	<p>The passenger lifts must be one of the types specified in Table E3.6a, have accessible features in accordance with Table E3.6b, as follows:</p> <ul style="list-style-type: none"> <li>&gt; Handrail complying with the provisions for a mandatory handrail in AS 1735.12.</li> <li>&gt; Lift floor dimensions not less than 1400 mm wide by 1600 mm deep (lifts that travel more than 12m)</li> <li>&gt; Lift floor dimensions not less than 1100 mm wide by 1400 mm deep (lifts that travel not more than 12m)</li> <li>&gt; Minimum clear door opening complying with AS 1735.12.</li> <li>&gt; Passenger protection system complying with AS1735.12.</li> <li>&gt; Lift car and landing control buttons complying with AS 1735.12.</li> <li>&gt; Lighting in accordance with AS 1735.12.</li> </ul> <p>(a) Automatic audible information within the lift car to identify the level each time the car stops; and</p>	<p>An accessible lift having lift floor dimensions of not less than 1100 mm wide by 1400 mm deep is proposed</p> <p>CRA</p>

**Section E: Services and Equipment**

	<p>(b) audible and visual indication at each lift landing to indicate the arrival of the lift car; and</p> <p>(c) audible information and audible indication required by (a) and (b) is to be provided in a range of between 20–80 dB(A) at a maximum frequency of 1 500 Hz.</p> <p>Emergency hands-free communication, including a button that alerts a call centre of a problem and a light to signal that the call has been received.</p> <p>Note: Platform lifts can be used up to 4m travel distance.</p> <p>Note: Stairway lifts are not allowed where is possible to install another type of passenger lift (e.g. unjustifiable hardship, heritage buildings)</p>		
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**Section F: Healthy and Amenity**

**Part F2 – Sanitary and Other Facilities**

<p>F2.0: Deemed-to-Satisfy Provisions</p>	<p>Informational</p>		<p>Noted</p>
<p>F2.4: Accessible Sanitary Facilities (including Table F2.4)</p>	<p>In a building required to be accessible—</p> <p>(a) accessible unisex sanitary compartments must be provided in accessible parts of the building in accordance with Table F2.4(a); and</p> <p>(b) accessible unisex showers must be provided in accordance with Table F2.4(b); and</p> <p>(c) at each bank of toilets where there is one or more toilets in addition to an accessible unisex sanitary compartment at that bank of toilets, a sanitary compartment suitable for a person with an ambulant disability in accordance with AS 1428.1</p>	<p>Accessible unisex sanitary facilities and ambulant accessible sanitary facilities are proposed at both floor levels/ both banks of sanitary facilities.</p>	<p>Complies</p>



<b>Section F: Healthy and Amenity</b>			
	<p>must be provided for use by males and females; and</p> <p>(d) an accessible unisex sanitary compartment must contain a closet pan, washbasin, shelf or bench top and adequate means of disposal of sanitary towels; and</p> <p>(e) the circulation spaces, fixtures and fittings of all accessible sanitary facilities provided in accordance with Table F2.4(a) and Table F2.4(b) must comply with the requirements of AS 1428.1; and</p> <p>(f) an accessible unisex sanitary facility must be located so that it can be entered without crossing an area reserved for one sex only; and</p> <p>(g) where two or more of each type of accessible unisex sanitary facility are provided, the number of left and right handed mirror image facilities must be provided as evenly as possible; and</p> <p>(h) where male sanitary facilities are provided at a separate location to female sanitary facilities, accessible unisex sanitary facilities are only required at one of those locations; and</p> <p>(i) compartment or an accessible unisex shower need not be provided on a storey or level that is not required by D3.3(f) to be provided with a passenger lift or ramp complying with AS 1428.1.</p>		
F2.9: Accessible adult change facilities	<p>(a) Accessible adult change facilities required by (b) –</p> <p>(i) must be constructed in accordance with Specification F2.9; and</p> <p>(ii) cannot be combined with another sanitary compartment,</p>	An accessible adult change facility is not required.	N/A

### Section F: Healthy and Amenity

- (b) One unisex accessible adult change facility must be provided in accessible part of a-
- (i) Class 6 building that is a shopping centre having a design occupancy of not less than 3,500 people, calculated on the basis of the floor area and containing a minimum of 2 sole-occupancy units; and
  - (ii) Class 9b sports venue or the like that –
    - (A) has a design occupancy of not less than 35,000 spectators; or
    - (B) contains a swimming pool that has a perimeter of not less than 70 m and that is required by Table D3.1 to be accessible; and
  - (iii) museum, art gallery or the like having a design occupancy of not less than 1,500 patrons; and
  - (iv) theatre of the like having a design occupancy of not less than 1,500 patrons; and
  - (v) passenger use area of an airport terminal building within an airport that accepts domestic and/or international flights that are public transport services as defined in the Disability Standards for Accessible Public Transport 2002.
- (c) For the purposes of (b), design occupancy must be calculated in accordance with D1.13, but excluding any area that –
- (i) can only be accessed by staff, employees, contractors, maintenance personnel and the like; or
  - (ii) is subject to an exemption under D3.4.

### Section F: Healthy and Amenity

#### Specification F2.9 Accessible Adult Change Facilities

1. Scope	This Specification contains the requirements for accessible adult change facilities	As per Clause F2.9, an accessible adult change facility is not applicable and hence Specification F2.9 is not applicable.	N/A
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### Section H: Special Use Buildings

#### Part H2 – Public Transport Buildings

H2.1: Application of Part	The deemed to satisfy provisions of this Part apply to the passenger use area of a Class 9b or Class 10 building used for public transport	Accordingly, Part H2 is not applicable.	N/A
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## ANNEXURE C - AS 1428.1-2009 GENERAL REQUIREMENTS FOR ACCESS

Table 6. General Requirements Table

AS 1428.1-2009				
Design for Access and Mobility				
1.	Dimensions	Method of measurement	Noted	Noted
2.	Continuous Accessible Paths of Travel	Rules relating to continuous accessible paths of travel	To comply	CRA
3.	Floor or ground surfaces on continuous accessible paths of travel and circulation spaces	Rules relating to continuous accessible paths of travel	To comply	CRA
4.	Signage	Signage requirements	To comply	CRA
5.	Tactile Ground Surface Indicators (TGSIs)	TGSI requirements to stairway and ramp landings	To comply	CRA
6.	Walkways, Ramps and Landings	Sets out dimensional requirements for walkways, ramps and landings.	To comply	CRA
7.	Stairways	Sets out dimensional requirements for stairways.	To comply	CRA
8.	Handrails	Sets out dimensional requirements for handrails.	To comply	CRA
9.	Doorways, Doors and Circulation Space at Doorways	Sets out dimensional requirements for doorways, doors and circulation space at doorways.	To comply	CRA

AS 1428.1-2009				
10.	Switches and General Purpose Outlets (Power Points)	Sets out dimensional requirements for switches and GPO's	To comply	CRA
11.	Sanitary Facilities	Sets out the dimensional and required fixtures for accessible unisex sanitary facilities	To comply	CRA
12.	Sanitary Compartment for People with Ambulant Disabilities	Sets out the dimensional and required fixtures for ambulant accessible facilities	To comply	CRA
13.	Grabrails	Required to the accessible unisex sanitary facility	To comply	CRA
14.	Assembly Buildings	Relates to assembly buildings with fixed seating	Not applicable	N/A

## ANNEXURE D - COMPLIANCE SPECIFICATION

### Design Certification

Further due to the level of detail provided at this stage the following items are to form part of a design statement or specification:

### General

1. Tactile ground surface indicators will be installed at the top and bottom of stairways / ramps (other than fire isolated stairways / ramps); and where an overhead obstruction is less than 2 metres above the floor level. Tactile ground surface indicators will comply with Sections 1 and 2 of AS1428.4.1.
2. On an accessway where there is no chair rail, handrail or transom, all frameless or fully glazed doors, sidelights or glazing capable of being mistaken for a doorway or opening will be clearly marked and comply with Clause 6.6 of AS1428.1-2009. A solid non-transparent contrasting line not less than 75mm wide is to extend across the full width of the glazing panel. The lower edge of the contrasting line is to be located between 900-1000mm above the plane of the finished floor level. The contrasting line is to provide a minimum of 30% luminance contrast when viewed against the floor surface or surfaces within 2 metres of the glazing on the opposite side.
3. All doorways will have a minimum luminance contrast of 30% in accordance with Clause 13.1 of AS1428.1-2009.
4. Fixtures and fittings in accessible sanitary facilities will be provided and installed in accordance Clause 15 of AS1428.1-2009.
5. Fixtures and fittings in ambulant facilities will be provided and installed in accordance Clause 16 of AS1428.1-2009.
6. Walkways will comply with Clause 10 of AS1428.1-2009.
7. For the walkways, the floor or ground surface abutting the sides of the walkway will be firm and level of a different material to that of the walkway at the same level and follow the grade of the walkway and extend horizontally for a minimum of 600mm, or be provided with a kerb or kerb rail in accordance with Clause 10.2 of AS1428.1-2009.
8. Stairways will comply with Clause 11 of AS1428.1-2009.
9. Handrails will comply with Clause 12 of AS1428.1-2009.
10. Grabrails will comply with Clause 17 of AS1428.1-2009.
11. Switches and power points will comply with Clause 14 of AS1428.1-2009.
12. Floor and ground floor surfaces on accessible paths and circulation spaces including the external areas will comply with Clause 7 of AS1428.1-2009. Any level difference over 3mm must be ramped according AS1428.1 Clause 10.5.
13. Braille and tactile signage will comply with BCA2019 Clause D3.6.
14. Signage will to comply with Clause 8 of AS1428.1-2009.
15. The passenger lifts will comply with BCA2019 Table E3.6b and AS1735.12.
16. The unobstructed height of a continuous accessible path of travel will be a minimum of 2000mm and 1980mm at doorways.
17. Door handles and the like, will be in accordance with Clause 13.5 of AS1428.1-2009.



# BCA Assessment Report

## Cameragal Montessori Preschool



**Project:** Cameragal Montessori Preschool

**Reference No:** 115008-BCA-r1

**Date:** 22 July 2022

**Client:** Cameragal Montessori School

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## Document Control

Revision	Date	Description	
115008-BCA-r1	22 July 2022	BCA Assessment Report	
		Prepared by	Verified by
		Matthew McNamara	Benjamin Long
		Registered Certifier - Unrestricted No. BDC 0263	Registered Certifier - Unrestricted No. BDC 3380
		Manager Building Regulations	Senior Building Regulations Consultant
			

## BCA Logic Acquired by Jensen Hughes

BCA Logic was acquired by Jensen Hughes, the largest specialist fire and safety engineering firm in the world, in September 2021.

A respected global leader in safety, security and risk-based engineering and consulting, Jensen Hughes employs more than 1,400 people across 100 countries. This acquisition marks the company's entry into the Australian market and speaks to BCA Logic's experience and expertise in building legislation and regulations, fire, accessibility, and energy consulting.

Partnering with Jensen Hughes allows BCA Logic to further advance our capabilities in all aspects of fire safety engineering and support our clients with an expanded range of complementary services. Both companies share a commitment to technical excellence and exceptional client service.

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## EXECUTIVE SUMMARY

This document provides an assessment of the architectural design drawings for the proposed mixed early childhood centre, preschool, playgroup and after hours care development for Cameragal Montessori Preschool, against the Deemed-to-Satisfy Provisions of the Building Code of Australia (BCA) 2019, Volume One Amendment 1.

Part 3 'Matters for Further Consideration' of this report outlines the current identified BCA compliance issues that require further information.

Item	Description	BCA Provision
<b>Building Code of Australia Compliance Matters to be Addressed</b>		
1.	<p>The existing separating walls between the subject 45-51 Ridge Street assembly educational tenancy and the adjoining 43 Ridge Street office tenancy are required to have a fire resistance level of 120/- /- if loadbearing.</p> <p>(Notwithstanding, a small section of wall infill is proposed to this wall at ground floor level and being non-loadbearing, no fire resistance will be necessary)</p>	Specification C1.1
2.	<p>Having regard to the incoming BCA 2022 to which the Construction Certificate for the project works will be assessed, in addition to sprinklers becoming mandatory for Class 9b early childhood centres, an incoming <i>Clause C3D6 (2), (3) &amp; (4)</i> will require:</p> <p><i>a) Fire separation of the early childhood centre from other uses in the building, by walls and floors with a fire resistance of 'two hours' 120/120/120;</i></p> <p>Given that the early childhood centre uses of Cameragal Montessori School do not represent the only building uses, as primary school teaching, playgroup and after school (primary and secondary aged) care are also proposed, a fire engineered Performance Solution will be required. A justification for the lack of fire separation of the uses will be the relative very small size of the school, having a total of only ~1000m<sup>2</sup>.</p> <p><i>b) Each storey must contain not less than 2 fire compartments and each compartment must be served by not less than 2 horizontal exits in addition to an exit other than a horizontal exit;</i></p> <p>Notwithstanding, subject to the early childhood centre uses not representing more than 500m<sup>2</sup>, the requirements for fire compartments need not comply.</p> <p>Should the early childhood centre uses be located wholly at ground floor level, a storey providing direct egress, the new <i>Clause C3D6(4)</i> provides a concession from requiring compliance with the above new fire separation and fire compartmentation requirements of new Clauses C3D6(2) &amp; (3) respectively.</p>	<p>Part C2 – (BCA 2019)</p> <p><i>C3D6(2), (3) &amp; (4) – (BCA 2022)</i></p>

Item	Description	BCA Provision
3.	Each storey in a primary school building having a rise in storeys of two or more must be provided with two exits per storey. Accordingly, this precludes the topmost second floor level that is only served by one exit stairway from being used in the future for primary school uses	D1.2
4.	Details of treads and risers, landings, thresholds, balustrades and handrails have not been provided however compliance is readily achievable. The design and documentation of compliance of these elements especially with regard to the existing curved stairway can be assessed at the CC stage.	D2.13, D2.14, D2.15, D2.16, D2.17
5.	For all first floor windows wherein a fall of 2m or more from the floor level to the surface beneath is possible, for any window with a sill height less than 1.7m above the floor level, operable parts of the window are to be protected with window restricting devices or screens with secure fittings in accordance with BCA Clause D2.24.	D2.24
6.	As part of the fire safety upgrade considerations resulting from the proposed change of use, compliant coverage of the building from the existing street hydrant system needs to be documented.	E1.3
7.	A sprinkler system serves the building, the being the subject 45-51 Ridge Street tenancy and the adjoining 43 Ridge Street tenancy. This is advantageous in terms of the proposed early childhood and primary school uses and the upcoming BCA 2022 to be introduced in September 2022. Accordingly, to take advantage of allowances granted to sprinkler protected early childhood and primary school facilities under the current BCA 2019 and BCA 2022, the relative compliance of the sprinkler system to AS 2118.1-2017 is to be documented.	E1.5

## 1 ADOPTION OF BCA 2022

### 1.1. Proposed Introduction

It is proposed to introduce the National Construction Code (NCC), Volume One, Building Code of Australia (BCA) 2022 on 1 September 2022. BCA2022 is proposing some major changes to Condensation Management, Energy Efficiency and the introduction of Livable Housing Design.

The introduction of the BCA is in stages and therefore it is not clear what the extent of changes will be as each and every state is still considering whether or not to adopt the proposed changes.

At present there is a draft available however the changes to condensation management and energy efficiency have not been released. The proposed timeline is summarised below:

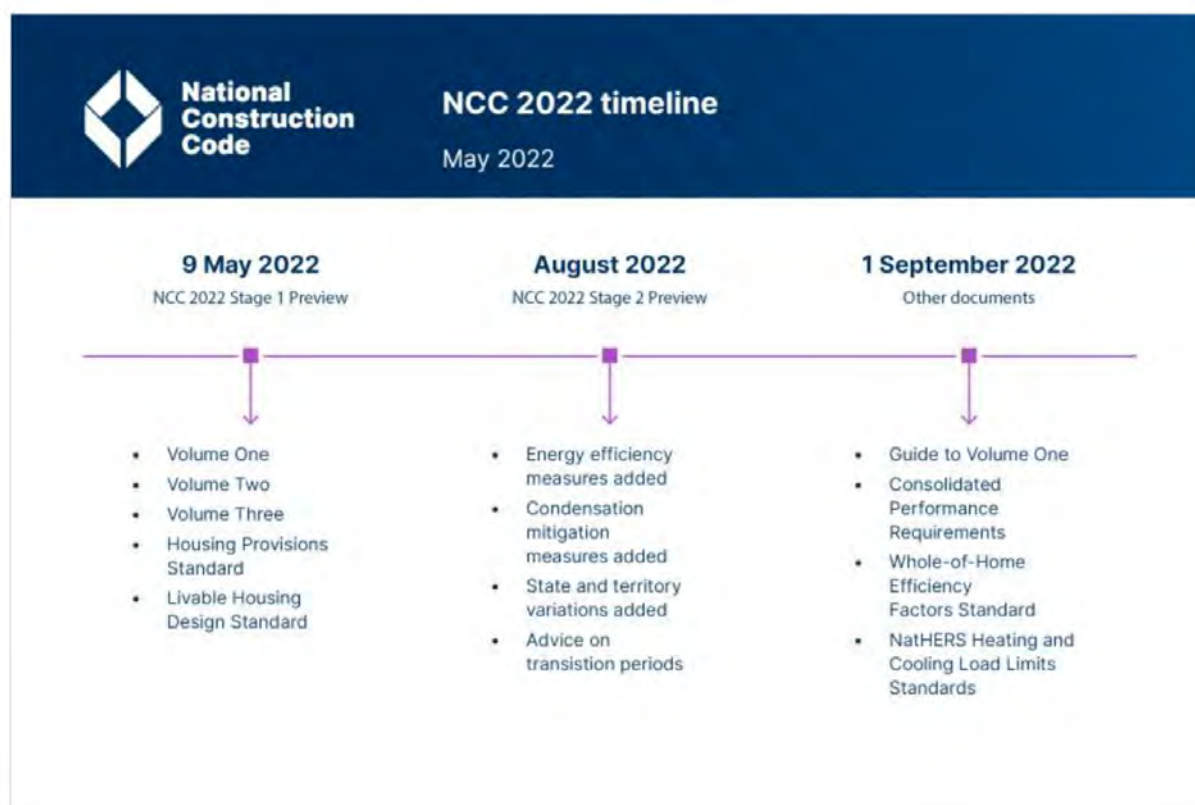


Figure 1- Source: [www.abcb.gov.au](http://www.abcb.gov.au)

### 1.2. Major Changes known to date

Below is a summary of the proposed changes which were released in the May draft preview. We have also provided a table below for quick reference. Your project has been assessed against the proposed changes where applicable.

#### **Livable housing**

**Note:** NSW have advised that the livable housing provisions **will not be adopted** at this time as a result of the impact of the pandemic, rising interest rates and stability of the current housing market. This could change at any time in the future.

Volumes One and Two contain new livable housing requirements for Class 1a buildings (houses and townhouses) and Class 2 sole-occupancy units (individual apartments). This puts in place features based on the Livable Housing Design Guidelines silver standard, with a voluntary gold standard also available for features over and above silver-



**Consistent volume structure**

BCA2022 uses a new structure and clause referencing system to create better consistency across all volumes. While the new Section-Part-Type-Clause system makes the NCC look different at first, it's intended to improve user experience and make it more web accessible.

The new structure results in a reorganisation of specifications and parts, some of which are contained in the table below.

**Early childhood centres**

There are new deemed-to-satisfy (DTS) Provisions for early childhood centres in Volume One. Most of these are extra requirements to address the difficulties associated with evacuating young occupants from the upper levels of multi-storey buildings; but some requirements apply for all early childhood centres.

**Fire safety of external walls**

Volume One contains a number of amendments to the fire safety of external walls. This clarifies interpretation of concessions from non-combustibility requirements. Also included is a new provision that prevents fixing of certain bonded laminated cladding panels by adhesive only.

**Waterproofing**

There are new DTS Provisions in Volume Two for waterproofing of wet areas, not previously covered by an acceptable construction practice or manual.

Waterproofing in Volume One is restructured into three parts to enhance readability and accommodate future changes.

**Weatherproofing**

Volume One contains additional DTS Provisions, providing new solutions for weatherproofing of external walls. These include references to weatherproofing provisions in Australian Standards for masonry, autoclaved aerated concrete and metal wall sheeting.

**Falls for floor wastes**

Volumes One and Two are amended to require bathrooms and laundries where a floor waste is installed, to have a fall of the floor in order to help drain the surface. This also applies to floor wastes included voluntarily.

**Number of exits**

Some minor amendments to the required number of exits are in Volume One. This includes a new concession allowing a single exit for a part of a storey in some circumstances, where previously at least two exits were required.

### 1.3. Summary of Major Changes

Summary of Major Changes		
Clause Reference		Description of proposed changes
BCA 2019	BCA2022	
C1.9	C2D10	<b>Non-combustible building elements</b> Further exemptions to the non-combustible requirements of external walls added. Larger list of materials that can be used where non-combustible materials are required.
-	C2D15	<b>Fixing of Bonded Laminated Cladding panels</b>
C2.5	C3D6	Fire separation of <b>early childhood centres</b> and requirement for 2 fire compartments per storey.
D1.2	D2D3	<b>Number of Exits</b> <ul style="list-style-type: none"> <li>• Ground floor can be provided with a single exit in lieu of 2</li> <li>• 2 exits required from each storey and each fire compartment of an <b>early childhood centre</b></li> </ul>
D1.6	D2D7 D2D11	- <b>Dimensions of Exits</b> Clause split into multiple clauses
D1.11	D2D16	<b>Horizontal Exits</b> – New provisions relating to early childhood centres
D2.16	D3D17 D3D21	- <b>Barrier</b> clause split into multiple clauses
E1.5	E1D4 E1D13	- <b>Sprinkler</b> requirements split into separate clauses for each building class.
E2.2	E2D3 E2D21	- General Requirements – <b>Smoke Hazard Management</b> Tables removed and replaced with clauses for each building class
F1.7	Part F2	<b>Wet Area and Overflow Prevention</b>
F1.11	F2D4	<b>Floor wastes</b> – floor must be graded with a minimum fall of 1:80
FP1.4	Part F3	<b>Roof and Wall Cladding</b> Introduces DTS provisions for walls and roofs in lieu of the previous BCA requiring performance solutions for all weatherproofing
-	G7	<b>Livable housing design</b>
H1.1	Part I1	<b>Class 9b Building</b>
H2.1	Part I2	<b>Public Transport Buildings</b>
H3.1	Part I3	<b>Farm Buildings and Farm Sheds</b>

### 1.4. August Changes

The August draft of BCA2022 is proposed to include significant changes to condensation management in external walls and changes to all parts of Section J Energy Efficiency.

At the present time, we do not have any information on these proposed changes and therefore cannot give any advice on the likely impact on the design proposal the subject of this report.

It is suggested that when the next draft is released in August 2022, the design be re-assessed against these new provisions, if it is likely that a construction certificate (including a staged CC) will be issued after 1 September 2022.

## 2 BASIS OF ASSESSMENT

### 2.1. Location and Description

The building development, the subject of this report, is located at Cameragal Montessori Preschool

### 2.2. Purpose

The purpose of this report is to assess the current design proposal against the Deemed-to-Satisfy Provisions of BCA 2019, and to clearly outline those areas (if any) where compliance is not achieved, where areas may warrant redesign to achieve strict BCA compliance or where areas may be able to be assessed against the relevant performance criteria of BCA 2019. Such assessment against relevant performance criteria will need to be addressed by means of a separate Performance-based Assessment (Performance Solution) Report to be prepared under separate cover.

### 2.3. Building Code of Australia

This report is based on the Deemed-to-Satisfy Provisions of the National Construction Code Series Volume One – Building Code of Australia, 2019 Edition (BCA) Amendment 1, incorporating the State variations where applicable. Please note that the version of the BCA applicable to new building works is the version applicable at the time of the lodgement of the Construction Certificate application to the Accredited Certifying Authority. The BCA is updated generally on a three-yearly cycle, which started on the 1st of May 2016.

### 2.4. Limitations

This report does not include nor imply any detailed assessment for design, compliance or upgrading for:

- (a) the structural adequacy or design of the building;
- (b) the inherent derived fire-resistance ratings of any proposed structural elements of the building (unless specifically referred to); and
- (c) the design basis and/or operating capabilities of any proposed electrical, mechanical or hydraulic services.

This report does not include, or imply compliance with:

- (a) the National Construction Code – Plumbing Code of Australia Volume Three;
- (b) the Disability Discrimination Act 1992 including the Disability ((Access to Premises – Buildings) Standards 2010 – unless specifically referred to), (Note: The provision of access for people with a disability has not been assessed against the Deemed-to-Satisfy Provisions of Part D3 and Clauses E3.6, F2.4 and F2.9 of BCA2019 unless otherwise discussed in this report. Reference is made to BCA Logic's separate Access report, No. 115008-Access-r0);
- (c) Demolition Standards not referred to by the BCA;
- (d) Work Health and Safety Act 2011;
- (e) Requirements of Australian Standards unless specifically referred to;
- (f) Requirements of other Regulatory Authorities including, but not limited to, Telstra, Telecommunications Supply Authority, Water Supply Authority, Electricity Supply Authority, Work Cover, Roads and Maritime Services (RMS), Local Council, ARTC, Department of Planning and the like; and
- (g) Conditions of Development Consent issued by the Local Consent Authority.

### 2.5. Design Documentation

This report has been based on the Design plans and Specifications listed in Annexure A of this Report.

### 3 BUILDING DESCRIPTION

For the purposes of the Building Code of Australia (BCA) the development may be described as follows.

#### 3.1. Rise in Storeys (Clause C1.2)

The building has a rise in storeys of three (3).

#### 3.2. Classification (Clause A6.0)

The building and its tenancies have been classified as follows.

Table 1. Proposed Building Classification

Subject 45-51 Ridge Street Tenancy			Other 43 Ridge Street Tenancy	
Class	Description	Level	Class	Description
9b – Assembly Educational	Early Childhood Centre, Preschool and Playgroup	Ground floor	5	Office
9b – Assembly Educational	Early Childhood Centre, Preschool and After School learning	First Floor	5	Office
<i>9b – Assembly Educational</i>	<i>Future school uses</i>	Second floor	-	-

#### 3.3. Effective Height (Clause A1.0)

The building has an *effective height* of less than 25 metres and less than 12 metres as it relates to the BCA.

#### 3.4. Type of Construction Required (Table C1.1)

The building is required to be of Type A Construction by virtue of the future school uses at the topmost second floor level of the subject 45-51 Ridge Street tenancy.

#### 3.5. Floor Area and Volume Limitations (Table C2.2)

The building is subject to maximum floor area and volume limits of:-

Class 5 and 9b	Maximum Floor Area	8 000m <sup>2</sup>
	Maximum Volume	30 000m <sup>3</sup>

#### 3.6. Fire Compartments

One (1) *fire compartment* has been determined for the entire building, being the subject 45-51 Ridge Street tenancy and the adjoining 43 Ridge Street tenancy. This single fire compartment building comprises ground floor and first floor areas of approximately 450m<sup>2</sup> each and a level 2 floor area of approximately 100m<sup>2</sup>, therefore an approximate total floor area of 1,000m<sup>2</sup>, which readily complies with the above requirements.

### 3.7. Exits

The following points in the building have been considered as the exits:

- a) Level 2 - The topmost riser of the open curved stairway flight



- b) Level 1 - the topmost riser of the open curved stairway flight leading down to ground floor level



- c) Level 1 - the topmost riser of the external stairway leading down to the ground level 'rear' courtyard.





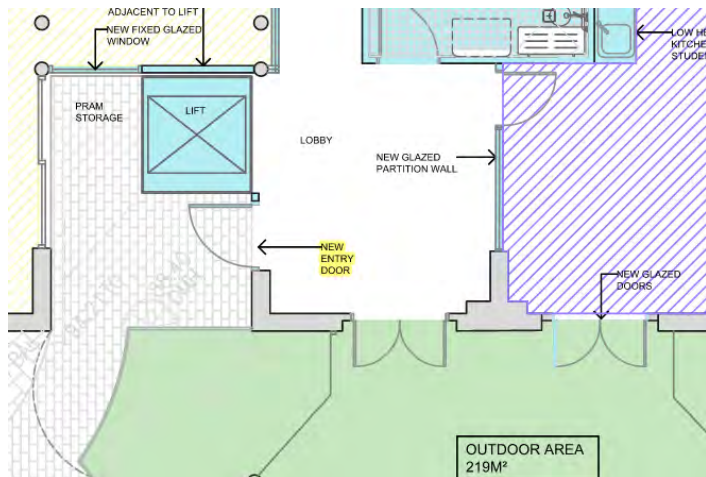
- d) Ground floor – the former front entry door to Ridge Street of the former terrace No. 47 (right side door in photo) -



- e) Ground floor – the former front entry door to Ridge Street of the former terrace No. 51 -



- f) The new entry door, adjacent to the proposed lift, that will open onto the 'rear' courtyard -





### 3.8. Climate Zone (Clause A1.0)

The building is located within Climate Zone 5.

### 3.9. Location of Fire-source features

The fire source features for the subject development are:

- North: The far boundary of Ridge Street - > 6m distant;
- South: The adjacent civic building on the property - 4 – 6m distant
- East: The side property boundary - nil setback; and
- West: The adjacent civic building on the property - > 6m distant

In accordance with Clause 2.1 of Specification C1.1, a part of a building element is exposed to a *fire-source feature* if any of the horizontal straight lines between that part and the fire-source feature, or vertical projection of the feature, is not obstructed by another part of the building that–

- (a) has an FRL of not less than 30/–/–; and

is neither transparent nor translucent.

## 4 MATTERS FOR FURTHER CONSIDERATION

### 4.1. General

Assessment of the Architectural design documentation against the Deemed-to-Satisfy Provisions of the Building Code of Australia, 2019 (BCA) has revealed the following areas where compliance with the BCA may require further consideration and/or may involve assessment as Performance-based *Performance Solutions*. Any *Performance Solutions* will be required to clearly indicate methodologies for achieving compliance with the relevant *Performance Requirements*.

Annexure D to this report provides a detailed assessment of the proposal against ALL relevant Deemed-to-Satisfy Provisions of the BCA. It is important that Annexure D is read in conjunction with the items below, as some matters may not have had sufficient information provided to allow a detailed assessment to be undertaken.

### 4.2. Dimensions and Tolerances

The BCA contains the minimum standards for building construction and safety, and therefore generally stipulates minimum dimensions which must be met. BCA Logic's assessment of the plans and specifications has been undertaken to ensure the minimum dimensions have been met.

The designer and builder should ensure that the minimum dimensions are met onsite, and consideration needs to be given to construction tolerances for wall set outs, applied finishes and skirtings to corridors and bathrooms for example, tiling bed thicknesses and the like which can adversely impact on critical matters such as access for people with disabilities, stair and corridor widths and balustrade heights.

### 4.3. Performance-based Design – Performance Solutions

There are currently no specific areas throughout the development where strict Deemed-to-Satisfy BCA Compliance may not be achieved by the proposed design and site constraints.

As the design progresses beyond Development Application, necessity or opportunities for Performance Solutions may arise.

### 4.4. Façade Construction – Non-Combustible

As the building is required to be of Type A, any proposed alteration to the external façade is required to be *non-combustible* and comply with Clause C1.9 of BCA2019 which states as follows:

- (a) *In a building required to be of Type A or B construction, the following building elements and their components must be non-combustible:*
  - (i) *External walls and common walls, including all components incorporated in them including the facade covering, framing and insulation.*
  - (ii) *The flooring and floor framing of lift pits.*
  - (iii) *Non-loadbearing internal walls where they are required to be fire-resisting.*
- (b) *A shaft, being a lift, ventilating, pipe, garbage, or similar shaft that is not for the discharge of hot products of combustion, that is non-loadbearing, must be of non-combustible construction in—*
  - (i) *a building required to be of Type A construction; and*
  - (ii) *a building required to be of Type B construction, subject to C2.10, in—*
    - (A) *a Class 2, 3 or 9 building; and*
    - (B) *a Class 5, 6, 7 or 8 building if the shaft connects more than 2 storeys.*
- (c) *A loadbearing internal wall and a loadbearing fire wall, including those that are part of a loadbearing shaft, must comply with Specification C1.1.*
- (d) *The requirements of (a) and (b) do not apply to gaskets, caulking, sealants, termite management systems, Glass including laminated glass, thermal breaks associated with glazing systems and damp-proof courses.*
- (e) *The following materials, may be used wherever a non-combustible material is required:*

- (i) *Plasterboard.*
- (ii) *Perforated gypsum lath with a normal paper finish*
- (iii) *Fibrous-plaster sheet.*
- (iv) *Fibre-reinforced cement sheeting.*
- (v) *Pre-finished metal sheeting having a combustible surface finish not exceeding 1 mm thickness and where the Spread-of-Flame Index of the product is not greater than 0.*
- (vi) *Sarking-type materials that do not exceed 1 mm in thickness and have a Flammability Index not greater than 5.*
- (vii) *Bonded laminated materials where—*
  - (A) *each lamina, including any core, is non-combustible; and*
  - (B) *each adhesive layer does not exceed 1 mm in thickness and the total thickness of the adhesive layers does not exceed 2 mm; and*
  - (C) *the Spread-of-Flame Index and the Smoke-Developed Index of the bonded laminated material as a whole do not exceed 0 and 3 respectively.*

Currently, no external wall construction has been nominated on the plans for what is a fitout and change of use proposal. Further assessment is required as the design progresses to ensure that any proposed alteration to the external façade, complies with above requirements.

**Note:** Due to industry wide changes to Professional Indemnity Insurance which include exclusions to external combustible cladding, BCA Logic are not in a position to recommend, advocate for, or undertake performance-based solutions for any combustible wall elements including external claddings or the use of PVC lined formwork products and the like. A reference to the use of any of these products within this report is not to be taken as support for their use in the building. BCA Logic are not responsible for the selection of any materials and our report outlines compliance pathways and whether or not compliance is achieved only.

#### 4.5. Fire Safety Upgrade

The primary objective of any fire upgrading works is to achieve a means of fire and occupant safety within the context of the objectives of the Building Regulations (i.e.; Building Code of Australia 2019, Amendment 1) namely: -

- (a) *the safety of persons in the event of a fire;*
- (b) *the prevention of fire; and*
- (c) *the suppression of fire.*

With existing buildings strict compliance with the prescriptive deemed-to-satisfy provisions of BCA2019 is often unlikely and impractical without carrying out massive reconfiguration of the existing building due to the age, use or existing architectural design of the building.

Notwithstanding, BCA compliance matters of significance must be addressed as a consequence of the proposed change of use from office to assembly – education.

Clauses 62 and 64 of Environmental Planning and Assessment Regulation 2021 (EPAR) empower the consent authority, in this case North Sydney Council, to exercise its discretion in determining the level of upgrading deemed necessary, being either a total upgrade to satisfy the provisions of the BCA or partial upgrading depending on:

- the circumstances/ ramifications of any potential future change of use; or
- the design, construction extent of alterations and additions and circumstances of the particular building.

The relevant requirement of clauses 62 and 64 of EPAR does not require that an existing building be upgraded to comply with the BCA rather it gives the Council during the Planning Approval

assessment process the power to require upgrading or not require upgrading where and how it sees fit to do so.

Clauses 62 and 64 of EPAR state:

**62 Consideration of fire safety**

- (1) *This section applies to the determination of a development application for a change of building use for an existing building if the applicant does not seek the rebuilding or alteration of the building.*
- (2) *The consent authority must—*
  - (a) *consider whether the fire protection and structural capacity of the building will be appropriate to the building's proposed use, and*
  - (b) *not grant consent to the change of building use unless the consent authority is satisfied that the building complies, or will, when the development is completed, comply, with the Category 1 fire safety provisions that are applicable to the building's proposed use.*
- (3) *Subsection (2)(b) does not apply to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.*

**64 Consent authority may require upgrade of buildings**

- (1) *This section applies to the determination of a development application that involves the rebuilding or alteration of an existing building if—*
  - (a) *the proposed building work and previous building work together represent more than half of the total volume of the building, or*
  - (b) *the measures contained in the building are inadequate—*
    - (i) *to protect persons using the building, if there is a fire, or*
    - (ii) *to facilitate the safe egress of persons using the building from the building, if there is a fire, or*
    - (iii) *to restrict the spread of fire from the building to other buildings nearby.*
- (2) *The consent authority must consider whether it is appropriate to require the existing building to be brought into total or partial conformity with the Building Code of Australia.*
- (3) *In this section—*

**previous building work** means building work completed or authorised within the previous 3 years.

**total volume** of a building means the volume of the building before the previous building work commenced and measured over the building's roof and external walls.

Accordingly, given that the proposed change of use of the office tenancy to school is considered a significant change of use, i.e. a greater and more vulnerable population less familiar with the building, or if the proposed building works represented a refurbishment exceeding 50% of the volume of the building over a 3-year period, fire safety upgrade works the subject of clauses 62 and 64 as referred to above would be relevant for consideration by the Council at the time of the Planning Approval assessment.

It should be noted that under Clauses 62 and 64 above, the primary concern with existing buildings is that of structural adequacy and fire safety.

**There is also a further requirement under clause 14 of the Environmental Planning and Assessment (Development Certification and Fire Safety ) Regulation 2021, which states:**

***14 Fire protection and structural capacity***

- (1) *A certifier must not issue a construction certificate for building work under a development consent that authorises a change of building use unless—*
  - (a) *the fire protection and structural capacity of the building will be appropriate to its new use, and*
  - (b) *the building will comply with the Category 1 fire safety provisions that apply to the new use.*
- (2) *Subsection (1)(b) does not apply to the extent of an exemption under section 74(4), 111(4) or 117(1).*
- (3) *A certifier must not issue a construction certificate for alteration building work unless, on completion of the building work, the fire protection and structural capacity of the building will not be reduced.*
- (4) *For the purposes of subsections (1) and (3), the certifier may assume that the building work is carried out in accordance with—*
  - (a) *the relevant building work plans and specifications, and*
  - (b) *the conditions of the construction certificate.*
- (5) *This section does not apply to building work required by a consent authority as a condition of a development consent that authorises a change of building use.*

**Accordingly, for the subject change of use to school proposal, the relevant Category 1 Fire Safety provisions would be the BCA required fire safety measures of fire hydrant coverage and sprinkler coverage (as a required smoke hazard management system).**

**In addition, with regard to any need to address structural capacity, it is considered highly unlikely as BCA Logic's site review concluded that the building is not displaying any overt structural defects that would typically warrant a structural upgrade of the building.**

## 5 BCA ASSESSMENT

### 5.1. Introduction

The assessment undertaken is in relation to the plans prepared for the development consent application. The technical details required for a development consent are far less than that required for a construction certificate and as such, this assessment is designed to address a higher level assessment of the building against the provisions of the BCA.

The main purpose of this report is to address any major design changes required to the building, services required to be installed, and the fundamentals of design required by Sections C, D, E, F, G and H (where applicable) of the BCA. This report does not address the design requirements for the structure of the building (Section B), or for the detailed design of services (Section E).

The summary below is to be read in conjunction with the BCA specification contained in Annexure E of the report.

### 5.2. Fire Resistance and Stability – Part C1 & Specification C1.1

Currently, no construction of wall or floor structure has been nominated on the plans for what is a fitout and change of use proposal.

The required fire resistance levels for any proposed alteration or addition to the building elements are outlined in **Annexure C** of this report.

### 5.3. Compartmentation and Separation – Part C2

One (1) *fire compartment* has been determined for the entire building, being the subject 45-51 Ridge Street tenancy and the adjoining 43 Ridge Street tenancy. This single fire compartment building comprises ground floor and first floor areas of approximately 450m<sup>2</sup> each and a level 2 floor area of approximately 100m<sup>2</sup>, therefore an approximate total floor area of 1,000m<sup>2</sup>, which readily complies with the requirements of BCA Clause C2.2.

The building is provided with a sprinkler system. As such, spandrel panels are not required under the provisions of clause C2.6 of the BCA to protect opening on different storeys of the building.

The proposed lift only connects two storeys and is therefore not required to have any fire resistance level.

Having regard to the incoming BCA 2022 to which the Construction Certificate for the project works will be assessed, in addition to sprinklers becoming mandatory for Class 9b early childhood centres, an incoming *Clause C3D6 (2), (3) & (4)* will require:

- a) *Fire separation of the early childhood centre from other uses in the building, by walls and floors with a fire resistance of 'two hours' 120/120/120;*

**Given that the early childhood centre uses of Cameragal Montessori School do not represent the only building uses, as primary school teaching, playgroup and after school (primary and secondary aged) care are also proposed, a fire engineered Performance Solution will be required. A justification for the lack of fire separation of the uses will be the relative very small size of the school, having a total of only ~1000m<sup>2</sup>.**

- b) *Each storey must contain not less than 2 fire compartments and each compartment must be served by not less than 2 horizontal exits in addition to an exit other than a horizontal exit;*

**Notwithstanding, subject to the early childhood centre uses not representing more than 500m<sup>2</sup>, the requirements for fire compartments need not comply.**

Finally, should the early childhood centre uses be located wholly at ground floor level, a storey providing direct egress, the new *Clause C3D6(4)* provides a concession from requiring compliance with the above new fire separation and fire compartmentation requirements of new *Clauses C3D6(2) & (3)* respectively.

#### 5.4. Protection of Openings – Part C3

##### 5.4.1. Openings in external walls

Should any of the external walls that are loadbearing of the southern elevation of the building be less than 6m distant from the Stanton Library building to the south, protection of window and door openings to these walls will be required by BCA Clause C3.2.

Conversely, any non-loadbearing walls of the southern elevation of the building will be more than 3m distant from the Stanton Library and hence protection of window and door openings to these walls will not be required by BCA Clause C3.2.

##### 5.4.2. Bounding Construction

Subject to resolution of the new BCA 2022 early childhood centre fire separation and compartmentation requirements detailed at item 5.3 above, the existing separating walls between the subject 45-51 Ridge Street assembly educational tenancy and the adjoining 43 Ridge Street office tenancy may be required to have a fire resistance level of 120/- /- if loadbearing or 120/120/120 regardless.

##### 5.4.3. Openings in Floors for Services and Service Installations

Where electrical, plumbing, mechanical or other services pass through an element of construction that is required to achieve a fire resistance level (FRL) such as the walls between the subject 45-51 Ridge Street assembly educational tenancy and the adjoining 43 Ridge Street office tenancy, or the existing floor slabs, the service installation shall not compromise the fire resistance level of the element. A such, the service installation must be fire sealed with a compliant system such as fire collar on PVC pipes or fire rated mastic on electrical cables.

#### 5.5. Occupant Access and Egress – Section D

##### 5.5.1. Occupants for the building

The proposed mixed early childhood centre, preschool, playgroup and after hours care development for Cameragal Montessori will have a dynamic population ranging from:

###### Ground Floor:

- 37 three to six year old children, and 4 teachers;
- Up to 10 parents for baby education classes of 90 minute duration;
- Up to 15 parents for playgroup sessions of 2 hour duration, twice a day;

###### First Floor:

- Up to 30 primary and secondary school age children for After School Programs, and 4 teachers; and
- Up to 22 pre-school transition three to four year old for After School Programs, and 4 teachers.

##### 5.5.2. Egress from the building

Each storey in a primary school building having a rise in storeys of two or more must be provided with two exits per storey. Accordingly, this precludes the topmost second floor level that is only served by one exit stairway from being used in the future for primary school uses.



Egress from all rooms and floors of the subject tenancy is proposed in sufficient numbers and location to ensure that no point on the floor is more than 20m from an exit, or a point of choice of two exits, in which case the distance to one of those exits is not more than 40m, as required by clause D1.4 of the BCA.

The distance between alternative exits is required by clause D1.5 of the BCA to be no closer than 9m and no further apart than 60m when measured through the point of choice.

The travel distances and distances between exits comply with these requirements.

The sprinkler protected building has no more than 3 storeys connected by a stairway, and therefore under the provisions of clause D1.3 of the BCA, the building is permitted to have non fire isolated stairways.

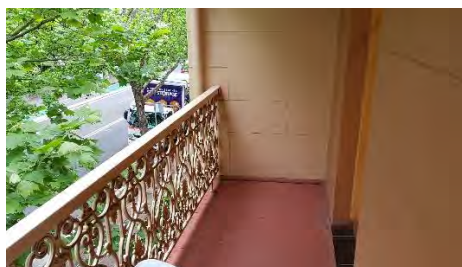
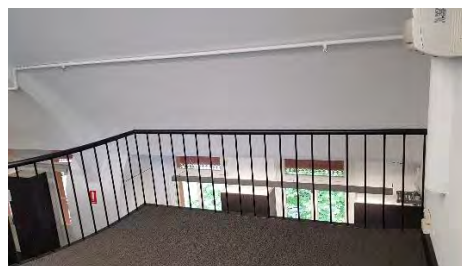
Where the egress discharges to open space on the property, a continuous pathway from the point of discharge to the street is required. The plans do indicate such a pathway is proposed and as such the provisions of Clause D1.10 of the BCA are readily satisfied.

Electrical distribution cupboards are to be provided with smoke separation to satisfy the requirements of BCA D2.7. The doors are to be lined internally with fire grade plasterboard or metal backing sheets and smoke seals provided to all four sides, including drop down seals on the bottom. All penetrations from the enclosure are to be suitably sealed against smoke spread by sealing with fire mastic.

Details of treads and risers, landings, thresholds, balustrades and handrails have not been provided however compliance is readily achievable. The design and documentation of compliance of these elements especially with regard to the existing curved stairway can be assessed at the CC stage.

For all first floor windows wherein a fall of 2m or more from the floor level to the surface beneath is possible, for any window with a sill height less than 1.7m above the floor level, operable parts of the window are to be protected with window restricting devices or screens with secure fittings in accordance with BCA Clause D2.24.

Given the proposed change of use, the subject tenancies existing first floor deck, balcony and stairway balustrades and handrails that may be under height and/ or have excessive opening sizes, will need to be brought into total conformity with BCA Clauses D2.16 and D2.17.



### 5.5.3. Access for people with disabilities

Clause D1.3 of the BCA requires access to the building as follows:

Schools and early childhood centres	To and within all areas normally used by the occupants.
-------------------------------------	---

Reference is made to BCA Logic's separate Access Assessment report.

### 5.6. Services and Equipment- Parts E1, E2 and E4

The building is required to be provided with the services and equipment set out in Annexure B of this report. The annexure also outlines the standard of performance to be achieved by the services and equipment.

A sprinkler system serves the building, the being the subject 45-51 Ridge Street tenancy and the adjoining 43 Ridge Street tenancy. This is advantageous in terms of the proposed early childhood and primary school uses and the upcoming BCA 2022 to be introduced in September 2022. Accordingly, to take advantage of allowances granted to sprinkler protected early childhood and primary school facilities under the current BCA 2019 and BCA 2022, the relative compliance of the sprinkler system to AS 2118.1-2017 is to be documented.

As part of the fire safety upgrade considerations resulting from the proposed change of use, compliant coverage of the building from the existing street hydrant system needs to be documented.

Given that the proposed Cameragal Montessori School is not exclusively a primary school, the concession of BCA Clause E1.4(a)(iv) permitting no need for fire hose reels cannot be applied. Accordingly, both floor levels shall be provided with fire hose reel coverage in accordance with AS 2441-2005.

### 5.7. Lift Installations – Part E3

A lift is proposed to connect the ground floor to the first floor level. The lift does not require a stretcher facility nor fire service controls as the building is under 12m in effective height.

### 5.8. Facilities in Class 3 to 9 buildings – Part F2

The number of facilities required have been calculated in accordance with Clause F2.2 and D1.3. The number of toilet and shower facilities shown on the plans are sufficient to satisfy the requirements of Clause F2.3 and the requirements for ambulant and accessible facilities.

### 5.9. Room Heights – Part F3

2.4m minimum height ceilings are required in accordance with Clause F3.1(d) of the BCA for the school that does not accommodate more than 100 students.

Review of the dimensions on the south elevation plans indicates that compliance is readily achievable.

### 5.10. Light and Ventilation – Part F4

Natural light is required by BCA Clause F4.1(d) to all general purpose classrooms within a class 9b assembly educational primary school building.

For class 9b assembly educational building uses natural ventilation and/ or mechanical ventilation is required by BCA Clause F4.5 and compliance with these requirements can be readily achieved.

## 6 STATEMENT OF COMPLIANCE

The architectural design documentation as referred to in report has been assessed against the applicable provisions of the Building Code of Australia, (BCA) and it is considered that such documentation complies or is capable of complying with the BCA.

**ANNEXURE A DESIGN DOCUMENTATION**

## Annexure A – Design Documentation

This report has been based on the following design documentation.

Table 2. Architectural Plans

Architectural Plans Prepared by			
Drawing Number	Revision	Date	Title
DA.000	E	08.07.2022	Cover Page
DA.101	F	19.07.2022	Existing and Demo – Ground Floor Plan
DA.102	F	19.07.2022	Existing and Demo – Level 1 Floor Plan
DA.103	C	08.07.2022	Existing and Demo – Elevation
DA.200	G	20.07.2022	Proposed – Ground Floor Plan
DA.201	G	20.07.2022	Proposed – Level 1 Floor Plan
DA.202	D	14.07.2022	Proposed – South Elevation
DA.300	B	14.07.2022	Proposed – Landscape Plan

**ANNEXURE B ESSENTIAL SERVICES**

## Annexure B - Essential Services

The following fire safety measures are required to be installed in the building. The following table may be required to be updated as the design develops and options for compliance are confirmed, including any omissions or additions as a result of the fire engineering processes.

Table 3. Essential Fire Safety Measures

Item	Essential Fire and Other Safety Measures	Standard of Performance
<b>Fire Resistance (Floors – Walls – Doors – Shafts)</b>		
1.	Fire seals protecting openings in fire resisting components of the building	<b>BCA2019 C3.15</b> (Openings for service installations) <b>BCA2019 C3.16</b> (Construction joints) <b>BCA2019 Spec C3.15</b> AS1530.4:2014 & AS4072.1-2005
<b>General</b>		
2.	Portable fire extinguishers	<b>BCA2019 E1.6</b> AS 2444–2001
3.	Fire blankets	AS 2444–2001
<b>General Egress</b>		
4.	Evacuation Training	AS 3745:2010
5.	Operation of Door latches > Failsafe > Manual Push Button Control	<b>D2.21</b> (Operation of Latch)
6.	Warning & operational signs	<b>BCA2019 D3.6</b> (Braille Exit Signs) (Note: E4.5 (Exit Signs)) <b>BCA2019 E3.3</b> (Lift Signs)
<b>Electrical Services</b>		
7.	Emergency lighting	<b>BCA2019 E4.2, E4.4</b> AS/NZS 2293.1:2018
8.	Exit signs	<b>BCA2019 E4.5</b> (Exit Signs) <b>BCA2019 E4.6</b> (Direction Signs) <b>BCA2019 E4.8</b> (Design and Operation - Exits) AS/NZS 2293.1:2018
9.	System Monitoring	<b>BCA2019 E2.2, Table E2.2a, Spec E2.2a</b> AS 1670.3:2018 Monitoring Required for any: > Any Sprinkler System



Item	Essential Fire and Other Safety Measures	Standard of Performance
<b>Hydraulic Services</b>		
10.	Fire hose reels	<b>BCA2019 E1.4</b> AS 2441:2005 (Fire hose reels)
11.	Automatic fire suppression systems > General Sprinklers	<b>BCA2019 E1.5</b> AS 2118.1:2017 (Sprinklers)

## **ANNEXURE C FIRE RESISTANCE LEVELS**

## Annexure C - Fire Resistance Levels

The following fire resistance levels (FRL's) are required for the various building elements, with a fire source feature being the far boundary of a road adjoining the allotment, a side or rear boundary or an external wall of another building on the allotment except a Class 10 structure.

### Type A Construction

Table 4. Type A Construction

Item	Class 5 or 9b
Loadbearing External Walls (including columns and other building elements incorporated therein) <ul style="list-style-type: none"> <li>- Less than 1.5m to a <i>fire-source feature</i></li> <li>- 1.5 – less than 3m from a <i>fire-source feature</i></li> <li>- 3m or more from a <i>fire source feature</i></li> </ul>	120/120/120 120/90/90 120/60/30
Non-Loadbearing External Walls <ul style="list-style-type: none"> <li>- Less than 1.5m to a <i>fire-source feature</i></li> <li>- 1.5 – less than 3m from a <i>fire-source feature</i></li> <li>- 3m or more from a <i>fire-source feature</i></li> </ul>	-/120/120 -/90/90 -/-/
External Columns <ul style="list-style-type: none"> <li>- Loadbearing</li> <li>- Non-loadbearing</li> </ul>	120/-/ -/-/
Common Walls & Fire Walls	120/120/120
Stair and Lift Shafts required to be fire-resisting <ul style="list-style-type: none"> <li>- Loadbearing</li> <li>- Non-loadbearing</li> </ul>	120/120/120 -/120/120
Internal walls bounding sole occupancy units <ul style="list-style-type: none"> <li>- Loadbearing</li> <li>- Non-loadbearing</li> </ul>	120/-/ -/-/
Internal walls bounding public corridors, public lobbies and the like: <ul style="list-style-type: none"> <li>- Loadbearing</li> <li>- Non-loadbearing</li> </ul>	120/-/ -/-/
Ventilating, pipe, garbage and like shafts: <ul style="list-style-type: none"> <li>- Loadbearing</li> <li>- Non-loadbearing</li> </ul>	120/90/90 -/90/90
Other loadbearing internal walls, beams trusses and columns	120/-/
Floors	120/120/120
Roofs <sup>1</sup>	120/60/30

Note:

<sup>1</sup> The roof need not comply with any FRL's due to the sprinkler protection of the entire building.

## **ANNEXURE D DEFINITIONS**

## Annexure D - Definitions

### Critical radiant flux

Critical radiant flux (CRF) means the critical heat flux at extinguishment (CHF in kW/m<sup>2</sup>) as determined by AS ISO 9239.1:2003.

### Effective height

Effective height means the vertical distance between the floor of the lowest storey included in a determination of rise in storeys and the floor of the topmost storey (excluding the topmost storey if it contains only heating, ventilating, lift or other equipment, water tanks or similar service units).

### Envelope

Envelope, for the purposes of Section J in Volume One, means the parts of a building's fabric that separate a conditioned space or habitable room from—

- (a) the exterior of the building; or
- (b) a non-conditioned space including—
  - (i) the floor of a rooftop plant room, lift-machine room or the like; and
  - (ii) the floor above a carpark or warehouse; and
  - (iii) the common wall with a carpark, warehouse or the like.

### Exit

Exit means –

- (a) Any, or any combination of the following if they provide egress to a road or open space—
  - (i) An internal or external stairway.
  - (ii) A ramp.
  - (iii) A fire-isolated passageway.
  - (iv) A doorway opening to a road or open space.
  - (v) A horizontal exit or a fire-isolated passageway leading to a horizontal exit.

### Fire compartment

Fire compartment means –

- (a) the total space of a building; or
- (b) when referred to in—
  - (i) the Performance Requirements — any part of a building separated from the remainder by barriers to fire such as walls and/or floors having an appropriate resistance to the spread of fire with any openings adequately protected; or
  - (ii) the Deemed-to-Satisfy Provisions — any part of a building separated from the remainder by walls and/or floors each having an FRL not less than that required for a fire wall for that type of construction and where all openings in the separating construction are protected in accordance with the Deemed-to Satisfy Provisions of the relevant Part.

### Fire-resistance level (FRL)

Fire-resistance level (FRL) means the grading periods in minutes determined in accordance with Specification A2.3, for the following criteria—

- (a) structural adequacy; and
- (b) integrity; and
- (c) insulation,

and expressed in that order.

Note: A dash means that there is no requirement for that criterion. For example, 90/–/– means there is no requirement for an FRL for integrity and insulation, and –/–/– means there is no requirement for an FRL.

### Fire-source feature

- (a) the far boundary of a road, river, lake or the like adjoining the allotment; or
- (b) a side or rear boundary of the allotment; or
- (c) an external wall of another building on the allotment which is not a Class 10 building

### Group number

Group number means the number of one of 4 groups of materials used in the regulation of fire hazard properties and applied to materials used as a finish, surface, lining, or attachment to a wall or ceiling.

### Loadbearing

Intended to resist vertical forces additional to those due to its own weight.

### Non-combustible

Non-combustible means—

- (a) applied to a material — not deemed combustible as determined by AS 1530.1:1994 — Combustibility Tests for Materials; and
- (b) applied to construction or part of a building — constructed wholly of materials that are not deemed combustible

### Open space

Open space means a space on the allotment, or a roof or similar part of a building adequately protected from fire, open to the sky and connected directly with a public road.

### Performance Requirement

Performance Requirement means a requirement which states the level of performance which a Performance Solution or Deemed-to-Satisfy Solution must meet.

### Performance Solution

Performance Solution means a method of complying with the Performance Requirements other than by a Deemed-to-Satisfy Solution.

### Sarking-type material

Sarking-type material means a material such as a reflective insulation or other flexible membrane of a type normally used for a purpose such as waterproofing, vapour management or thermal reflectance.

Sole-occupancy unit

Sole-occupancy unit means a room or other part of a building for occupation by one or joint owner, lessee, tenant, or other occupier to the exclusion of any other owner, lessee, tenant, or other occupier and includes—

- (a) a dwelling; or
- (b) a room or suite of rooms in a Class 3 building which includes sleeping facilities; or
- (c) a room or suite of associated rooms in a Class 5, 6, 7, 8 or 9 building; or
- (d) a room or suite of associated rooms in a Class 9c building, which includes sleeping facilities and any area for the exclusive use of a resident.



**ANNEXURE E BCA COMPLIANCE SPECIFICATION**

## Annexure E – BCA Compliance Specification

The following BCA matters (including any applicable NSW variations) are to be addressed by specific BCA Design Certificate to be issued by the relevant architectural, services and engineering consultants at the Construction Certificate Stage and to satisfy their obligations under the Design and Building Practitioners Act 2020 within their individual design compliance declarations.

This schedule should be forwarded to all consultants to obtain verification that these items have and will be included in the design documentation / specifications:

### Architectural Design Certification

1. The FRL's of any new building elements for the proposed works have been designed in accordance with Table 3 of Specification C1.1 of BCA2019 for a building of Type A Construction.
2. Lightweight construction used to achieve required fire resistance levels will comply with Specification C1.8 of BCA2019.
3. Building elements must be non-combustible in accordance with C1.9 of BCA2019.
4. Materials, floor and wall linings/coverings, surface finishes and air-handling ductwork used in the works will comply with the fire hazard properties of Clause C1.10 and Specification C1.10 of BCA2019.
5. Any ancillary elements fixed, installed or attached to the internal parts or external face of an external wall that is required to be non-combustible will comply with Clause C1.14 of BCA2019.
6. The parts of different classifications located alongside one another in the same storey will be separated in accordance with Clause C2.8 and Specification C1.1 of BCA2019.
7. Floors separating storeys of different classifications will comply with BCA Clause C2.9 of BCA2019.
8. Equipment will be separated in accordance with Clause C2.12 of BCA2019.
9. Openings in the external walls that are required to have an FRL will be in located in accordance with Clause C3.2 and C3.3 of BCA2019 or protected in accordance with Clause C3.4 of BCA2019.
10. Services penetrating elements required to possess an FRL including the floor slabs, walls, shafts, etc. will be protected in accordance with Clause C3.12, C3.13 and C3.15 and Specification C3.15 of BCA2019.
11. Construction joints, spaces and the like in and between building elements required to be fire-resisting with respect to integrity and insulation will be protected in accordance with BCA Clause C3.16.
12. Columns protected by light weight construction will achieve an FRL not less than the FRL for the element it is penetrating, in accordance with Clause C3.17 of BCA2019.
13. A lintel will have the FRL required for the part of the building in which it is situated, unless it does not contribute to the support of a fire door, fire window or fire shutter, and it spans an opening in masonry which is not more than 150 mm thick and is not more than 3m wide if the masonry is non-loadbearing; or not more than 1.8m wide if the masonry is loadbearing and part of a solid wall or one of the leaves of a cavity wall, or it spans an opening in a non-loadbearing wall of the Class 2 or 3 building, in accordance with Specification C1.1 Clause 2.3 BCA2019.
14. All attachments to the external façade of the building will be fixed in a way that does not affect the fire resistance of that element in accordance with Clause 2.4 of Specification C1.1 of BCA2019.
15. The number of exits provided to the building will be in accordance with Clause D1.2 of BCA2019.
16. Travel distances to exits will be in accordance with Clause D1.4 of BCA2019.

17. The alternative exits will be distributed uniformly around the storey and will not be less than 9m apart, and not more than 60m apart, in accordance with Clause D1.5 of BCA2019.
18. The dimensions of exits and paths of travel to exits will be provided in accordance with Clause D1.6 of BCA2019.
19. Discharge from exits will be in accordance with Clause D1.10 of BCA2019.
20. Access to any lift pit will be in accordance with Clause D1.17 of BCA2019.
21. The non-fire isolated stairs will be constructed in accordance with Clause D2.3 of BCA2019.
22. The construction of any EDB's and telecommunications distribution boards will be in accordance with Clause D2.7 of BCA2019 with the enclosure bounded by non-combustible construction or fire protective covering and smoke seals provided around the perimeter of the non-combustible doors and any openings sealed with non-combustible mastic to prevent smoke spreading from the enclosure.
23. Any enclosing walls and ceilings under the non-fire-isolated stairways will achieve an FRL of 60/60/60, and have a self-closing -/60/30 fire door, in accordance with Clause D2.8 of BCA2019.
24. Stair geometry will be in accordance with Clause D2.13 of BCA2019. Stair treads are to have a surface with a slip-resistance classification complying with Table D2.14 when tested in accordance with AS 4586:2013.
25. Landings and door thresholds throughout the development will be provided in accordance with Clause D2.14 and D2.15 of BCA2019. Landings will have either a surface with a slip-resistance classification complying with Table D2.14 when tested in accordance with AS 4586:2013 or a strip at the edge of the landing with a slip-resistance classification complying with Table D2.14 when tested in accordance with AS 4586:2013.
26. The handrails and balustrades to all stairs and throughout the building will be in accordance with Clause D2.16, and D2.17 of BCA2019.
27. The doorways and doors will be in accordance with Clause D2.19 and D2.20 of BCA2019.
28. Door latching mechanisms will be in accordance with Clause D2.21 of BCA2019.
29. The new works will be accessible in accordance with Clause D3.1 and table D3.1, D3.2, D3.3 of BCA2019, and with AS 1428.1:2009, with particular note to door circulation spaces, accessway widths, turning spaces and floor coverings, in accordance with Part D3 of BCA2019.
30. Braille and tactile signage will be in accordance with Clause D3.6, and Specification D3.6 of BCA2019.
31. Tactile ground surface indicators will be provided in accordance with Clause D3.8 of BCA2019 and AS/NZS 1428.4.1:2009.
32. On an accessway, where there is no chair rail, handrail or transom, all frameless or fully glazed doors, sidelights and any glazing capable of being mistaken for a doorway or opening, will be clearly marked in accordance with AS 1428.1:2009 and Clause D3.12 of BCA2019.
33. Waterproofing of all wet areas to the building will be carried out in accordance with Clause F1.7 of BCA2019 and AS 3740:2010.
34. Damp proofing of the proposed structure will be carried out in accordance with Clause F1.9 and F1.10 of BCA2019.
35. All new glazing will be in accordance with Clause F1.13 of BCA2019 and AS 1288:2006 / AS 2047:2014.
36. Sanitary facilities will be provided in the building in accordance with Clause F2.1, Table F2.1, Clause F2.3 and Table F2.3 of BCA2019.

37. Accessible sanitary facilities will be provided in the building in accordance with Clause F2.4, Table F2.4 (a) of BCA2019 and AS1428.1:2009.
38. The construction of the sanitary facilities will be in accordance with Clause F2.5 of BCA2019.
39. Ceiling heights will be in accordance with Clause F3.1 of BCA2019.
40. Natural light will be provided in accordance with Clause F4.1, F4.2, and F4.3 of BCA2019.
41. Water closets and urinals will be located in accordance with Clause F4.8 of BCA2019.
42. Pliable building membranes installed in external walls will comply with Clause F6.2 of BCA2019 and where a pliable building membrane is not installed in an external wall, the primary water control layer will be separated from water sensitive materials by a drained cavity.
43. Essential fire or other safety measures will be maintained and certified on an ongoing basis, in accordance with the provisions of the Environmental Planning and Assessment Regulation, 2000.
44. Building Fabric and Thermal Construction will be in accordance with Part J1 of BCA2019.
45. Glazing will be in accordance with Part J1 of BCA2019.
46. Building sealing will be in accordance with Part J3 of BCA2019.
47. Facilities for Energy Monitoring will be provided in accordance with Clause J8.3 of BCA2019.

#### **Electrical Services Design Certification:**

48. Emergency lighting will be installed throughout the development in accordance with Clause E4.2, E4.4 of BCA2019 and AS/NZS 2293.1:2018.
49. Exit signage will be installed in accordance with Clause E4.5, E4.6 and E4.8 of BCA2019 and AS/NZS 2293.1:2018.
50. Artificial lighting will be installed throughout the development in accordance Clause F4.4 of BCA2019 and AS/NZS 1680.0:2009.
51. Lighting power and controls will be installed in accordance with Part J6 of BCA2019.

#### **Hydraulic Services Design Certification:**

52. Any storm water drainage alterations will be provided in accordance with Clause F1.1 of BCA2019 and AS/NZS 3500.3:2018
53. The sprinkler system is to perform in accordance with Clause E1.5 of BCA2019, Specification E1.5 and appropriate part(s) of AS 2118.
54. Portable fire extinguishers will be installed in accordance with Clause E1.6 of BCA2019 and AS 2444:2001.
55. The heated water supply systems will be designed and installed to NCC Volume Three – Plumbing Code and Clause J7.2 of BCA2019.

#### **Mechanical Services Design Certification:**

56. An air-handling system which does not form part of a smoke hazard management system will be installed in accordance with Clause E2.2 of BCA2019, and AS 1668.1:2015.
57. Where not naturally ventilated the building will be mechanically ventilated in accordance with Clause F4.5 of BCA2019 and AS 1668.2:2012.
58. The air-conditioning and ventilations systems will be designed and installed in accordance with Part J5 of BCA2019
59. Rigid and flexible ductwork will comply with the fire hazard properties set out in AS 4254 Parts 1 and 2.

**Structural Engineers Design Certification:**

60. The material and forms of construction for the proposed works will be in accordance with Clause B1.2, B1.4 and B1.6 of BCA2019 as follows:
  - a. Dead and Live Loads – AS/NZS 1170.1:2002
  - b. Wind Loads – AS/NZS 1170.2:2011
  - c. Earthquake actions – AS 1170.4:2007
  - d. Masonry – AS 3700:2018
  - e. Concrete Construction – AS 3600:2018
  - f. Steel Construction AS 4100:1998
  - g. Aluminium Construction – AS/NZS 1664.1 or 2:1997
  - h. Timber Construction – AS 1720.1:2010
  - i. ABCB Standard for Construction of Buildings in Flood Hazard Areas.
61. The FRL's of the structural elements for the proposed works have been designed in accordance with Specification C1.1 of BCA2019, including Table 3 for a building of Type A Construction.
62. Lightweight construction used to achieve required fire resistance levels will comply with Specification C1.8 of BCA2019.

**Lift Services Design Certification:**

63. Warning signage in accordance with Clause E3.3 of BCA2019 will be provided to advise not to use the lifts in a fire.
64. Access and egress to the lift well landings will comply with the Deemed-to-Satisfy Provisions of D3 of the BCA2019 and will be suitable to accommodate disabled persons.
65. The type of lifts will be suitable to accommodate persons with a disability in accordance with Clause E3.6, Table E3.6a, and will have accessible features in accordance with Table E3.6b of BCA2019.
66. The lifts will comply with AS 1735.12:1999 in accordance with Clause E3.6 of BCA2019.
67. All electric passenger lifts and electrohydraulic passenger lifts shall comply with Specification E3.1 of BCA2019.