

### **3 CHILDCARE CENTRE AT CURRAN DRIVE, OFFICER**

FILE REFERENCE INT1734705

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Emily Cook

#### **RECOMMENDATION**

That planning permit T160868 be issued for use and development of the land for a childcare centre and reduction in the car parking requirements of Clause 52.06 at Curran Drive, Officer subject to the conditions attached to this report.

#### **Attachments**

- |   |  |         |
|---|--|---------|
| 1 | Locality plan                              | 1 Page  |
| 2 | Plans for endorsement                      | 5 Pages |
| 3 | For context - plans approved under T150374 | 1 Page  |

#### **EXECUTIVE SUMMARY:**

APPLICATION NO.:	T160868
APPLICANT:	Bosco Jonson, CC/Guillermo Cabala
LAND:	Lot A, PS711335D, Curran Drive, Officer
PROPOSAL:	Use and development of the land for a childcare centre and reduction in the car parking requirements of Clause 52.06
PLANNING CONTROLS:	Urban Growth Zone – Schedule 1 Development Contribution Plan Overlay – Cardinia Road Precinct Structure Plan Cardinia Road Development Contribution Plan (September 2008) Cardinia Road North Neighbourhood Activity Centre Urban Design Framework Clause 52.06 Car Parking
NOTIFICATION & OBJECTIONS:	The application is exempt from advertising under Clause 37.07-13 of the Planning Scheme
KEY PLANNING CONSIDERATIONS:	Clause 52.06 Car Parking Cardinia Road Precinct Structure Plan (September 2008) Cardinia Road North Neighbourhood Activity Centre Urban Design Framework
RECOMMENDATION:	Approval

**BACKGROUND:**

The site forms part of the Cardinia Road North Neighbourhood Activity Centre known as the Arena Shopping Centre. Planning permit T160470 issued on the 3rd March 2017 granted permission to subdivide the subject land into two parcels being proposed Lot 1 (2400sqm) and proposed Lot 2 (5785sqm). Planning permit T150374 issued on the 22nd of December 2015 granted permission for the use and development of shops on proposed Lot 2. This current application for a childcare centre is for proposed Lot 1.

It is noted that the site adjoins the Arena Child and Family Centre to the south. The cumulative impact of the existing and proposed uses has been assessed in relation to traffic/car parking. However, potential competition with two similar centres is beyond the considerations of the Planning and Environment Act 1987 and have not be assessed.

**SUBJECT SITE**

The subject site forms part of the Arena Shopping Centre precinct. The development site is a vacant 2400sqm irregular shaped parcel located on the southern side of Damon Street and the eastern side of Curran Drive. The site slopes gently from north-west to south-east and contains a proposed carriageway easement to ultimately provide vehicular from Curran Drive to Damon Street. As highlighted above land to the north contains the Arena Shopping Centre and land to the south contains the Arena Child and Family Centre.

**PROPOSAL**

The proposal is for the use and development of the land for a childcare centre and reduction in the car parking requirements of Clause 52.06.

*Site Layout*

The proposal includes a single storey childcare centre catering for 130 children with a total building area of 789sqm. The building is to be located along the northern boundary fronting Damon Street, with children's outdoor play space in the centre of the site and car parking to the rear (south). A total of 930sqm of outdoor play space is proposed, including an 11sqm store shed. External fencing is to be 1.8m high timber batten fencing which is 50% transparent. Two timber seating areas are proposed on Damon Street and the corner of Curran Drive. Retaining walls with a maximum height of 1.4m are proposed between the new footpath and outdoor play space.

*Building Design*

The building is designed to front Damon Street with access to the building via this frontage. The single storey building increases in height towards Damon Street and presents secondary frontages to Curran Drive. An office, reception, kitchen, staff room, staff bathroom, laundry, store room and seven childcare rooms are proposed to be serviced via a central corridor. External materials include glazing, render in various neutral colours, brickwork and timber finishes with a maximum building height of 4.9m.

*Vehicular access and car parking*

A total of 21 car parking spaces are proposed on site (including 1 disabled space) and 2 indented spaces within Curran Drive. A 6.4m wide vehicular accessway is proposed from Curran Drive running east-west through the site. This accessway connects to a north-south carriageway easement (being created as part of 2 lot subdivision T160470) through the adjoining development to Damon Street. This easement will be in favour of both Lot 1 & Lot 2. A 1.2m footpath is shown

connecting the proposed car parking to the building entrance on Damon Street and the existing footpath along Curran Drive.

## **PLANNING SCHEME PROVISIONS**

### **State Planning Policy Framework (SPPF)**

The relevant clauses of the SPPF are:

- 15.01-5 Cultural identity and neighbourhood character
- 11.06-5 Neighbourhoods
- 15.01-1 Urban design

### **Local Planning Policy Framework (LPPF)**

The relevant clauses of the LPPF are:

- 21.06-2 Community Safety
- 21.06-1 Design and built form.
- 21.03-2 Urban growth area
- 21.04-1 Employment

### **Relevant particular/general provisions and relevant incorporated or reference documents**

The relevant provisions/documents are:

- Clause 65 Decision Guidelines
- Clause 52.06 Car Parking
- Cardinia Road Precinct Structure Plan (September 2008)
- Cardinia Road Precinct Development Contributions Plan (September 2008)
- Cardinia Road North Neighbourhood Activity Centre Urban Design Framework

## **Zone**

The land is subject to the Urban Growth Zone – Schedule 1.

## **Overlays**

The land is subject to the Development Contribution Plan Overlay – Schedule 2.

## **PLANNING PERMIT TRIGGERS**

The proposal for the use and development of the land for a childcare centre and reduction in the car parking requirements of Clause 52.06 requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Clause 2.3 of Schedule 1 to the Urban Growth Zone a planning permit is required for the use of a childcare centre.
- Pursuant to Clause 2.5 of Schedule 1 to the Urban Growth Zone a planning permit is required to construct a building or construct or carry out works for a non-residential use (childcare centre).
- Pursuant to Clause 52.06 Car Parking a planning permit is required to reduce the number of car parking spaces required under Clause 52.06-5.

## PUBLIC NOTIFICATION

Pursuant to Clause 37.07-13 any provision of this scheme which is generally in accordance with the precinct structure plan applying to the land is exempt from the notice requirements of section 52(1)(a), (b) and (d) of the Planning and Environment Act 1987.

## DISCUSSION

The proposed use and development of the land for a childcare centre and reduction in the car parking requirements of Clause 52.06 is consistent with the aims and objectives of the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement as well as zones and overlays which apply to the subject site.

### *Clause 52.06 Car Parking*

Pursuant to Clause 52.06-5 a childcare centre is required to provide 0.22 car parking spaces per child. The proposed centre will accommodate 130 children and therefore requires 28 car parking spaces. The proposal includes the construction of 21 car parking spaces (including 1 disabled space) within the subject site. A reduction of 7 car parking spaces is therefore sought. However, the applicant is also proposing to construct two (2) new indented car parking spaces within Curran Drive adjacent to the site.

It is noted that an additional indented car parking space has the potential to be accommodated within Curran Drive however, this would result in the loss of an established street tree and as such is not supported.

The applicant has provided a Traffic Engineering Assessment (TraffixGroup, April 2017) in support of the application and the proposed reduction in car parking. This assessment includes a car parking demand assessment of the immediate area and finds that:

- *'The level of traffic generated as a result of this proposal will be moderate and will not have a detrimental impact on Damon Street and Curran Drive (and this intersection) or the surrounding road network'.*

The proposal adjoins an approved development to the east (planning permit T150374) for the extension of the Arena Shops. These plans include an integrated accessway connecting the developments through a future accessway (and carriageway easement in favour of both developments) from Damon Street to Curran Drive.

The eastern development (as approved) provides for a surplus of 28 car parking spaces which will be easily accessible and within close proximity to the proposed childcare centre. The adjoining development may not be in same ownership or constructed simultaneously with the childcare centre. However, the applicant has demonstrated the childcare car parking is functional in isolation and will adequately service the site prior to completion of the adjoining development. The proposed reduction in car parking is therefore considered to be acceptable and is not expected to detrimentally affect the functionality of the immediate area.

### *Cardinia Road Precinct Structure Plan (September 2008)*

The subject site forms part of the Cardinia Road North Neighbourhood Activity Centre (NAC), known as the Arena Shopping Centre. The PSP identifies the centre as having a neighbourhood retail and commercial role; comprising of a supermarket, shops and services.

The PSP encourages local employment through community services (public and private). This includes other activities (such as childcare centres and nursing homes) which not only service the

local community but provide jobs. The proposed childcare centre is therefore in accordance with the employment objectives of the PSP and is considered to be an appropriate land use for the site.

The proposal also provides for the objectives and design principles for Activity Centres outlined in the PSP. The building contributes to the 'main street' design of Damon Street by providing a continuous building along the northern boundary. Visual interest is achieved through the glass entry (reception) and windows of varying sizes, heights and locations. Furthermore, the variety of materials and landscaping elements break up the built form and provide for an active interface to Damon Street.

The building has been designed to address the residential development along Curran Drive and provide for passive surveillance opportunities to this street through large windows and transparent fencing. The proposed location of the car parking is logical given it abuts an existing 1.8m solid colourbond fence, (separating the site from the adjoining Council facility) and, will allow for the accessway to ultimately connect to Damon Street through the adjoining development.

The proposal includes a pedestrian path which wraps around the building connecting the site to the existing footpath network on Curran Drive and Damon Street. These paths will allow pedestrians to move safely from the proposed car parking to the buildings entry on Damon Street.

#### *Cardinia Road North Neighbourhood Activity Centre Urban Design Framework*

The proposal is considered to be generally in accordance with the Cardinia Road North Neighbourhood Activity Centre Urban Design Framework (UDF) which applies to the site. The variations in windows and materials 'break up' the façade and mimic multiple shop frontages. Furthermore, the bench-seating in Damon Street and Curran Drive contribute to the functionality of the street by providing pedestrians places to sit.

The proposed façades to Damon Street and Curran Drive are visually interesting and positively contribute to the streetscapes. Blank walls have been broken up by windows and landscaping as well as varied external materials. The building has been designed to overlook the road network (and the future north-south accessway within the adjoin development) thereby providing for passive surveillance and an increased perception of safety.

#### *CPTED Principles*

The proposed childcare centre has been designed to maximise opportunities for natural surveillance throughout the site and wider area. The building addresses Damon Street while providing active frontages to Curran Drive and the future accessway within the adjoining development. Clear glazing at eye-level has been incorporated within all three frontages. In particular, the southern elevation largely consists of windows: overlooks the proposed car parking. Transparent fencing delineates the child-caring areas from car parking while allowing for passive surveillance of these spaces.

Pedestrian pathways clearly guide people to the singular entrance on Damon Street. These paths allow for the safe and efficient movement of people through the site and provide connections to the surrounding area. Appropriate conditions are to be included on the permit to ensure the proper maintenance of landscaping visible from the public realm.

#### *Neighbourhood*

The proposal is located within the Arena Neighbourhood Convenience Centre which includes an existing kindergarten, shops and medical suites. Development as approved by T150374 will see the further expansion of this precinct to include food & drink premises and additional shops. This centre is also located within close proximity to the Arena residential housing estate and St Francis Xavier College. The proposed childcare centre will therefore be well located to service the surrounding community and, easily accessible via the existing public transport routes along Cardinia Road and the Princes Freeway.

## CONCLUSION

The proposed use and development of the land for a childcare centre and reduction in the car parking requirements of Clause 52.06 is consistent with the purpose and objectives of the Urban Growth Zone – Schedule 1, Cardinia Road Precinct Structure Plan, The Cardinia Road Development Contribution's Plan & the Cardinia Road North Neighbourhood Activity Centre Urban Design Framework which apply to the subject property.

It is recommended that planning permit T160868 be issued for use and development of the land for a childcare centre and reduction in the car parking requirements of Clause 52.06 at Curran Drive, Officer subject to the following conditions:

## CONDITIONS

1. The layout of the site and the size of the proposed buildings and works, as shown on the approved plans, must not be altered or modified without the consent in writing of the Responsible Authority.
2. Once the development has commenced, it must be continued and completed to the satisfaction of the Responsible Authority.
3. No more than one hundred and thirty (130) children may be cared for on the premises at any time without the prior written consent of the Responsible Authority.
4. Except with the written consent of the Responsible Authority, the use may only operate Monday to Friday between 6.30am - 6.30pm.
5. Before an Occupancy Permit is issued under the *Building Act 1993*, for any part of the development, unless some other time has been agreed with the Collecting Agency, a Development Infrastructure Levy must be paid to the Collecting Agency, Cardinia Shire Council in accordance with the provisions of the approved Cardinia Road Development Contributions Plan (2008).
6. Before the use starts and/or the building is occupied, unless with the prior written consent of the Responsible Authority, the premises must be connected to reticulated water supply, sewerage, drainage and underground electricity to the requirements of the relevant servicing authority.
7. Before the use starts and/or the building is occupied, all proposed areas set aside on the approved plans for access, circulation, car parking and pedestrian paths must be constructed with concrete, asphalt or other approved hard surfacing material, drained and the parking areas delineated, to the satisfaction of the Responsible Authority:
8. Before the development starts, landscape plans prepared by a person suitably qualified and experienced in landscape design to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The landscaping plans must be generally in accordance with the submitted landscape plan prepared by Memla except that the plan must show:
  - a) Locations and names of existing street trees on Curran Drive and Damon Street, including location of garden beds.
  - b) Proposed layout of the future connection to the east of the site, with relevant landscape treatments.
  - c) Details of surface finishes of pathways and driveways.
  - d) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant for all interfaces to the public realm.

9. Before the development is occupied or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
10. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority and used for no other purpose. Any dead, diseased or damaged plants are to be replaced.
11. Before the development starts a fee of \$375.00 per tree must be paid to the Responsible Authority for the replacement of the existing street trees nominated for removal on Curran Drive.
12. Unless with the prior written consent of the Responsible Authority, all rooftop plant and equipment (including air conditioning units, heating units and hot water systems) must be concealed from general view to the satisfaction of the Responsible Authority.
13. Unless with the prior written consent of the Responsible Authority, the area/s shown on the approved plan for access, car parking and landscaping must not be used for any other purpose and must be maintained to the satisfaction of the Responsible Authority.
14. Unless with the prior written consent of the Responsible Authority, the exterior colour and cladding of the building(s) must be of a non-reflective nature to the satisfaction of the Responsible Authority.
15. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
  - a) Transport of materials, goods or commodities to or from the land.
  - b) Appearance of any building, works or materials.
  - c) Emission of noise, artificial light, vibration, smell, flumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
  - d) Presence of vermin.To the satisfaction of the Responsible Authority.
16. External lighting of the areas set aside for car parking, access lanes and driveways must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land
17. The site including all buildings and works must be so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance to the satisfaction of the Responsible Authority.
18. Before the development is occupied, all proposed areas set aside on the approved plan/s for access, circulation and car parking (including indented car parking spaces within Curran Drive and all footpaths) must be constructed with concrete, asphalt or other approved hard surfacing material, drained and the parking areas delineated to the satisfaction of the Responsible Authority. Once constructed, these areas must be maintained to the satisfaction of the Responsible Authority.
19. Before the development is occupied a commercial/industrial standard concrete vehicle crossing/s as shown on the approved plans must be constructed to the approval and satisfaction of the Responsible Authority.
20. Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development subject land is adequately managed in

such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.

21. Before the development starts, a stormwater management plan showing the stormwater works to the nominated point of discharge must be submitted for the approval of the Responsible Authority. The stormwater management plan must be prepared by a suitably qualified person and show details of the proposed stormwater works including all existing and proposed features that may have impact (including trees to be retained, crossings, services, fences, abutting buildings, existing boundary levels etc). All works must be undertaken in accordance with the approved stormwater management plan.
22. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
23. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.
24. Before an Occupancy Permit is issued under the Building Act 1993, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority which includes or demonstrates:
  - a. How bins are to be serviced, including collection and storage points to be shown on a plan.
  - b. Waste generation calculations to determine the capacity and number of bins required.
  - c. Bin numbers and capacities (size).
  - d. Details of bin storage and the location.
  - e. Details of access arrangements (if required).
  - f. Odour control from bin storage areas.
25. All bins and receptacles used for the collection and storage of garbage, bottles and other solid wastes shall be kept in a storage area screened from view to the satisfaction of the Responsible Authority.
26. All waste must be stored effectively to prevent odours from affecting neighbouring properties.

**Expiry:**

27. This permit will expire if one of the following circumstances applies:

- a) The development does not start within two (2) years of the date of this permit.
- b) The development is not completed within four (4) years of the date of this permit.
- c) The use does not start within one (1) year of the completion of the development; or
- d) The use is discontinued for a period of two (2) years.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with Section 69 of the *Planning and Environment Act 1987*.

**Notes**

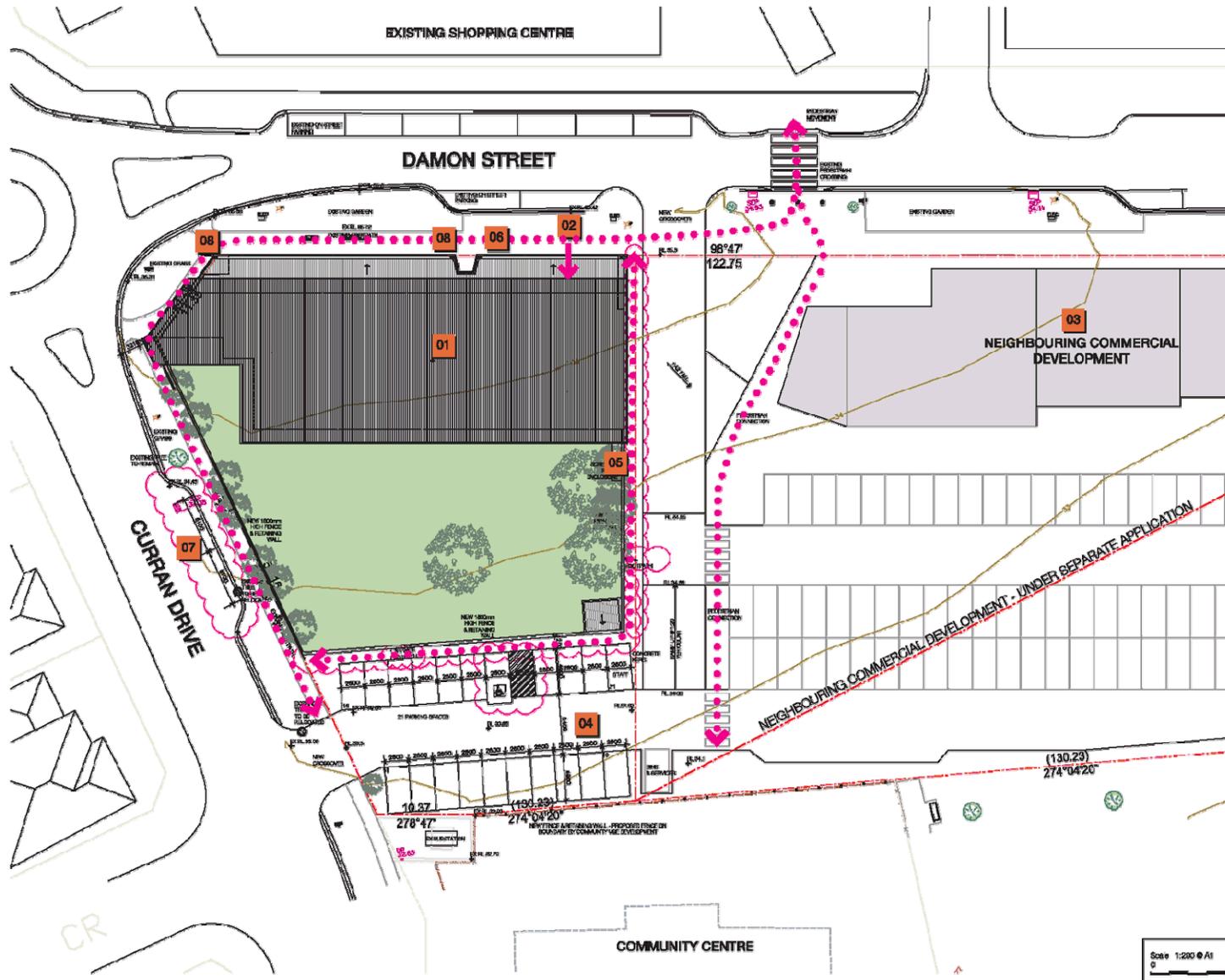
A Building Permit may be required for this development. To obtain a building permit you will need to contact a registered building surveyor.

Before the commencement of the proposed development a Building Permit must be obtained for any retaining wall exceeding 1.0 metres in height.

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A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the proposed vehicle crossing.





**KEY**

- 01** Subject site at the corner of Damon Street and Curran Drive. New 130 place childcare with 21 car spaces.
- 02** Childcare entrance at northeast corner of site creating accessible connection to commercial development and neighbouring shopping centre.
- 03** Proposed neighbouring mixed use activity centre with 855sqm of Specialty/ Food & Drink/Office, 1105sqm medical and 83 car parking bays
- 04** Childcare car park to south of property to connect in with mixed use activity centre car park
- 05** Screened services to outdoor area
- 06** Continuation of built form along Curran Drive
- 07** Additional on street parking
- 08** Activation to Damon Street with seating, glazing and materials



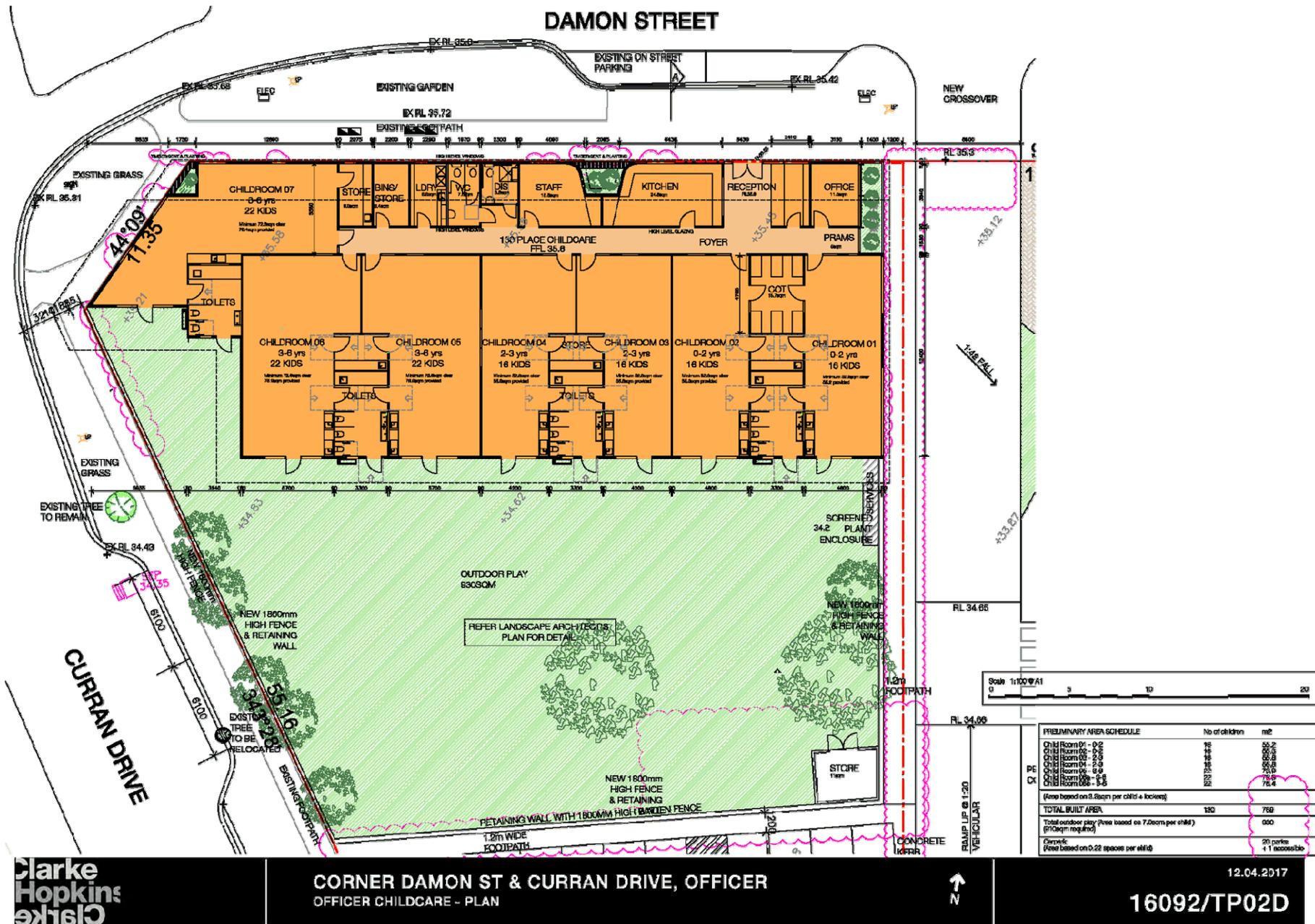
**CORNER DAMON ST & CURRAN DRIVE, OFFICER**  
OFFICER CHILDCARE - SITE PLAN / DESIGN RESPONSE

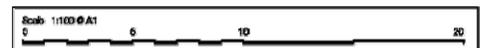
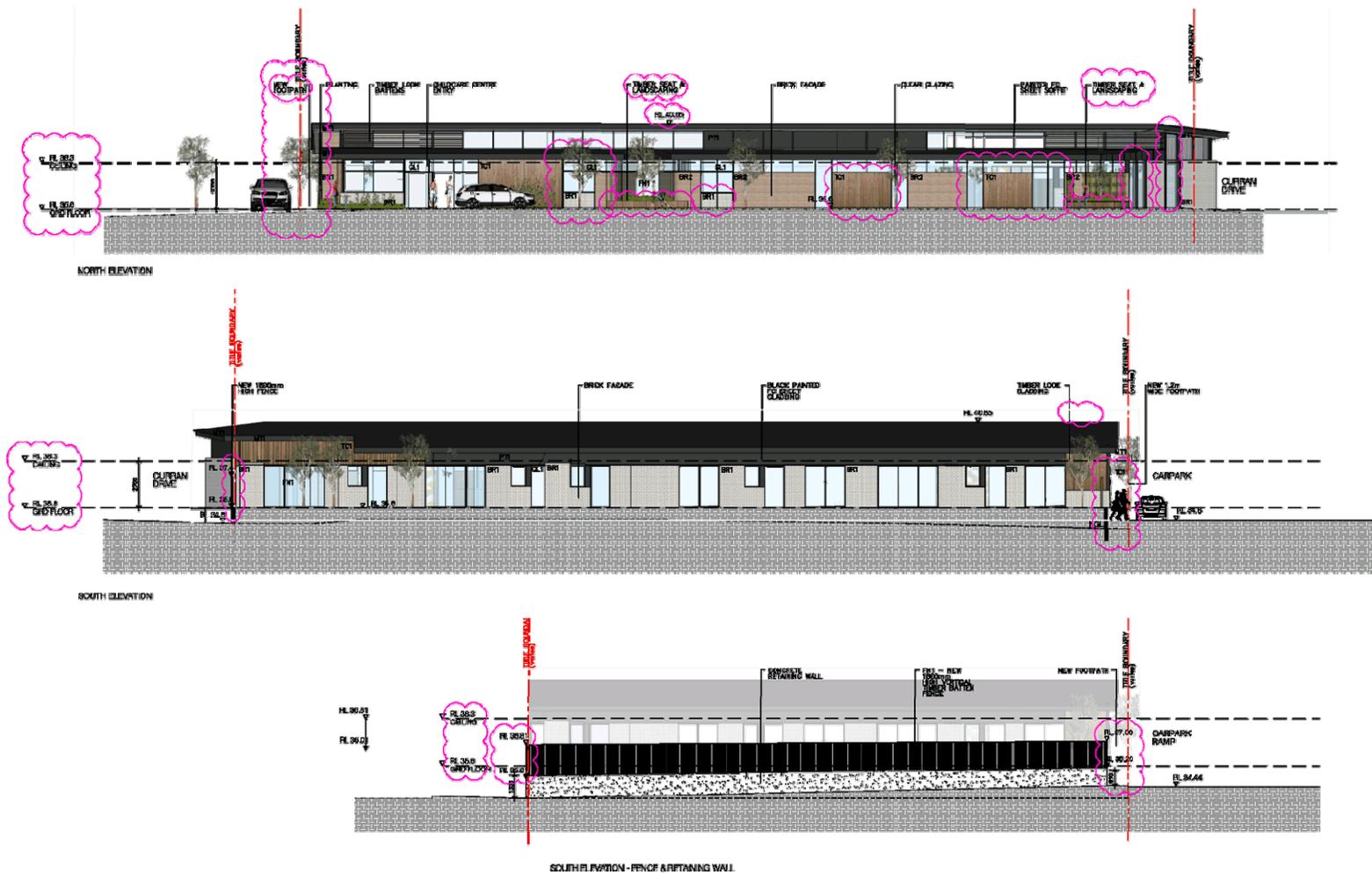


12.04.2017

**16092/TP01C**







**CORNER DAMON ST & CURRAN DRIVE, OFFICER**  
OFFICER CHILDCARE - ELEVATIONS

12.04.2017

**16092/TP04D**





**MATERIAL / FINISH**

- PT1 / PC1 Powdercoat "Charcoal" / Colorbond "Monument"
- GL1 Glazing
- PT2 Painted FC sheet cladding - Dulux "Surfmist"
- TC1 Timber look battens
- TC2 Timber look soffit / cladding
- BR1 Austral "Chillingham White" or similar with charcoal grout
- BR2 Austral "Murray Grey" or similar with white grout
- MT1 Alucobond or similar metal cladding - Charcoal
- WF1 Charcoal Frame
- FN1** 1800mm high Timber Look Batten Fence - 40x40mm vertical battens with 40mm gap - 50% transparency. Finish: Casuarina or similar

