

1 EXTENSION OF AN EXISTING CHILDCARE CENTRE AND CAR PARKING REDUCTION 1-2 STATION STREET LANG LANG

FILE REFERENCE INT1835063

RESPONSIBLE GENERAL MANAGER Andrew Paxton

AUTHOR Melanie Wright

RECOMMENDATION

That a Notice of Decision to Grant Planning Permit T010679 -1 be issued to amend the existing Planning Permit for the use and development of the land for an extension to a childcare centre at 1-2 Station Street, Lang Lang subject to the conditions attached to this report.

Attachments

- | | | |
|---|--|---------|
| 1 | Locality map | 1 Page |
| 2 | Development plans | 7 Pages |
| 3 | Copy of objection circulated to councillors only | 1 Page |

EXECUTIVE SUMMARY:

APPLICATION NO.:	T010679-1
APPLICANT:	ModDesign Studio
LAND:	1-2 Station Street, Lang Lang
PROPOSAL:	The application is to amend the planning permit under Section 72 of the Planning and Environment Act by extending the premises, increase in the number of children and the alteration of hours of use. A car parking reduction is also required/
ORIGINAL PERRMIT:	The use and development of the land of a Childcare Centre (15 additional children) generally in accordance with the approved plan.
PLANNING CONTROLS:	Neighbourhood Residential Zone (NRZ)
NOTIFICATION & OBJECTIONS:	Notice of the application was given by way of sending notices to adjoining and near-by land owners/occupiers and by placing a sign on site To date Council has received one objection
KEY PLANNING CONSIDERATIONS:	Car parking
RECOMMENDATION:	Approval

BACKGROUND:

Planning permit T960534A was issued 20 November 1996 for the extension and use of the existing building for the purpose of a Child Minding Centre (35 children).

Planning Permit T010679 was issued 2 January 2002 for the use and development of the land for an extension to a childcare centre (additional 15 children).

SUBJECT SITE:

The site is located on the south-west side of Station Street Lang Lang. The site currently contains the childcare centre, associated car parking and a single dwelling at the combined addresses of 1-3 Station Street.

The lot containing the existing childcare is located at 1 Station Street, it includes five (5) car parking spaces on the land, along the southern boundary that are accessed from the laneway which runs from Station Street through to Cambridge Street. The lot containing a single residence is at No.3 Station Street, this is accessed via a crossover located long the common boundary of the two lots.

The sites are mostly flat and have some established vegetation along the front boundary and southern boundary.

The main characteristics of the surrounding area are:

- East - 1-7 Oxford Street, Lang Lang occupied by a manufacturing and warehouse business
- South - 35, 35a and 39 Westernport Road includes multiple retail and premises facing Westernport Road and a Council car park
- West - 6 Cambridge St occupied by a single storey residential dwelling with POS and outbuildings to the rear of the site adjoining the common boundary with the subject land.
- North - 5 Station Street occupied by two recently constructed dwellings

PROPOSAL:

Approval is sought to amend an existing permit for the childcare centre at 1-3 Station Street, Lang Lang.

The application seeks to extend the existing childcare centre by demolishing the existing dwelling on No. 3 Station Street, increasing the floor area to allow for additional children on site. This extension to the building and increase in the number of children will result in a requirement for a reduction in the statutory car parking rate.

It is proposed that:

- the floor area of the childcare centre is to be extended from 302.9sqm to 537sqm.
- the total children on the site will increase from the current 50 children to 88 children.
- the hours of operation will increase from Monday to Friday - 7am to 6pm to Monday to Friday - 6am to 7pm. (It is noted that the current permit allows for 7am to 7pm, it is proposed to commence an hour earlier)

PLANNING SCHEME PROVISIONS:

State Planning Policy Framework (SPPF)

The relevant clauses of the SPPF are:

- 11.02-3 Planning for growth areas

- 11.06-4 Place and Identity
- 11.06-5 Neighbourhoods
- 15.01-2 Urban design principles
- 15.01-4 Design and safety
- 15.01-5 Cultural identity and neighbourhood character
- 18.02-5 Car parking

Local Planning Policy Framework (LPPF)

The relevant clauses of the LPPF are:

- 21.04-1 Employment
- 21.05-6 Community services and facilities
- 21.06-1 Design and built form
- 21.07-4 Lang Lang

Cardinia Shire's Liveability Plan 2017-2029

This proposal has regard to Cardinia Shire's Liveability Plan 2017-2029, in particular:

- Improved Social Cohesion
- Improved safety
- Reduce obesity
- Reduce financial vulnerability

Zone

The land is subject to the Neighbourhood Residential Zone

Overlays

The land is not subject to any overlays.

Particular Provisions:

- Clause 52.06 – Car parking
- Clause 65 – Decision Guidelines
- Lang Lang Township Strategy

PLANNING PERMIT TRIGGERS

The proposal for an amendment to the existing childcare centre which includes an increase in floor area, increase in number of children and a reduction in the car parking rate requires a planning permit under the following clauses of the Cardinia Planning Scheme:

- Pursuant to Clause 32.09-8 (NRZ) a permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.09-2
- Pursuant to Clause 52.06-3 (Car Parking) a planning permit is required to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5

PUBLIC NOTIFICATION

The application has been advertised pursuant to Section 52 of the Planning and Environment Act 1987, by:

- Sending notices to the owners and occupiers of adjoining land.
- Placing a sign on site

The notification has been carried out correctly, and Council has received 1 objection at the time of writing the report.

The key issue that was raised in the objection is:

- Parking

REFERRALS

No external referrals required

DISCUSSION

State & Local Policy Framework

A number of state and local policies are relevant to this application, such as Clause 21.07-4 (Lang Lang), Clause 17.01 (Commercial) and Clause 21.06-1 (Design and built form), which aim to encourage commercial diversity, promote a high standard of design and achieve attractive, diverse, sustainable and liveable townships.

At a local level, Clause 21.04-1 (Employment) and Clause 21.05-6 (Community services and facilities) of the Local Policy Planning Framework is also relevant to this application. This includes objectives and strategies to help deliver a range of social services types to residential areas, while being consistent with the existing and/or preferred neighbourhood character.

Clauses 15.01-4 (Design and safety) and 11.04-4 (Liveable communities and neighbourhoods) are also relevant to this application. These clauses aim to prevent inappropriate development and to provide job diversity close to residential areas.

The proposed development responds to these clauses and will support the increase of housing close to the town centre of Lang Lang and contribute towards a diversity of jobs, while respecting the character of the area.

The proposed amendments to the existing child care centre is consistent with the aim and objectives of the State Planning Policy Framework and Local Planning Policy Framework, including the Municipal Strategic Statement. The provision of community infrastructure, particularly for children within this developing area is vital for a growing community and is consistent with the strategic direction of the area.

Neighbourhood Residential Zone

The existing child care centre adjoining the Lang Lang town centre it is located in an established residential area. The child care centre has been in operation since 1997 and occupies an original Masonic Lodge. The building was extended under the existing permit, issued in January 2002.

The proposal maintains a single storey built form and will maintain a generous setbacks from all boundaries. The design, height and setbacks of the proposed building respect the single storey built form of the area. The development is not considered to be over development the site as it allows for generous landscaping around the extended building.

The extension to the building is unlikely to cause unreasonable amenity impacts as it is modest in scale with no second storey elements and reasonable setbacks to adjoining residential lots. The urban design of the building incorporates contemporary design by retaining the heritage features of the existing building to provide high quality architectural response.

The proposal will service the local communities need for child care and is considered to be of a scale and intensity that is appropriate for the area. The site is located within walking distance to the Lang Lang Town Centre and the main residential area of Lang Lang.

The site is located on Station Street, a street that intersects with Westernport Road and as such is capable of accommodating the increased traffic generation. The proposal includes the construction of on street car spaces along Station Street and will maintain pedestrian access to the centre from the public footpath to ensure a safe route into the building.

It is proposed to increase the number of children by 38 children, resulting in the total number of children on the site being 88, which will be distributed across 4 rooms. The extension will allow for a kinder room to accommodate 33 children. The increase in children is considered an appropriate number having consideration for the growing population in Lang Lang and Cardinia and the need for greater community services in the area such as early education centres. The extension to the centre and increased number is considered to benefit the local community benefit and allow for residents to access locally available early education services.

Proposed changes to the hours of operation will be amended from 7am to 7pm on weekdays to 6am to 7pm weekdays. The additional hour in the morning is considered minor in nature and will allow for the centre to cater of the needs of the community and varying work hours of local families. This hour increase is not anticipated to cause unreasonable amenity impact to the adjoining neighbours.

On balance, the proposal is consistent with the objectives of the Neighbourhood Residential Zone and will not unreasonably impact the amenity of the adjoining neighbours.

Clause 52.06 Car Parking

Pursuant to Clause 52.06-5 the number of car parking spaces required for the proposal is 0.22 spaces per child.

The proposed child care centre is to accommodate 88 children; therefore, the overall use generates a requirement for 19 car parking spaces.

Existing rate (permit): 50 children = 11 spaces required, 5 spaces were provided on site and the approval allowed a reduction of 6 spaces

Proposed Rate: 38 extra Children = 8 spaces required

Overall Total: 50+38 children = 88 children. 88 children x 0.22 car parking rate = 19 spaces required overall

There are five (5) spaces located on the site currently and the applicant seeks to construct an additional two (2) spaces. This will result in seven (7) spaces on site, out of the 19 required. It is proposed to waiver 12 spaces. Six (6) spaces have already been waived with the Existing Planning Permit, this Planning Permit proposes to waiver addition six (6) spaces.

The applicant has also proposed to construct four (4) additional on street car parking spaces, while this will contribute to the overall car parking issues in Station Street they cannot be included in the reduction of the car parking rate.

In considering a parking reduction, Council must consider the availability of alternative parking in the locality, availability of public transport, impact on adjoining uses, previous uses and impact on the local traffic management of the area.

The traffic report provides and assessment for reducing the car parking requirement.

Four locations with a total car parking capacity of 85 were surveyed at different times across one day observed the following:

- Car parking within the Assessment Area is never more than 50% utilized throughout the day.
- Car parking considered directly linked to the Child Care Centre between 9am & 5pm is never above 50%.
- At peak drop-off (morning) and pick-up (afternoon) for the child care centre the car parking bays in the immediate area never exceed 50% capacity
- Parking along Westernport Road never exceed 50% capacity though out the day

The application was referred to Council's Traffic Engineering Department, who expressed concerns in relation to the potential overflow of car parking from the future businesses in the area. However, the traffic assessment as detailed above, provides evidence that there are sufficient car parking spaces available during business hours to cover the shortfall of 6 (six) spaces in the Lang Lang Town Centre.

Clause 65 Decision Guidelines

The proposed development is consistent with the SPPF and LPPF, the purpose of the zone and is consistent with the orderly planning of the area. Furthermore, the proposal will have limited impact on the amenity of surrounding area.

Objector response:

Traffic: Although the proposal does not comply with the statutory requirement the use will utilise existing car parking and will construct additional car parking on site and on the street. It is considered the car parking reduction can be accommodated in the site and context and will allow for the much need expansion of the service.

CONCLUSION

It is considered that the application is consistent with the requirements of the Cardinia Planning Scheme and it is recommended that an Amendment to the Planning Permit for the use and development of the land for an extension to a childcare centre at 1-2 Station Street, Lang Lang be approved subject to the conditions outlined below

Amendment will entail:

Permit:

- Permit preamble amended and error corrected

Original:

Te use and development of the land of a Childcare Centre (15 additional children) generally in accordance

Amended:

The use and development of the land for a childcare centre and car parking reduction generally in accordance with the approved plans

- New permit conditions (Condition 4,5,8,9,11,12,13,14,15&16)
- Permit conditions renumbered
- Permit conditions amended
 1. Condition 1 (formally Condition 2) to include:
 - (a) Proposed floor plan shown in relation to title boundary
 - (b) Plan of the amended seven (7) onsite car parking spaces to include 1 disabled car space dimensioned
 - (c) Crossover to No.3 deleted from site plan
 2. Condition 9 (formally Condition 6)- Number of children must not exceed 88
 3. Condition 10(formally Condition 7)- Hours of use amended
 4. Condition 21 (formally Condition 11)- Expiry updated
- Condition deleted (former condition 9)

Plans:

- Existing child care centre extended
- Cross over to No.3 to be removed
- Changes to configuration of onsite car parking configuration and addition 2 spaces including one disabled space

CONDITIONS

1. Prior to the development commencing, plans and specifications must be submitted to and approved by the responsible authority showing:
 - (a) Full construction plans including a sealed surface with underground drainage for the car parking areas to the front and side of the property. The footpath to the front of the site will need to be relocated to the satisfaction of the responsible authority.
 - (b) Proposed floor plan shown in relation to title boundary
 - (c) Plan of the amended seven (7) onsite car parking spaces to include 1 disabled car space dimensioned
 - (d) Crossover to No.3 deleted from site plan

2. The layout of the site and the size of the proposed buildings and works, as shown on the approved plan/s, must not be altered or modified without the consent in writing of the responsible authority.
3. The use must not be commenced until:
 - (a) The premises are connected to a reticulated sewerage system of a sewerage authority;
 - (b) Drainage of the extension has been provided in accordance with standards to the satisfaction of the responsible authority;
 - (c) The areas set aside on the approved plans for access and car parks have been constructed, sealed, drained and delineated to the satisfaction of the responsible authority. The area must be maintained in accordance with these requirements once constructed.
4. Before the development commences, Lot 214 and Lot 215 of LP3250 must be consolidated into one lot under the *Subdivision Act 1988* as evidenced by the certification of a plan by the Responsible Authority and the registration of such a plan by the Registrar of Titles. A copy of the title must be presented to the building surveyor as evidence.
5. The operation of the childcare centre must at all times comply with the requirements of the Children Services Regulations 2009.
6. No more than 88 children may be cared for on the premises at any time without the prior written consent of the Responsible Authority.
7. The use may only operate between the hours of 6:00am and 7.00pm Monday to Friday without the further written consent of the Responsible Authority.
8. Four (4) on-street parking bays are to be constructed before the increase in use commences to the satisfaction of the responsible authority.
9. Disabled car parking must be provided in accordance with AS2890.6
10. Stormwater must only be discharged from the site by means of an underground pipe drain discharged to an outlet in the street or to an underground pipe drain.
11. Prior to the commencement of the proposed use the proposed on-street parking spaces must be constructed in accordance with plans and specifications submitted to and approved by the Responsible Authority
12. 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.
13. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.

14. Before the development is occupied any redundant existing vehicle crossing must be removed and the nature strip and *kerb and channel* reinstated at the cost of the owner and to the satisfaction of the Responsible Authority.
15. 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.
16. 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.
17. All waste generated by the use of the land will be managed in accordance with the waste management plan for the land approved by the Responsible Authority;
18. The loading and unloading of vehicles must always be carried on entirely within the site and must not interfere with other traffic.
19. No nuisance or annoyance shall be caused by the operation of the use to persons beyond the site.
20. The exterior colour and cladding of the extension must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the building, including the roof, must be of a non-reflective nature.
21. This permit will expire if:
 - a. the development is not commenced within two (2) years of the date of this permit; or
 - b. the development is not completed within four (4) years of the date of this permit; or
 - c. the use is discontinued for a period of two (2) years.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Notes:

- A Building Permit may be required for this development. To obtain a building permit you will need to contact a registered building surveyor.
- Prior to commencement of the proposed use a Building Permit must be obtained for any retaining wall exceeding 1.0 metres in height.
- Permission given under planning legislation cannot be construed as permission relating to any other legislation under Council jurisdiction, such as Public Health & Wellbeing, Food or Tobacco Acts.

T010679 - 1-3 Station Street Lang Lang



87.1 0 43.53 87.1 Meters

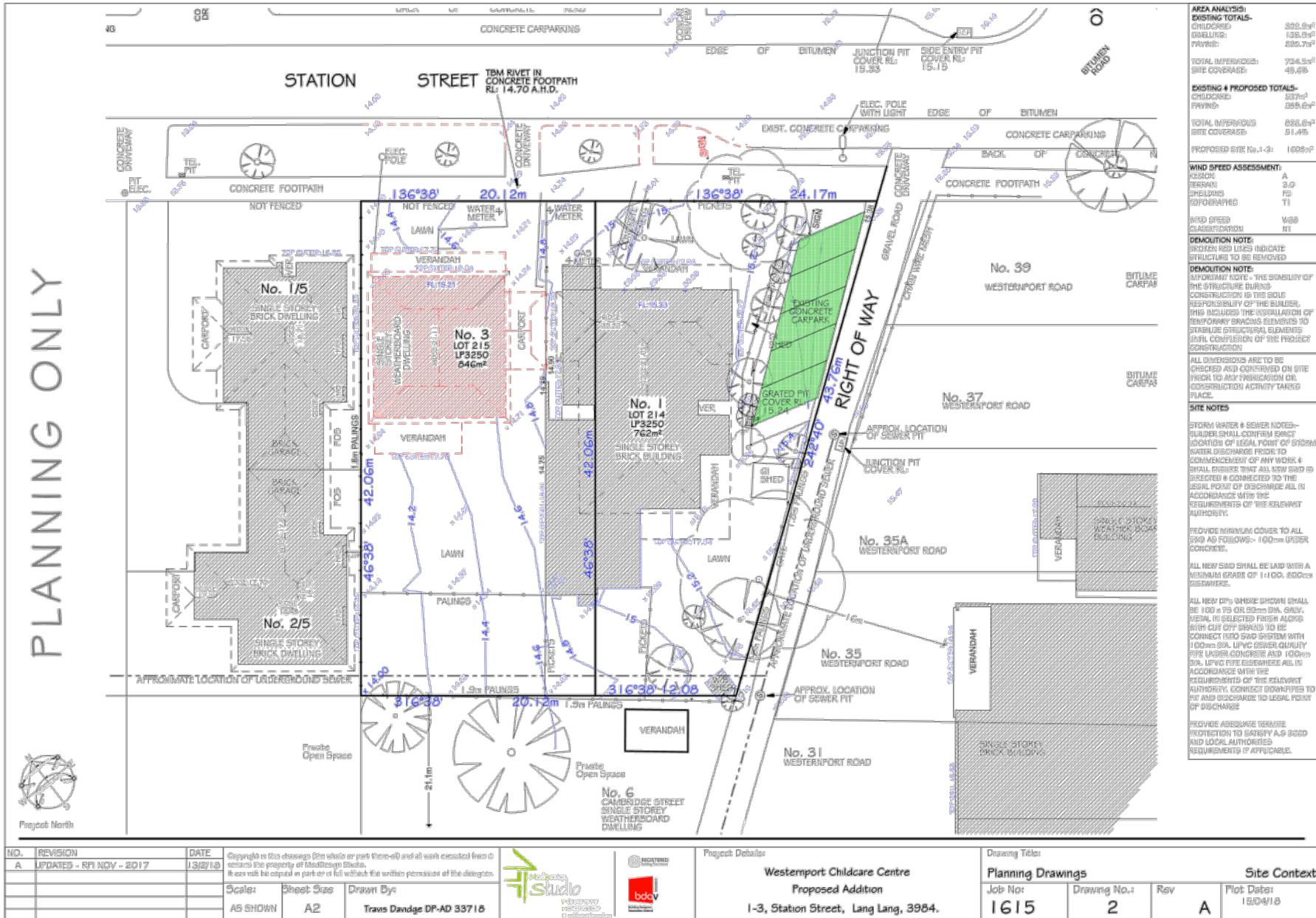
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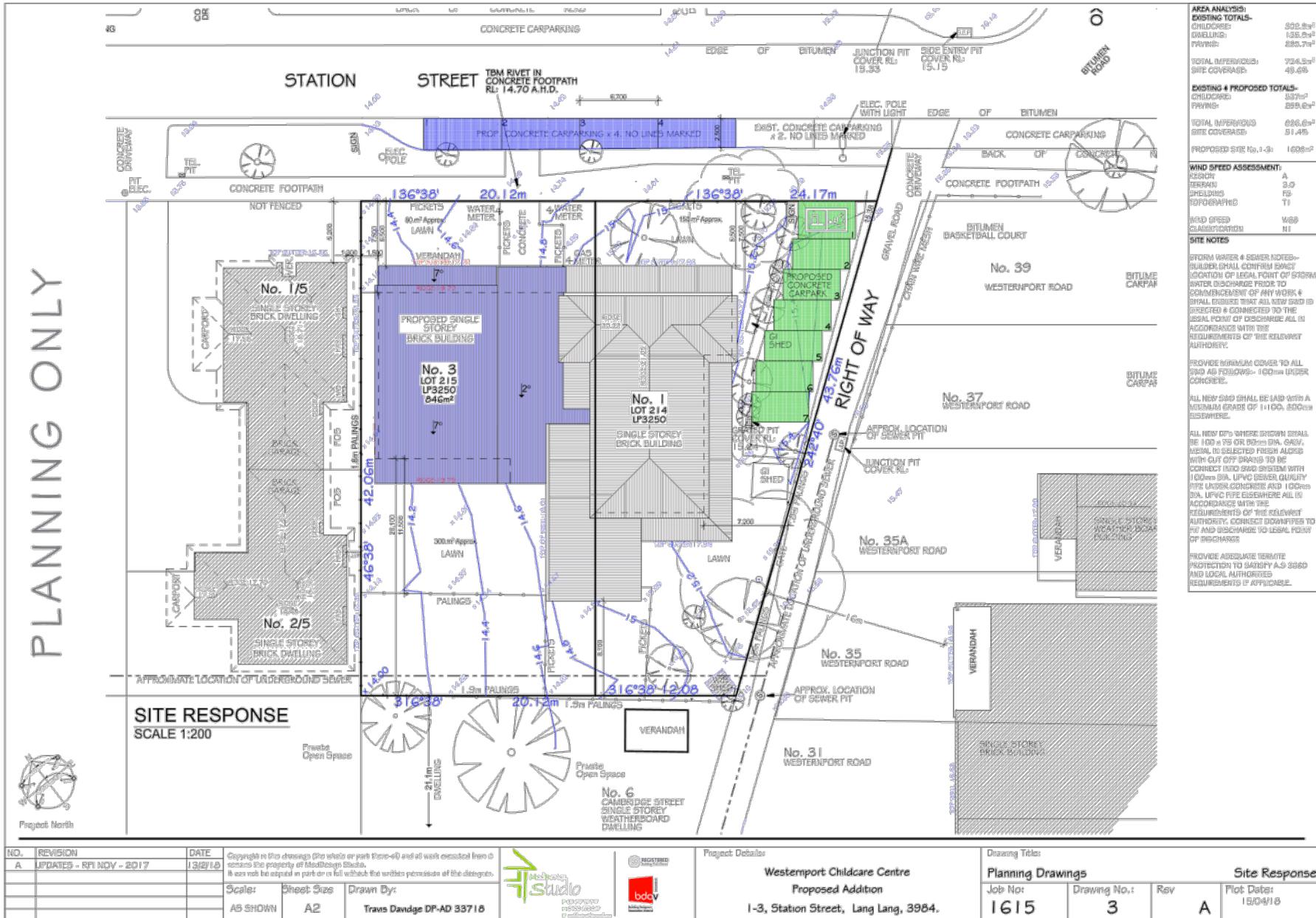
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16-May-2018

Notes







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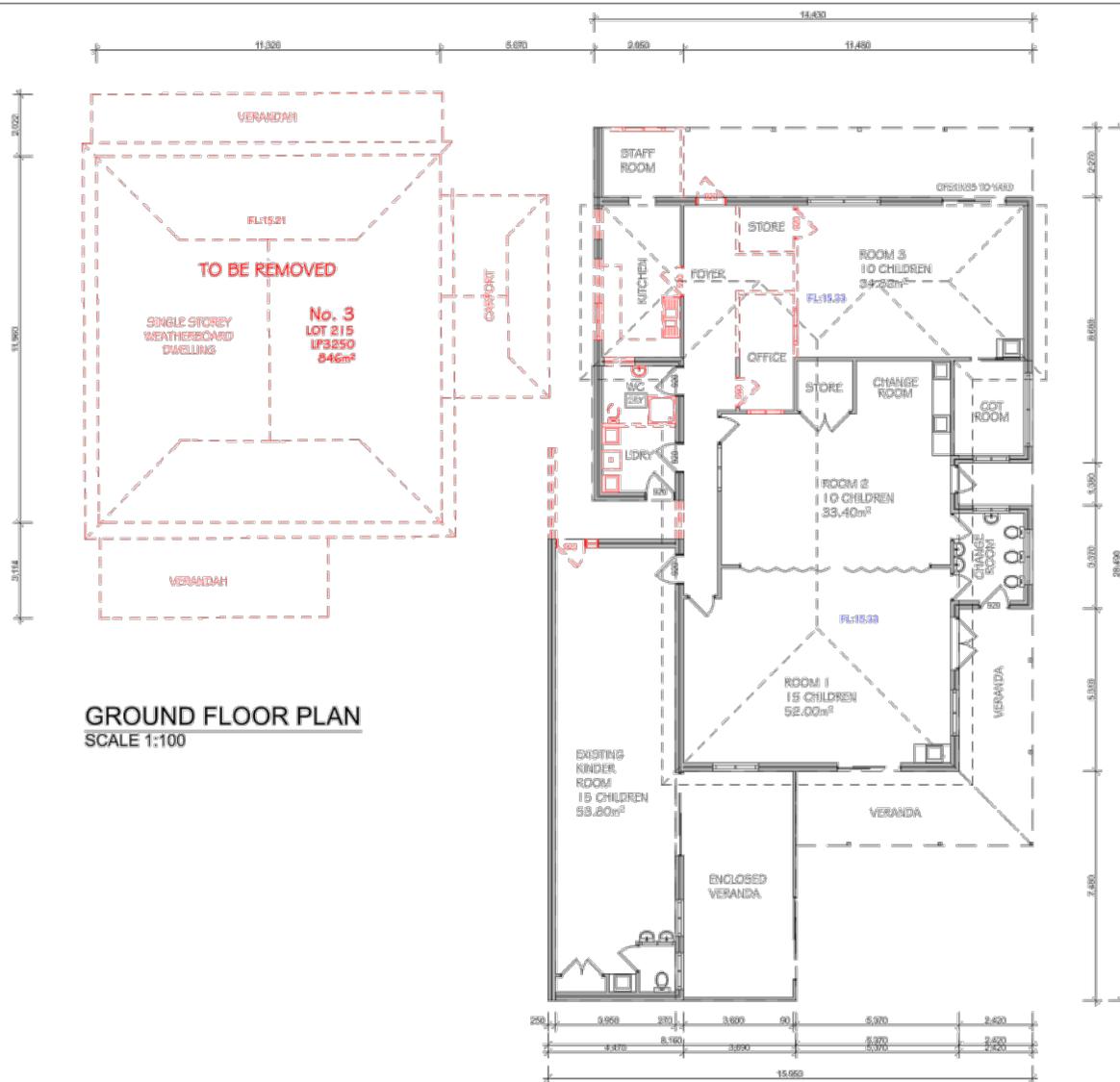
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Drawn By: Travis Davidge DP-AD 33718

Project Details

Westport Childcare Centre
Proposed Addition
1-3, Station Street, Lang Lang, 3954.

Drawing Title:	
Planning Drawings	Site Response
Job No:	Drawing No.:
1615	3
Rev	Plot Date:
A	15/04/18

PLANNING ONLY



GROUND FLOOR PLAN
SCALE 1:100

AREA ANALYSIS:	
EXISTING TOTALS-	
CHILDREN	300.0m²
EXISTING	135.8m²
PLAYING	295.7m²
TOTAL INTERIORS: 724.5m²	
SITE COVERAGE: 48.4%	
EXISTING + PROPOSED TOTALS-	
CHILDREN	307m²
PLAYING	298.2m²
TOTAL INTERIORS: 605.6m²	
SITE COVERAGE: 51.4%	
PROPOSED SITE No. 1-3: 1608m²	
WIND SPEED ASSESSMENT:	
REGION	A
BERM	3.0
SHELTERS	FD
TOPOGRAPHY	TI
WIND SPEED	W88
CLASSIFICATION	R1
DEMOLITION NOTE: DASHED RED LINES INDICATE STRUCTURES TO BE REMOVED	
DEMOLITION NOTE: IMPORTANT NOTE - THE STABILITY OF THE STRUCTURE DURING CONSTRUCTION IS THE SOLE RESPONSIBILITY OF THE BUILDER. THIS INCLUDES THE INSTALLATION OF TEMPORARY BRACING ELEMENTS TO STABILISE STRUCTURAL ELEMENTS UNTIL COMPLETION OF THE PROJECT CONSTRUCTION	
ALL DIMENSIONS ARE TO BE CHECKED AND CONFIRMED ON SITE PRIOR TO ANY FABRICATION OR CONSTRUCTION ACTIVITY TAKING PLACE.	



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Project Details
Westport Childcare Centre
 Proposed Addition
 1-3, Station Street, Lang Lang, 3984.

Drawing Title:			
Planning Drawings		Existing Floor Plan	
Job No:	Drawing No.:	Rev	Plot Date:
1615	4	A	15/04/18

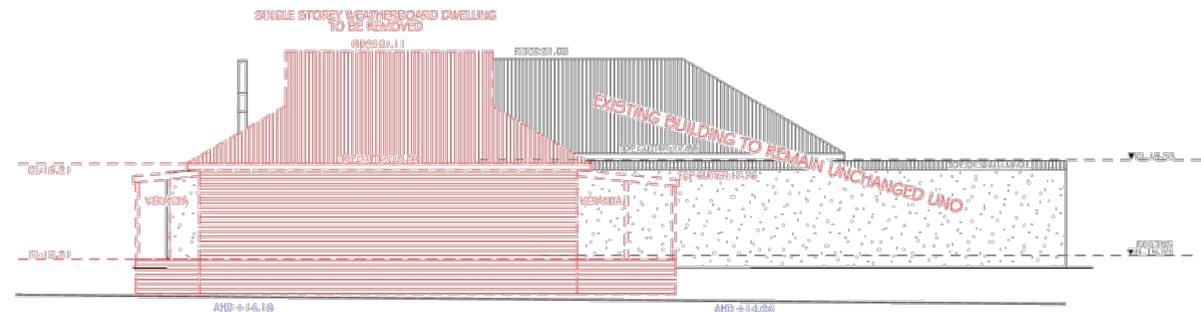
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NORTH FACADE
SCALE 1:100

1-3 STATION STREET, LANG LANG

5 STATION STREET,
LANG LANG



WEST ELEVATION
SCALE 1:100

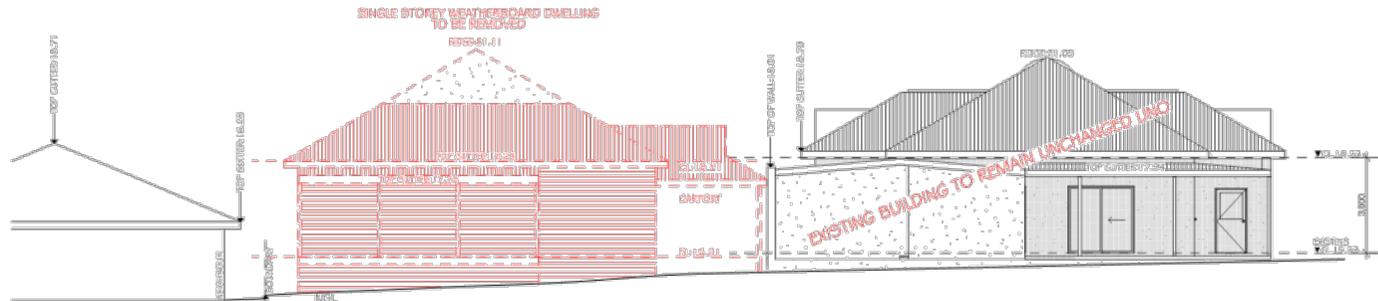
AREA ANALYSIS:	
EXISTING TOTALS-	
CHILDREN	202.2m ²
EXERCISE	255.2m ²
PAVING	295.7m ²
TOTAL INTERIORS:	754.2m²
SITE COVERAGE:	48.6%
EXISTING + PROPOSED TOTALS-	
CHILDREN	207m ²
PAVING	298.2m ²
TOTAL INTERIORS:	826.6m²
SITE COVERAGE:	51.4%
PROPOSED SITE No. 1-3:	1608m²
WIND SPEED ASSESSMENT:	
REGION	A
TERMIN	3.0
SHELLING	FD
TOPOGRAPHY	TI
WIND SPEED CLASSIFICATION:	W30
	R1
DEMOLITION NOTE:	
RED HATCHED AREAS INDICATE STRUCTURES TO BE REMOVED	
DEMOLITION NOTE:	
IMPORTANT NOTE - THE STABILITY OF THE STRUCTURE DURING CONSTRUCTION IS THE SOLE RESPONSIBILITY OF THE BUILDER. THIS INCLUDES THE INSTALLATION OF TEMPORARY BRACING ELEMENTS TO STABILISE STRUCTURAL ELEMENTS UNTIL COMPLETION OF THE PROJECT CONSTRUCTION	
ALL DIMENSIONS ARE TO BE CHECKED AND CONFIRMED ON SITE PRIOR TO ANY DEMOLITION OR CONSTRUCTION ACTIVITY TAKING PLACE.	

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			Sheet Size: A2
			Drawn By: Travis Davidge DP-AD 33718

Project Details
Westport Childcare Centre
 Proposed Addition
 1-3, Station Street, Lang Lang, 3954.

Drawing Title:		Existing Elevations	
Job No:	Drawing No.:	Rev	Plot Date:
1615	5	A	15/04/18

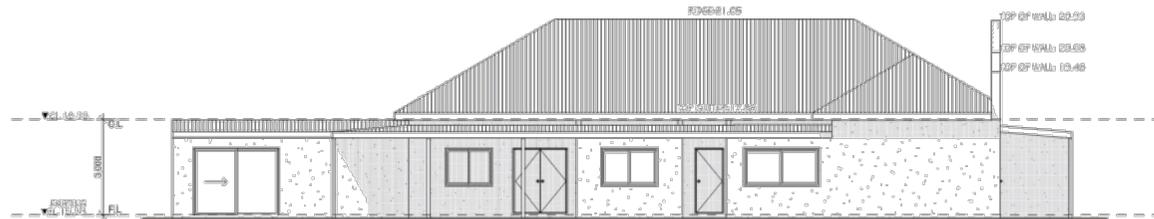
PLANNING ONLY



5 STATION STREET,
LANG LANG

SOUTH ELEVATION
SCALE 1:100

I-3 STATION STREET, LANG LANG

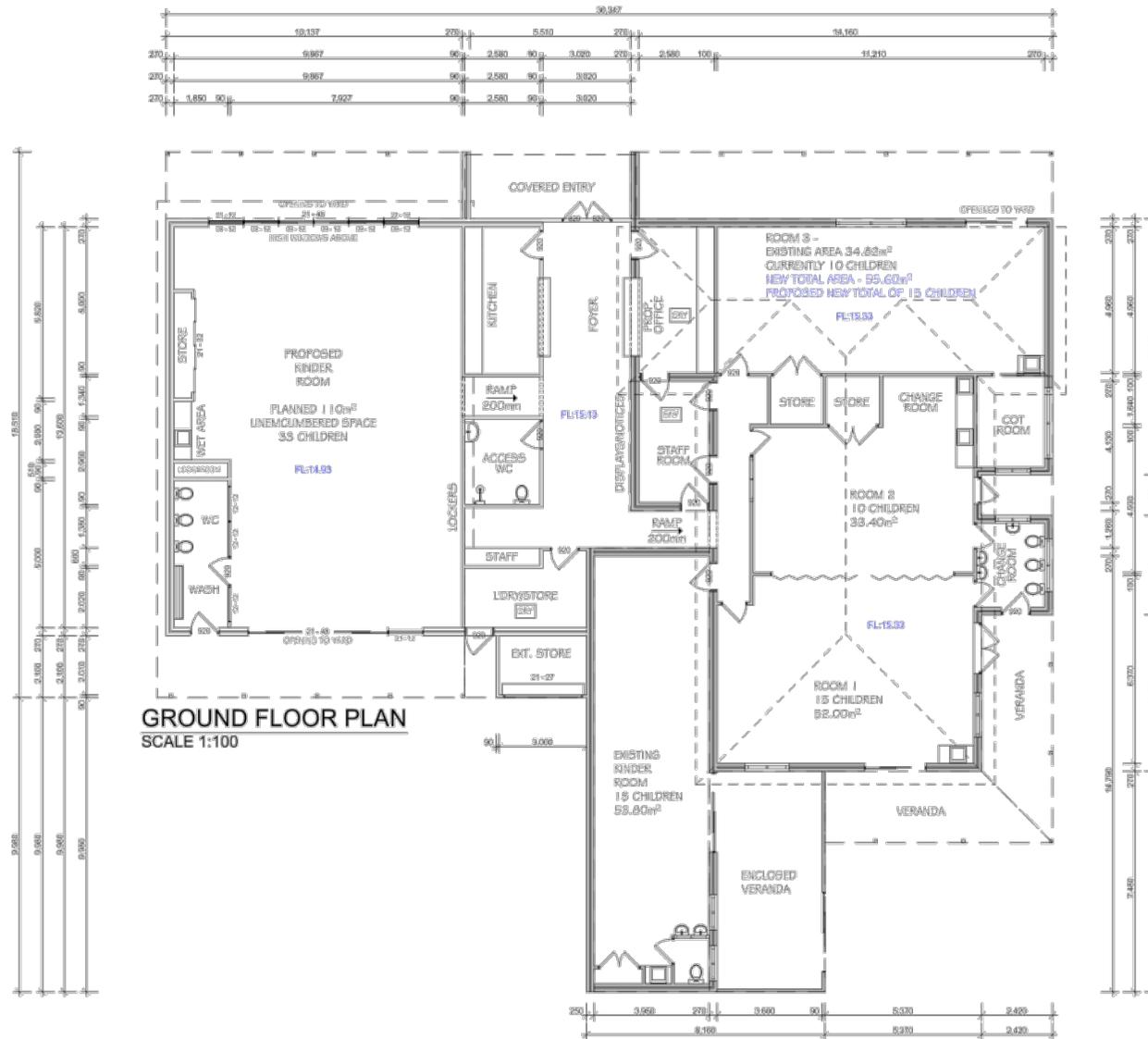


EAST ELEVATION
SCALE 1:100

AREA ANALYSIS:	
EXISTING TOTALS-	
CHILDREN	202.2m ²
EXHAUST	155.8m ²
PAVING	295.7m ²
TOTAL INTERIORS	754.2m ²
SITE COVERAGE	48.4%
EXISTING + PROPOSED TOTALS-	
CHILDREN	107m ²
PAVING	295.8m ²
TOTAL INTERIORS	656.6m ²
SITE COVERAGE	51.4%
PROPOSED SITE No. 1-3	1608m ²
WIND SPEED ASSESSMENT:	
REGION	A
BERM	3.0
WINDSPEED	FD
TOPOGRAPHY	T1
WIND SPEED CLASSIFICATION	W2B
RT	RT
DEMOLITION NOTE:	
CHECK RED LINES INDICATE STRUCTURES TO BE REMOVED	
DEMOLITION NOTE:	
IMPORTANT NOTE - THE STABILITY OF THE STRUCTURE DURING CONSTRUCTION IS THE SOLE RESPONSIBILITY OF THE BUILDER, THIS INCLUDES THE INSTALLATION OF TEMPORARY BRACING ELEMENTS TO STABILISE STRUCTURAL ELEMENTS UNTIL COMPLETION OF THE PROJECT CONSTRUCTION	
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A	UPDATED - RPI NOV - 2017	13/01/18					Planning Drawings	Existing Elevations		
			Scale:	Sheet Size	Drawn By:		Job No:	Drawing No.:	Rev	Plot Date:
			AS SHOWN	A2	Travis Davidge DP-AD 33718		1615	6	A	15/04/18

PLANNING ONLY



AREA ANALYSIS:	
EXISTING TOTALS-	
CHILDREN	300
EXHAUST	135.83m²
PAVING	295.71m²
TOTAL INTERIORS: 724.23m²	
SITE COVERAGE: 48.45%	
EXISTING # PROPOSED TOTALS-	
CHILDREN	107m²
PAVING	295.82m²
TOTAL INTERIORS: 626.67m²	
SITE COVERAGE: 51.4%	
PROPOSED SITE No. 1-3: 1608m²	
WIND SPEED ASSESSMENT:	
ESSIC	A
BERNARD	3-P
SHELDON	FS
BOGARD	TI
WIND SPEED	W30
CLASSIFICATION	R1
DEMOLITION NOTE: DASHED RED LINES INDICATE STRUCTURES TO BE REMOVED	
DEMOLITION NOTE: IMPORTANT NOTE - THE STABILITY OF THE STRUCTURE DURING CONSTRUCTION IS THE SOLE RESPONSIBILITY OF THE BUILDER. THIS INCLUDES THE INSTALLATION OF TEMPORARY BRACING ELEMENTS TO STABILISE STRUCTURAL ELEMENTS UNTIL COMPLETION OF THE PROJECT CONSTRUCTION	
ALL DIMENSIONS ARE TO BE CHECKED AND CONFIRMED ON SITE PRIOR TO ANY FABRICATION OR CONSTRUCTION ACTIVITY TAKING PLACE.	



Psychic North

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A	UPDATES - RPI NOV - 2017	13/01/18				Westport Childcare Centre Proposed Addition 1-3, Station Street, Lang Lang, 3984.		Planning Drawings Job No: 1615 Drawing No.: 7	
Scale:		Sheet Size		Drawn By:					
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