

Preliminary Planning Assessment



[Artist impression]

Prepared for:

Prepared: 22 June 2026

Proposal: Proposed Mixed-Use Childcare / Residential Dwelling/s

STRAIGHTLINE PLANNING

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Introduction

StraightLine Planning has been engaged to prepare a preliminary planning assessment in relation to a proposed mixed-use redevelopment at

Prepared for	
Date	22 June 2026
Reference	SL479
Address	
Lot	
Proposal	Mixed-Use: 35-place centre-based childcare facility (ground) + 2 loft dwellings (above)
Council	Central Coast Council

1. Site Description and Planning Framework

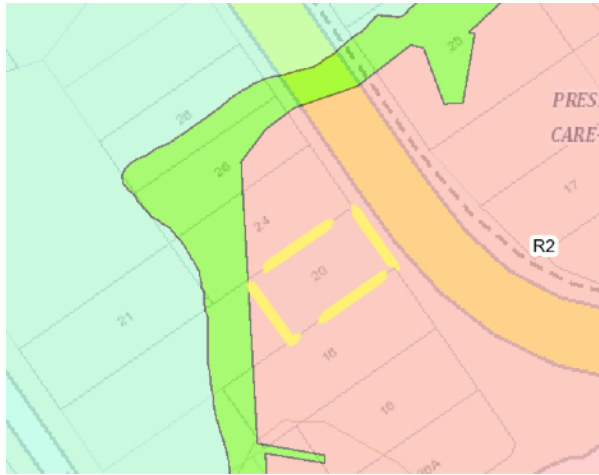
1.1 Site Description

Site Area	706sqm (approx)
Dimensions	North 34.84m South 34.75m East (Victoria St) 20.27m West 20.30m
Existing Building	285sqm footprint - previously used as food and drink premises
Lot Shape	Broadly rectangular
Previous Approvals	Nil identified on DA Tracker/ePlanning Portal

1.2 Surrounding Context

The site fronts , a classified road under Transport for NSW. The surrounding area comprises primarily single and two storey dwelling houses in the R1 General Residential zone. An E1 Local Centre zone is nearby, supporting the compatibility of non residential uses at ground level.

A 1.5m classified road buffer applies along the frontage and must be considered in access and parking design.



[Subject site - R2 zoned per NSW Planning Portal]



[Subject site - positioned adjacent to classified road]

1.3 Planning Framework

Instrument	Relevance
Central Coast LEP 2022 (CCLEP 2022)	Zone, FSR, height, lot size, ASS
Central Coast DCP 2022 (CCDCP 2022)	Childcare controls (Ch 2.10), parking (Ch 2.13), flood (Ch 3.7), geotech
Housing SEPP 2021	LMR provisions (N/A)
Transport SEPP 2021 Chapter 3	Childcare non-discretionary standards; classified road access
Resilience and Hazards SEPP 2021	Acid sulfate soils, flood
Biodiversity and Conservation SEPP 2021	Applicable - site not in area of outstanding biodiversity value
Sustainable Buildings SEPP 2022	Residential and non residential sustainability standards

1.4 CCLEP 2022 Development Standards

Standard	Control
Zone	R1 General Residential
Max Height of Buildings	8.5m
Max Floor Space Ratio	0.5:1
Min Lot Size (subdivision)	550sqm
Acid Sulfate Soils	Class 5
Heritage	None
Foreshore Building Line	None
Land Reservation Acquisition	None

2. Proposed Development

2.1 Concept Overview

The proposal involves alteration/addition of existing building to accommodate:

1. Ground level: 35-place centre-based childcare facility (change of use of existing commercial building)
2. Upper level: 2 loft style residential dwellings constructed above

2.2 Permissibility

Both land uses are permitted with consent in the R1 General Residential zone under the CCLEP 2022. The mixed use typology is consistent with zone objectives and is not characterised as 'shop top housing' as a childcare centre is its own defined land use category separate from retail and business premises.

2.3 Functional Compatibility

The vertical integration of a childcare facility and dwellings presents design challenges requiring resolution:

Issue	Design Response Recommended
Acoustic separation	Acoustic treatment of floor/ceiling between childcare (Class 9b) and dwellings. Acoustic report required.
Separate access	Distinct, clearly delineated entries for each use. Residential stair should be on driveway side (see Section 9).
Operating hours conflict	Childcare 7am–6pm weekdays. Noise from drop-off/pick-up periods requires attention.
Childcare secure zone	Single controlled entry with intercom/gate. Residential visitors must not interact with childcare zone.

3. Planning Constraints

3.1 Floor Space Ratio

Site Area	706sqm
Max FSR	0.5:1
Max GFA	353sqm
Childcare GFA (35 places est.)	280 - 320sqm (including non-play areas)
GFA available for dwellings	33 - 73sqm - insufficient for 2 functional dwellings

The FSR envelope is the most challenging constraint on this concept. You should address:

- A - Reduce childcare places to reduce GFA requirement
- B - Clause 4.6 variation request (must demonstrate consistency with FSR objectives and public interest)
- C - Utilise GFA exclusions (car parking areas, complying balconies, etc.)
- D - Redesign non-play spaces for efficiency gains

Note: The site is in Area 1 Special Control under CCLEP 2022 Clause 4.4. The bonus FSR provisions under CI 4.4A (up to 0.6:1 or 0.7:1) require basement parking and a minimum 1000sqm site area and neither condition is met.

The 0.5:1 baseline applies.

3.2 Outdoor Play Space

Requirement (35 places)	245sqm unencumbered outdoor play space (35 x 7sqm)
Site area	706sqm
Deductions (est.)	Building footprint (285sqm) + driveway + parking + setbacks + landscaping
Available outdoor area (est.)	421sqm after building - probably insufficient once all deductions applied

Options:

1. Reduce building footprint
2. Rooftop/elevated deck play area (council acceptance subject to BCA compliance and supervision)
3. Reduce approved places (also reduces FSR pressure and commercial yield)

3.3 Building Height

Maximum height is 8.5m. The combined floor-to-ceiling heights of the childcare (2.7–3m) plus two residential loft levels plus roof structure may approach or exceed this limit. A Clause 4.6 variation may be available up to 10% (0.85m) but leniency is limited in residential zones.

3.4 Flood Planning Area

The Section 10.7 Planning Certificate confirms part of the site is within the flood planning area (1 in 100 AEP controls apply). The site does not extend to the probable maximum flood zone.

Implications:

- Minimum floor levels for habitable rooms at or above design flood level plus freeboard
- Childcare is a sensitive use and council may require elevated FFL above design flood level
- Flood compatible construction materials below design flood level
- Evacuation access and drainage design required

Action required: Hydraulic engineer's flood report prior to DA lodgement.

3.5 Classified Road Access

is a classified road. Any new or modified vehicle access requires Transport for NSW concurrence under the Transport SEPP. A 1.5m classified road buffer may affect parking and driveway placement. A traffic and access assessment by a qualified engineer is required.

3.6 Parking Supply

CCDCP 2022 parking rates for a 35 place childcare centre:

- 1 space per employee
- 1 temporary stand space per 6 children (minimum 5 temporary stand spaces) = 6 spaces
- Residential parking is additional.

Accommodating all parking within 706sqm alongside a building, outdoor play area, setbacks and landscaping requires considered design. Pre-DA consultation with council is recommended on rates and any concessions.

4. Staged Construction and Occupation

Stage	Scope
Stage 1	Childcare facility fully completed and occupied. Loft shells (structural frame, roof, external walls, weatherproofed) constructed but unoccupied and non-habitable.
Stage 2A	Loft A fitted out and occupation certificate issued.
Stage 2B	Loft B fitted out and occupation certificate issued.

Recommended consent structure: Single DA with staging plan endorsed in conditions - avoids multiple separate DAs and provides clarity on the relationship between components. Conditions must confirm loft shells are not to be occupied until the relevant Stage 2 OC is issued.

BCA/fire safety note: The childcare facility is Class 9b; loft dwellings will be Class 1a or Class 2 (depending on strata). Fire-rated separation between childcare ceiling and loft floor must be fully constructed in Stage 1 to avoid retrospective works. Early engagement with a fire safety engineer and building certifier is strongly recommended.

Contributions: Development contributions under Central Coast Section 7.12 Local Infrastructure Contributions Plan 2023 and the Housing and Productivity Contribution Order 2023 apply. Confirm with council whether contributions are assessed on the full development at Stage 1 or apportioned across stages.

5. Housing SEPP, Strata and Residential Stair

5.1 Housing SEPP Low and Mid-Rise Provisions

The LMR provisions of the Housing SEPP 2021 do not apply to this site. The site is not within an LMR indicative zone (not within 400m of a specified town centre or 800m of a relevant railway station and not identified on LMR maps).

The proposal is assessed against CCLEP 2022 and CCDCP 2022.

5.2 Strata Subdivision

Strata subdivision is a viable and recommended pathway:

- It doesn't require development consent where the plan reflects the approved layout
- CCLEP 2022 minimum lot size of 550sqm does not apply to strata subdivision
- Would create separate lots: 1 community/commercial lot (childcare) + 2 residential lots
- Mixed-use strata scheme requires drafted bylaws and management statement covering noise, access, shared services and maintenance
- If strata is intended, confirm characterisation with council as building may be classified as a residential flat building
- Strata plan can be registered after Stage 1 (to allow early sale/lease of childcare lot) or after all stages complete

5.3 Residential Stair Location

The residential access stair should be relocated to the driveway entry (Street) side of the building. Reasons:

- Separates residential entry from childcare secure zone - reduces risk of unauthorised access to childcare area
- Provides residents with a direct path from parking to dwellings without passing through the childcare outdoor play area
- Consistent with CPTED principles underpinning the NSW Childcare Planning Guideline

This revision should be implemented before the pre-DA conference.

6. Childcare Planning Standards

6.1 Non-Discretionary Standards (Transport SEPP Chapter 3)

Standard	Requirement	Compliance Check (35 places)
Indoor unencumbered play space	3.25sqm per child	113.75sqm minimum required
Outdoor unencumbered play space	7sqm per child	245sqm minimum required
External storage (rec. only)	0.3m³ per child	10.5m³
Internal storage (rec. only)	0.2m³ per child	7m³

If non-discretionary standards are not met, the Transport SEPP requires council to refer the DA to the NSW Department of Education before determination. Recommendation is to engage an experienced childcare architect and operations specialist at concept stage.

6.2 DCP 2022 Childcare Controls (Chapter 2.10)

Control	Notes
Min lot width at building line	18m required. Site frontage 20.27m - satisfies requirement.
Side and rear setbacks	3m from all side, rear boundaries. Will affect building footprint and outdoor play area.
Parking	1 space per employee + 1 temp. stand space per 6 children (min. 5 temp. spaces).

Where CCDCP 2022 and the NSW Childcare Planning Guideline conflict on operational design, the Guideline prevails. DCP building height, setbacks and parking controls continue to apply.

6.3 Seven Design Quality Principles (NSW Childcare Planning Guideline)

Principle	Key Considerations for This Site
1. Context	<i>Adaptive reuse of existing commercial building appropriate to streetscape. DA must demonstrate compatibility with surrounding residential scale and materiality.</i>
2. Built Form	<i>Loft additions will increase bulk relative to surrounding single storey development. Articulation, facade modulation and lightweight upper materials needed.</i>
3. Adaptive Learning Spaces	<i>Existing open-plan hall may suit childcare layout. Natural light, adequate ceiling heights and flexible room configurations required.</i>
4. Sustainability	<i>Passive solar access, cross-ventilation and natural daylighting to be maximised. Sustainable Buildings SEPP 2022 applies.</i>
5. Landscape	<i>Outdoor play area to incorporate varied surfaces, shade structures, planting (non-toxic species). Landscaping buffers to boundaries for acoustic and visual screening.</i>
6. Amenity	<i>Acoustic management is the primary issue - outdoor play noise, indoor activity and drop-off/pick-up vehicle movements. Acoustic fencing/landscaping to adjoining properties required.</i>
7. Safety	<i>Single secure supervised entry. Clear separation between outdoor play area and vehicle access. Pedestrian drop-off zone to separate child and vehicle movements. CPTED principles apply.</i>

7. Other Planning Considerations

Matter	Finding	Action Required
Geotechnical	Section 10.7 identifies potential slip risk (CCDCP 2022 Ch 3.7 applies). Class 5 Acid Sulfate Soils present.	Geotechnical report required
Biodiversity	Site not in area of outstanding biodiversity value. Existing development reduces risk.	SEPP applies, standard assessment.
Bushfire	Site is not bushfire prone land.	No specific measures required.
Contamination	Not significantly contaminated. No management order.	No investigation required.
Heritage	No heritage item on land. Not in conservation area.	No HIS required.
Waste Management	Two streams: childcare (commercial/institutional) and residential (domestic). Kerbside collection acceptable with adequate bin storage.	Waste Management Plan required. Pre-DA confirmation of Victoria St collection arrangements.
Contributions	Section 7.12 LIC Plan 2023 and Housing and Productivity Contribution Order 2023 apply.	Confirm rates and staging payment structure with council.

8. Constraints, Risks and Recommendations

Issue	Risk Level	Recommended Action
FSR - insufficient GFA for childcare + 2 dwellings within 353sqm	High	Resolve before detailed design proceeds. CI 4.6 variation, GFA exclusions, or concept redesign.
Outdoor play space - 245sqm required, site constraints make this challenging	High	Reduce places, reduce footprint or explore rooftop/elevated deck play area.
Flood planning area - site partly within flood planning area	High	Hydraulic engineer's flood report before DA. Confirm childcare FFL with council.
Classified road access - Victoria Street, TfNSW concurrence required	Medium	Traffic and access assessment. Review 1.5m classified road buffer impact on parking layout.
Building height - 8.5m limit may be tight for mixed-use loft configuration	Medium	Test height compliance at design stage. CI 4.6 available only in compelling circumstances.
Acoustic separation - childcare Class 9b below residential dwellings	Medium	Acoustic report required. Fire-rated and acoustic floor/ceiling separation to be designed in Stage 1.
Parking supply - competing demands in constrained site	Medium	Traffic and parking assessment required. Consult council at pre-DA on rates and concessions.
Staged construction - BCA/fire safety for shell approach	Medium	Engage fire safety engineer and certifier early. Confirm Class 9b / Class 1a/2 separation in Stage 1.
Residential stair location - currently on wrong side of building	Low	Relocate to driveway side before pre-DA conference.
Geotechnical risk - potential slip, Class 5 ASS	Low	Geotechnical report required with DA.
Strata subdivision - viable pathway	Low	Confirm characterisation (attached dwellings/MDH/RFB) with council at pre-DA. Engage strata lawyer.
Housing SEPP LMR provisions - not applicable	N/A	Assess against CCLEP 2022 and CCDCP 2022 in full.

9. Pre-DA Conference - Recommended Agenda

A formal pre-DA conference with Central Coast Council is recommended before lodging a DA.

The following should be addressed:

- FSR applicable to the site, nature of Area 1 Special Control, and available GFA exclusions
- Building height interpretation for the mixed-use loft configuration and staged construction approach
- Extent of flood planning area and specific flood controls - including minimum FFL for the childcare facility
- Council's position on the mixed-use childcare and residential configuration in the R1 zone
- Car parking rates for childcare and residential uses, and any available concessions or alternative arrangements
- Waste management arrangements - acceptability of kerbside collection for childcare waste stream
- Consent structure for staged development - single DA with staging plan or separate DAs per stage
- Transport SEPP Chapter 3 referral requirements and council's expectations for non-discretionary play space standards

Disclaimer:

This Preliminary Planning Report has been prepared by StraightLine Planning to assist in assessing the viability and potential for approval of proposed projects. The information provided is based on our professional interpretation of current legislation, planning controls, and publicly available data. The report is intended as an informative starting point to guide decision-making related to development proposals. It reflects the planning landscape at the time of preparation and is designed to highlight key opportunities and constraints relevant to the project. This report does not constitute a guarantee of approval from any local council, consent authority, or government agency. It is an interpretation of planning legislation and controls and should not be relied upon as the sole basis for significant financial, legal or business decisions. StraightLine Planning accepts no liability for decisions made solely based on the information provided in this report, including but not limited to property purchases, lease agreements, or development applications. Clients are strongly encouraged to seek independent professional advice from qualified specialists such as accountants, solicitors, business consultants, surveyors and engineers before proceeding with any project. While every effort has been made to ensure the accuracy and reliability of the information contained herein, StraightLine Planning cannot be held responsible for any errors, omissions or outcomes arising from the use of this report. The Preliminary Planning Assessment should be considered as one component of the broader decision-making process and clients assume responsibility for the use of its content.