

Child Care Centres

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I.0 Introduction

I.1 Development to which this Part applies

This Part applies to all land within the Auburn local government area where Council is the consent authority.

I.2 Purpose of this Part

The purpose of this Part is to ensure childcare centres:

- Comply with the maximum number of children and staff sizes set down in the relevant NSW Licensing Regulations;
- Are capable of providing for an appropriate number of children;
- Contain an appropriate number of staff to care for children;
- Are located in areas where there is a need for child care;
- Allocate a percentage of child care places for children aged between 0-2 years of age; and
- Provide long day care and pre-school facilities to meet the needs of the community.

Note: Long day care - A centre based service which is generally open for a minimum of eight hours per day, and provides permanent care (i.e. regular placements) for children from 6 weeks to 6 years of age.

Pre-school - A centre based service which provides short day care on a daily or sessional basis (morning and afternoon sessions) generally for children aged three to six years.

I.3 Structure of this Part

This Part is structured as follows:

- Section 2.0 addresses design;
- Section 3.0 addresses indoor areas and facilities;
- Section 4.0 addresses outdoor areas and facilities; and
- Section 5.0 addresses access and parking.

I.4 Location of child care centres

Performance criteria

- P1** Child care centres are located in appropriate areas away from environmentally hazardous areas.
- P2** Child care centres are encouraged to be located to ensure users have easy access to public transport and educational facilities.
- P3** The location of a proposed centre should have minimal effect on the amenity of the adjoining properties.

Development controls

- D1** Child care centres shall be located away from any environmental health hazard or risk.

Note: Any house built prior to 1970 may require testing for lead levels. A qualified Environmental Contamination Auditor may be required to carry a preliminary lead investigation and further action may be required.

- D2** Child care centres shall not be located within close proximity to a mobile phone tower(s), antennae, transmission line easements or other similar electromagnetic radiation sources.
- D3** Where possible, child care centres shall be located near schools and public transport.

2.0 Design

Objectives

- a. To ensure high quality design and construction of child care centres.
- b. To encourage child care centres to integrate into the existing environment and ensure that design is unobtrusive in terms of size, bulk, height or colour.
- c. To ensure child care centres are designed in a manner which would allow their successful operation, easy access for the parents and children.
- d. To minimise the amount of noise emitted from child care centres.
- e. To ensure child care centres have a positive visual impact on the locality or neighbourhood where they are situated.
- f. To minimise potable water mains demand of non residential development by implementing water efficiency measures.

2.1 Site layout and design

Performance criteria

- P1** Site layout and building design achieves reasonable solar access.
- P2** The users of child care centres are safe and secure.

Development controls

- D1** New buildings shall be orientated to maximise solar access.
- D2** New buildings shall be orientated so that the maximum length of the building is facing out onto the playground to ensure staff and children can move easily between the building and the playground.
- D3** Developments shall be designed to ensure maximum space is available for outdoor play areas.

Note: Outdoor play area - An outdoor area designed for play. It excludes carparking areas, storage sheds, fixed items which prevent children from using the area or that obstruct views or staff supervising children in the space.

- D4** New developments shall be designed so that all people entering or leaving the premises can be seen from the building.

2.2 Visual impact

Performance criteria

- PI** The design of child care centres minimises visual impact on adjoining properties.

Development controls

- DI** Visual screening in the form of vegetation or fencing over 3m high shall be provided to outdoor play areas where:
- The child care centre or the outside playing areas are within 15m of an adjoining building line.
 - The child care centre shares a boundary with residentially zoned land.
 - The view from within the child care centre may be offensive, daunting or inappropriate.

2.3 Noise

Performance criteria

- PI** Excessive noise and vibration to and from developments is minimised.

Development controls

- DI** Acoustic attenuation may be required if the child care centre is likely:
- to be affected by heavy traffic noise,
 - is situated on a collector/main road, or
 - is located in an industrial zone or receives aircraft noise or in circumstances where childcare centres have the potential to affect the amenity of adjoining properties.

Note: In some circumstances, a report from an acoustic consultant may be required by Council to ensure noise impacts on the child care centre and resulting from the child care centre are minimised.

2.4 Private dwelling used in conjunction with a child care service

Development controls

- D1** If a private dwelling is proposed in conjunction with a child care centre, the dwelling shall be designed in accordance with the relevant Parts of this DCP.
- D2** A separate private open space area shall be provided for residents in accordance with the relevant Parts of this DCP.
- D3** Open space for the residents of the dwelling shall be screened to ensure privacy.
- D4** Separate access and parking shall be provided for residents of the dwelling in accordance with the relevant Parts of this DCP.

2.5 Water conservation

Performance criteria

- PI** Water efficiency is increased by appropriate building design, site layout, internal design and water conserving appliances.

Development controls

- D1** New developments shall connect to recycled water if serviced by dual reticulation system for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable purposes.
- D2** Where a property is not serviced by a dual reticulation system, development shall include an onsite rainwater harvesting system or an onsite reusable water resource for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable purposes.
- D3** Development shall install all water using fixtures that meet the WELS (Water Efficiency Labelling Scheme) rated industry standards in accordance with Sydney Water's industry requirements.

3.0 Indoor areas and facilities

Objectives

- a. To ensure that the needs of children, parents and staff are adequately met.
- b. To ensure child care centres are appropriately designed and have facilities which maximise early childhood development.
- c. To ensure indoor areas are safe.

Note: The key source of development controls is *Children's Services Regulation 2004*.

3.1 Entry areas and foyer

Performance criteria

- PI** Adequate space to accommodate the children, parents and staff is provided.

Development controls

- D1** Entries to the child care centres shall be located to be accessible from walkways and parking area(s).
- D2** A covered area shall be provided at the entry of the building to protect users from weather conditions.
- D3** Doorways of an adequate width for access for twin strollers and people with a disability shall be provided and designed in accordance with the relevant Australian Standard.
- D4** The entry area shall be enclosed with a childproof fence and gate.

- D5** The floor surfaces of the entry and foyer shall be non-slip hard wearing, easy to maintain and shall flow continuously between the indoor and outdoor spaces.
- D6** The foyer shall be designed so it is located next to the covered external entry area.
- D7** The foyer shall have a sign in/sign out area.

3.2 Pram and stroller areas

Development controls

- D1** A designated sheltered and secure storage area for prams and strollers shall be provided.

3.3 Playroom

Development controls

- D1** Developments shall have at least 3.25m² of unencumbered indoor play space per child in accordance with the *Children's Services Regulation 2004*.

Note: Refer to Clause 30(3) of the *Children's Services Regulation 2004*.

- D2** Playroom areas shall be designed to provide the following:
- Direct access to active play areas;
 - Direct access to children's toilets;
 - An area where children can sleep. This area shall be such that there is easy access to each child and that ease of exit is maintained;
 - An area which can be organised into distinct spaces for a variety of activities; and
 - Each room shall have at least two (2) windows with sills no higher than 500mm above the floor. Glazing materials shall comply with relevant Australian Standards.

3.4 Storage facilities

Development controls

- D1** Storage facilities and areas shall be inaccessible to children if dangerous materials, substances and or equipment are stored within.
- D2** A room which facilitates open lockers shall have hanging space for each child's bag, belongings and other personal articles.

3.5 Rest and sleep facilities

Development controls

- D1** Sleep or rest areas and facilities shall be:
- Located in a low noise section of the building e.g. away from verandahs;
 - In an area that has natural light; and

- Designed to ensure that all children in the area are readily accessible to staff of the service.

3.6 Children's bath/washroom

Development controls

- D1** Children's bath or washroom and toilets shall have adequate toilet, washing and bathing facilities that are safe and appropriate to the ages of the children and must comply with the Building Code of Australia (BCA).
- D2** The bathroom shall have adequate natural or mechanical ventilation and lighting. Any proposed mechanical ventilation system shall comply with the relevant Australian Standards. Plans and specifications detailing design and calculations shall be submitted to Council for approval prior to installation.
- D3** The bath/wash room and toilet areas shall incorporate windows or half glass partitions and or view windows from the playroom at a height of 1.5m.

Note: Glazing materials used shall comply with the relevant Australian Standards.

3.7 Requirements for children under two (2) years of age

Objectives

- a. To ensure childcare development addresses the shortage of childcare places in the local area.
- b. To ensure that the number of spaces for 0-2 year olds reflects the demographics of the local government area.

Performance criteria

- PI** The proposed childcare centre shall cater for all age groups, 0-5 years in accordance with the appropriate ratios under the *Children's Services Regulations 2004* child number requirements.

Development controls

- D1** A minimum area of 3.25m² of unencumbered indoor play space per child shall be provided in accordance with the *Children's Services Regulation 2004*.

Note: Refer to *Children's Services Regulation 2004* for explanation of unencumbered indoor play space.

- D2** The playroom shall be located so it has immediate access to the nappy change area and baby sleep room.
- D3** The playroom shall be well ventilated. Any proposed mechanical ventilation system shall comply with the relevant Australian Standards. Plans and specifications detailing design and calculations shall be submitted to Council for approval prior to installation.

3.8 Nappy change facilities

Development controls

DI Nappy change facilities shall:

- Be designed, located and maintained so as to prevent unsupervised access by children;
- Be separated from food and craft preparation facilities;
- Have facilities for storage of clean nappies;
- Have hand washing facilities for adults in the immediate vicinity; and
- Be well ventilated or have other means of temperature control systems to prevent accumulated smells. Any proposed mechanical ventilation system shall comply with the relevant Australian Standards. Plans and specifications detailing design and calculations shall be submitted to Council for approval prior to installation.

Note: Refer also to the waste control for commercial and industrial development in the Waste Part of this DCP. Applicants are to take special note of provisions for food, restaurants, refrigerated garbage, childcare and medical Waste.

3.9 Bottle preparation area

Development controls

DI Bottle preparation areas shall be separate from the nappy change area.

3.10 Sleep areas

Development controls

DI Sleep areas shall:

- Be located in a quiet area;
- Have direct emergency fire access from the cot room. The exit door to the cot room shall be wide enough to push a cot through for emergency evacuation;
- Not be sound proof so as to enable staff to hear babies who are awake;
- Incorporate windows allowing children to view outside; and
- Be well ventilated. Any proposed mechanical ventilation system shall comply with the relevant Australian Standards. Plans and specifications detailing design and calculations shall be submitted to Council for approval prior to installation.

D2 Be designed to ensure that all children in the area are readily accessible to staff of the service.

3.11 Babies' and toddlers' transition area

Development controls

DI A transition area shall:

- Have a minimum of 2m² per child;
- Have a fixed low divided fence with a gate with child proof catches; and

- Adjoin a play room with direct flow through to the playroom.

Note: Transition area - An indoor or outdoor area which performs an important role in helping extend children's play into the outside areas e.g. covered verandah or terrace.

3.12 Staff and service facilities

Development controls

- D1** A room or an area shall be provided that is used only for administration of the services and for private consultation between staff and parents.
- D2** A room or an area shall be provided that is used for the respite of staff and is located away from the areas used by children.
- D3** Adult toilet and washing facilities shall be provided separate from children's toilets. Provision shall be made for persons with a disability and this shall comply in accordance with the relevant Australian Standards.
- D4** Food hygiene/handling practices and fit out of the kitchen shall comply with the requirements of the relevant Acts and Regulations.
- D5** A designated area shall be provided that is safe for both food preparation and storage.
- D6** The designated area shall be of adequate dimensions so as to accommodate a stove or microwave, sink, refrigerator, food preparation area and suitable disposal facilities.
- D7** Facilities for the preparation and storage of food shall be designed and located so as to prevent children from gaining access to any harmful substance, equipment or amenity.
- D8** The laundry shall have a minimum area of 10m² and shall comply with the BCA.

3.13 Emergency procedures and fire safety

Development controls

- D1** Developments shall comply with the BCA.
- D2** Emergency and evacuation procedures and the provision of the fire safety equipment shall be in accordance with the BCA and *Children's Services Regulations 2004*.

4.0 Outdoor areas and facilities

Objectives

- a. To provide children the opportunity to explore the outdoor environment.
- b. To provide a safe and organised outdoor play environment.
- c. To ensure effective use of the playground/outdoor play area.
- d. To provide a landscape which visually reduces the bulk and scale of the new development, and is compatible with the existing and likely future character of an area.

Performance criteria

- PI** Children have the opportunity to explore the outdoor environment.

Development controls

- DI** Developments shall have at least 7m² of useable outdoor play space per child in accordance with the *Children's Services Regulation 2004*.

Note: Refer to *Children's Services Regulation 2004* for an explanation of usable outdoor area.

4.1 Landscaping

Performance criteria

- PI** Landscaping is compatible with the site and locality.
- P2** Landscaping provides privacy and a pleasant outlook for outdoor play areas.

Development controls

- DI** A landscaped front setback shall be provided which is consistent with the setback controls for the development potential of the zone in which the childcare centre is located, e.g. low density residential, townhouses, residential flat buildings and so on.
- D2** Outdoor areas shall be designed to take advantage of existing vegetation and natural features.
- D3** Tree and shrub planting shall be provided along the boundaries of the site adjoining residential properties. The screen planting shall reach a minimum mature height of 3m.
- D4** Street tree planting shall be required along street frontages within the footpath area.

4.2 Outdoor shading

Performance criteria

- PI** Users, especially children, are protected from harsh weather conditions.

Development controls

- DI** The outdoor play space must be adequately shaded in accordance with the *Children's Services Regulations 2004*.
- D2** Permanent shade cloth shall be provided for sandpits and climbing equipment.

4.3 Outdoor safety

Performance criteria

- PI** A safe and organised outdoor play environment is provided.

Development controls

- D1** All garden sheds containing play equipment must be padlocked or lockable with a child proof locking device but accessible to children when unlocked.
- D2** Child care centres within the vicinity of a swimming pool are discouraged.
- D3** Where a pool is existing or proposed with a private dwelling, it shall be securely fenced in accordance with the requirements of the relevant Act.
- D4** The playground environment and equipment shall be designed to comply with all relevant Australian Standards and *Children's Services Regulations 2004*.

4.4 Fencing and gates

Development controls

- D1** Outdoor areas shall be fenced on all sides with minimum height of 1800mm high.
- D2** All gates leading to or from play areas shall be 1800mm high and be equipped with a child proof self-locking mechanism.
- D3** Child care centres adjacent to or providing access to, any hazards (including water hazards or main roads) shall be isolated from such hazards by a fence at least 1800mm high or by an approved pool fence.

5.0 Access and parking

Objectives

- a. To ensure child care centres are easily accessible to pedestrians and motor vehicles.
- b. To ensure parking and manoeuvring which ensures safe set down and pick up of children.
- c. To ensure that off-street parking and pick up and set down areas are located so as not to interfere with traffic flow and safety or endanger pedestrian traffic on or off the site.
- d. To minimise conflicts between pedestrian and vehicular traffic.

5.1 Pick up/set down

Development controls

- D1** The pick up and set down of children shall occur within the site.

5.2 Parking

Performance criteria

- PI** Car park areas shall be sited to ensure so as not to compromise the effective use of the building and playground.

P2 Onsite parking is provided for staff.

Development controls

D1 Basement car parking shall be provided where site conditions permit.

D2 Pathways that link directly to the main entry of the building from the periphery of the car park shall be provided to ensure safe access for children and parents.

D3 Council may reduce the number of spaces required for staff where the following conditions are met:

- The childcare centre allocates a minimum of 25% of its places to 0-2 year olds.
- The proposed variation shall be supported by a traffic and parking analysis prepared by a suitably qualified Traffic Consultant.

Note: For car parking controls relating to child care centre development, applicants must refer to the Parking and Loading Part of this DCP.

5.3 Loading areas

Development controls

D1 A service vehicle area shall have direct access to the building to ensure safe delivery of items, e.g. food and nappy service.

Consideration shall be given to permit the car park to be used for this purpose.

A courier vehicle space with minimum dimensions of 2.6m x 5.4m shall be acceptable in this instance.

Note: For car parking controls relating to child care centre development, applicants must refer to the Parking and Loading Part of this DCP.

5.4 Disabled parking

Performance criteria

P1 To ensure accessible parking is provided to meet the needs of people with a disability.

Development controls

D1 Parking for people with a disability shall be provided at the rate of one (1) space per 10 spaces. If the car parking required is less than 10 then at least one (1) space shall be provided.

D2 A set down/pick up area for people with a disability shall be located as close as possible to an accessible entrance of the child care centre or to a wheelchair access lift.

Note: For car parking controls relating to child care centre development, applicants must refer to the Parking and Loading Part of this DCP.