Part

Child Care Centre Controls

Holroyd Development Control Plan 2013



Part

Child Care Centres

Contents

387
389
391
393
395
397
399
40 I
402
403
404
405

Introduction

Land covered by this Part

This Part applies to development for the purposes of Child Care Centres.

Relationship of Part I to Holroyd Development Control Plan 2013

Part I of Holroyd DCP 2013 shall be read in conjunction with the following Parts of Holroyd DCP 2013, which contain objectives and development controls that relate to development in this Part:

Part

Part A- General Controls

Part B- Residential Controls

Part C- Business, Shop Top Housing and Mixed Use Development Controls

Part F- Advertising and Signage Controls

Part H- Heritage and Conservation Controls

Part R- Tamplin Road Reserve

Definitions

Aims of Part I – Guidelines for the Establishment of Child Care Centres

- a) To provide development guidelines for the provision of child care centres and services in the Holroyd Local Government Area (LGA) to meet the needs of the community.
- b) To ensure that sites containing child care centres and services are appropriate for that purpose and provide a functional and pleasant environment for their users.
- c) To ensure that sites containing child care centres and services are compatible with the environment in which they are situated, particularly in terms of physical appearance and landscaping.
- d) To ensure that potential impacts from child care centres on surrounding residential areas, such as those created by noise, traffic generation and on street parking, are minimised.
- e) To ensure that child care centres are not located or designed so as to pose a health or safety risk to the children using the centre.
- f) To ensure child care centres are operating in accordance with current licensing





General Objectives

OI. To encourage the provision of high quality child care which meets the needs of the community, including users of the facility and owners and users of surrounding land uses.

Part

- O2. To ensure best practice in the planning of child care centres.
- O3. To ensure that child care centres are compatible with neighbouring land uses.
- **O4.** To ensure the amenity of adjoining neighbours is retained and is not detrimentally affected by noise emissions from the site.
- **O5.** To ensure child care centres are located with adequate, convenient and safe parking for visitors that do not impose on any residential neighbourhoods or commercial areas.
- **O6.** To ensure that child care centres integrate into existing residential environments that are unobtrusive in terms of size, bulk, height and the amount of landscaped area provided.
- 07. To provide child care centres that are located or designed so as not to pose a health risk to children using the centre.
- 08. To retain and protect significant existing vegetation in Holroyd.
- **O9.** To ensure the health, safety and wellbeing of children and staff in child care centres.

Note: In addition to the following development controls, applicants should ensure that the proposed development complies with the relevent legislation for the operation of child care centres.

I. Size, Density and Location

Objectives

- **OI.** To ensure the height and scale of a child care centre relates to site conditions and complements the prevailing character of the streetscape.
- **O2.** To ensure the development of the child care centre will not have any adverse impacts on the amenity of surrounding properties.
- **O3.** To ensure that the appearance of the development is of a high visual quality, enhances the streetscape and is sympathetic to surrounding development.

Part

- **O4.** To ensure the location of the child care centre and adjoining land uses does not negatively impact on surrounding properties by way of creating traffic, parking and noise concerns.
- 05. To ensure child care centres are located where it is safe for children.
- **06.** To ensure child care centres have minimal impact of traffic and amenity of nearby residents.
- 07. To ensure the safety of children, staff and visitors is maintained at all times.
- **O8.** To ensure the location of the child care centre will not result in the creation of traffic flow issues.

Development Controls

- C1. A child care centre proposed in an R2 Low Density Residential zone is limited in size to accommodate not more than forty-five (45) children. Capacities of child care centres located in other zones will be assessed on the merits of each application.
- C2. The design requirements for Child Care Centres located within R2 Low Density Residential and R3 – Medium Density Residential, shall comply with the building envelope standards outlined in Part B of this DCP relating to one and two storey residential development.

Note: If a proposed child care centre has a common boundary with an existing child care centre, the applicant must demonstrate that the new centre is not an addition to the existing centre by way of illustrating that the child care centre can not be combined at a later stage. Having licenses in different names is not sufficient proof.

C3. If the proposed child care centre is to be located in a building consisting of more than one level, the child care centre component must be located on the ground floor of the buildings with office and storage space permitted on the upper level.

Note: Council encourages the use of single storey buildings for child care centres.

- C4. The minimum site frontage for a child care centre is 20 metres.
- **C5.** Child care centres must be located at least 300m from hazardous industries, LP gas sites, mobile telephone base stations and towers, and are safe from any other environmental health hazards, such as high lead levels, or proximity to cooling tower drift in high rise building areas.
- C6. The siting of child care centres must adhere to locational guidelines under current



NSW Office of Environment and Heritage (OEH) instruments, such as SEPP 33 Hazardous and Offensive Developments, with particular regard to exclusion distances from hazardous industries.

- **C7.** Child care centres should not be located having frontage to any road which, in the opinion of Council, is unsuitable for the establishment of a child care centre with regard to:
 - a) Prevailing traffic conditions;
 - b) Pedestrian and traffic safety; and
 - c) The likely impact of development on the flow of traffic on the surrounding street system.
- **C8.** Child care centres shall not be located having frontage to an arterial or sub-arterial road (see Appendix 1).
- C9. Child care centres are generally considered to be unsuitable on roads identified in Appendix2. Special consideration shall first be given to the prevailing traffic conditions for a child care centre proposed on these roads.

Note: The exclusion of any road from Appendixes 1 & 2 should not be construed as an indication, by itself, of compliance with this provision. Each application will be individually assessed on its merits with reference to the above controls.

- **C10.** Sites with existing swimming pools are not considered suitable for child care centres. However, an application may be considered if the applicant intends to remove the existing swimming pool and restore the area to its original ground level.
- CII. Child care centres shall not be located on an allotment within an entire residential cul-de-sac.
- C12. Child care centres shall be detached from any residential dwellings and have separate entry and exit points.

Note:

- The maximum FSR is detailed within the Holroyd Local Environmental Plan 2013 as a written statement and associated maps.
- The maximum height (in metres) is detailed within the Holroyd Local Environmental Plan 2013 as a written statement and associated maps.

Note: Council encourages child care centres to be located within close proximity (200m-400m) to existing educational institutes and town and neighbourhood centres.

2. Vehicular Access and Parking

Objectives

OI. To ensure the traffic circulation system serving the child care centre is designed to allow the safe drop-off and collection of children and the safe movement and parking of staff, parents, visitors and service vehicles.

Part

- **O2.** To ensure that the design of the proposed development takes into account the safety of pedestrians, existing pedestrian and cyclist routes, nearby traffic generators, subdivision layout and street design.
- **O3.** To ensure adequate space for safe entry and exit points to enable forward facing entry and exit from the site and adequate room for on-site parking.
- **O4.** To provide parking in a convenient location allowing a safe environment for setting down and picking up of children.
- O5. To ensure sufficient off street parking is provided for users of the child care centre.
- **06.** To ensure design of the car park and use of materials for parking areas does not negatively impact on the streetscape.

Development Controls

Access

- C1. Separate entries and exits to the site shall be provided. The design of such driveways shall ensure that inbound and outbound vehicles are separated and that vehicles enter and leave the site in a forward direction.
- **C2.** No pedestrian or vehicular access is to be provided from an arterial road, sub-arterial road or where the development would be contrary to the environmental capacity of the street or contrary to the traffic movement on the surrounding street system.
- C3. All applications are to be supported by a Traffic and Parking Report prepared by a suitably qualified person addressing the above issues to Council's satisfaction.

Parking

Note: All parking for child care centres shall conform to controls set out in Part A of this DCP.

- **C4.** Long stay staff parking must be distinguished from the short stay visitor parking by suitable signage and/or marking. Both must be provided in a convenient location to allow for safe dropping off and picking up of children.
- **C5.** Consideration may be given to reducing on-site requirements for short stay parent and visitor parking only if convenient and safe on-street parking is otherwise available. This is providing that the use of such parking does not excessively impact upon the amenity of the adjacent area.
- C6. All staff parking shall be provided on-site in any event.
- **C7.** To eliminate the possibility of frontages and access ways containing expanses of plain cement, decorative pavement treatment shall be provided to all driveways and parking areas. That is, the use of decorative paving materials such as exposed aggregate or pattern stamped and



coloured concrete and paving bricks. Plain cement or coloured cement will not be accepted for driveways and parking areas for aesthetic and amenity purposes.

3

3. Acoustic and Visual Privacy

Objectives

OI. To minimise the impact of noise generated by child care centres on surrounding properties.

Part

- **O2.** To ensure the privacy of surrounding properties is maintained and protected from any potential overlooking.
- **O3.** To protect the visual and acoustic privacy needs of children using the child care centres, staff and other users.

Development Controls

- C1. An acoustic assessment must be completed by a suitably qualified person and is to address, but not limited to the following:
 - Identification of sensitive noise receivers to be potentially impacted.
 - Analysis of the existing acoustic environment at the receiver locations. Measurement techniques and assessment period should be fully justified and in accordance with relevant Australian Standards and NSW DECC Industrial Noise Policy.
 - Identification of all noise that is likely to emanate from the child care centre and the subsequent prediction of resulted noise at the identified sensitive receiver locations from the operations of the premises. Where appropriate, the prediction procedures should be justified and include an evaluation of prevailing atmospheric conditions that may promote noise propagation.
 - Details of any acoustic control measures that will be incorporated into the proposal;
 - The prevention of a sense of enclosure; and
 - The background noise testing component of the assessment is to be carried out over a minimum of five (5) days if the proposed child care centre is located near a railway line, major road or other source which can potentially create noise above normal background level.
- **C2.** A Noise Management Plan shall accompany the development application. This should, as a minimum, provide details of child to staff ratios, noise control measures of children while in outdoor play areas and seasonal play times.
- **C3.** Consideration is to be given to the following design mechanisms in respect to noise abatement for properties in the surrounding area:
 - a) The appropriate design and siting of the child care centre;
 - b) The appropriate layout and arrangement of outdoor space and activities;
 - c) The appropriate location of outdoor play areas away from main living area or bedroom windows of any surrounding dwellings in predominantly residential areas, and away from external noise sources;
 - d) The use of acoustic barriers and design, such as screen fencing or planting as noise buffers for external noise sources or transmission of noise from the child care centre to surrounding properties; and
 - e) The appropriate location of mechanical plants such as exhaust fans and air conditioning



units to ensure noise generation does not impact on surrounding properties.

- C4. Noise abatement measures are to be undertaken to ensure that inside noise levels do not exceed 40dB(A) (Leq 24). Assessments should take background noise levels into account.
- **C5.** Where the site is likely to be affected by heavy traffic or rail noise, the child care centre should be designed to locate playrooms, sleep rooms and playgrounds away from the noise source and reduce the impact of noise by barriers such as solid fencing and window glazing. Sites on main or arterial roads should be avoided.
- C6. A landscape buffer with suitable screening plants and a minimum width of I metre shall be provided along the side and rear boundaries of the development to help minimise overlooking.
- **C7.** Due to the potential generation of noise, if the proposed child care centre is to incorporate basement level car parking, details of mechanical ventilation are to be included in the application.

4. Indoor Spaces

Objectives

- **OI.** To provide attractive and functional indoor spaces which provide positive experiences and development growth for children.
- **O2.** To provide indoor spaces which are safe and functional, and enable adequate staff supervision of children at all times.

Part

- **O3.** To ensure that child care centres comply with the provisions of the Children (Education and Care Services) Supplementary Provisions Regulation 2012, and to encourage the use of best practice principles for child care centres.
- **O4.** To ensure that facilities can comply with the requirements of a food business, where the provision of food is intended for sale.
- **O5.** To ensure that child care centres provide a safe and secure environment for children at all times and comply with relevant legislation.

Development Controls

- C1. In addition to the requirements under the relevant legislation, the design of indoor floor spaces within child care centres shall take into account the following factors:
 - a) Clear and unobstructed lines of site to all areas within the child care centre shall be provided at all times;
 - b) Where achievable, windows of indoor play areas are to be located with a northern orientation and should receive at least three hours of sunlight between the hours of 9am and 3pm on June 21;
 - c) For locations where a northern orientation for indoor play areas is not achievable, they should be located where they will receive a minimum of 3 hours of sunlight, where possible;
- **C2.** In addition to the requirements under the relevant legislation, indoor space shall include the following facilities within the child care centre:
 - a) Where a separate kitchen is provided, the kitchen should have a door, half gate or other barrier to prevent unsupervised entry by children into the kitchen.
 - b) Garbage storage and recycling facilities.
- **C3.** Children's toilets are to be located so they are directly accessible to children's indoor and outdoor play spaces.
- C4. Food preparation areas are to be constructed and provided in accordance with the relevant sections of the Australia/New Zealand Food Standards Code, specifically AS4674-2004 Design, Construction and Fit Out of Food Premises, Food Standard Code 3.2.3 and conditions outlined in Children (Education and Care Services) Supplementary Provisions Regulation 2012 Part 3 Facilities and Equipment Requirements.
- C5. Applications must include a floor plan of the kitchen area.
- C6. Power points in indoor play areas should be at a height which is unreachable by children or



covered with a child safe cover.

C7. Plans are to show the number of children each room is proposed to accommodate to ensure staffing levels are sufficient for proper supervision.

5. Outoor Spaces

Objectives

OI. To ensure children have easy access to outdoor space that allows them to move freely and engage in vigorous play.

Part

- **O2.** To provide well designed outdoor spaces which enhance the well being of the users of the child care centre and offer sensory stimulation, provided by different surfaces, exposure to fresh air, sunlight, wind and even rain.
- **O3.** To ensure generous outdoor play areas that provide a variety of experiences for children, including learning, play, active and quiet time and other developmental experiences.
- **O4.** To provide outdoor spaces which are safe, secure and functional, and enable adequate staff supervision of children at all times.
- 05. To minimise noise transmission and other nuisances to the surrounding area.

Development Controls

C1. Minimum standards of usable outdoor space per child that is exclusively for the use of children is to be provided, in accordance with the latest Children's Services regulations. Plans must demonstrate that they meet this requirement.

Note: Outdoor balconies above ground floor levels do not constitute satisfactory outdoor space. For calculation purposes, items such as car parking areas, storage sheds and other fixed items that prevent the space from being used by children or obstruct the view of staff supervising the children are to be excluded. The Department of Education and Communities will not grant a licence to proposed centres if this requirement is not met. Applicants should refer to the most current children's services regulations for details regarding minimum areas for outdoor space.

- **C2.** Outdoor spaces are to provide a variety of experiences through the provision of different spaces within the outdoor area. These different areas are to be:
 - a) Open areas for activities such as running;
 - b) Quiet areas and formal quiet areas; and
 - c) Active areas.
- C3. Outdoor spaces are to be:
 - a) Located away from the main entrance of the child care centre, car parking areas or vehicle circulation areas;
 - b) Integrated with indoor space and provide direct and easy access between those two areas;
 - c) Of a design and layout to enable clear lines of sight to all areas of the outdoor space to allow direct staff supervision from other areas of the child care centre;
 - d) Located away from existing and potential noise and environmental health sources;
 - e) If the child care centre is located in a predominantly residential area, outdoor spaces are to be located away from the living/bedroom windows of surrounding dwellings;
 - f) Inaccessible from public areas outside of the child care centre, except in the case of an emergency evacuation or centre deliveries such as sand replacement;



- g) Located away from areas where objects can be projected down onto play areas; and
- h) Adequately fenced on all sides.
- C4. Outdoor play spaces are to be adequately shaded in accordance with Shade for Child Care Services published by the NSW Cancer Council and NSW Health Department.
- **C5.** Physical shading devices are to provide sun protection to children and be integrated into the design of the building and the outdoor area and should be fire retardant.
- C6. In commercial zones, consideration must be given to isolating the children from the effects of noise, pollution and winds and providing access to natural light and air.
- **C7.** Outdoor space should be exposed to the sky to provide direct sunlight, breezes and fresh air, and have access to shelter and shade. Planting, climbing equipment and visual features must provide an interesting and stimulating experience for the children.

Transitional Areas

- a) A transitional area between the building and the play area supporting space for both indoor and outdoor activities is to be provided. It is space additionally required for the building and the playground and may only be included as either the outdoor or indoor space requirement, not both. It may comprise of a verandah;
- b) The roof area of the transitional area must be a minimum of 4 meters in width to ensure sufficient activity zones with access space around them;
- c) The transitional area must be designed in a manner that offers protection from unfavourable weather conditions, including strong winds and rainfall;
- d) The transitional area must be designed in a manner that utilises natural temperature controlling measures, including cross ventilation.

6. Landscaping

Objectives

- **OI.** To improve the overall visual amenity of streetscape.
- **O2.** To protect and retain existing significant vegetation where possible.
- **O3.** To protect the privacy of any adjoining residences.
- **O4.** To enable consistency in form and character with the surrounding streetscape.
- **O5.** Provide high quality landscaping that softens built form, provides shade and privacy, minimises runoff and is safe for children.

Part

Development Controls

- **CI.** A detailed landscape plan prepared by a suitably qualified landscape professional should be submitted with all development applications for child care centres and should demonstrate the following:
 - a) Separation of outdoor space into active quiet areas;
 - b) Proposed planting, with a variety of trees and plants to be used which create visual interest for children, and can provide shading where appropriate;
 - c) Locations of play equipment;
 - d) Separation of outdoor space according to age ranges, including the locations of lower fencing or other structures which divide the outdoor spaces; and
 - e) Outdoor spaces which include a variety of surfaces such as grass, soft porous paving and the like.

Note: Surfaces should comply with Australian Standard 4422 – Playground Surfacing.

- **C2.** Landscaping and fencing should be designed to provide a noise barrier and privacy screen for adjoining residents.
- C3. Minimum soil depths for outdoor space and planted areas above basement parking in residential areas should be a minimum of 600mm.
- C4. The minimum depth of sandpits is 600mm with adequate drainage and shade (refer to www. kidsafensw.org for further construction guidelines).
- **C5.** Outdoor play equipment is to comply with Australian Standards, including but not exclusive to, the following:
 - AS 4685.1:2004 Pt I General safety requirements and test methods;
 - AS 4685.2: 2004 Pt 2 Particular safety requirements and test methods for swings;
 - AS 4685.3: 2004 Pt 3 Particular safety requirements and test methods for slides;
 - AS 4685.4: 2004 Pt 4 Particular safety requirements and test methods for runways;
 - AS 4685.5: 2004 Pt 5 Particular safety requirements and test methods for runways;
 - AS 4685.6: 2004 Pt 6 Particular safety requirements for rocking equipment;
- C6. Existing natural features and significant vegetation of a site should be conserved where possible to help increase the amenity of the area.



- **C7.** All existing and proposed vegetation located on the site and on sites directly adjoining are to be assessed in order to ensure they are free of toxins or safety hazards such as seeds, poisonous, spiky or potentially dangerous plants.
- **C8.** Plant species shall be those suitable to the local area. Refer to Part A of this DCP for a detailed plant listing.
- **C9.** Areas likely to be subject to high water demand are fitted with a water efficient irrigation system such as drip irrigation with moisture sensors.
- CI0. Irrigation should use rainwater or recycled water in preference to mains water.

7. Fencing

Objectives

- OI. To ensure child care centres provide a safe and secure environment for children.
- **O2.** To prevent access by children to dangerous areas.
- O3. To define the boundaries and edges between public and private land.
- O4. To define areas of different uses.
- **O5.** To ensure fences complement the existing character of the streetscape.
- 06. To ensure that front fencing does not obstruct the view between the street and front façade.

Part

07. To ensure that fencing is at a scale that does not lead to the disjoining and fragmentation of the streetscape.

Development Controls

- **CI.** Outdoor space is required to be fenced on all sides with a height of at least 1.8m, be accessible from the street and have regard to:
 - a) The safety and security of children;
 - b) The prevention of children climbing over, under, or through fences and leaving the premises unsupervised;
 - c) The prevention of those from outside the centre to access the site through climbing over, under or through fencing;
 - d) The integration with building design and proposed materials and colour scheme;
 - e) The integration of existing and proposed landscaping with fencing; and
 - f) The prevention of a sense of enclosure.
- **C2.** Acoustic fences should not be higher than 2m. If a fence higher than 2m is unavoidable it must be contained within the development site with a 1.8m traditional lapped and capped boundary fence and the remaining height to be of thick, transparent perspex to ensure any views are maintained.
- C3. Taller fences must terminate to the rear of the development. Any fence 1.8m in height shall terminate Im behind the front façade.
- **C4.** A series of barriers in the form of child proof gates are to be provided at the entry to the premises. This may include a gate on the front boundary and gate into the reception area to provide a catchment area.

Note: Thought needs to be given to the provision of child proof fencing external to the perimeter of the building but accessible to the street so as to contain children on site outside the building, but within reach of emergency services should a fire or other emergency occur.

8. Fire Safety and Emergencies

Objectives

- **OI.** To require child care centres to have required emergency evacuation plans for the safe evacuation of occupants.
- **O2.** To ensure the safety of the child care centre occupants in the event of a fire or other emergency.
- **O3.** To ensure that the safety of child care centre occupants and users is not compromised at any stage.

Part

Development Controls

- **CI.** An evacuation plan complying with AS3745-2002 Emergency Control Organisation and Procedures for Buildings, Structures and Workplaces shall be submitted as part of the Development Application. The emergency evacuation should consider:
 - a) The mobility of children and how this is to be accommodated during an evacuation;
 - b) The location of a safe congregation area away from the evacuated building, busy roads, other hazards and the evacuation points of other residents or tenants within the building or surrounding buildings;
 - c) Where the child care centre is part of a larger building or complex, that the emergency evacuation plan is complementary and consistent with other emergency evacuation plans in place; and
 - d) The supervision of children during the evacuation and at the safe congregation area, with regard to the capacity of the child care centre and the child to staff ratios.
- **C2.** Careful attention is to be given to the design of the child care centre to ensure that no conflict arises between the need to retain children on site and the need for escape in the event of an emergency.
- **C3.** All required egress doors need to be operable at all times from the inside (without the use of a key) by any person (including children).
- C4. Attention is to be given to the provisions of the Building Code of Australia relevant to Class 9(b) buildings. Use of existing structures for the establishment of a new child care centre will require the upgrading of the building to current construction and for safety requirements.

9. Accessibility

Objectives

OI. To ensure new child care centres, and alterations and additions including any associated spaces such as outdoor space, parking areas and the like, are designed to be accessible for all people within the community.

Part

- O2. To ensure a safe environment is provided for pedestrians around child care centres.
- O3. To ensure staff are aware of visitors to the child care centre.

Development Controls

- C1. All new child care centres, building conversions and additions to existing premises shall comply with the minimum access requirements outlined in Part D3 of the Building Code of Australia and AS 1428.1 Design for Access and Mobility General Requirements for Access New Building Work. Details are to be included on plans to be submitted with the application for development consent.
- **C2.** The building must provide a continuous path of travel from the street and or parking area into and within every room and outdoor area used by staff and children.
- C3. Appropriate measures, such as pavement and landscaping treatment, are required to separate pedestrian and vehicular access and direct them accordingly.
- C4. Hard paved surfaces are to be provided for all access paths.

Appendix I

ARTERIAL ROADS

Church Street Cumberland Highway Great Western Highway Greystanes Road (between Merrylands Road and The Great Western Highway) Parramatta Road

Part

SUB ARTERIAL ROADS

Burnett Street Fairfield Road (between McCredie Road and Prospect Creek) Fowler Road (between McCredie Road and Merrylands Road) Hawkesbury Road Hawksview Street McCredie Road (between Sturt Street and Fowler Road) Merrylands Road Neil Street Pitt Street Portia Road Sturt Street Toongabbie Road (between the Great Western Highway and Portia Road) Treves Street (between Neil Street and Merrylands Road)



Appendix 2

UNSUITABLE COLLECTOR AND& LOCAL ROADS

Albert Street
Albert Street West
Alexandra Avenue
Bayfield Road
Braeside Road
Bridge Road
Byron Road
Centenary Road
Chetwynd Road
Clarence Street (between Walpole Street and Burnett Street)
Coleman Street
Cooper Street
Crescent Street
Cumberland Road
Dennistoun Road
Dunmore Street
Dursley Road
Ettalong Road
Fairfield Road (between Woodpark Road and McCredie Road)
Gilba Road
Gipps Road
Girraween Road (between Gilba Road and The Great Western Highway)
Guildford Road (between Military Road and Military Road)
Hilltop Road
Lane Street (between Station Street and Veron Street)
Lockwood Street (between Merrylands Road and Walpole Street)
Loftus Road
Long Street
Macquarie Road (between Bayfield Road and Gipps Road)
Military Road
Old Prospect Road
Pendle Way (between Gilba Road and the Great Western Highway)

Pine Road

Sherwood Road

Station Street

Targo Road (between Toongabbie Road and Gilba Road)

Toongabbie Road (between Portia Road and Targo Road)

Veron Street

Walpole Street

Woodpark Road

Part (

