

Guidelines for the Establishment of Childcare Centres

PART J Guidelines for the Establishment of Childcare Centres

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1.0 AIMS, OBJECTIVES AND THE LEP

1.1 Aims and objectives

- a) To encourage 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.

1.2 Relationship to Holroyd LEP 1991

Child Care Centre is defined under the Holroyd Local Environmental Plan 1991 and is permissible with Council's consent in Residential 2(a), Residential 2(c), Residential 2(d), General Business 3(a), Neighbourhood Business 3(b), General Industrial 4(a), Light Industrial 4(b), Industrial Special 4(c), Special Uses 5(a) relating specifically to childcare or the like, Public Open Space 6(a), Proposed Open Space 6(b) and Special Purposes Open Space 6(c) zoned areas.

Clause 35 of the LEP provides the relevant Floor Space Ratio (FSR) requirements applicable to the various zones.

The establishment and operation of Child Care Centres must be licensed by the State Department of Community Services (DOCS). It is necessary that the applicant consult with DOCS prior to making a formal development application to Council. All plans must comply with the standards outlined in Children's Services Regulation 2004 (under the Children and Young Persons (Care and Protection) Act 1998) before license can be issued. All applications should make reference to the licensing guidelines from DOCS. For any further inquiry on the licensing requirements from DOCS, please contact DOCS on 96300199.

It is also recommended that intending applicants obtain a copy of the Introductory Package for Child Care Facilities from Council's Manager Children's Services and arrange to consult with Council's Development Control Unit (DCU) prior to the preparation and submission of a formal application for development consent.

Information to be provided with Development Applications

In addition to that specified in [Part A](#) of this DCP, applications for Childcare centres will also need to provide:

- a) two (2) copies of an on site detention (OSD) concept plan;
- b) a letter of general support for the proposal from the NSW Department of Community Services (DOCS) for Childcare Centres;
- c) details of staffing arrangements, working hours, partnerships, estimated clientele, services to be offered, etc; and
- d) the location, extent and treatment of any proposed children's playing area, barbecue and pool areas, substations, garbage collection and clothes drying areas.

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2.0 SIZE, DENSITY AND LOCATION

2.1 Size and Density

Any proposed Child Care Centres in residential zones should be limited in size to accommodate not more than forty-five (45) children.

Development in residential zones shall have an appropriate size, scale, bulk, etc sympathetic to the surrounding residential development.

The general design requirements for Child Care Centres located within Residential 2(a) and Residential 2(c) zones, should comply with the standards outlined [Part B](#) of this DCP relating to one and two storey Residential Development.

2.2 Location

An environmental site assessment must be provided to Council by the applicant to demonstrate that the site is environmentally safe and healthy.

The site must be a safe distance from hazardous industries, LP gas sites, mobile telephone base stations and towers, and safe from any other environmental health hazards, such as high lead levels, chemical spraying in rural areas, or proximity to cooling tower drift in high rise building areas.

Sites previously used for potentially contaminated uses (ie former service station sites, former industrial sites, etc.) are generally inappropriate for the establishment of Child Care Centres, unless they have undergone suitable testing and remediation, to Department of Environment and Climate Change (DECC) and Council satisfaction, having regard to the nature of the intended use.

The siting of child care centres must adhere to locational guidelines under current DECC instruments, such as Department of Planning Circular No. F3, Liquefied Petroleum Gas Automotive Retail Outlets Locational Guidelines, and SEPP 33 Hazardous and offensive developments, with particular regard to exclusion distances from hazardous industries.

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 having 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.

In this regard child care centres should not be located having frontage to an arterial or sub-arterial road (see [Appendix 1](#)). As a general guide the roads identified in [Appendix 2](#) are also considered by Council to be generally unsuitable for the establishment of child care centres, without special consideration firstly being given to the prevailing traffic conditions. 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.

(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 with reference to items i), ii) and iii) above).

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3.0 ACCESS AND PARKING

3.1 Access

The traffic circulation system serving the Centre should be designed to allow the safe drop-off and collection of children and the safe movement and parking of staff, parent, visitor and service vehicles. The design shall take into account the safety of pedestrians, existing pedestrian and cyclist routes, nearby traffic generators, subdivision layout and street design.

Separate entry and exit driveways shall be provided where safe and convenient on street parking is not otherwise available, to Council's satisfaction, for the setting down and picking up of children. 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.

Applications for Child Care Centres will not be favourably considered where the site has frontage to 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.

The siting of Child Care Centres should be in accordance with the guidelines of the Roads and Traffic Authority (RTA).

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.

3.2 Barrier Free Access

The design of proposed development shall have regard to the relevant provisions of Australian Standard AS 1428 with regard to the provision of suitable barrier free access, to child care centres, for persons having disabilities and persons with strollers or prams. Details to be included on plans to be submitted with the application for development consent.

3.3 Parking

As per the provisions contained in [Part A](#) of this DCP.

Also –

- a) Parking must be provided in a convenient location, allowing a safe environment for setting down and picking up of children.
- b) There must be provision for a sufficient number of off-street parking spaces for employees and parents, with at least one (1) space per every employee including primary contact and support staff, plus one (1) space per ten (10) children, plus one (1) garage space for any residence.
- c) 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, allowing a safe environment for the setting down and picking up of children.
- d) 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, provided that the use of such parking does not excessively impact upon the amenity of the adjacent area. All staff parking shall otherwise be provided on site in any event.
- e) There should be appropriate signage in parking areas.
- f) 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

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stamped and coloured concrete or paving bricks. Plain cement or coloured concrete will not be accepted.

- g) 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.

4.0 NOISE

4.1 Protecting children from excessive noise

The noise impact of the surrounding environment on the children must not be excessively disturbing for play or sleep activities.

The inside noise level should not exceed 40dB(A) (Leq 24). Assessments should take background noise levels into account.

Where the site is likely to be affected by heavy traffic or rail noise, the Centre should be designed to locate playrooms, sleep rooms and playgrounds away from the noise source and ameliorate the impact of noise by barriers such as solid fencing. Sites on main or arterial roads should be avoided.

In situations where the noise impacts on the Centre from surrounding areas may be excessive, an acoustic consultant's report may be required at Council's discretion.

4.2 Protecting Neighbours from Noise

The noise from the Centre should not disrupt surrounding properties excessively.

Efforts should be made to reduce the possible noise impact from a Child Care Centre. These considerations may include design, particularly the location of the playground in regard to neighbours, appropriate location of windows and double glazing and fencing.

5.0 FIRE SAFETY AND EMERGENCIES

5.1 Construction and Fire Safety Requirements

All Child Care Centres are to be designed and constructed in accordance with the relevant legislation and in particular the Local Government Act 1993, and the Building Code of Australia.

Relevant Approvals, under the Environmental Planning & Assessment Act 1979 and Regulation 2000 (including Development Consent, and a Construction Certificate), must be obtained prior to any works commencing on the site.

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 fire safety requirements.

5.2 Containment of Children On Site – During an Emergency

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.

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In this regard, all required egress doors need to be openable at all times from inside (without the use of key) by any person (including children). 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.

A "Fire Safety and Evacuation Plan" prepared by a suitably qualified person shall be submitted with the development application demonstrating compliance of the submitted proposal with the relevant provisions of the Building Code of Australia.

6.0 FLOOD LIABLE LAND

Child Care Centres will not generally be permitted on flood liable land.

However, consideration may be given to a Development Application if a report, acceptable to Council, is submitted to Council by a professional Engineering Consultant, who is highly experienced in urban drainage, and which satisfactorily addresses all of the following aspects:

The development is not within the area where the flows are greater than 0.4 cubic metres per second (calculated as water velocity (V) multiplied by average depth (D) multiplied by channel width) and

V = Velocity relevant to the 1:100 ARI flood.

D = Depth of water from the natural surface to the 1:100 ARI flood level.

Any proposed structure is safe, with a floor level which is a minimum of 500mm above the 1:100 ARI flood level.

The proposed development, together with any and all similar developments on nearby flood affected properties, will not exacerbate the flooding of any other properties.

Vehicles in any proposed parking areas are stable based on the 1:100 ARI flood.

For the purposes of determining the 1:100 year flood frequency level for a site, current maps and other data prepared by the Department of Natural Resources, Sydney Water, Council or other appropriate authority shall be used where available. To determine the flood affectation of a site, the applicant/developer shall submit a survey plan of the land with levels to Australian Height Datum (AHD) with the Development Application. Further details concerning drainage, road works, easements etc., can be gained by liaising directly with officers of Council's Engineering Department.

7.0 HERITAGE

See the provisions contained in [Part H](#) of this DCP.

8.0 SIGNAGE

Advertising shall be limited to not more than one sign per child care centre, to be displayed wholly on the site associate with that use and which:

- a) has a maximum area of 0.5sq m; and

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- b) serves only to identify the name and phone number of the child care centre and the hours of operation.

9.0 CONDITIONS OF DEVELOPMENT CONSENT

Nothing in the DCP shall limit Council's ability to require anything to be done, including the undertaking of any works or improvements on or off the subject land; or the dedication or transfer of land to Council; or the payment of monetary contributions towards amenities and services, as a condition of consent to a development, based on Council's assessment of an application under Part IV of the Environmental Planning and Assessment Act, 1979.

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APPENDIX 1

ARTERIAL ROADS

Church Street
Cumberland Highway
Great Western Highway
Parramatta (Sydney) Road

SUB ARTERIAL ROADS

Burnett Street
Fairfield Road (between McCredie Road and Prospect Creek)
Fowler Road (between McCredie Road and Merrylands Road)
Greystanes Road (between Merrylands Road and The Great Western Highway)
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)
Burnett Street

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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