

CHAPTER 2.8 CHILD CARE CENTRES

1.0 INTRODUCTION

1.1 Objectives

- To provide design guidelines to persons wishing to establish child care centres
- To ensure that child care centres meet the needs of children, while maintaining the amenity of an area

1.2 Application

Council requires a Development Application for all child care centres, including long day care, pre-schools, occasional child care, or out of school hours care, where permissible under WLEP 2013.

In addition to Council's approval, all child care centres are required to be approved by the Department of Education and Communities prior to operation in accordance with the Children's Services Regulation 2004 and the Education and Care Services National Law and Regulations. All child care centres should be designed in accordance with Council's DCP Chapter 2.8, the Children's Services Regulation, 2004 and the Education and Care Services national Law and Regulations. In addition to this all centres are to comply with the 'National Quality Framework' for child care centres.

It is recommended that proponents of child care centres discuss their proposal with the Department of Education and Communities prior to lodging the development application with Council.

1.3 Relationship to other Chapters and Policies

This Chapter should be read in conjunction with other relevant Chapters of this Development Control Plan and other Policy Documents of Council, including but not limited to:

- Chapter 2.11 – Parking and Access
- Part 6 – Location Specific Development Controls (where applicable)
- Council's Civil Works – Design Guideline and Construction Specification

2.0 HOME BASED CHILD CARE

Home-based child care proposals, in certain circumstances, are considered exempt development under the Codes SEPP. Home based child care proposals that do not meet the criteria of the Codes SEPP and are 'permitted with consent' under the WLEP 2013 are required to comply with the provisions outlined in this chapter.

3.0 CHILD CARE CENTRES

3.1 General Requirements

OBJECTIVE

- To ensure the operation of childcare centres meet the required standards and operate with minimal impact on the community and environment

REQUIREMENTS

- a A Statement of Environmental Effects is to be lodged with any application and is to address the following:
 - i Hours of operation are to be stated along with expected times of arrival and departure of clientele. This is to include any hours for Outside of School Hours Care that is in addition to the normal Child Care hours.
 - ii The number of staff to be employed at any one time is to be stated, together with the expected total number of children proposed to attend the centre.
 - iii The staff to child ratio is to be stated for each age group.
- b All child care centres are required to be approved by the Department of Education and Communities which has detailed requirements relating to both the establishment and operation of centres. The Development Application is to include a statement outlining the proposal's compliance with the Children's Services Regulation 2004, The Education and care Services National Law and Regulations and the National Quality Framework.
- c The provision of employer based child care centres will be encouraged as a component of purpose built industrial development. Such facilities should be located and signposted so that they are predominantly for the use of employees of the industrial development.
- d Child care centre proposals will not be supported as refits of existing factory units in industrial zones.

3.2 Amenity

OBJECTIVE

- To minimise impacts on the amenity of adjoining properties in relation to the operation of the child care centre

REQUIREMENTS

- a Applicants are required to demonstrate that they have given proper consideration to the impact of noise on adjoining properties and to reduce problems to an acceptable level by the design.
- b Childcare centres in residential zones and those adjoining residential properties are to submit an acoustic assessment report prepared by an appropriately qualified consultant to Council with the Development Application
- c Where possible, the site should be adjacent to a public reserve, in which case the development should be designed so that noise generation is orientated towards the reserve.

- d Orientation and proximity of the adjoining developments should be considered to ensure that the potential impact on amenity is not adverse.
- e Appropriate fencing, screening and landscaping is to be provided to maintain the amenity for adjoining properties.
- f Child care centre proposals will not be supported on battle axe allotments.
- g Where freestanding child care centres are proposed within industrial estates, they should be located so as to minimise traffic, noise and safety conflicts.

3.3 Site Requirements

OBJECTIVES

- To minimise impacts on the privacy and solar access of adjoining properties and the amenity of the area
- To ensure the site is of sufficient size to meet the minimum area requirements for indoor and outdoor play spaces and carparking

REQUIREMENTS

3.3.1 Residential Zones

- a The site must have a minimum width of eighteen metres at the building line setback.
- b Buildings are to have a maximum 35% site coverage excluding playground and shade structures.
- c Building setbacks:
 - i front – 6 metres;
 - ii side and rear – 3 metres;
 - iii side street for corner allotments – 3 metres.

3.3.2 Rural and Scenic Protection Zones

- a Building setbacks:
 - i front – 20 metres;
 - ii side and rear – 10 metres.
- b In unsewered areas Council should be consulted prior to lodgement of a development application to determine whether on site effluent disposal will be permitted. Applications for centres in non-sewered areas are to comply with Chapter 3.8 On site Effluent Disposal in Non-Sewered Areas.

3.3.3 Industrial Zones

- a Building Setbacks:
- i front – 15 metres if on a State Road. 10 metres on any other road;
 - ii a five (5) metre landscaped area must be provided within the above setback, except for vehicle access. Suitable landscaping would comprise tree planting incorporating mulch beds in preference to often neglected grass lawns and poorly maintained shrubs;
 - iii side and rear – as per the requirements of the Building Code of Australia.

3.3.4 Other Zones

Site requirements not specified in this chapter shall be in accordance with any other chapter within this DCP or any Council Policy affecting the land.

3.4 Traffic Impact

OBJECTIVES

- To demonstrate that traffic will not adversely affect the amenity of the area
- To ensure the safe movement of traffic entering and exiting the site

REQUIREMENTS

- a In considering any application for a child care centre Council will take into account both the effect of the operation of the centre on local traffic movements and the impact of existing and future traffic flows in the locality on the proposal. Applicants are required to demonstrate that traffic will not adversely affect the amenity of the area.
- b A Traffic Impacts Study is to accompany any application for a centre which is proposed to accommodate in excess of twenty children. Such study is to address:
 - i existing and proposed traffic movements in the locality;
 - ii details of access arrangements and the impact of vehicles entering and leaving the site on traffic safety in the locality;
 - iii the impact of traffic movements generated by the development on the amenity of the area with specific reference to noise and the net increase in number of vehicle movements; and
 - iv proposed hours of operation in relation to traffic movements.
- c In considering a development application for a child care centre in an industrial area, Council will require the applicant to submit a parking and traffic study to address the likely number of vehicle movements, and the car parking demands generated beyond the requirements for industrial development outlined in Chapter 2.11–Parking and Accessibility.
- d A study may also be required in other cases where deemed necessary by Council to properly assess traffic impacts.
- e Approval will not be granted where existing traffic volumes are such that danger would be created by children crossing the road or by vehicles turning in the vicinity of the site.

- f Council is unlikely to approve applications for centres in low traffic volume cul-de-sacs where the increase in traffic movements could unreasonably disrupt the amenity of the area.
- g Child care centre proposals will not be supported on battle axe allotments.

3.5 Car Parking

OBJECTIVE

- To ensure that adequate off-street parking is provided

REQUIREMENTS

- a Off street car parking, including staff parking is to be provided at the rate of one space per four children in attendance.
- b Any increase in the maximum number of children attending the centre will require additional car parking and consent by Council.
- c A minimum of one additional parking space is required to serve any residence on the site.
- d Car parking spaces are not permitted in the front six metre building setback area in residential zones and in the twenty metre setback in rural zones.
- e Appropriate parking is to be provided for any mini-bus or vehicle proposed to transport children to and from the centre.
- f Parking is to be in accordance with Chapter 2.11 - Parking and Access.

3.6 Access

OBJECTIVE

- To ensure pedestrian safety and safe access/egress from the site for all vehicles

REQUIREMENTS

- a A drive-in/drive-out drop off arrangement without reversing off the site is required. Drop off parking spaces in the driveway may be considered in the car parking calculations provided they do not impede traffic flow to and from the site.
- b All vehicles entering and leaving the site shall be able to do so in a forward direction.

3.7 Buildings and Facilities

OBJECTIVE

- To ensure that safe and adequate facilities are provided for staff and children

REQUIREMENTS

- a The development application is to include detailed plans which demonstrate that:
 - i an office, staff room and adequate locker and storage facilities shall be provided;

- ii fences are of adequate height and construction to ensure privacy to adjoining neighbours and are to be maintained satisfactorily. Colorbond fencing will not be permitted;
 - iii sanitary facilities and amenities, including kitchens, laundries and bathrooms shall be provided in accordance with the Building Code of Australia.
- b Compliance with the Building Code of Australia

3.8 Access and Facilities for Disabled Persons

OBJECTIVES

- To ensure that buildings and facilities encourage and accommodate the use by all children, including those with physical and/or mental disabilities
- To provide safe and easy access into the centre for strollers, disabled persons, and the mobility impaired

REQUIREMENT

Access and facilities for the disabled are to be provided in accordance with the requirements of the BCA Disability (Access to Premises- Buildings) Standards 2010 and Australian Standard AS 1428.1. Reference to these requirements should be made in the early stages of design to ensure the development complies with the relevant standards.

3.9 Outdoor Play Areas

3.9.1 Size and Location

OBJECTIVE

- To ensure that adequate outdoor play area is provided, which reflects the suburban/rural environment of Wyong Shire

REQUIREMENTS

- a Minimum outdoor play area of ten square metres per child is required. Covered useable porches, verandahs or the like may be included in this area.
- b At least 50% of the total area provided is to be a consolidated area having a minimum width and length of ten metres.
- c The outdoor play area is not to be located in the front building setback unless the applicant clearly demonstrates in the development application that the visual appearance of the streetscape will not be compromised, appropriate landscape treatment can be provided and overdevelopment of the site will not occur.

3.9.2 Design of Facilities

OBJECTIVE

- To ensure that the facilities are safe, hygienic and accessible

REQUIREMENTS

In the design of the facilities on the site and particularly outdoor play areas, consideration should be given to the following matters:

- a accessibility of outdoor play area from the indoor play area, toilet and washing facilities;
- b security of the outdoor play area, including denial of direct pedestrian access to the street to prevent unauthorised access to the children;
- c visual surveillance throughout the site and from indoors, or appropriate design where this is not possible to enable supervision of children;
- d orientation of play areas to take advantage of natural sunlight and shade, bearing in mind that the most desirable aspects are north and north east;
- e suitability of ground surfaces for play equipment and play activities, consideration being given to a combination of flat surfaces and slopes and mounding and soft impact surfaces under play equipment to reduce injuries;
- f facilities should be provided having consideration for the age of children using those facilities. Toilets, play equipment, seating and tables should be of a size to suit children of all ages proposed to be cared for at the centre.

3.10 Landscaping

OBJECTIVE

- To encourage a high standard of landscape design and construction in association with proposed child care centres

REQUIREMENTS

- a A Landscape Design Report prepared by suitably qualified landscape professional is to be submitted with the development application. The Landscaping Design Report shall include details of location and mature size of vegetation, paths, paved areas, lawn, fences, pergolas, play areas and equipment.
- b Landscaping should be utilised to enhance the landscape quality of the area and to soften the impacts of hardstand areas and car parking on the surrounding locality.

3.11 Proximity to Certain Utility Services

OBJECTIVES

- To ensure the location and design of child care centres do not pose a health and safety risk to staff, children or visitors
- To minimise the users of the facility's exposure to harmful pollution

REQUIREMENT

All buildings and outdoor play areas are to be located outside of any high voltage electricity supply easements, buffer distances of telecommunication towers, or any other similar utility device in accordance with the relevant accepted Australian Standards.