



City of Canterbury

City of Cultural Diversity



Development Control Plan No. 25

Child Care Centres

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CONTENTS

1.1	PURPOSE	1
1.2	LAND TO WHICH THIS DCP APPLIES	1
1.3	AIMS	1
1.4.	DEFINITION.....	2
1.5	WHAT ARE THE ROLES OF STATE AND LOCAL GOVERNMENT?	2
1.6	HOW TO APPLY	3
1.7	WHAT CHILD CARE SERVICES NEEDS DEVELOPMENT CONSENT?	5
2.0	DEVELOPMENT CONTROLS FOR CHILD CARE CENTRES	6
2.1	LOCATION REQUIREMENTS	6
2.2	DESIGN	8
2.3	TRAFFIC AND PARKING	9
2.4	LANDSCAPING AND PLAY AREAS.....	10
2.5	VISUAL AND ACOUSTIC PRIVACY.....	11
2.6	HOURS OF OPERATION	12
2.7	ACCESSIBILITY	12
3.0	OTHER MATTERS	13

1.0

1.1 PURPOSE

The purpose of this Development Control Plan (DCP) is to outline the development approval process and provide guidelines for child care centre applications.

For the purpose of this development control plan, child care centres, (as defined), principally provide care for:

- a) 0-5 year old pre school aged children;
- b) Out of School Hours care (OOSH) for school aged children; and/or
- c) Vacation care;

whether on an occasional or long day care basis.

1.2 LAND TO WHICH THIS DCP APPLIES

This DCP applies to all land in the City of Canterbury where child care centres are permissible under the relevant planning instrument.

1.3 AIMS

The aims of this Development Control Plan (DCP) are to:

- Accommodate the increasing demand for child care places in the City through the provision of a variety of high quality children's services including child care centres and out of school hours care (OOSH).
- Integrate child care centres into the existing residential environment in terms of size, bulk, height, colour and the amount of landscaped area provided.
- Ensure the amenity of adjoining neighbours is retained and is not detrimentally affected by noise emissions from the site.
- Encourage the provision of child care places for 0-2 year olds in child care centres.
- Ensure child care centres are located with adequate, convenient and safe parking for visitors that does not impact on the neighbourhood.
- Achieve consistency with the requirements of the NSW Department of Community Services (DoCS).

1.4 DEFINITION

For the purpose of this Development Control Plan; a child care centre is defined as a building or place used for the supervision and care of children which:

- a) May provide long day care, preschool care, occasional care or out of school hours care, and
- b) Does not provide overnight accommodation for children other than those related to the owner or operator,

but does not include:

- c) A family day care or home based child care home,
- d) An out home care service provided by an agency or organisation accredited by the NSW Office of the Children's Guardian,
- e) A baby sitting, playgroup or child minding service that is organised informally by the parents of the children concerned,
- f) A service provided for fewer than 5 children (disregarding any children who are related to the person providing the service) at the premises at which at least one of the children resides, being a service that is not advertised,
- g) A regular child minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium), by or on behalf of the person conducting the facility, to care for children while the children's parents are using the facility,
- h) A service that is concerned primarily with the provision of;
 - i) Lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or
 - ii) Private tutoring,
- i) A School,
- j) A service provided at exempt premises (within the meaning of the Children and Young Persons (Care and Protection) Act 1998), such as hospitals, but only if the service is established, registered or licensed as part of the institution operating on those premises.

1.5 WHAT ARE THE ROLES OF STATE AND LOCAL GOVERNMENT

PRE SCHOOL AGE CARE (0-5 YEAR OLD)

The NSW Department of Community Service (DoCS) is responsible for the regulation, licensing and monitoring of children's services in accordance with State regulation under the Children Services Regulation 2004 (CSR 2004). The requirements of the CSR 2004 must be satisfied in order for a Child Care Centre to be licensed by DoCS.

Council is responsible for land use planning and building standards throughout the City. This is regulated through Plans and Policies prepared under the Environmental Planning and Assessment Act and Regulations and the Local Government Act.

This DCP relates solely to the land use planning aspects of child care provision. DoCS requirements are not re-iterated in any detail in this Plan. All Development Applications are to demonstrate satisfactory compliance with the CSR 2004.

Proposals for Child Care Centres catering for 0-5 year olds require development approval from Council and a Construction Certificate from Council or an Accredited Certifier. In addition, the activity must be licensed by DoCS.

We strongly recommend that you consult with DoCS before lodging a DA.

1.6 HOW TO APPLY

OUT OF SCHOOL HOURS CARE (OOSH)

An Out of School Hours Care (OOSH) service provides care to school aged children primarily while their parents are working, training or seeking employment. Care may be provided before and/or after school hours, during the day during pupil free days, during school vacation or any combination of these times.

There are currently no Government regulations covering OOSH care. However, in 1995, Commonwealth, State and Territory Ministers responsible for child care endorsed the National Standards for out of school hours care. The National Standards include factors which are readily measured, such as space, range of equipment, and staff to child ratio. These factors contribute to the quality of care and these standards are intended to provide the basis for consistent, national approach to the operating standards of OOSH.

Proposals for child care centre catering for OOSH require development approval from Council and a Construction Certificate from Council or an Accredited Certifier.

Applicants must be able to demonstrate satisfactory compliance with both the National Standard for Outside School Hours Care and the relevant provisions in this Development Control Plan.

PRE SCHOOL AGE CARE (0-5 YEAR OLD)

The steps in the approval process for Child Care Centres for Pre school aged children (0-5 year olds) are:

STEP 1 – Compliance with DoCS requirements

Before submitting a Development Application, it is recommended that you contact the children's services adviser at the DoCS local office so that you are aware of the requirements contained under the CSR 2004. Copies of the CSR 2004 can be obtained from Council's Customer Service Centre. The applicant must be required to submit with their DA a statement certifying that the DA has been prepared in accordance with, and complies with, the Children Services Regulation 2004, and that should approval from Council be forthcoming, the centre will be constructed and operated in accordance with the Children Services Regulation 2004.

Note: A Child Care Centre will not be licensed by NSW DoCS if it does not satisfy the requirements contained under the CSR 2004.

STEP 2 – Pre lodgement discussions with Council

Pre lodgement meetings with Council Development Assessment staff are recommended to ensure that design and constraint issues are identified at an early stage. This allows Council officers to clarify the requirements of this DCP and other relevant DCPs, policies and codes.

Proprietor's of Child Care Centres planning to open a new centre are to contact Council's Manager of Children's Services prior to lodging an application to obtain information about the level of demand for centres in the proposed location. Evidence of this is to be included in the Statement of Environmental Effects.

STEP 3 – Lodgement of Development Application & Submission of Locational Analysis plan

When you are satisfied that the application complies with the requirements of both Council and DoCs, the application can then be lodged.

A **location analysis** must be submitted with the development application together with other requirements outlined in Council's Development Application Guide. The location analysis is to be in the form of a map which indicates:

- All existing child care centres including the capacity of each centre
- Schools
- Parks
- Community facilities

The map is to identify the above uses within a 750m radius. An analysis of the need for a centre in the proposed location must also support the application.

To assist you with the preparation of the location analysis a map of all existing child care centres within Canterbury is available for your perusal at Council's Customer Service Counter or you could purchase a copy from Council.

Note: Applicants are advised to refer to Council's Development Application Guide which outlines all the requirements in the lodgement of Development Applications.

Step 4 – Determination of the Application

Your application will then be assessed and determined under the relevant planning controls including this DCP and the CSR 2004.

Applications must demonstrate satisfactory compliance with the CSR 2004.

The application will be determined by either the granting of consent (with or without conditions) or refusal (with reasons).

Step 5 – Application to DoCS for Licensing

If consent to the application is granted, a separate application for licensing will then need to be made to DoCS.

Note: It is the responsibility of the applicant to obtain any additional approval that may be required before development commences.

OUT OF SCHOOL HOURS CARE (OOSH)

The steps in the approval process for Child Care Centres for OOSH: -

STEP 1 – Compliance with National Standards for OOSH care

Before submitting a Development Application, it is recommended that you familiarise yourself with the requirements contained in the National Standards for Outside School Hours Care. Copies of the National Standard are available from Council's Customer Service Centre. You must be able to demonstrate that the requirements contained under this standard are addressed.

1.7 WHAT CHILD CARE SERVICES NEEDS DEVELOPMENT CONSENT?

STEP 2 – Pre lodgement discussions with Council

Pre lodgement discussions with Council staff are recommended to ensure that design and constraint issues are identified at an early stage. This allows Council officers to clarify the requirements of this DCP and other relevant DCPs, policies and codes.

Proprietor's of Out of School Hours Care planning to open a new centre are to contact Council's Manager of Children's Services prior to lodging an application to obtain information about the level of demand for centres in the proposed location. Evidence of this is to be included in the Statement of Environmental Effects.

STEP 3 – Lodgement of Development Application

When you are satisfied that the application complies with the requirements of both Council and the National Standards for Outside School Hours Care, the application can then be lodged.

Note: Applicants are advised to refer to Council's Development Application Guide which outlines all the requirements in the lodgement of Development Applications.

Step 4 – Determination of the Application

Your application will then be assessed and determined under the relevant planning controls including this DCP and the National Standards for Outside School Hours care

Applications must be able to demonstrate satisfactory compliance with both the National Standard for Outside School Hours Care and the relevant provisions of this Development Control Plan.

The application will be determined by either the granting of consent (with or without conditions) or refusal (with reasons).

Note: It is the responsibility of the applicant to obtain any additional approval that may be required before development commences.

Council's principle planning instruments contain the permissibility and consent requirements for child care centres. Generally, the following types of child care facilities will require consent:

- New centres;
- Change of use/conversion of an existing building to a child care centre;
- Alterations and additions to existing centres;
- Extension of the hours of operation of existing centres;
- Increasing the number of children attending an existing centre; and/or
- Any other alterations to an existing child care centre.

2.

DEVELOPMENT CONTROLS FOR CHILD CARE CENTRES

2.1 LOCATION REQUIREMENTS

Objectives

- a. To ensure that the relationship between the child care centre and adjoining land uses is favourable in terms of traffic, parking and noise impacts.
- b. To ensure that a child care centre is located where it is safe for children and has minimal impact on traffic and amenity of nearby residents.
- c. To ensure that the clustering of child care centres and impacts associated with such clustering are avoided and to encourage and facilitate the provision of child care centres in the areas that are presently under supplied within the Local Government Area of Canterbury.

Controls

- i. Preferred sites for child care centres are corner sites which have a longer street frontage for setting down and picking up of children. This also causes less interference for on street parking associated with adjoining residences.
- ii. The minimum site frontage width is 20m.
- iii. Council may be prepared to consider sites with a frontage less than 20m if the following conditions are met:
 - The child care centre allocates a minimum of 25% of the places to 0-2 year olds.
 - The applicant can demonstrate that sufficient on-street parking or convenient long stay off street parking is available.
 - The applicant complies with the parking/traffic requirements contained under section 2.3.
 - The site frontage width can accommodate the parking spaces required for the drop off and pick up of children as outlined under Section 2.3 (iv).
 - The proposed centre is likely to have minimal effect on the amenity of adjoining residential properties.
 - A minimum site frontage of 15m must be provided.
- iv. Child care centres should be located close to or adjacent to community focal points such as local town centres, community buildings, parkland, sports ground and schools.
- v. Child care centres located on or adjoining industrial land may require additional environmental analysis and associated testing in order to determine any conflicting land uses.

- vi. A cul de-sac or dead end street is not an acceptable location for a child care centre due to poor traffic circulation, and limited on street parking opportunities.
- vii. New Child Care centres are not to be located within a 400m walking distance from an existing child care centre.

Notes

- **This requirement does not apply to development applications that were lodged, but not determined, before the date this DCP came into effect.**
 - **Careful consideration must be given when choosing the location of a child care centre as the potential for adverse neighbour impact with respect to noise, loss of privacy, traffic generation and on street parking can be reduced if the centre is appropriately located.**
 - **Consideration will need to be given to the proximity of the proposed child care centre relative to existing child care centres and the impact that a concentration of such facilities is likely to have on the amenity and character of the area and the amenity of surrounding residents.**
- viii. In circumstances where a child care centre complies with the 400m walking distance requirement and the child care centre is located in close proximity to an existing centre, the following additional conditions apply:
- Applicants must be able to demonstrate that the concentration of such facilities will not have an adverse impact with respect to noise, loss of privacy, traffic generation and on street parking.
 - New child care centres are not to be located on land adjoining land on which a child care centre is located (see fig 1).
 - A demonstrated need for additional child care places, supported by demographic and statistical analysis, can be shown.
 - An analysis of existing child care centres and places available in the area is to be submitted with the application.

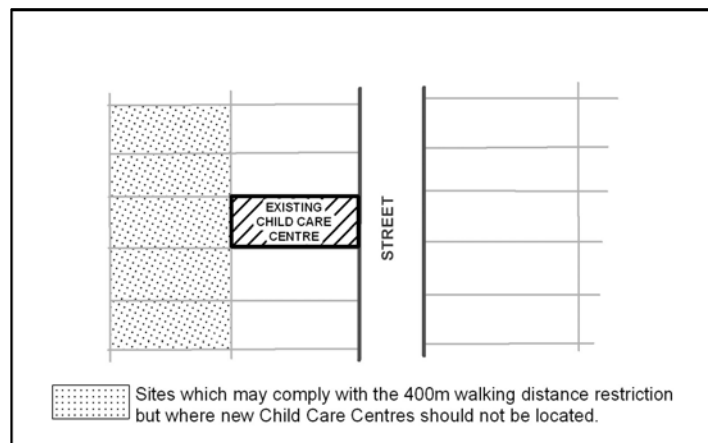


Fig 1: Land adjoining land where new child care Centres are not to be Located.

- ix. Child Care Centres will not be permitted on major roads or within 30 metres of a major road.

The following roads are considered major roads for the purpose of this Plan:

1. Albert Street
2. Bayview Avenue
3. Beamish Street (between Brighton Avenue and Canterbury Road)
4. Belmore Road
5. Bexley Road
6. Bonds Road
7. Brighton Avenue
8. Burlington Avenue (between Fore Street and Karool Avenue)
9. Burwood Road
10. Canterbury Road
11. Fore Street
12. Fifth Avenue
13. Georges River Road
14. Hartill-Law Avenue
15. Homer Street (between Bexley Road and the Cooks River)
16. Jeffery Street (between Canterbury Road and King Street)
17. King Street
18. Karool Avenue (between Permanent Avenue and Burlington Avenue)
19. King Georges Road
20. Kingsgrove Road
21. Lakemba Street (from Albert Street to King Georges Road)
22. Loch Street
23. Milton Street
24. Moorefields Road
25. Moxon Road
26. New Canterbury Road
27. Ninth Avenue
28. Orissa Street
29. Permanent Avenue
30. Punchbowl Road
31. Second Avenue
32. Thompson Street, between Burlington Avenue and Permanent Avenue
33. Viking Street
34. Wardell Road
35. William Street
36. Wiggs Road

2.2 DESIGN

Objectives

- a. To ensure a child care centre is compatible with the scale and character of the surrounding area.
- b. To ensure that the appearance of the development is of a high visual quality and enhances the streetscape.
- c. To ensure signage does not detract from the visual amenity of the surrounding area.
- d. To design a Child Care Centre that serves the needs of both children, parents and staff.
- e. To ensure a child care centre maintains a high standard of amenity and safety for children and staff.

2.3 TRAFFIC AND PARKING

Standards

- i. The maximum FSR for non-residential buildings in a residential zone is specified in the relevant principal planning instrument.
- ii. Child care centres are prohibited in 2 storey buildings.
- iii. Child care centres which contain a residential component are not permitted.
- iv. Buildings located in a residential zone must be “residential” in external appearance and finishes must conform with the nearby residential streetscape.
- v. Signage for child care centres is to be provided in accordance with Council’s DCP No 24 – Outdoor Advertising.
- vi. Facilities and services installed in a child care centre catering for pre school age children must satisfy the requirements of NSW DoCS. All Development Applications are to demonstrate satisfactory compliance with the requirements of the CSR 2004.
- vii. Child Care Centres in residential areas are limited to a maximum of 40 children.

Note: the maximum number of children may vary depending on the indoor and outdoor space requirements contained in the CSR 2004 and National Standards for Outside School Hours Care, the site frontage width and the requirements contained under Section 2.3 – Traffic and Parking.

Objectives

- a. To provide parking on site for staff.
- b. To provide adequate on street parking facilities for the dropping off/picking up of children that does not cause inconvenience to residents and congestion in nearby streets, or is detrimental to child safety.

Standards

- i. The minimum requirements for the provision, location and design of off street car parking and bicycle parking are contained in DCP 20 – Parking.
- ii. Notwithstanding this, Council may reduce the number of spaces required for staff where the following conditions are met:
 - The child care centre allocates a minimum of 25% of the places to 0-2 year olds.
 - The proposed variation is supported by a traffic and parking analysis prepared by a suitably qualified Traffic Consultant.
- iii. All parking and manoeuvring areas are to be suitably signposted, drained and line marked.
- iv. A suitably signposted parking facility on the street immediately in front of the centre, and on the same side of the street as the centre for the dropping off and picking up of children be provided.

This may require the identification and signposting of 10 minute time restricted parking for 2 hours during peak periods (7.00-9.00am and 4.00-6.00pm).

The number of drop off/pick up spaces is determined by the following factors:

- Number of children
- The RTA's traffic generation rate for Long Day Care Centre using the peak period between 7.00-9.00am and generation rate of 0.8 peak vehicle trips/child as contained in the RTA's 'Guide to Generating Development'.
- This assumes that the process of dropping off and picking up a child takes an average of 10 minutes. Therefore, over a 1 hour period (60 minutes) one allocated drop off / pick up space can accommodate up to 6 vehicle movements.

As a guide, the following table is provided: -

Number Of Children	Number of Drop Off/Pick up spaces to be Provided (see fig 2)
Up to 16	1
17-30	2
31-40	3

For example: 40 children will generate $40 \times 0.8 = 32$ vehicles per 2 hours, or 16 children per hour. 16 vehicles in an hour (2.67) require 3 parking spaces.

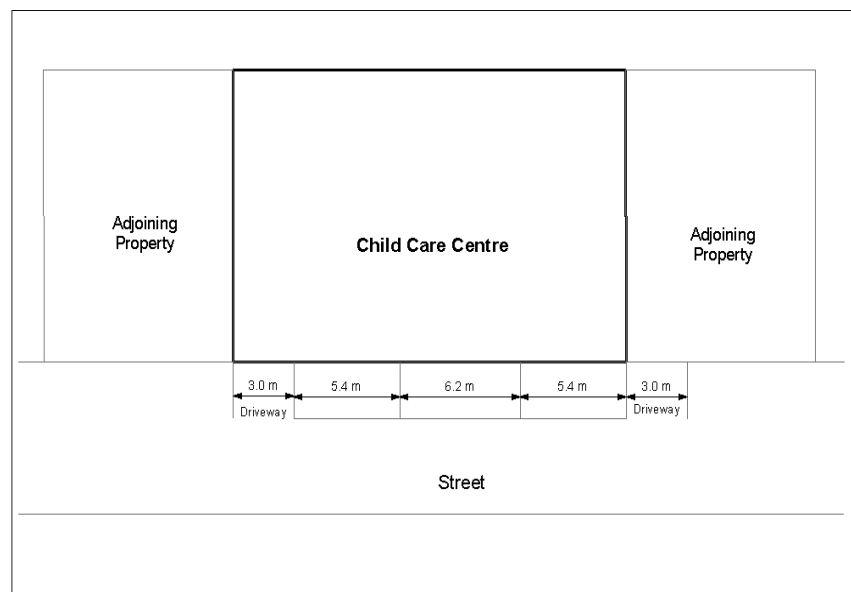


Figure 2: Indicative diagram showing the minimum parking space dimensions as stated in AS 2890.1 for a property with a site frontage width of 20m.

2.4 LANDSCAPING & PLAY AREAS

Objective

- a. To provide external spaces which promote a variety of learning, play and other developmental experiences.

Standards

- i. The CSR 2004 contains specific requirements for unencumbered indoor and outdoor play areas for each licensed child care centre. Compliance with these requirements must be demonstrated.
- ii. Optimally, 10 sqm of useable outdoor play space should be provided per child. The minimum required under the CSR 2004 is 7sqm per child.
- iii. The National Standards for Outside School Hours Care contains specific requirements for unencumbered indoor and out door play areas for each OOSH. Compliance with these requirements must be demonstrated.
- iv. Council's Landscape DCP (DCP 45) contains specific requirements for child care centres. Compliance with these requirements is required.
- v. The outdoor play space must not be occupied by any motor vehicles during operating hours.
- vi. Direct access to toilets from both indoor and outdoor areas is to be available.
- vii. Outdoor play areas should be of such a shape to allow constant supervision of and access to children.
- viii. Outdoor play areas between the front alignment of the building and the street will not be permitted.
- ix. There should be opportunities for babies to be separated from older children with the outdoor area.
- x. The external spaces should utilise the site's natural features where appropriate.
- xi. Attention should be given to the design and construction detailing to provide a variety of experiences.

2.5 VISUAL AND ACOUSTIC PRIVACY

Objectives

- a. To ensure children's play and sleep areas are not subjected to excessive traffic or other external noise.
- b. To maintain the visual and acoustic privacy of adjoining residences.

Standards

- i. Centres should be designed so as to locate sleep rooms and play areas away from undesirable noise sources. The impacts of noise can be further reduced by barriers such as solid fencing and double glazing.

2.6 HOURS OF OPERATION

- ii. Noise impacts on neighbouring properties can be minimised by:
 - Orientating the facility with regard to neighbouring property layout, including locating playgrounds and playroom windows and doorways away from neighbouring bedrooms.
 - Using double glazing where necessary.
 - Planting of hedges along fence lines to create a play ground buffer zone.
 - Fencing which minimises noise transmission and loss of privacy (e.g lapped and capped timber fencing, cement block, brick).
- iii. An acoustic report prepared by a suitably qualified acoustic consultant must be submitted with all development applications.

Objectives

- a. To ensure that a child care centre operate at times where they will have the least impact on the amenity of adjoining residences.

Standards

- i. Where a child care centre is located in a residential zone, operating hours will be restricted to: -

Monday – Friday 7.00am – 7.00pm (excluding public holidays)

2.7 ACCESSIBILITY

Objectives

- a. To ensure that child care centres can accommodate all children, parents and staff, including those with a physical disability.

Standards

- i. The building must provide for access for people with a disability by a continuous path of travel from the street and or parking area into and within every room and outdoor area used by children and staff.
- ii. Access should be designed in accordance with AS 1428.1 Design for access and Mobility and in all respects comply with Part D of the Building Code of Australia.

3.

OTHER MATTERS

3.1 FURTHER INFORMATION

Further information is available from Council's City Planning Division.

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