

Child Care Centres

Development Control Plan No. 57



DCP
57

Ku-ring-gai Council

www.kmc.nsw.gov.au

Child Care Centres

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Chapter 1 Introduction

1.1 Citation

This Plan may be cited as Development Control Plan No 57 - Child Care Centres.

1.2 Land to which the DCP applies

This Plan applies to all land within Ku-ring-gai where child care centres are permissible.

1.3 Commencement of the DCP

This development control plan was adopted by Council on 14 June 2005 and comes into effect on 29 June 2005.

1.4 Child Care Centres to which the DCP applies

This DCP applies to all types of child care centres except the following (see Chapter 2 for definitions):

- Home Based Care
- Family Day Care
- Mobile Care Services
- Out-of school-hours (OOSH) Care Services

Note: Child care services not covered by this DCP will require Council approval prior to operation. Please contact Council's Community Service Department if you wish to obtain information relating to the establishment and operation of these services.

1.5 Relationship to other Plans and Policies

This Plan should be read in conjunction with Council's principal planning instrument, the *Ku-ring-gai Planning Scheme Ordinance* and any other DCP, Code or Policy that applies to the proposed development.

1.6 Purpose of this DCP

This DCP has been created to guide the development of high quality child care centres in Ku-ring-gai so as to:

- enforce a positive, proactive approach to identifying and responding to the child care needs of the community; and
- provide a clear planning framework for guidance towards the establishment of centres that incorporate these ideals.

1.7 Objectives of this DCP

The Objectives of this DCP are child care centres that:

- A. are of the highest levels of health and safety for the users of the facility;
- B. stimulate and enhance children's learning within indoor and outdoor environments;
- C. effectively integrate with the surrounding area;
- D. are accessible to all members of the community; and
- E. are of an overall high quality.

1.8 Obtaining Consent from Council

This DCP complements the provisions of the *Ku-ring-gai Planning Scheme Ordinance*, the *Children's and Young Person's (Care and Protection) Act 1998* and the *Children's Services Regulation 2004*.

All child care centres require consent from Council and a license from the NSW Department of Community Services (DoCS) before they may operate. In the consideration of a development application (DA), Council will assess matters such as the design of the centre and how the centre fits into its surrounding environment. DAs will be assessed against the objectives and controls of this DCP. The DA must be prepared in accordance with Council's *Development Application Guide* (available from Council's Customer Service Centre).

Once Council has granted a consent, a license application should be prepared and submitted to DoCS (refer to the Regulations 2004 for details). In assessing the licence application, DoCS will consider how the centre is likely to operate and the ability of the proposal to meet the provisions of the Regulations 2004. **As DoCS considers the licence application after consent has been granted, it is required that when the DA is lodged applicants provide Council with a signed statement as required under Part 2 of the Regulation 2004¹.**

It should be noted that mere compliance with the numerical controls contained in this DCP does not necessarily guarantee that Council will grant consent to an application.

¹ Part 2 'Licensing Requirements' of the Regulations 2004 states that applicants applying for a license from DoCS, must provide the department with a statement in writing signed by the applicant and by a person who is entitled to use the title "architect", "architectural draftsman" or architectural assistant" under the Architects Act 1921 or who is accredited by the Building Designers Association of NSW Inc. in relation to the design of the class of building concerned, that the premises complies with the Part 3 facilities and equipment requirements of the Regulations 2004 applicable to centre based children's services. A statement of any respect in which the premises do not comply with these requirements signed in this manner must also be provided.

1.9 Variations to the DCP

Council will consider each DA on merit. Variations to the controls may be acceptable, provided the applicant is able to demonstrate compliance with the objectives of the plan.

1.10 Obtaining Further Information

Information relating to the NSW Department of Community Services (DoCS) requirements for establishing child care centres can be found at www.community.nsw.gov.au.

Further information on the establishment of high quality child care centres may be obtained from the '*Best Practice Guidelines in Early Childhood Physical Environments*' document developed by DoCS.

Council staff from Council's Development and Regulation and Community Services Departments may be consulted prior to submitting an application in order to obtain advice on your proposal. Fees may apply for this consultation.

Chapter 2

Dictionary of Definitions

Back-up Facility means a facility that assists in the operation of the child care centre including cot rooms, child-accessible toilet areas, nappy change areas and bottle preparation areas.

Child Care Centre means a building or place used for the purposes of supervising or caring for children which:

- caters for 6 or more children under the age of 6, whether or not these children are related to the owner or operator of the child care centre;
- may provide an educational facility; and
- may operate for purpose or gain,

but does not include a building or place providing residential care for those children.

Co-located Child Care Centre means a child care centre and another independent use located on a single site.

Council means Ku-ring-gai Council.

Dangerous Good has the same meaning as in the *Dangerous Goods Act 1975*.

Dual-use Facility means a child care centre and residential dwelling that are located on a single site but which operate independently.

Family Day Care means a service that provides care for up to 7 children aged less than 12 years in the home of the family day care provider. Family day care providers are governed by the management structure of a family day care scheme.

Home Based Care means a service that provides care for up to 7 children aged less than 12 years in the home of the care provider. Home based care providers operate independently and are not part of any external management structure or scheme.

L90 Background Level means the ambient (background) noise levels that would normally exist in the absence of the child care centre.

Major Roadway means any roadway listed in Appendix 1 of this DCP.

Mobile Care Service means a child care service that visits specific premises at specific times. The age of children cared for depends on the type of service provided.

Mobile Phone Base Station means a device used for the transmission of signals through the mobile (or cellular) telephone network by way of Radio Frequency Electromagnetic Radiation (RF EME).

Multi-use Facility means a child care centre and other child-related activity (commercial or non-profit) operating on a single site.

Out of School Hours (OOSH) Care means a service that provides care for school aged children under 12 years old, usually before or after school hours, on pupil-free days or during school holidays. Centres are usually located on school grounds or in community halls.

Potentially Contaminated Land has the same meaning as 'Potentially Contaminating Activities' in *Council's Contaminated Land Policy*.

Setbacks means the distance between the boundaries of the site and the external wall of a building erected or proposed to be erected.

Staff / Parent Accessible Area means any area of the child care centre that restricts unsupervised access by children or is not intended for use by children.

This Plan / DCP means Development Control Plan No X – Child Care Centres

Transmitter – see '*Mobile Phone Base Station*'

Unencumbered Indoor Play Space means useable play space that excludes items such as passage ways or thoroughfares, door swing areas, cot rooms, toilets or shower areas located in the building or any other facility, such as cupboards, that inhibits opportunity for play.

Unencumbered Outdoor Play Space means useable play space that excludes items such as car parking areas, storage sheds and other fixed items that prevent children from using the space or that obstruct the view of staff supervising children in the space.

Chapter 3 Location

3.1 Chapter Objectives

1. The safe location of child care centres to protect the health and safety of the facilities users.
2. Child care centres that do not adversely affect local traffic management.

Preferred Locations:

Locations that are preferred by Council for the establishment of child care centres, in addition to the requirements of this chapter, will:

- share two or less common boundaries with surrounding properties zoned for residential purposes,
- have a frontage to a park or other open space, and
- be located close to local shopping facilities, public transport and other community facilities.

3.2 Mobile Phone Base Stations

Proposals to establish new child care within 500m of a mobile phone base station, as measured from the transmitter to the nearest point of the subject site, must be accompanied by a report that demonstrates that the site is safe for use. The report must:

- a) show that the site will not be exposed to Radio Frequency fields in excess of the criteria stated in the Australian Radiation Protection and Nuclear Safety Agency's (ARPANSA) 'Radio Protection Standard – maximum exposure levels to radiofrequency fields – 3kHz to 300GHz'¹;
- b) be prepared using the 'Radio Frequency EME Exposure Levels – Prediction' methodology; and
- c) be prepared by a suitably qualified person.

3.3 High Voltage Power Lines

Proposals to establish new child care centres within 70m of a power line² carrying in excess of 33 kilovolts³ (as measured from the ground point directly above an underground power line or directly below an overhead power line to the nearest point of the subject site) shall be accompanied by a report that demonstrates the site is safe for use. The report must:

- a) show that the site will not be exposed to Electromagnetic Field Exposure (EMF) in excess of the limits stated in the International Commission on Non-ionising Radio Protection's (ICNIRP)

¹ For more information, visit the ARPANSA website at: <http://www.arpansa.gov.au>

² The ARPANSA recommended publication 'Electromagnetic Fields and Human Health: Power Lines and FAQs' prepared by Professor John E Moulder states "depending on the type of line and its current, magnetic fields become less than those produced by a typical residence at a distance of 20-70m".

³ 33 kilovolts is the typical voltage carried by a distribution line from a substation or transmission line to a neighbourhood area. Applicants should consult Transgrid and Integral Energy for information relating to the location of power lines and power line easements in excess of 33 kilovolts.

*Guidelines for Limiting Exposure to Time-Varying Electric, Magnetic and Electromagnetic Fields (up to 300GHz)*⁴;

- b) be prepared in accordance with the methodology of these guidelines; and
- c) be prepared by a suitably qualified person.

3.4 Dangerous Goods

New child care centres must not be located within 100m⁵ of a dangerous good of a quantity requiring a license to be held under the Dangerous Goods Act 1975 and Regulation as measured from the location of the dangerous good to the nearest point of the subject site.

3.5 Contaminated Land

Proposals to establish new child care centres on or adjoining a site deemed by Council to be “potentially contaminated land” must be accompanied by evidence that the site is safe for use.

Note: Refer to Council's Contaminated Land Policy for information outlining these requirements and a list of activities that may cause a site to be considered ‘potentially contaminated land’.

3.6 Major Roadways

Proposals to establish new child care centres within 125m of a major roadway (as listed in Appendix 1 of this DCP), as measured from the edge of the road reserve to the nearest point of the subject site, shall be accompanied by a report that demonstrates the site is safe for use. The report must:

- a) provide a comparison between the air, noise and soil qualities experienced by the centre and the guidelines set by the NSW Department of Environment and Conservation's Environment Protection Authority (EPA)⁶; and
- b) be prepared by a suitably qualified person.

3.7 No-through Roads and Quiet Residential Streets

- a) Where a new child care centre is to be established in a cul-de-sac or other no-through road, the applicant must demonstrate that there will be no significant impact to residential amenity or vehicular manoeuvrability.
- b) Where a new child care centre is to be established in a residential street, the applicant must demonstrate that there will be no significant impact to residential amenity or traffic movement.

⁴ For more information, visit the ICNIRP website at: www.icnirp.org

⁵ The NSW Fire Brigade's standard operational guidelines require that, in the event of a minor leak, spill or similar emergency, a 100m evacuation distance in all directions around the hazard, is to be established.

⁶ For more information, visit the EPA website at: www.environment.nsw.gov.au

Chapter 4

Car Parking and Vehicular Access

4.1 Chapter Objectives

1. Safe on-site vehicle manoeuvrability.
2. Car parking that satisfies the demand generated by the centre.
3. Child care centres that do not disrupt local traffic.
4. Car parking areas that are compatible with the character of the surrounding area.

4.2 General

- a) In addition to the controls of this chapter, car parking, vehicular access and surrounding landscaping must adhere to the controls of *DCP 43 – Car Parking*.
- b) In accordance with DCP 43, 1 parking space per 4 children in care is to be provided, of which at least one space must be accessible for people with a disability.

Note: This figure **includes** staff parking.

- c) Parking for people with disabilities must be located as close as possible to the primary entrance to the building and clearly marked.
- d) New child care centres proposed on sites adjoining a main road (as listed in Appendix 1 of this DCP) are not to have vehicular access from that road unless it can be adequately demonstrated that alternative vehicular access to that development is neither practicable nor can be provided by another road (not being a road listed in Appendix 1).

Note: Depending on the size of the centre, such access arrangements may require the concurrence of Council's Traffic Committee and the Roads and Traffic Authority.

4.3 Safety

- a) Car parking areas are to include a designated footpath to ensure safety and welfare of pedestrians.
- b) Car parking areas are to be designed in a manner that allows vehicles to travel in a forward direction at all times except when entering or leaving a parking space.
- c) Where a child care centre is located on a corner site such that vehicles may exit the site via an alternate street to that by which they entered, the car parking and vehicular access area must be designed in a manner that discourages "shortcuts" being taken through the site.

Note: In order to achieve this, on-site traffic calming measures may be required.

Chapter 5

Site and Building Design

5.1 Chapter Objectives

1. Child care centres that are compatible with the scale and character of surrounding areas.
2. Preservation of amenity for neighbouring properties.
3. Attractive and site responsive buildings.
4. Appropriate management of water for the site and its surroundings.
5. Practically designed child care centres.
6. Child care centres that are accessible to all potential users of the facility.

5.2 Built Form of Centres in Residential Areas

This section applies only to child care centres proposed on land zoned for residential purposes. Controls for child care centres proposed in other zones begin at Section 5.3.

5.2.1 General

- a) The child care centre shall be a single storey in height.
- b) Development must be appropriately located on the site having regard to the existing setbacks of adjoining properties, the setback pattern of the street block within which the proposal is situated and Council's minimum and average setback requirements.
- c) Unrelieved external walls must not exceed 12 metres in length.
- d) The centre must be designed to minimise potential noise and overlooking on adjoining residences. These impacts are to be minimised by:
 - facing doors and windows of the centre away from sensitive areas such as bedrooms, living rooms and private open space; and
 - facing play equipment away from common boundaries with residential properties.

5.2.2 Setbacks

- a) The required minimum front setback will be:
 - 9 metres where the site is located on the low side of the street; or
 - 12 metres where the site is located on the high side of the street.

Note: Where the predominant setback pattern of the existing streetscape reflects setbacks which exceed the required minimum, the greater setback suggested by the streetscape character will apply.
- b) The required minimum side setbacks will be:
 - 1.5 metres where the site is less than 20m in width; or
 - 9% of the site width where the site is 20m or more in width.
- c) The required minimum rear setbacks will be:
 - 25% of the average site depth where the site is of a depth less than 48 metres; or
 - 12 metres where the site depth is 48 metres or greater.

5.3 Solar Access

- a) The design of the child care centre is to address both summer and winter conditions with passive solar heat gain incorporated into the centre's design.
- b) During winter months (March to September) passive solar heat gain is to be maximised to maintain thermal comfort.
- c) During summer months (Mid October to end of February), solar heat gain to the house is to be controlled so as to prevent overheating, and to minimise breeze paths.
- d) The centre shall be designed and sited to maintain solar access for a minimum period of four hours between 9am and 3pm on 22 June to key areas of the centre, including indoor and outdoor play spaces.
- e) The design of the centre must not affect solar access to adjacent buildings for a minimum period of four hours between 9am and 3pm on 22 June.
- f) Children's sleeping areas, toilets, staff rooms and internal play spaces are to have access to natural lighting during daylight hours.

Note: Council may require that outdoor areas that are shaded during daylight hours be artificially lit to ensure safety.

5.4 Water Management

The water management provisions of the child care centre are to be in accordance with the relevant controls of *DCP 47 – Water Management*.

5.5 Ventilation

The child care centre is to be designed in a manner that utilises cross ventilation as the primary ventilation control system.

Note: Artificial ventilation control measures may be required in some areas where natural ventilation is not feasible.

5.6 Accessibility

- a) Accessibility to and within the building shall be provided in accordance with the Building Code of Australia.
- b) A continuous path of travel to and within the building in accordance with *A/S 1428.2 – 1992: Design and Access for Mobility must be provided*.
- c) All key areas of the site must be linked by pathways that are accessible to prams, wheelchairs and the like.
- d) Child care centres must be located on the ground floor of the building that they occupy.

5.7 Landscaping and Planting

Note: See also Section 9.6 in Chapter 9 – Outdoor Play Spaces for landscaping and planting requirements in outdoor play spaces.

- a) Landscaping of new child care centres shall be designed to minimise the visual impact of the building on the landscape.
- b) The landscape design of the child care centre shall reflect the prevailing landscape character of the area and should relate to existing streetscapes in terms of scale and planting style.
- c) No area within the child care centre may contain plant species that are characteristic of the following:
 - plants known to be poisonous or that produce toxins;
 - plants with high allergen properties;
 - plants with thorns, or spiky or prickly foliage; or
 - any plant species that Council considers may place the health, safety and welfare of the centres users at risk.
- d) Notwithstanding any other control contained within this DCP, significant existing landscaping features, such as canopy trees, are to be retained.

5.8 Noise

Where a child care centre is to be located on a site adjoining a residential property, noise generated by the centre must not be more than 5dB(A) above the ambient (L90) background noise level, as measured at any point on the adjoining residential property.

Note: Council may order an acoustic assessment be undertaken by a suitably qualified acoustic consultant that is to include recommended noise attenuation measures.

Chapter 6

Indoor Play Spaces

6.1 Chapter Objectives

- 1) Adequate indoor play space and storage to cater for a range of activities.
- 2) Indoor play spaces that allow for effective access and supervision between indoor and outdoor play spaces.

Preferred Indoor Play Spaces:

In addition to the requirements of this chapter, indoor play spaces that are preferred by Council, will:

- provide **more** than 3.25m² of unencumbered indoor play space per child.
- provide storerooms and storage areas that allow a variety of equipment sizes and types to be adequately stored on purpose built racks, shelves, etc and retain space at ground level for heavier items.

6.2 General

- a) The child care centre must provide at least 3.25m² of unencumbered indoor play space per child.
Note: See Chapter 2 for definition of unencumbered play space.
- b) Indoor play spaces are to be designed so as to allow maximum supervision of the indoor and outdoor play spaces.
- c) Clear pedestrian access must be provided from the indoor play space to the back-up facilities of the centre.
- d) Indoor play spaces are to be designed so as to allow sub-spaces (eg home corners, dolls and reading areas) to be set up.
- e) The design of the indoor play space must allow for efficient access to and supervision of frequently used back-up facilities, such as children's toilet facilities and nappy changing areas.
- f) A craft preparation area, easily accessible by staff, is to be provided at the edge of the indoor play space.

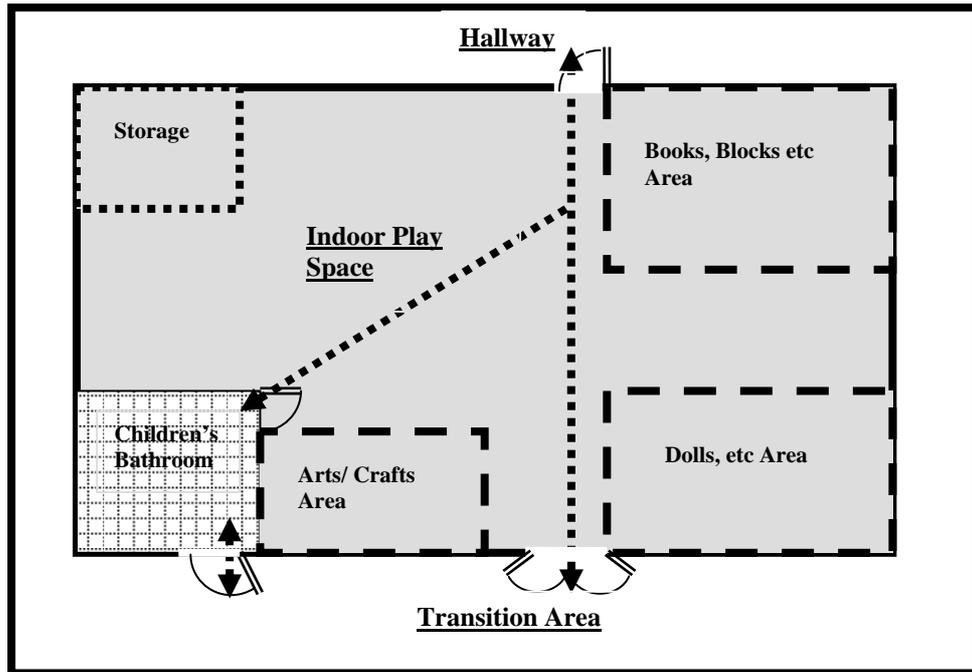


Figure 1: Example of possible indoor play space demarcation (Source: *Best Practice Guidelines in Early Childhood Physical Environments – NSW Department of Community Services*)

6.3 Storage

- a) A storeroom or storage area, suitable for the storage of large equipment (such as gym mats) must be directly accessible from each indoor play space.
- b) A storage area, adjoining the play space, must be provided for the storage of all bedding material so that beds need not be moved an excessive distance from their place of use.

Chapter 7 Back-up Facilities

7.1 Chapter Objective

Healthy, comfortable and functional back-up facilities that cater for all users of the facility.

The 'Best Practice Guidelines in Early Childhood Physical Environments' created by the NSW DoCS suggests the following minimal dimensions for back-up facilities:

Area:	Dimension:
Cot rooms:	2.5m ² per cot with a gap of 800mm between each cot
Child accessible toilet areas:	12.5m ² as a minimum overall area with an additional 2.5m ² for each additional toilet over the baseline figure of 3 toilets.

7.2 Cot Rooms

- a) Cot rooms or other designated sleep areas must be provided in accordance with the Regulations 2004.
- b) Cot rooms are to be located away from the high noise areas of the centre, such as indoor and outdoor play spaces.
- c) Where it is not possible to locate cot rooms away from high noise areas, adequate acoustic insulation measures for the room are to be implemented.

7.3 Child-accessible Toilet Areas

- a) Child-accessible toilets and hand washing facilities are to be provided in accordance with the requirements of the Building Code of Australia.
- b) Mirrors constructed of safety glass are to be provided on top of the junior hand basins.
- c) Separate doorways allowing direct access to the child-accessible toilet area must be provided from indoor and outdoor play spaces.
- d) The child-accessible toilet areas must be designed in a manner that allows for maximum supervision from indoor and outdoor play spaces.

7.4 Nappy Changing Areas

- a) Nappy changing areas must be located away from food and craft preparation facilities.

- b) Nappy changing areas must be provided with a lockable gate or other means that restricts unsupervised access by children.
- c) Nappy changing areas are to be designed in a manner that allows staff to supervise indoor and outdoor play spaces while using the area.

7.5 Bottle Preparation Areas

- a) Bottle preparation areas are to provide adequate space for the following:
 - a sink and drainage board;
 - an open bench;
 - a microwave oven;
 - a refrigerator; and
 - shelving for bottle equipment.
- b) Bottle preparation areas must be provided with a lockable gate or other means that restricts unsupervised access by children.
- c) Bottle preparation areas must be located at the edge of the indoor play spaces.

Chapter 8

Staff and Parent Accessible Areas

8.1 Chapter Objective

Functional, comfortable and practically designed and positioned areas used by staff and parents.

The “*Best Practice Guidelines in Early Childhood Physical Environments*” created by the NSW Department of Community Services suggests the following minimal dimensional recommendations for Staff and Parent Accessible Areas:

Area	Dimension
Internal Foyer	15m ²
External Foyer	10m ²
Director’s Office	10m ²
Administration Area	6m ²
Staff Room	16m ² with an additional 2m ² for each additional staff member
Adult Toilet Facilities	10m ²
Kitchen	16m ² with an additional 6m ² for general storage space
Laundry	10m ²

8.2 General

All staff and parent accessible areas must be provided with a lockable gate or other means that restrains or restricts unsupervised access by children.

8.3 Foyer Areas

8.3.1 Internal Foyer Areas

- a) An internal foyer area must be provided. It shall:
 - i. immediately adjoin the main entry point of the child care centre;
 - ii. immediately adjoin the administration area / director’s office; and
 - iii. be of a functional size, proportionate to the number of users of the centre.
- b) The internal foyer area must be provided with a lockable gate or other means that restricts unsupervised access by children to the foyer area from the play spaces of the centre.

8.3.3 External Foyer Areas

- a) The external sheltered foyer area must be provided. It shall:
 - i. be of a functional size for protection from weather conditions; and

- ii. be designed to clearly identify the main entry to the centre.

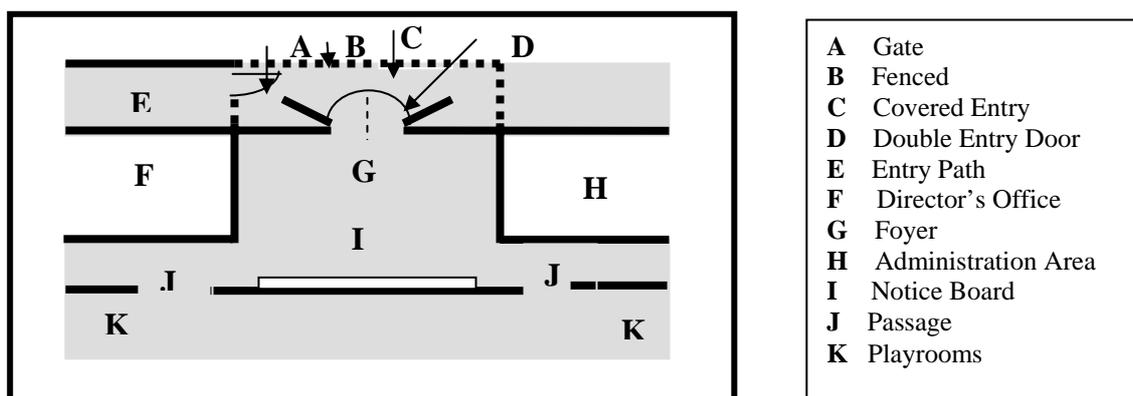


Figure X: Example of a child care centre play ground divided into a variety of play spaces
(Source: 'Best Practice Guidelines in Early Childhood Physical Environments' - NSW Department of Community Services).

8.4 Director's Offices / Administration Areas

- The director's office / administration area is to be of a functional size in relation to the number of children in care, allowing space for a photocopier, parent and staff meeting area and other administrative office furniture.
- The director's office / administration area must immediately adjoin the internal foyer area and allow for maximum supervision of this area.

8.5 Staff Rooms

- The staff room is to be located away from the high noise areas of the centre such as indoor and outdoor play spaces.
- Where it is not possible to locate the staff room away from areas of high noise, adequate noise insulation measures for the room are to be implemented.
- The staff room is to be of a functional and comfortable size to accommodate the number of staff at the centre.

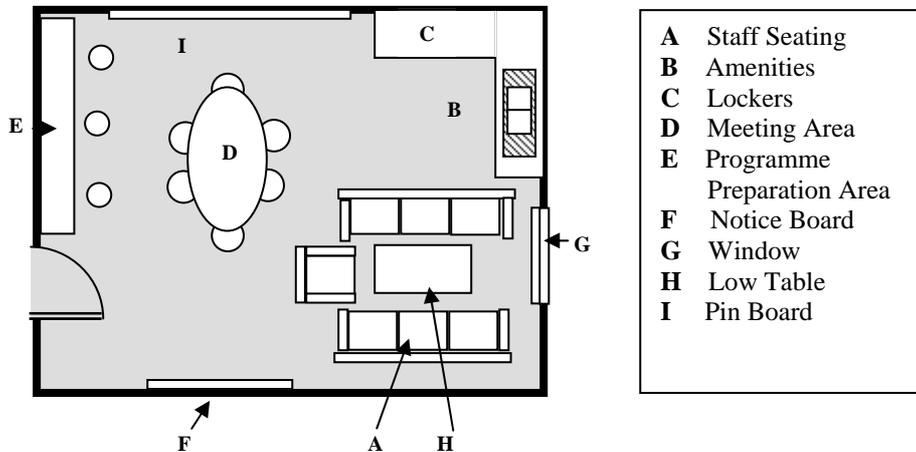


Figure 2: Example of a staffroom layout (Source: “Best Practice Guidelines in Early Childhood Physical Environments” - NSW Department of Community Services)

8.6 Adult Toilet Facilities

- d) Adult toilet facilities are to be provided in accordance with the Building Code of Australia.
- e) Toilet facilities must not directly open to the kitchen or other food preparation area.

8.7 Kitchens and Food Preparation Facilities

- f) Kitchens and other food preparation facilities are to be provided in accordance with the provisions of the Building Code of Australia.
- g) Kitchens and other food preparation facilities are to be designed and located so as to minimise noise disturbance to children’s rest areas.
- h) Kitchens and food preparation facilities that allow for observation by children must be designed so as to enable supervision of the children at all times and not put their safety and welfare at risk.

8.8 Laundries

- i) Laundries must meet the provisions of the Building Code of Australia.
- j) Laundries are to be provided away from the indoor play space and food preparation areas of the child care centre but are to be easily accessible from baby and toddler play spaces.

8.9 Cleaner's Storage Area

A storage area for all cleaning equipment of the centre must be provided.

Chapter 9

Outdoor Play Spaces

9.1 Chapter Objectives

1. Outdoor play spaces that offer a safe, functional and educational environment.
2. Outdoor play spaces that preserve the amenity of adjoining residential properties.
3. A variety of outdoor play spaces.
4. Adequate storage provisions for play equipment.

Preferred outdoor play spaces:

In addition to the requirements of this chapter, outdoor play spaces that are preferred by Council will:

- provide **more** than 7m² of unencumbered outdoor play space per child;
- provide outdoor storage space of 0.5m² for each child attending the centre; and
- be sited on two adjoining sides of the building running the building's length.

9.2 General

- a) A minimum 7m² of unencumbered outdoor play space per child must be provided.
Note: When calculating outdoor play space, areas occupied by items such as storage sheds or other fixed items that prevent children from using the space, are to be excluded.
- b) Outdoor play spaces are to be located in either the side or rear setback of the site.
Note: Where it is not possible to locate outdoor play spaces in the side or rear setback of the centre, the applicant will be required to demonstrate that appropriate safety precautions have been implemented.
- c) Where a child care centre caters for children aged above and below 3 years of age, separate outdoor play spaces are to be provided for children aged under 3 years and children 3-5 years.
- d) Where separate outdoor play spaces are provided, maximum supervision between the areas must be available to staff.
- e) Outdoor play spaces for children aged 3-5 years must include a variety of spaces that allow children to engage in a range of activities, as follows:

Open Play Space that:

- provides adequate space for children to develop gross motor skills through activities such as running and jumping;
- incorporates a variety of natural ground surfaces such as grass or mulch; and
- utilises topographical variations such as the inclusion of mounds.

Active Play Space that:

- dedicates space for climbing structures, digging areas and other play equipment;
- utilises topographical variation; and
- integrates natural and artificial ground surfaces.

Quiet Play Space that:

- can be used for quiet activities such as teaching and finger painting;
- has a stable ground surface; and
- adjoins the transition area of the centre.

Note: Examples of quiet play spaces include sandpits, gazebos and amphitheatres).

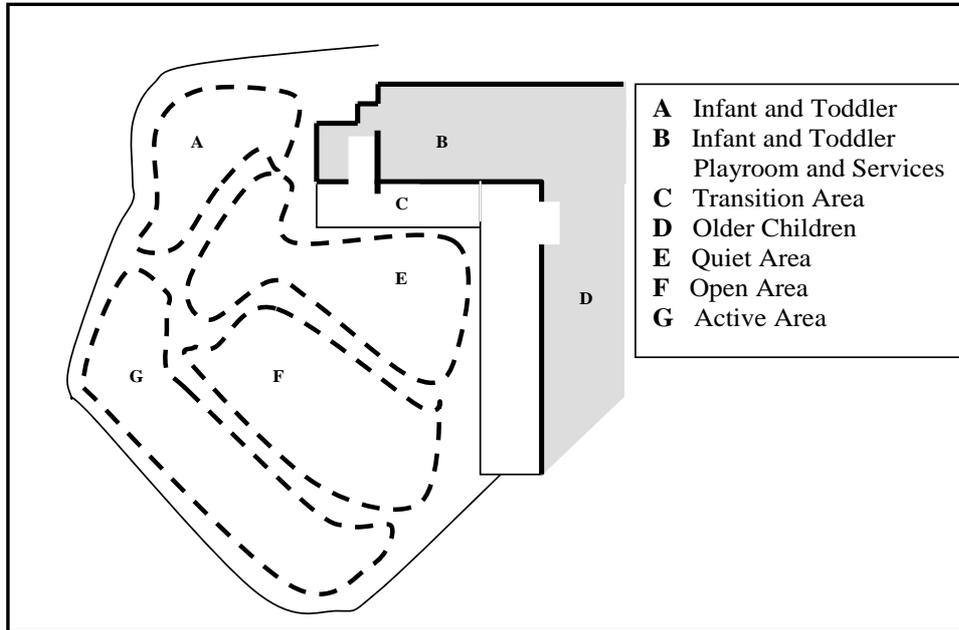


Figure 3: Example of a child care centre play ground divided into a variety of play spaces
(Source: 'Best Practice Guidelines in Early Childhood Physical Environments' - NSW Department of Community Services).

9.3 Play Equipment

- a) All outdoor play equipment must comply with any relevant Australian Standard, including AS / NZS 4486.1 1997 – *Playgrounds and Playground Equipment*.
- b) Softfall surfaces are to be used to surround play equipment and other areas where children may be at risk of falling from an elevated height. Softfall surfaces must comply with any relevant Australian Standard, including AS / NZS 4422: 1996 – *Playground Surfacing*.

9.4 Shade

Outdoor play spaces must be shaded in accordance with the NSW Cancer Council's *Shade for Children's Services* or any document that replaces it.

9.5 Planting

- a) Where the outdoor play space of the centre adjoins a residential property, screen planting along the common boundary with the residence is to be provided.
- b) Plantings in outdoor play spaces are to include an attractive variety of trees, shrubs and other soft landscaping measures that contribute to the educational value of the centre through a mixture of colours and textures.
- c) Tree plantings are to be used to contribute to achieving the requirements of Section 9.4 'Shade'.

9.6 Fencing

- a) The perimeter of all outdoor play spaces must be fenced to a minimum height of 1.2m.
- b) Where the outdoor play space of the child care centre shares a common boundary with a residential property, fencing along the boundary must be a minimum of 1.8m in height and constructed of a material that retains the privacy of the residence (eg overlapped timber).
- c) The construction of fences in outdoor play spaces must not present a foothold below 900mm as measured from the ground level.
- d) Where the child care centre is to be located on a site commonly affected by high winds, the fence shall be designed to act as a windbreak.
- e) Gates leading to and from the outdoor play spaces are to be equipped with child-proof, self-locking mechanisms.

9.7 Noise

The outdoor play space of the child care centre must not be exposed to an average noise level in excess of 55 dB(A)¹ originating from external sources, during the centre's operating hours.

Note: Council may order that an acoustic assessment that includes recommended noise attenuation measures be undertaken by a suitably qualified acoustic consultant. Measurements are to be taken from 1.5m above the ground level of the proposed outdoor play space.

9.8 Storage

- a) Storage facilities for outdoor play equipment must be provided. This storage may be part of the main building or a separate structure sited in the outdoor play space.
Note: If the storage facility is sited separately (not forming part of the main building), the structure must not obstruct supervision of the outdoor play space.
- b) Outdoor storage areas must not be accessible to unsupervised children.
- c) Outdoor storage structures that do not form part of the main building are to be of a solid construction that can be locked when not in use.

¹ The NSW Roads and Traffic Authority's *Environmental Criteria for Road Traffic Noise* states 55 dB(A) as the maximum acceptable noise exposure level for passive recreational areas.

Chapter 10

Transition Areas

'Transition Area' means a verandah, terrace, undercroft or other covered area between indoor and outdoor play spaces that allows a variety of play activities to be carried out in all weather conditions.

10.1 Chapter Objectives

1. Outdoor play in all weather conditions.
2. Integration of indoor and outdoor play spaces.
3. Transition areas that are safe, comfortable and of a functional size.

Preferred transition areas:

Transition area preferred by Council, in addition to the requirements of this chapter, will:

- provide 3-4m² of unencumbered play space per child; and
- incorporate craft facilities and craft storage areas.

10.2 General

- a) The child care centre must have a transition area.
- b) The transition area must be designed to allow indoor and outdoor activities to be conducted undercover.
- c) The transition area must adjoin the child care centre's main building.
- d) The transition area must be located between the indoor and outdoor play spaces.
- e) The roof coverage of the transition area must be a minimum of 4m in width.
- f) The transition area must have direct frontage to the outdoor play spaces.
- g) Access to the transition area must not rely solely on stairs.
- h) The transition area must be designed in a manner that offers protection from unfavourable weather conditions, including strong winds and rainfall.
- i) The transition area must be designed in a manner that utilises natural temperature controlling measures, including cross ventilation.
- j) Roofing materials used in the transition area must not allow excessive heat to build up during summer months.
- k) The transition area must be designed in a manner that does not inhibit supervision between indoor and outdoor play spaces.

Note: The transition area may be included in the overall outdoor play space calculation for the centre.

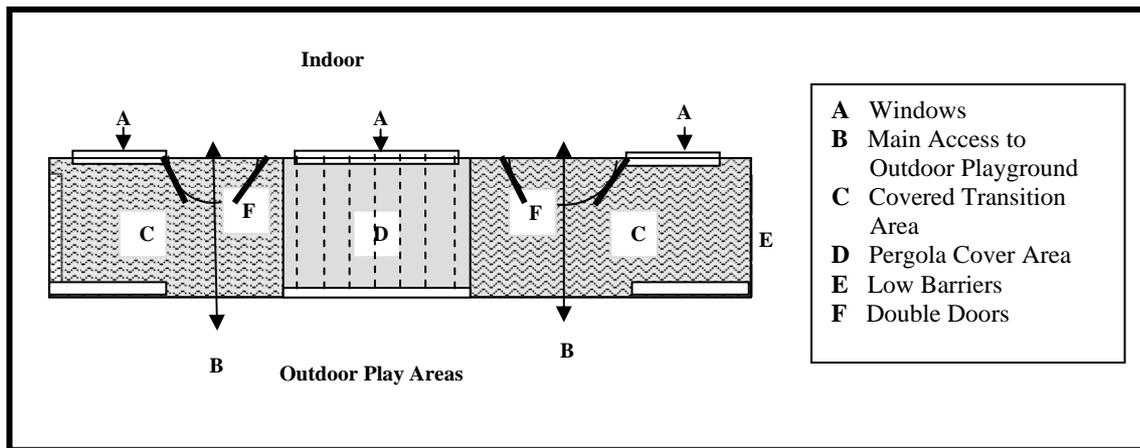


Figure 4: Example of a verandah transition area (Source: 'Best Practice Guidelines in Early Childhood Physical Environments' - NSW Department of Community Services)

Chapter 11

Co-located Child Care Centres

Co-located Child Care Centre means a child care centre and another independent use located on a single site.

11.1 Chapter Objectives

- 1) Adequate separation between co-located residential dwellings and child care centres.
- 2) Co-located equipped residential dwellings that are self-contained.
- 3) Multi-purpose activities that are compatible with child care centres.

11.2 Dual-use Facilities

Note 1: The residential dwelling component of dual-use facilities will be assessed in accordance with the relevant sections of *DCP 38 – The Ku-ring-gai Residential Design Manual*.

Note 2: Where a conflict arises between the controls for dwellings and for child care centres in dual-use facilities, Council will require a reduction of the proposed number of children who will attend the centre rather than permitting a reduction of the requirements for the residential dwelling.

11.2.1 General

- a) Dual use facilities may only be located on sites zoned for residential purposes.
- b) The residential dwelling and child care centre component of the dual use facility must be contained within a single building.
- c) Any existing or proposed swimming pools must be securely fenced, meeting the requirements of the *Swimming Pools Act, 1992*.

11.2.2 Separation

- d) Clearly defined, separate entrances must be provided for **both** the residential dwelling and the child care centre components of the building.
- e) The dual use facility must be designed so as to ensure a high level of amenity for the occupants of the residential dwelling. This is to be achieved by positioning living rooms, bedrooms and other habitable rooms away from common walls with the child care centre.
- f) A minimum 25m² of private open space shall be provided for the residential dwelling of the dual use facility.
- g) The residential dwelling of the dual use facility must be equipped with the following that are solely for use by the dwelling's occupants:
 - i. a kitchen;
 - ii. a laundry;
 - iii. a bathroom; and
 - iv. storage space of:
 - 6m³ for one bedroom dwellings;

- 8m³ for two-bedroom dwellings; and
- 10m³ for dwellings with three or more dwellings,

with a minimum of 50% of the storage space for each dwelling internally provided.

Note: Access between the residential dwelling and child care centre of the dual use facility is permissible; however, this is to be designed so that children attending the centre cannot access the residence.

11.2.3 Car Parking

- a) In addition to the parking requirements for the child care centre, a minimum of one off-street car parking space shall be provided for the exclusive use of the residential dwelling.

11.3 Multi-use Facilities

- b) Multi-use facilities may only be located on sites zoned for commercial purposes.
- c) Any components of the multi-use facility that are not part of the child care centre must complement the operation of the child care centre. Such activities include toy libraries, baby health care services or the like.

Chapter 12 General Considerations

12.1 The Building Code of Australia (BCA)

The Building Code of Australia (BCA) refers to child care centres as 'Early Childhood Centres' that are part of the 'Class 9B' building classification category of the Code.

The BCA contains specific and detailed building requirements to which the design of child care centres must conform. These requirements cover considerations such as accessibility, fire escapes, and the provision and design of toilets and hand washing facilities.

Applicants are encouraged to seek professional advice relating to the requirements of the BCA.

12.2 Preparing an Application

It is important that applicants refer to Council's Development Application Guide (DA Guide) before preparing and lodging an application under this DCP.

The Development Application Guide is available from Council's Customer Service Centre and provides simple, step-by-step guide to preparing and application. It outlines all the information that is to be submitted with an application.

Appendix 1

Major Roadway Schedule

Archbold Road

Bobbin Head Road (between Pacific Highway to Burns Road)

Boundary Street (between Pacific Highway and Clive Street/Eastern Valley Way)

Burns Road (between Eastern Road and Warrimoo Avenue)

Eastern Arterial Road

Eastern Road (between Burns Road and Junction Road)

Comenarra Parkway

Fox Valley Road (between Pacific Highway and Comenarra Parkway)

F3 Freeway

Horace Street

Illoura Avenue (Between the railway bridge to Millewa Avenue)

Junction Road

Killeaton Street (between Warrimoo Avenue and Mona Vale Road)

Kissing Point Road (between Pacific Highway to The Comenarra Parkway)

Lindfield Avenue (between Havilah Road and Tryon Road)

Lady Game Drive

Link Road

Mona Vale Road

Pacific Highway

Railway Avenue

Redleaf Avenue

Telegraph Road

Yanko Road

Note: The list of major roadways, above, is by no means exhaustive. Council may order that air, noise and/or soil testing be carried out or that a report be prepared demonstrating the impacts that traffic generated by the centre will have on the roadway where child care centres are proposed in the vicinity of other roads that carry a high volume of traffic.