

## E4 Child Care Centres

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## **1.0 INTRODUCTION**

This Part relates to the erection, establishment and operation of Child Care Centres and Home Based Child Care Services throughout the Waverley Local Government Area (LGA).

Applicants seeking to operate a Child Care service must satisfy regulations and requirements of the Department of Community Services (DoCS) and Council.

### **1.1 Licensing**

The DoCS is responsible for the regulation, licensing and monitoring of children's services in accordance with the state regulations under the *Children and Young Persons (Care & Protection) Act 1998* and *Children's Services Regulation 2004*. An applicant must obtain a licence from DoCS to provide Home-Based, Centre-Based or Family Day Care.

The Child Care Regulations contain service requirements and minimum standards of care for operating and managing a child care service including licence applications, staffing, maximum number of children, facilities and equipment, and administration.

### **1.2 Objectives of this Part**

- (a) Encourage the provision of Child Care centres and services in the Waverley LGA to meet the needs of the community;
- (b) Sites containing Child Care centres and services are appropriate for that purpose and provide a functional and pleasant environment for their users;
- (c) Child Care Centres and services are clean, safe, healthy and well equipped in accordance with applicable statutory requirements and building standards;
- (d) Child Care centres and services are compatible with the environment in which they are situated, particularly in terms of physical appearance and landscaping; and
- (e) Potential impacts from Child Care centres on surrounding residential areas i.e. noise, traffic generation and on-street parking, are minimised.

## **2.0 APPLICATIONS TO COUNCIL**

### **2.1 Development Applications (DA)**

Council has the responsibility for assessing Child Care Centre applications and the DoCS is responsible for licensing services and regulating operation. DoCS only grant licenses after a development application (DA) has been approved by Council. Before submitting a DA, the applicant should contact DoCS local office to address licensing issues. An applicant must address requirements in this Part and be aware of the NSW Child Care Regulations in force at the time of the licence application. These regulations may change from time to time.

The following information is to be submitted to Council at time of DA lodgement:

- (a) All information required by Council's DA Checklist;
- (b) Proposed hours of operation, number of children and their age break up (0-2; 2-3; 3-6 years), number of staff, proposed daily program and the owner's signature;
- (c) For Centre Based Care services, a copy of the letter issued by DoCS stating the maximum number of children the service is proposing to cater for, and the number of staff required to meet licensing requirements; and
- (d) noise impact assessment statement prepared by a suitably qualified person.

### **3.0 CENTRE BASED CHILD CARE**

#### **3.1 General Locational Preferences**

- (a) Preference will be given to those sites that best satisfy the locational preferences including sites:
  - Located on a corner sites;
  - sites adjacent to existing open space;
  - which form part of an established church or community facility;
  - detached dwellings rather than semi-detached dwellings, dual occupancies or units within residential flat buildings;
  - where on-site setting down facilities for children are available; and / or
  - close to public transport or within easy and safe walking distance of public transport.
- (b) Sites on arterial roads should be avoided. However, consideration will be given where adequate on-site parking and drop-off/pick-up points for children are provided.

#### **3.2 Parking Requirements**

- (a) Part I1 requires 1 site parking space per 4 employees and 1 per 8 children plus a drop-off/pick-up area.
- (b) Where possible, on-site parking should be designed so that vehicles may be driven in a forward direction both when entering and leaving the premises.

#### **3.3 Number of Children in Care**

- (a) The number and age of children, which may attend the centre is subject to licensing requirements of the DoCS. The applicant must confirm with the children's services adviser at the DoCS to ensure the proposed number of children is feasible and in accordance with relevant legislation.
- (b) A letter from the DoCS must be submitted with the DA, indicating the maximum number of children permitted for licensing of the service.

### 3.4 Staff Requirements

- (a) DoCS will assess staff requirements as part of the licensing process. The applicant must submit a letter from the DoCS with the DA, indicating the staffing levels required for licensing of the service.

### 3.5 Site Area Requirements

The following criteria for indoor and outdoor space are based on NSW regulations. An applicant should confirm these figures with the DoCS prior to lodging a DA.

<b>Indoor Space</b>	0 – 6 years old	3.25m <sup>2</sup> per licensed child space of unencumbered space
<b>Outdoor Space</b>	0 – 6 years old	7m <sup>2</sup> per licensed child space of useable outdoor space

### 3.6 Designing Outdoor Spaces

- (a) Outdoor play spaces should relate directly to the main indoor play areas. The shape of the play space must allow for constant supervision of the children. For new centres, outdoor areas including fences, paved areas, steps, location of play equipment, lawns and trees, are to be designed by a qualified Landscape Architect. Clear, easy access, preferably on grade, should be provided between indoor and outdoor play areas.
- (b) The most desirable orientation for outdoor spaces is to the north of the building; the least desirable is to the south. Outdoor space to the north of the building is desirable during winter months. Outdoor space to the south can be valuable for shades in summer.
- (c) The design of the outdoor play space should allow at least half the area to be unencumbered and available for free vigorous play and include a variety of surfaces.
- (d) Ideally, fixed play items are located to the edge of the open area. They need to be designed for flexibility and safety, and include recognised impact absorbing under-surfacing in potential fall areas in accordance with the current Australian Standard. If a sandpit is provided, it needs to be constructed to an approved plan and include a cover.
- (e) Non-slip hard paving is used for access to the building, play with wheel toys, and under verandahs or covered areas. The surface should be safe, durable, attractive and enjoyable to use.

### 3.7 Landscaping

- (a) Planting may be used for shading, screening and decorating outdoor areas. Trees located on the northern and western boundary should shade play spaces during the hottest part of the day. Deciduous trees in these locations will allow winter sun access. In new centres, garden areas should be pleasant and well designed with a mix of shady and sunny places for play.
- (b) In new centres, plantings should include native trees and shrubs

- which will contribute to biodiversity and attract native birds.
- (c) Any outdoor tap needs to be installed at a suitable height.
- (d) If an external storeroom is attached to the building, an additional door will be required for means of egress.
- (e) In new centres, rainwater tanks should be installed to collect roof runoff for garden watering, if feasible. Tanks are to be inaccessible by children.

### **3.8 Indoor Spaces**

- (a) The recommended aspect when designing a Child Care Centre in order to receive the morning sun is north to north-east.
- (b) Playrooms located adjacent to the outdoor play areas provide easy supervision.
- (c) Toilets should be easily accessible from playrooms and, if possible, located adjacent to the outdoor play space.
- (d) Children should not have to cross another group's playroom to access the toilets or outdoor areas.
- (e) Efforts to reduce possible noise impact from the Child Care Centre may include double glazing of side windows. Care should be taken to maintain good natural ventilation throughout the play spaces.
- (f) The floor will receive an excessive amount of wear so it should be of a non-slip surface and easy to clean. If linoleum or vinyl tiles are laid over a concrete floor, the floor must be damp proofed. Ideally, these areas should also have carpeted sections to provide a soft surface.
- (g) There should be adequate and suitable space provided for the care of a child who becomes unwell. The space should include room for a sofa, stretcher or mattress in a quiet, easily supervised area.
- (h) Fluorescent lighting can be unpleasant in a child care environment. If incandescent lights are used a shade should be provided.

## **4.0 HOME BASED CARE**

### **4.1 Family Day Care Scheme**

- (a) If an applicant wishes to care for seven (7) or less children in their own home they are encouraged to join Council's Family Day Care Scheme. Under the Family Day Care Scheme experienced staff provide carers with on-going support, training, access to playgroup sessions and respite care, and social and professional networking.
- (b) For more information please contact Council's Family Day Care Co-ordinator.

### **4.2 Physical suitability of the Dwelling**

- (a) Home-based carers provide care for seven (7) children (including any of their own) under the age of 12 years, five (5) of whom have not started school.
- (b) The physical suitability of a dwelling for home-based child care

will be assessed by considering:

- proximity to busy roads or neighbouring swimming pools;
- how the service may impact on neighbouring properties;
- provision of adequate on-site parking and/or drop-off/pick-up points for children; and
- proximity of the dwelling to public transport and safe walking distance from public transport.

- (c) Licensing standards outlined in the *Children and Young Persons (Care and Protection) Act 1998* and *Children's Service Regulations 2004* (or as amended) need to be adhered to when considering the physical suitability of a dwelling.
- (d) Consideration of all matters under the *Environmental Planning and Assessment Act 1979* (EP&AA 1979) will be made when assessing any DA.

## 5.0 ALL SERVICES: FACILITIES AND EQUIPMENT

Refer to all relevant provisions within the *Children and Young Persons (Care and Protection) Act 1998* and *Children Services Regulations 2004*.

## 6.0 REFERENCES

Further information is available primarily from the NSW Department of Community Services and the Commonwealth Department of Family and Community Services.

## 7.0 CONTACT DETAILS OF RELEVANT AGENCIES

**Waverley Council  
Customer Services Centre**  
55 Spring Street, BONDI JUNCTION  
**Duty Planner**  
Tel: (02) 8305 8484

**Recreation, Customer and Community Services**  
Waverley Council  
Level 1, The Mill Hill Centre  
31-33 Spring Street BONDI JUNCTION  
Tel: (02) 9386 7999

**Department of Community Services**  
Tel: (02) 8303 7600

**Lady Gowrie Child Centre**  
Tel: (02) 8594 4290  
[www.gowrie-sydney.com.au](http://www.gowrie-sydney.com.au)

**Working With Children Check**  
Tel: (02) 9286 7219  
[www.kids.nsw.gov.au](http://www.kids.nsw.gov.au)

**Kid Safe: Playground  
Advisory Unit**  
Tel: (02) 9845 0890  
[www.kidsafensw.org](http://www.kidsafensw.org)

**NSW Commission for  
Children and Young People**  
Tel: (02) 9286 7276  
[www.kids.nsw.gov.au](http://www.kids.nsw.gov.au)

**Community Child Care Co-op**  
Tel: (02) 8922 6444  
[www.ccccnsw.org.au](http://www.ccccnsw.org.au)

**Kid Safe: Playground  
Advisory Unit**  
Tel: (02) 9845 0890  
[www.kidsafensw.org](http://www.kidsafensw.org)

**Australian Building Codes  
Board**  
Tel: 1300 134 631

